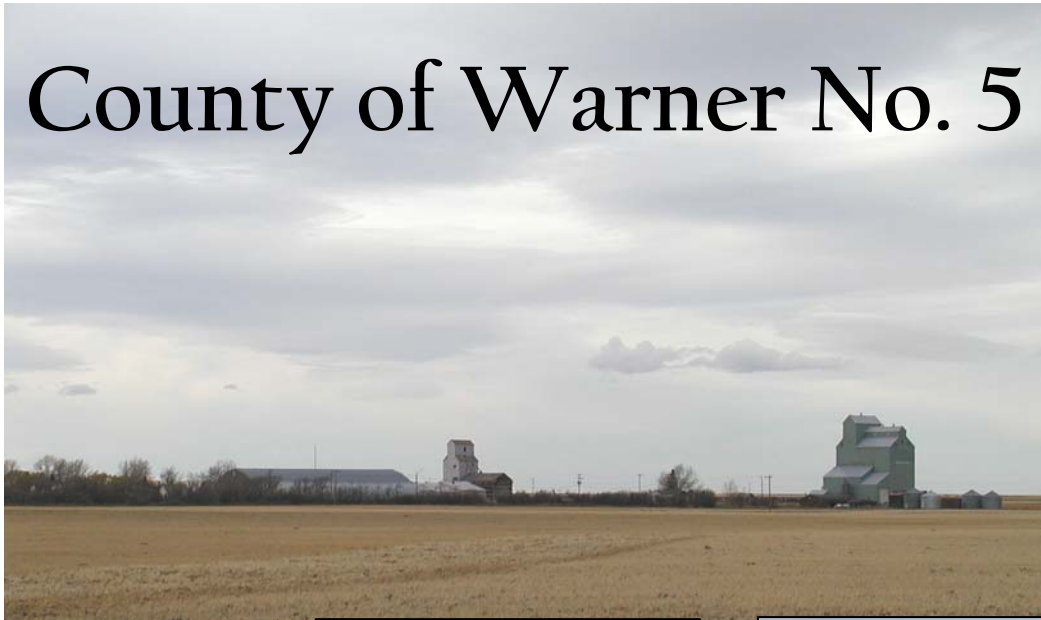


# County of Warner No. 5



## LAND USE BYLAW NO. 866-08

Prepared by the



January 2009



COUNTY OF WARNER NO. 5  
IN THE PROVINCE OF ALBERTA

**BYLAW NO. 866-08**

BYLAW NO. 866-08 OF THE COUNTY OF WARNER NO. 5 IS FOR THE PURPOSE OF ADOPTING THE LAND USE BYLAW IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA 2000, CHAPTER M-26, AS AMENDED.

WHEREAS the Council of the County of Warner No. 5 wishes to adopt a new land use bylaw to update and more effectively implement land use controls and address new development guidelines for certain types of uses within the County of Warner No. 5 and to comply with the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended; and

WHEREAS the Council of the County of Warner No. 5 intends to foster orderly growth and development in the county; and

WHEREAS the Council of the County of Warner No. 5 has established a rationale for sound land use decisions in the county through the County of Warner No. 5 Municipal Development Plan Bylaw; and

WHEREAS the Council of the County of Warner No. 5 recognizes that municipal development plans and other statutory plans of the county may be implemented through a land use bylaw; and

WHEREAS section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, authorizes the Council of the County of Warner No. 5 to pass a land use bylaw;

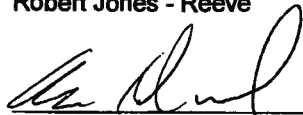
AND WHEREAS it is deemed expedient and appropriate for the County of Warner No. 5 to consider Bylaw No. 866-08 for the above-noted reasons;

THEREFORE, under the authority and subject to the provision of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council duly assembled does hereby enact the following:

1. Bylaw No. 831-03 being the former land use bylaw, and any amendments thereto, is hereby rescinded.
2. Bylaw No. 866-08 shall come into effect upon third and final reading thereof.
3. Bylaw No. 866-08 being the County of Warner No. 5 Land Use Bylaw is hereby adopted.

Read a first time this 19<sup>th</sup> day of August 2008

  
Robert Jones - Reeve

  
Allan Romeril - Administrator


Read a second time this 7<sup>th</sup> day of October 2008, as amended.

  
Robert Jones - Reeve

  
Allan Romeril - Administrator

Read a third time and finally passed as amended this 8<sup>th</sup> day of January 2009.

  
Robert Jones - Reeve

  
Allan Romeril - Administrator



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**SUBDIVISION AND DEVELOPMENT AUTHORITY BYLAW NO. 776**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 777**

# County of Warner No. 5

## LAND USE BYLAW NO. 866-08

BYLAW NO. 866-08 OF THE COUNTY OF WARNER NO. 5 IS FOR THE PURPOSE OF ADOPTING THE LAND USE BYLAW IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA 2000, CHAPTER M-26, AS AMENDED.

**Whereas** the Council of the County of Warner No. 5 wishes to adopt a new land use bylaw to update and more effectively implement land use controls and address new development guidelines for certain types of uses within the County of Warner No. 5 and to comply with the provisions of the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26, as amended; and

**Whereas** the Council of the County of Warner No. 5 intends to foster orderly growth and development in the county; and

**Whereas** the Council of the County of Warner No. 5 has established a rationale for sound land use decisions in the county through the County of Warner No. 5 Municipal Development Plan Bylaw; and

**Whereas** the Council of the County of Warner No. 5 recognizes that municipal development plans and other statutory plans of the county may be implemented through a land use bylaw; and

**Whereas** section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, authorizes the Council of the County of Warner No. 5 to pass a land use bylaw;

**Now therefore** the Council of the County of Warner No. 5 hereby enacts the following:

### TITLE

1. This bylaw may be cited as the County of Warner No. 5 Land Use Bylaw No. 866-08.

### DATE OF COMMENCEMENT

2. This bylaw shall come into effect upon third and final reading thereof.

### REPEAL OF FORMER LAND USE BYLAW

3. Bylaw No. 831-03 being the current Land Use Bylaw of the County of Warner No. 5 is repealed upon third and final reading of this bylaw.

### AMENDMENTS TO THE BYLAW

4. The Council may amend this bylaw at any time in accordance with the procedures detailed in section 692 of the Act.

### COMPLIANCE WITH AND CONTRAVENTION OF THE LAND USE BYLAW

5. A person who develops land or a building in the municipality shall conform with:
  - (a) the use or uses prescribed in Schedule 2;
  - (b) the applicable standards and requirements of development specified in Schedules contained in this bylaw;

- (c) any conditions attached to a development permit if one is required.
- 6. Every person who contravenes any provision of this bylaw is guilty of an offense under section 566 of the Act and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

**DESIGNATED OFFICER**

- 7. Pursuant to section 210 of the Municipal Government Act, Council establishes the position of designated officer to implement this bylaw.
- 8. The Council shall, by resolution, appoint a person to the office of designated officer.
- 9. The designated officer may exercise only such powers and duties as are specified:
  - (a) in this bylaw; or
  - (b) by resolution of Council.
- 10. The designated officer is responsible for:
  - (a) receiving, processing, deciding upon and, as appropriate, referring all applications for a development permit in accordance with this bylaw;
  - (b) maintaining a register of all applications together with their disposition and other relevant details.

**SUBDIVISION AND DEVELOPMENT AUTHORITY**

- 11. The Subdivision and Development Authority, pursuant to the Subdivision and Development Authority Bylaw, and may exercise only such powers and duties as are specified:
  - (a) in the County of Warner No. 5 Subdivision and Development Authority Bylaw;
  - (b) in this bylaw; or
  - (c) by resolution of Council.

**LAND USE DISTRICTS AND SCHEDULES**

- 12. The County of Warner No. 5 is divided into those land use districts specified in Schedule 1 as illustrated on the Land Use District Maps.
- 13. Schedule 2 specifies the one or more uses of land or buildings that are:
  - (a) permitted in each land use district with or without conditions; and/or
  - (b) discretionary in each land use district with or without conditions; and/or
  - (c) prohibited in each land use district.
- 14. If a use is not listed as either permitted or discretionary, then it is a prohibited use (see Similar Uses).

**DEVELOPMENT PERMIT APPLICATIONS**

- 15. Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the development.



16. An application for a development permit must be made to the designated officer by sending to him:
  - (a) a completed application (see Form A of Schedule 14); and
  - (b) the fee prescribed in Schedule 11; and
  - (c) such other information as may be required by the designated officer or Subdivision and Development Authority.
17. An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

#### **PROCESSING PERMITTED USE APPLICATIONS**

18. Upon receipt of a completed application for a development permit for a permitted use, the designated officer shall, if the application conforms with this bylaw, issue a development permit with or without conditions, including the provision of a development agreement pursuant to the Act.

#### **PROCESSING DISCRETIONARY USE APPLICATIONS**

19. Upon receipt of a completed application for a development permit for a discretionary use, the designated officer shall send the application to the Subdivision and Development Authority.
20. Upon receipt of an application under section 19, the designated officer or Subdivision and Development Authority shall notify or cause to be notified the owners of the land likely to be affected by the issue of a development permit in accordance with sections 26 and 27.
21. After considering any response to the notifications to owners likely to be affected by the development, the Subdivision and Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

#### **PROCESSING NON-COMPLYING APPLICATIONS**

22. Upon the receipt of a completed application for a development permit for a permitted use which would require a waiver, the designated officer shall evaluate the application, and
  - (a) if a minor waiver is required, may waive the applicable standard and issue a development permit with or without conditions, provided the waiver does not exceed 10 percent of any measurable standard specified in the bylaw; or
  - (b) if the waiver required exceeds the 10 percent of any measurable standard in the bylaw, the designated officer shall refer the application to the Subdivision and Development Authority for a decision under sections 19, 20 and 21.
23. Upon receipt of an application under section 22, and if the Subdivision and Development Authority is prepared to exercise its discretion under section 24, it shall notify or cause to be notified the owners of land likely to be affected by the issue of a development permit in accordance with sections 26 and 27.
24. The Subdivision and Development Authority is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Subdivision and Development Authority:
  - (a) the proposed development would not:
    - (i) unduly interfere with the amenities of the neighbourhood; or

- (ii) materially interfere with or affect the use or enjoyment or value of neighbouring properties; and
  - (b) the proposed development conforms with the use prescribed for that land or building in Schedule 2.
25. After considering any response to the notifications to owners likely to be affected by the development, the Subdivision and Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

#### **HEARING NOTIFICATION PROCEDURES**

26. Upon receipt of an application under sections 19 through 25, the designated officer or Subdivision and Development Authority may notify or cause to be notified any persons likely to be affected by the proposed development by immediately:
- (a) mailing a notice in writing to any person who, in the opinion of the designated officer or Subdivision and Development Authority may be affected; or
  - (b) posting a notice conspicuously on the property for which the application has been made; or
  - (c) placing a notice in a newspaper circulating in the County of Warner stating:
    - (i) the nature and location of the application;
    - (ii) the place and time the Subdivision and Development Authority will meet to consider the application; and
    - (iii) the manner in which affected persons may present their concerns;
  - (d) or any combination of the above.
27. Any person notified in accordance with section 26 and who wishes to comment on the application must notify the designated officer or Subdivision and Development Authority of this intention within a minimum of 14 consecutive days of the mailing, posting or publication of a notice of application, if such comments are to be considered.

#### **SUITABILITY OF SITES**

28. Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Subdivision Authority may refuse to approve the subdivision of a lot and the Development Authority may refuse to issue a development permit if, the Authority is made aware or if in their opinion, the site of the proposed building or use is not safe or suitable based on the following:
- (a) does not have safe legal and physical access to a maintained road in accordance with municipal requirements or those of Alberta Transportation if within 300 metres (984 ft.) of a provincial highway;
  - (b) has a high water table which makes the site unsuitable for foundations and/or sewage disposal systems in accordance with provincial regulations;
  - (c) is situated on an unstable slope;
  - (d) consists of unconsolidated material unsuitable for building;
  - (e) is situated in an area which may be prone to flooding, subsidence or erosion;
  - (f) does not comply with the requirements of the Provincial Land Use Policies, Subdivision and Development Regulation, Municipal Development Plan or applicable area structure plan;

- (g) is situated over an active or abandoned coal mine or oil or gas well or pipeline;
- (h) would expose the structure itself and/or people living and working there to risk from the operations of a nearby airstrip;
- (i) is unsafe due to contamination by previous land uses;
- (j) has an inadequate or unsafe water supply;
- (k) is incompatible with all existing and approved use of surrounding land;
- (l) is situated closer to a confined feeding operation than the minimum distance separation recommended by the Natural Resources Conservation Board (NRCB);
- (m) would materially interfere with the natural and economic expansion of an existing agricultural operation or its proposed expansion;
- (n) does not meet the lot size and/or setback requirements of this bylaw;
- (o) would prevent or interfere with the natural and economic extension of a nearby developed area, a coal mine, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline or a road system; or
- (p) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

Nothing in this section shall prevent the Subdivision Authority from approving a lot or prevent the Development Authority from issuing a development permit if the Authority is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures.

#### **CONDITIONS OF APPROVAL**

##### **29. (a) Permitted Uses**

Notwithstanding that a use of land may be permitted in a land use district, the Development Authority may place any of the following conditions in addition to a development agreement on the development permit to ensure any concerns over the suitability of the development are satisfied:

- (i) geotechnical investigation/tests to ensure the site is suitable in terms of topography, soil characteristics, flooding subsidence, erosion and sanitary sewerage servicing;
- (ii) will be legally and physically accessible to a municipal road or if within 300 metres (984 ft.) of a provincial highway will meet the requirements of Alberta Transportation;
- (iii) alteration of structure or building size or location to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
- (iv) any measures to ensure any other requirements of this land use bylaw are complied with;
- (v) any measures to ensure applicable provincial legislation such as the Safety Codes Act is complied with.

##### **(b) Discretionary Uses**

The Development Authority may place any of the above conditions [section 29(a)(i) through (v)] on a development permit for a discretionary use in any land use district to ensure that any concerns over the suitability of the development are satisfied, in addition to any other reasonable conditions to ensure the quality of a development and its compatibility with other existing and approved uses in the area.

#### **DEVELOPMENT PERMIT NOTIFICATION**

30. Upon the approval of the application and the issue of a development permit, the designated officer or Subdivision and Development Authority shall immediately notify or cause to be notified, any persons likely to be affected by or appeal the decision of the Subdivision and Development Authority in accordance with the procedure in section 26.

#### **DEVELOPMENT DEEMED REFUSED**

31. In accordance with section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused and may be appealed when the decision of the designated officer or Subdivision and Development Authority as the case may be, is not made within 40 days of receipt of the completed application by the designated officer.

#### **DEVELOPMENT COMMENCEMENT**

32. Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
  - (a) until at least 14 days after notice of the issuance of the permit, in accordance with section 686(1) of the Act, which shall be presumed to be effected 7 days from the date of mailing if the document is mailed in accordance with the Interpretation Act, Revised Statutes of Alberta 2000, Chapter I-8; or
  - (b) if an appeal is made, until the appeal is decided upon.
  - (c) Any development occurring prior to the dates determined under subsections (a) and (b) is entirely at the risk of the applicant, developer or land owner.

#### **DEVELOPMENT APPEALS**

33. Any person applying for a development permit or any other person affected by any order, decision, or development permit made or issued by a designated officer or Subdivision and Development Authority may appeal to the County of Warner Subdivision and Development Appeal Board in accordance with the procedures detailed in the Act (see Subdivision and Development Appeal Board Bylaw).

#### **REAPPLICATION FOR DEVELOPMENT**

34. If an application for a development permit is refused by the designated officer, the Subdivision and Development Authority or, on appeal by the Subdivision and Development Appeal Board, another application for a development on the same lot, and for the same or similar use, may not be made for at least 6 months from the date of refusal.
35. If a land use bylaw amending bylaw is defeated by Council, another amending bylaw for the same or similar purpose may not be made for at least six months from the date of the bylaw defeat.

#### **PERMIT VALIDITY**

36. Unless a development permit is suspended or cancelled, a development permit remains in effect for 12 months after the date of its issue.
37. The validity of a development permit may be extended:
  - (a) by the designated officer or the Subdivision and Development Authority, if the designated officer issued it; or

- (b) by the Subdivision and Development Authority, if the Subdivision and Development Authority issued it;

for up to 18 months from the date of its issue.

38. When any use has been discontinued for a period of 24 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced:
- (a) until a new application for a development permit has been made and a new development permit issued; or
  - (b) in the case where a development was commenced prior to the adoption of a land use bylaw and a permit was never issued, an application for a development permit must be made and a valid development permit issued.

**PERMITS – Transferable**

39. A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.
40. In the case of non-residential uses and ancillary uses, when the use has been discontinued for a period of two years or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

**STOP ORDER**

41. The designated officer is authorized to issue an order under section 645 of the Act whenever he considers it necessary to do so.

**SIMILAR USES**

42. Where an application is made for any use not specifically allowed in a land use district, but is reasonably similar in character and purpose to a permitted or discretionary use in that district, the Subdivision and Development Authority may:
- (a) rule that the proposed use may be allowed with or without conditions; and
  - (b) issue a development permit in accordance with sections 18 through 21, as the case may be.

**TEMPORARY USES**

43. Where, in the opinion of the designated officer or Subdivision and Development Authority, a proposed use is of a temporary nature:
- (a) they may issue a temporary development permit valid for a period specified by the designated officer or Subdivision and Development Authority, but which may not exceed beyond five years;
  - (b) it shall be a condition of every temporary development permit that the municipality shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;
  - (c) the designated officer may require the developer(s) to post a bond guaranteeing the cessation or removal of work at the end of the period;
  - (d) the use must be a permitted or discretionary use.

#### **NUMBER OF DWELLINGS ON A LOT**

44. No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Development Authority in accordance with sections 45 through 48.
45. A designated officer shall issue a development permit to a person that would permit the construction or location of a second dwelling unit (both agricultural and non-agricultural use) on a parcel if the parcel has an area of at least 32.4 ha (80 acres).
46. On parcels less than 32.4 ha (80 acres), a Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
  - (a) is to be occupied by a person who is engaged on a full-time basis for at least six months each year in an agricultural pursuit;
  - (b) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units;
  - (c) is a mobile home forming part of a park for mobile home units; or
  - (d) is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a land titles office under that Act.
47. A designated officer may, in a development permit, exempt any person or land from the operation of section 44 if:
  - (a) the dwelling is temporary in nature;
  - (b) the permit has an expiry time;
  - (c) the second dwelling meets the minimum distance separation calculation for confined feeding operations;
  - (d) the dwelling be located in such a way as not to encourage further subdivision.
48. The Development Authority may issue a development permit for a garden suite provided that:
  - (a) it is used to temporarily accommodate no more than two individuals that are dependent on the primary care givers that reside in the principal dwelling; or
  - (b) where circumstance warrants, a garden suite may be used to temporarily house individuals providing care to the resident(s) of the principal building; and
  - (c) the dwelling meets the standards of development criteria as stipulated in Schedule 5.

#### **METRIC MEASUREMENTS AND STANDARDS**

49. The metric standards as specified in this bylaw are applicable, imperial measurements and standards are only provided for convenience.

#### **DEFINITIONS**

50. For definitions refer to Schedule 15, Definitions.

#### **DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

51. Developments that do not require a development permit are specified in Schedule 3.

Schedule 1

**LAND USE DISTRICTS AND MAPS**

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## LAND USE DISTRICTS AND MAPS

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1. The municipality is divided into those districts shown on the Land Use District Map in Schedule 1.
2. Each district shown on the map referred to in section 1 of this schedule shall be known by the following identifying letters and numbers:

EXTENSIVE AGRICULTURE	– AG
GROUPED COUNTRY RESIDENTIAL	– GCR
GROUPED RURAL INDUSTRIAL / COMMERCIAL	– GRI/C
URBAN FRINGE	– UF
URBAN FRINGE AGRICULTURAL	– UFA
URBAN FRINGE RESIDENTIAL	– UFR
URBAN FRINGE INDUSTRIAL	– UFI
HAMLET RESIDENTIAL	– HR
HAMLET COMMERCIAL	– HC
HAMLET INDUSTRIAL	– HI
HAMLET PUBLIC / INSTITUTIONAL	– HP/I
HAMLET TRANSITIONAL / AGRICULTURAL	– HT/A
DIRECT CONTROL	– DC
LINEAR PARCEL DIRECT CONTROL	– LPDC

3. **LAND USE DISTRICTS MAPS** (following this page)

MAP A	– County of Warner No. 5 Land Use Districts Map
MAP A-LPDC	– County of Warner No. 5 Linear Parcel Direct Control
MAP B	– Designated Hamlet of New Dayton
MAP B-UF	– Designated Hamlet of New Dayton Fringe
MAP C	– Designated Hamlet of Wrentham
MAP C-UF	– Designated Hamlet of Wrentham Fringe
MAP D	– Town of Raymond Fringe
MAP E	– Village of Stirling Fringe
MAP F	– Town of Milk River Fringe
MAP G	– Village of Warner Fringe
MAP H	– Village of Coutts Fringe

**DESIGNATED GROUPED COUNTRY RESIDENTIAL DISTRICT MAPS**

MAP 1 – SE¼ 1-7-21-W4M

MAP 2 – SW¼ 36-6-21-W4M

MAP 3 – NW¼ 11-6-21-W4M and SW¼ 14-6-21-W4M

MAP 4 – NE¼ 27-5-20-W4M

MAP 5 – SE¼ 27-6-21-W4M

MAP 6 – SW¼ 14-6-20-W4M

MAP 7 – SE¼ 3-7-20-W4M

MAP 8 – Section 5-7-19-W4M

Schedule 2

**LAND USE DISTRICT REGULATIONS**

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## EXTENSIVE AGRICULTURE – AG

### 1. PURPOSE

The purpose of this land use district is to ensure that agricultural pursuits continue as the primary land uses in the county by preventing the fragmentation of agricultural land and viable farming units into small parcels intended for non-agricultural uses, while giving the Council the flexibility to allow non-agricultural uses on appropriate sites and to broaden the population and economic base of the county.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Manufactured homes / Mobile homes
- Modular homes
- Moved-in buildings
- Ready-to-move dwellings (new)
- Single detached dwellings
- Second residence in accordance with section 44
- Signs of 0.9 m<sup>2</sup> (10 sq. ft.) or less
- Ancillary buildings or uses

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Agricultural services
- Airports and airstrips
- Anhydrous ammonia storage
- Autobody repair and paint shops
- Automotive dealerships
- Automotive repair and service shops
- Campgrounds
- Cut-off country residential
- Farm machinery and industrial vehicle sales and service
- Garden suites
- Grain elevators
- Highway commercial
- Home occupations
- Intensive horticulture
- Isolated single lot commercial
- Isolated single lot country residential (for subdivision considerations only)
- Isolated single lot industry
- Kennels
- Private recreation
- Public/institutional
- Public recreation
- Resource extraction and associated works
- Second or more residences in accordance with sections 45-47
- Signs of greater than 0.9 m<sup>2</sup> (10 sq. ft.)
- Stockpiles (inside the distances in section 8 of this district)
- Public or private utilities
- Wind energy conversion systems or Met towers

**(c) Prohibited Uses**

The following uses are **prohibited** within this land use district:

Grouped country residential  
Grouped industrial developments  
Hazardous/noxious uses  
Stripping and sale of topsoil

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

**5. RESOURCE EXTRACTION USES – Sand and Gravel Pits**

- (a) Before a development permit is issued for such uses:
- (i) a satisfactory plan of reclamation must be filed with the municipality and Alberta Environment; and
  - (ii) a permit under the Sand and Gravel Pit Bylaw, if applicable, must be obtained.
- (b) Topsoil must be stockpiled and used to reclaim the worked-out site.

**6. MINIMUM PARCEL SIZE**

- (a) The minimum parcel size for any use which is not municipally serviced but which requires a means of sewage disposal shall be 0.8 ha (2 acres) in area.
- (b) At its discretion, the Subdivision and Development Authority may establish greater minimums for specific proposals. The Subdivision and Development Authority may, at its discretion, lessen the required minimum parcel size based on the method of sewage disposal and technology proposed.

**7. MINIMUM SETBACK REQUIREMENTS**

- (a) No part of a building or structure shall be located within:
- (i) 45.7 metres (150 ft.) of the centre line of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the Public Highways Development Act;
  - (ii) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;
  - (iii) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;
  - (iv) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines.
- (b) Where any parcel or part of a parcel has frontage on a primary highway or secondary road, special standards for setbacks, access, and service roadways may be required by the designated officer or Subdivision and Development Authority in accordance with the recommendations and requirements of Alberta Transportation and the Highway Development Control Regulation.
- (c) Veterinary clinics, kennels, livestock sales yards and abattoirs shall be discouraged from establishing closer than 304.8 metres (1,000 ft.) to any neighbouring residential building on a neighbouring property.

- (d) All corrals, feeders, shelters or other structures for feeding of animals less than outlined in the Agricultural Practices Amendment Act 2001 and Regulations shall not be located closer to a neighbouring established residence than 91.5 metres (300 ft.).
- (e) For a development application for a bulk anhydrous ammonia storage facility or a residential dwelling in proximity to an existing bulk ammonia storage facility the Development Authority:
  - (i) shall consider the “Guidelines for the Location of Stationary Bulk Ammonia Facilities” prepared by Alberta Environment before the Development Authority makes a decision on a development application concerning a bulk ammonia storage facility; and
  - (ii) in all instances, a development application for a residential dwelling shall not be approved if it is located within 500 metres (1,640 ft.) of an established Anhydrous Ammonia bulk storage facility.

**8. SITE COVERAGE**

As required by the designated officer or Subdivision and Development Authority.

**9. SUBDIVISION CRITERIA** – See Schedule 4.

**10. GARDEN SUITES** – See Schedule 5.

**11. LANDSCAPING AND SCREENING** – See Schedule 5.

**12. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS** – See Schedule 5.

**13. PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 5.

**14. STANDARDS OF DEVELOPMENT** – See Schedule 5.

**15. RURAL SERVICING STANDARDS AND SOIL SUITABILITY** – See Schedule 5.

**16. HOME OCCUPATIONS** – See Schedule 6.

**17. MOVED-IN BUILDINGS** – See Schedule 7.

**18. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 9.

**19. WIND ENERGY CONVERSION SYSTEMS** – See Schedule 12.





## GROUPED COUNTRY RESIDENTIAL – GCR

### 1. PURPOSE

The purpose of this land use district is to provide for high-quality clustered residential development pursuant to the municipal development plan in areas where no conflict with agriculture can be anticipated.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Manufactured homes (year 2000 and newer)
- Modular homes
- Ready-to-move dwellings (new)
- Single detached dwellings
- Ancillary buildings or uses

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Garden suites
- Home occupations
- Moved-in buildings
- Private recreation
- Public recreation
- Public or private utilities

#### (c) Prohibited Uses

The following uses are **prohibited** within this land use district:

- Anhydrous ammonia storage
- Confined feeding operations
- Hazardous/noxious uses
- Mobile homes
- Resource extraction and associated works
- Stripping and sale of topsoil

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

### 3. MINIMUM PARCEL SIZE

- (a) The minimum parcel size for any use which is not municipally serviced but which requires a means of sewage disposal shall be 0.8 ha (2 acres) in area; or
- (b) as indicated in an adopted area structure plan.

**4. MINIMUM SETBACK REQUIREMENTS**

- (a) No part of a building or structure shall be located within:
  - (i) 45.7 metres (150 ft.) of the centre line of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the Public Highways Development Act;
  - (ii) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;
  - (iii) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation.
- (b) Where any parcel or part of a parcel has frontage on a primary highway or secondary road, special standards for setbacks, access, and service roadways may be required by the designated officer or Subdivision and Development Authority in accordance with the recommendations and requirements of Alberta Transportation and the Highway Development Control Regulation.
- (c) Except where an adopted area structure plan indicates otherwise:
  - (i) developments shall be setback 45.7 metres (150 ft.) from the centre of the statutory road allowance;
  - (ii) the setback distance may be less if approved by Council in an area structure plan, but in no instance will it be less than 15.2 metres (50 ft.) from the property line fronting the road; this lesser distance [15.2 metres (50 ft.)] may be in instances where a parcel or part of a parcel has frontage on an internal (non-through) street system or a service roadway;
  - (iii) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines;
  - (iv) all ancillary structures shall be a minimum of 15.2 metres (50 ft.) from the property line fronting the road, and shall also be setback no closer than the principal dwelling.

**5. SITE COVERAGE**

As required by the designated officer or Subdivision and Development Authority.

**6. AREA STRUCTURE PLANS AND DESIGN SCHEMES**

Pursuant to the criteria outlined in the municipal development plan, Council may require adoption of an area structure plan or design scheme prior to considering applications for development.

**7. SUBDIVISION CRITERIA – See Schedule 4.**

**8. GARDEN SUITES – See Schedule 5.**

**9. LANDSCAPING AND SCREENING – See Schedule 5.**

**10. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS – See Schedule 5.**

11. **PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 5.
12. **STANDARDS OF DEVELOPMENT** – See Schedule 5.
13. **RURAL SERVICING STANDARDS AND SOIL SUITABILITY** – See Schedule 5.
14. **MOVED-IN BUILDINGS** – See Schedule 7.
15. **MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 9.



## GROUPED RURAL INDUSTRIAL / COMMERCIAL – GR/C

### 1. PURPOSE

The purpose of this land use district is to allow for the establishment of commercial or industrial uses that will not conflict with the conservation of agricultural land for agricultural uses and to situate such uses at locations which will not create conflicts with other land uses in the vicinity.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Agricultural services
- Farm machinery and industrial vehicle sales and service
- Grain elevators
- Industrial
- Intensive horticulture
- Livestock sales yards
- Seed cleaning plants

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Advertisement signs
- Ancillary buildings and uses
- Autobody repair and paint shops
- Automotive repair and service shops
- Hazardous/noxious uses
- Highway commercial
- Moved-in buildings
- Offices
- Public or private utilities
- Surveillance suites
- Resource extraction and associated works
- Retail
- Wind energy conversion systems or Met towers

#### (c) Prohibited Uses

The following uses are **prohibited** within this land use district:

- Country residential
- Stripping and sale of topsoil
- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

### 3. HAZARDOUS OR NOXIOUS USES

Hazardous or noxious uses shall be discouraged from locating within:

- (a) 3.2 km (2 miles) or less from a grouped or single parcel country residential development;
- (b) 3.2 km (2 miles) or less from a town or village with a population of more than 500;

- (c) 3.2 km (2 miles) or less from a town, village or designated hamlet with a population of 500 or less;
- (d) 3.2 km (2 miles) from a provincial, regional or municipal park or recreation area;
- (e) less than 0.8 km (0.5 mile) from either side of a provincial highway;
- (f) within such distance of other roads such as designated scenic, tourist or recreational access roads as established in a municipal bylaw; or
- (g) adjacent to water bodies.

**4. RESOURCE EXTRACTION USES – Sand and Gravel Pits**

- (a) Before a development permit is issued for such uses:
  - (i) a satisfactory plan of reclamation must be filed with the municipality and Alberta Environment; and
  - (ii) a permit under the Sand and Gravel Pit Bylaw, if applicable, must be obtained.
- (b) Topsoil must be stockpiled and used to reclaim the worked-out site.

**5. MINIMUM PARCEL SIZE**

The minimum parcel size for any use which is not municipally serviced but which requires a means of sewage disposal shall be 0.8 ha (2 acres) in area.

**6. MINIMUM SETBACK REQUIREMENTS**

- (a) No part of a building or structure shall be located within:
  - (i) 45.7 metres (150 ft.) of the centre line of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the Public Highways Development Act;
  - (ii) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;
  - (iii) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation.
- (b) Where any parcel or part of a parcel has frontage on a primary highway or secondary road, special standards for setbacks, access, and service roadways may be required by the designated officer or Subdivision and Development Authority in accordance with the recommendations and requirements of Alberta Transportation and the Highway Development Control Regulation.
- (c) All uses which have frontage on an internal roadway or service roadway require a minimum setback of:

<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>
9.1 m (30 ft.) or such greater as required by the designated officer or as specified in an adopted area structure plan.	interior lot – 6.1 m (20 ft.) corner lot – 1 @ 9.1 m (30 ft.) – 1 @ 6.1 m (20 ft.) or greater, as required by the designated officer or as specified in an adopted area structure plan.	As required by the designated officer or as specified in an adopted area structure plan.

**7. SITE COVERAGE**

As required by the designated officer or Subdivision and Development Authority.

**8. AREA STRUCTURE PLANS AND DESIGN SCHEMES**

Pursuant to the criteria outlined in the municipal development plan, Council may require the adoption of an area structure plan prior to considering applications for development.

**9. SUBDIVISION CRITERIA – See Schedule 4.**

**10. LANDSCAPING AND SCREENING – See Schedule 5.**

**11. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS – See Schedule 5.**

**12. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.**

**13. STANDARDS OF DEVELOPMENT – See Schedule 5.**

**14. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.**

**15. MOVED-IN BUILDINGS – See Schedule 7.**

**16. SIGN REGULATIONS – See Schedule 8.**

**17. WIND ENERGY CONVERSION SYSTEMS – See Schedule 12.**





## URBAN FRINGE – UF

### 1. PURPOSE

The purpose of this land use district is to protect the agricultural land for agricultural use while ensuring that fringe areas of the urban municipalities are protected for future development by ensuring non-agricultural uses will not conflict with an urban environment and economy.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Farm related buildings, structures and developments
- Manufactured homes (year 2000 or newer)
- Modular homes
- Ready-to-move dwellings (new)
- Single detached dwellings
- Second residence in accordance with section 44
- Signs of 0.9 m<sup>2</sup> (10 sq. ft.) or less
- Ancillary buildings or uses

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Abattoirs
- Agricultural services
- Autobody repair and paint shops
- Automotive dealerships
- Automotive repair and service shops
- Boarding stables
- Breeding facilities
- Cut-off country residential
- Farm stands
- Garden suites
- Grouped country residential
- Highway commercial
- Home occupations
- Intensive horticulture
- Isolated single lot commercial
- Isolated single lot country residential (for subdivision considerations only)
- Isolated single lot industrial
- Kennels
- Minor livestock operations (see Schedule 13)
- Mobile homes
- Moved-in buildings
- Private recreation
- Public or private utilities
- Public recreation
- Public/institutional
- Second residence in accordance with sections 45-47
- Service stations
- Signs of greater than 0.9 m<sup>2</sup> (10 sq. ft.)
- Stockpiles (inside the distances in section 5(a) of this district)

**(c) Prohibited Uses**

The following uses are **prohibited** within this land use district:

- Anhydrous ammonia storage
- Confined feeding operations
- Hazardous/noxious uses
- Resource extraction and associated works
- Stripping and sale of topsoil

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

**3. MINIMUM PARCEL SIZE**

The minimum parcel size for all uses shall be 0.8 ha (2 acres).

**4. MINIMUM SETBACK REQUIREMENTS**

(a) No part of a building or structure shall be located within:

- (i) 45.7 metres (150 ft.) of the centre line of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the Public Highways Development Act;
- (ii) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;
- (iii) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;
- (iv) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines.

(b) Where any parcel or part of a parcel has frontage on a controlled primary highway or secondary road, special standards for setbacks, access, and service roadways may be required by the designated officer or Subdivision and Development Authority in accordance with the recommendations and requirements of Alberta Transportation and the Highway Development Control Regulation.

(c) Where it appears that side yard setbacks may be necessary, the Subdivision and Development Authority may impose such a requirement as a condition of a development permit.

(d) No veterinary clinic, kennel or riding stable shall be located within 304.8 metres (1,000 ft.) of a residential building excepting a Subdivision and Development Authority approved farm dwelling ancillary to the designated use.

(e) All corrals, feeders, shelters or other structures for feeding of animals less than outlined in the Agricultural Practices Amendment Act 2001 and Regulations shall not be located closer to a neighbouring established residence than 91.5 metres (300 ft.).

**5. SITE COVERAGE**

The amount of area of a site to be covered or occupied by a use may be limited by the Subdivision and Development Authority.

**6. COMPREHENSIVE DEVELOPMENT PLANS, AREA STRUCTURE PLANS AND DESIGN SCHEMES**

Where it becomes apparent to the designated officer or municipality that too much development is being concentrated in one area:

- (a) the Subdivision and Development Authority may, with the approval of the Council, require that future development applications for the area be accompanied by a comprehensive development plan which has been approved by Council; or
- (b) the Council may require applicants proposing development in the area to undertake the preparation of an area structure plan or design scheme.

**7. DEVELOPMENT APPLICATION REFERRALS**

Any development application within this land use district shall be referred to the appropriate urban municipality for comments before a decision by the County of Warner Subdivision and Development Authority is finalized.

**8. SUBDIVISION CRITERIA** – See Schedule 4.

**9. GARDEN SUITES** – See Schedule 5.

**10. LANDSCAPING AND SCREENING** – See Schedule 5.

**11. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS** – See Schedule 5.

**12. PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 5.

**13. STANDARDS OF DEVELOPMENT** – See Schedule 5.

**14. RURAL SERVICING STANDARDS AND SOIL SUITABILITY** – See Schedule 5.

**15. MOVED-IN BUILDINGS** – See Schedule 7.

**16. SIGN REGULATIONS** – See Schedule 8.

**17. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 9.



## URBAN FRINGE AGRICULTURAL – UFA

### 1. PURPOSE

The purpose of this urban fringe land use district is to establish a larger minimum lot size in Stirling's fringe to ensure development occurs in an orderly manner in conjunction with adjacent urban development and in respect of Stirling's historic parcel configurations. The district will help protect the agricultural land for agricultural use while allowing some non-agricultural uses, provided they do not conflict with an urban environment.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Ancillary buildings or uses
- Farm related buildings, structures and developments
- Manufactured homes (year 2000 or newer)
- Modular homes
- Moved-in buildings
- Ready-to-move dwellings (new)
- Second residence in accordance with section 44
- Signs of 0.9 m<sup>2</sup> (10 sq. ft.) or less
- Single detached dwellings

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Agricultural services
- Boarding stables
- Breeding facilities
- Cut-off country residential
- Farm stands
- Garden suites
- Grouped country residential
- Highway commercial
- Home occupations
- Intensive horticulture
- Isolated single lot commercial
- Isolated single lot country residential (for subdivision considerations only)
- Kennels
- Mobile homes
- Minor livestock operations (see Schedule 13)
- Private recreation
- Public or private utilities
- Public recreation
- Public/institutional
- Second residence in accordance with sections 45-47
- Signs of greater than 0.9 m<sup>2</sup> (10 sq. ft.)

**(c) Prohibited Uses**

The following uses are **prohibited** within this land use district:

- Abattoirs
- Anhydrous ammonia storage
- Autobody repair and paint shops
- Automotive dealerships
- Automotive repair and service shops
- Confined feeding operations
- Hazardous/noxious uses
- Resource extraction and associated works
- Stripping and sale of topsoil

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

**3. MINIMUM PARCEL SIZE**

- (a) The minimum parcel size for any use shall be 4.0 ha (10 acres).
- (b) A minimum 2.0 ha (5 acre) parcel size may be considered for any use if the parcel pattern is established in accordance with the historic parcel square-grid and road pattern.

**4. MINIMUM SETBACK REQUIREMENTS**

- (a) No part of a building or structure shall be located within:
  - (i) 45.7 metres (150 ft.) of the centre line of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the Public Highways Development Act;
  - (ii) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;
  - (iii) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;
  - (iv) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines.
- (b) Where any parcel or part of a parcel has frontage on a controlled primary highway or secondary road, special standards for setbacks, access, and service roadways may be required by the designated officer or Subdivision and Development Authority in accordance with the recommendations and requirements of Alberta Transportation and the Highway Development Control Regulation.
- (c) Where it appears that side yard setbacks may be necessary, the Subdivision and Development Authority may impose such a requirement as a condition of a development permit.
- (d) No veterinary clinic, kennel or riding stable shall be located within 304.8 metres (1,000 ft.) of a residential building excepting a Subdivision and Development Authority approved farm dwelling ancillary to the designated use.
- (e) All corrals, feeders, shelters or other structures for feeding of animals less than outlined in the Agricultural Practices Amendment Act 2001 and Regulations shall not be located closer to a neighbouring established residence than 91.5 metres (300 ft.).

**5. SITE COVERAGE**

The amount of area of a site to be covered or occupied by a use may be limited by the Subdivision and Development Authority.

**6. COMPREHENSIVE DEVELOPMENT PLANS, AREA STRUCTURE PLANS AND DESIGN SCHEMES**

Where it becomes apparent to the designated officer or municipality that too much development is being concentrated in one area:

- (a) the Subdivision and Development Authority may, with the approval of the Council, require that future development applications for the area be accompanied by a comprehensive development plan which has been approved by Council; or
- (b) the Council may require applicants proposing development in the area to undertake the preparation of an area structure plan or design scheme.

**7. DEVELOPMENT APPLICATION REFERRALS**

Any development application within this land use district shall be referred to the appropriate urban municipality for comments before a decision by the County of Warner Subdivision and Development Authority is finalized.

**8. SUBDIVISION CRITERIA** – See Schedule 4.

**9. GARDEN SUITES** – See Schedule 5.

**10. LANDSCAPING AND SCREENING** – See Schedule 5.

**11. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS** – See Schedule 5.

**12. PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 5.

**13. STANDARDS OF DEVELOPMENT** – See Schedule 5.

**14. RURAL SERVICING STANDARDS AND SOIL SUITABILITY** – See Schedule 5.

**15. MOVED-IN BUILDINGS** – See Schedule 7.

**16. SIGN REGULATIONS** – See Schedule 8.

**17. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 9.





## URBAN FRINGE RESIDENTIAL – UFR

### 1. PURPOSE

The purpose of this land use district is to protect the agricultural land for agricultural use while ensuring that fringe areas of the urban municipalities are protected for future development by ensuring non-agricultural uses will not conflict with an urban environment primarily residential in its nature.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Ancillary buildings or uses
- Manufactured homes (see Schedule 5)
- Modular homes
- Ready-to-move dwellings (new)
- Signs of 0.9 m<sup>2</sup> (10 sq. ft.) or less
- Single detached dwellings

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Duplex dwellings
- Farm related buildings, structures and developments
- Garden suites
- Home occupations
- Isolated single lot commercial
- Lodging or boarding houses
- Multiple family dwellings
- Private recreation
- Public recreation
- Second residence in accordance with sections 44-47
- Semi-detached dwellings
- Signs of greater than 0.9 m<sup>2</sup> (10 sq. ft.)

#### (c) Prohibited Uses

The following uses are **prohibited** within this land use district:

- Mobile home parks
- Mobile homes
- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

### 3. MINIMUM LOT SIZE

The minimum lot size for uses in this land use district shall be:

**(a) Serviced Lots (municipal water supply and sewage disposal systems)**

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Single detached dwelling	25.1	82.5	48.8	160	1226.3	13,200
Duplex and semi-detached dwelling	25.1	82.5	48.8	160	1226.3	13,200
Multiple family dwelling	25.1	82.5	48.8	160	1226.3	13,200
All other uses	As required by the Subdivision and Development Authority					

**(b) Unserviced or Partially Serviced Lots**

- (i) All unserviced or partially serviced lots intended to be used for single detached, semi-detached, duplex, single-wide and double-wide mobile home dwellings shall be a minimum of 0.8 ha (2 acres) (or greater as may be required by the designated officer or Subdivision and Development Authority, in accordance with Regional Health Authority and Alberta Labour regulations or recommendations).
- (ii) All unserviced or partially serviced lots intended to be developed for multiple family dwellings shall be no smaller than required by the Subdivision and Development Authority in accordance with Regional Health Authority, Alberta Labour, and Alberta Environment regulations or recommendations.

**4. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard			Side Yard		Rear Yard	
	m	ft.		m	ft.	m	ft.
Single detached homes	7.6	25 (or more at the discretion of the designated officer)	Corner lots:			7.6	25
			– street side	4.6	15		
			– other side	1.5	5		
Two-family dwellings (semi-detached or duplex)	7.6	25	Corner lots:			7.6	25
			– street side	4.6	15		
			– other side	3.0	10		
Multiple family dwellings	9.1	30 (or more at the discretion of the designated officer)	Corner lots:			7.6	25
			– street side	6.1	20		
			– other side	3.0	10		
Interior lots:			– both sides	3.0	10		

All other uses At the discretion of the Subdivision and Development Authority.

(\*) For parcels 0.8 ha (2 acres) or greater, all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines.

**Note:** For purposes of applying minimum lot sizes and setback standards of the bylaw, Manufactured homes, Modular homes and Ready-to-move dwellings shall be treated the same as Single detached dwellings.

**5. SITE COVERAGE**

**(a) Principal and accessory buildings – 43% total**

The principal building shall cover not more than 33 percent of the surface area of a lot.

**(b) Ancillary buildings**

Any ancillary building shall cover not more than 10 percent of the surface area of a lot.

**6. MINIMUM FLOOR AREA**

- One-storey single detached dwellings – 81.3 m<sup>2</sup> (875 sq. ft.)
- Two-storey single detached dwellings – 72.0 m<sup>2</sup> (775 sq. ft.) on ground floor
- Two-family dwellings – 120.8 m<sup>2</sup> (1300 sq. ft.)
- Multiple-family dwellings – 65.0 m<sup>2</sup> (700 sq. ft.) per dwelling unit
- All others – As required by the Subdivision and Development Authority

**7. MAXIMUM HEIGHT OF ANCILLARY BUILDINGS**

Ancillary buildings shall not exceed 4.6 metres (15 ft.) in height except at the discretion of the Subdivision and Development Authority.

**8. SIDE YARD REQUIREMENTS**

- (a) Ancillary buildings shall be not less than 1.5 metres (5 ft.) from a side lot line or rear lot line.
- (b) A carport is permitted in a side yard but shall be not less than 1.5 metres (5 ft.) from a side lot line.
- (c) The side yard requirement for a principal building with an attached garage shall be the same as for a principal building, providing that the overhanging eave shall not be less than 0.6 metres (2 ft.) from the side lot line, and provided that two-thirds of the building be not less than 1.5 metres (5 ft.) from the side lot line.

**9. AREA STRUCTURE PLANS AND DESIGN SCHEMES**

If the designated officer determines that an area proposed for the development may become a grouped residential development in the future, he may recommend that Council adopt an area structure plan or design scheme pursuant to the municipal development plan.

**10. FENCES** – See Schedule 5.

**11. GARDEN SUITES** – See Schedule 5.

**12. LANDSCAPING AND SCREENING** – See Schedule 5.

**13. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS** – See Schedule 5.

**14. PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 5.

**15. RURAL SERVICING STANDARDS AND SOIL SUITABILITY** – See Schedule 5.

**16. HOME OCCUPATIONS** – See Schedule 6.

**17. MOVED-IN BUILDINGS** – See Schedule 7.

**18. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 9.



## URBAN FRINGE INDUSTRIAL – UFI

### 1. PURPOSE

The purpose of this land use district is to provide for high-quality industrial development in accordance with the municipal development plan in recognition of the fact that industrial uses are important to service the agricultural community, while ensuring that non-industrial uses may be allowed provided that they do not conflict with an industrial environment.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Abattoirs
- Agricultural services
- Ancillary buildings or uses
- Autobody repair and paint shops
- Automotive dealerships
- Automotive repair and service shops
- Farm machinery and industrial vehicle sales and service
- Grain elevators
- Non-noxious manufacturing and processing industries
- Railway and railway related uses
- Seed cleaning plants
- Veterinary clinics
- Wholesale or storage warehousing

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Anhydrous ammonia storage
- Bulk oil depots
- Fertilizer storage
- Home occupations
- Isolated single-lot country residential
- Isolated single-lot industrial
- Minor livestock operations (see Schedule 13)
- Moved-in buildings
- Outdoor storage
- Public or private utilities
- Signs
- Surveillance suites

#### (c) Prohibited Uses

The following uses are **prohibited** within this land use district:

- Hazardous/noxious uses
- Resource extraction and associated works
- Stripping and sale of topsoil

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

**3. MINIMUM LOT SIZE**

- (a) All uses shall be as required by the Subdivision Authority or Development Authority.
- (b) The minimum parcel size for any use which is not municipally serviced but which requires a means of sewage disposal shall be 0.8 ha (2 acres) in area. At its discretion, the Subdivision and Development Authority may establish greater minimums for specific proposals.
- (c) On unserviced or partially serviced lots the minimum lot dimensions may be increased by the designated officer in accordance with the Regional Health Authority and Alberta Labour regulations and recommendations.

**4. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
(a) All uses	7.6	25	3.0	10	9.1	30
(b) Display of vehicles, new machinery and equipment may be allowed in the front yard of a proposed building, provided such a display does not encroach on the required front yard and does not become unsightly.						
(c) An additional 22.9 metres (75 ft.) shall be provided in the front yard for a service road if the parcel has frontage on a public roadway designated as a controlled highway or secondary road under the Highway Development Control Regulation.						

**5. SITE COVERAGE**

The principal building and ancillary buildings combined shall cover no more than 60 percent of the total surface area of the lot.

**6. LANDSCAPING AND SCREENING**

Where any parcel or part of a parcel adjacent to a primary highway or secondary road is used for outdoor storage of goods, vehicles, buildings, or waste materials, the designated officer or Subdivision and Development Authority shall require screening by buildings, fences, hedges, trees, berming, or other landscaping features to his or its satisfaction.

**7. AREA STRUCTURE PLANS AND DESIGN SCHEMES**

If the designated officer determines that an area proposed for development may become a clustered industrial development in the future, he may recommend Council adopt an area structure plan or design scheme pursuant to the municipal development plan.

**8. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.**

**9. STANDARDS OF DEVELOPMENT – See Schedule 5.**

**10. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.**

**11. MOVED-IN BUILDINGS – See Schedule 7.**

**12. SIGN REGULATIONS – See Schedule 8.**

## HAMLET RESIDENTIAL – HR

**1. PURPOSE**

The purpose of this land use district is to maximize the use of hamlets as priority locations for larger residential acreage needs in accordance with the municipal development plan.

**2. PERMITTED, DISCRETIONARY AND PROHIBITED USES**

**(a) Permitted Uses**

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Manufactured homes (year 2000 or newer)
- Modular homes
- Ready-to-move dwellings (new)
- Single detached dwellings

**(b) Discretionary Uses**

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Ancillary buildings or uses
- Duplex dwellings
- Garden suites
- Home occupations
- Lodging or boarding houses
- Moved-in buildings
- Multiple family dwellings
- Public recreation
- Semi-detached dwellings

**(c) Prohibited Uses**

The following uses are **prohibited** within this land use district:

- Mobile home parks
- Mobile homes (Single-wide and Double-wide)

◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

**3. MINIMUM LOT SIZE**

The minimum lot size for uses in this land use district shall be:

**(a) Serviced Lots (municipal water supply and sewage disposal systems)**

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
Single detached dwelling	15.2	50	30.5	100	464.5	5000
Duplex and semi-detached dwelling	21.3	70	30.5	100	650.3	7000
Multiple family dwelling	24.4	80	30.5	100	743.2	8000
All other uses	As required by the Subdivision and Development Authority.					

**Note:** For purposes of applying minimum lot sizes and setback standards of the bylaw, Manufactured homes, Modular homes and Ready-to-move dwellings shall be treated the same as Single detached dwellings.

**(b) Unserviced or Partially Serviced Lots**

- (i) All unserviced or partially serviced lots intended to be used for single detached, semi-detached, duplex, single-wide and double-wide mobile home dwellings shall be developed in accordance with the following (or greater as may be required by the designated officer or Subdivision and Development Authority, in accordance with Regional Health Authority and Alberta Labour regulations or recommendations).
- (ii) Lot area should not be varied, however, variances of length and width may be considered. The total area required may be obtained by exceeding the minimum lot width or the minimum length.

Use	Area		Min. Width		Min. Length	
	m <sup>2</sup>	sq. ft.	m	ft.	m	ft.
Municipal sewer only	929	10,000	30.5	100	30.5	100
Municipal water only	1,858	20,000	30.5	100	30.5	100
No municipal water and no municipal sewer	1,858	20,000	30.5	100	30.5	100

- (iii) All unserviced or partially serviced lots intended to be developed for multiple family dwellings shall be no smaller than required by the Subdivision and Development Authority in accordance with Regional Health Authority, Alberta Labour, and Alberta Environment regulations or recommendations.

**4. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard			Side Yard		Rear Yard	
	m	ft.		m	ft.	m	ft.
Single detached homes and (or more at the discretion of the designated officer)	7.6	25	Corner lots:			7.6	25
			– street side	4.6	15		
			– other side	1.5	5		
			Interior lots:				
			– both sides	1.5	5		
Two-family dwellings (semi-detached or duplex)	7.6	25	Corner lots:			7.6	25
			– street side	4.6	15		
			– other side	3.0	10		
			Interior lots:				
			– both sides	3.0	10		
Multiple family dwellings (or more at the discretion of the designated officer)	9.1	30	Corner lots:			7.6	25
			– street side	6.1	20		
			– other side	3.0	10		
			Interior lots:				
			– both sides	3.0	10		
All other uses	At the discretion of the Subdivision and Development Authority.						



**5. SITE COVERAGE**

**(a) Principal and accessory buildings – 43% total**

The principal building shall cover not more than 33 percent of the surface area of a lot.

**(b) Ancillary buildings**

Any ancillary building shall cover not more than 10 percent of the surface area of a lot.

**6. MINIMUM FLOOR AREA**

- One-storey single detached dwellings – 81.3 m<sup>2</sup> (875 sq. ft.)
- Two-storey single detached dwellings – 72.0 m<sup>2</sup> (775 sq. ft.) on ground floor
- Two-family dwellings – 120.8 m<sup>2</sup> (1300 sq. ft.)
- Multiple-family dwellings – 65.0 m<sup>2</sup> (700 sq. ft.) per dwelling unit
- All others – As required by the Subdivision and Development Authority

**7. MAXIMUM HEIGHT OF ANCILLARY BUILDINGS**

Ancillary buildings shall not exceed 4.6 metres (15 ft.) in height except at the discretion of the Subdivision and Development Authority.

**8. SIDE YARD REQUIREMENTS**

- (a) Ancillary buildings shall be not less than 1.5 metres (5 ft.) from a side lot line or rear lot line.
- (b) A carport is permitted in a side yard but shall be not less than 1.5 metres (5 ft.) from a side lot line.
- (c) The side yard requirement for a principal building with an attached garage shall be the same as for a principal building, providing that the overhanging eave shall not be less than 0.6 metres (2 ft.) from the side lot line, and provided that two-thirds of the building be not less than 1.5 metres (5 ft.) from the side lot line.

**9. AREA STRUCTURE PLANS AND DESIGN SCHEMES**

If the designated officer determines that an area proposed for the development may become a grouped residential development in the future, he may recommend that Council adopt an area structure plan or design scheme pursuant to the municipal development plan.

**10. FENCES – See Schedule 5.**

**11. GARDEN SUITES – See Schedule 5.**

**12. LANDSCAPING AND SCREENING – See Schedule 5.**

**13. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS – See Schedule 5.**

**14. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.**

**15. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.**

16. **HOME OCCUPATIONS** – See Schedule 6.
17. **MOVED-IN BUILDINGS** – See Schedule 7.
18. **DEVELOPMENT STANDARDS FOR MOBILE HOMES WITHIN HAMLETS** – See Schedule 9.
19. **MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 9.

## HAMLET COMMERCIAL – HC

**1. PURPOSE**

The purpose of this land use district is to provide for high-quality commercial development in accordance with the municipal development plan recognition that hamlets act as important service centres for the agricultural community.

**2. PERMITTED, DISCRETIONARY AND PROHIBITED USES**

**(a) Permitted Uses**

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Coffee shops
- Financial institutions
- Hotels and motels
- Offices
- Personal service establishments
- Public/institutional
- Restaurants
- Retail
- Service stations
- Signs

**(b) Discretionary Uses**

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Ancillary buildings or uses
- Moved-in buildings
- Public or private utilities
- Surveillance suites

**(c) Prohibited Uses**

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

**3. MINIMUM LOT SIZE**

Use	Width		Length		Area	
	m	ft.	m	ft.	m <sup>2</sup>	sq. ft.
All uses	7.6	25	30.5	100	232.3	2,500

On unserviced or partially serviced lots, the minimum lot size may be increased by the designated officer or Subdivision and Development Authority in accordance with the Regional Health Authority and Alberta Labour regulations or recommendations.

**4. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard	Side Yard	Rear Yard
All uses	As required by the Subdivision and Development Authority.		

**5. SITE COVERAGE**

The principal and ancillary buildings combined shall cover no more than 80 percent of the lot area.

**6. AREA STRUCTURE PLANS AND DESIGN SCHEMES**

If the designated officer determines that an area proposed for development may become a clustered commercial development in the future, he may recommend that Council adopt an area structure plan or design scheme pursuant to the municipal development plan.

**7. LANDSCAPING AND SCREENING – See Schedule 5.**

**8. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS – See Schedule 5.**

**9. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.**

**10. STANDARDS OF DEVELOPMENT – See Schedule 5.**

**11. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.**

**12. MOVED-IN BUILDINGS – See Schedule 7.**

**13. SIGN REGULATIONS – See Schedule 8.**

## HAMLET INDUSTRIAL – HI

### 1. PURPOSE

The purpose of this land use district is to provide for high-quality industrial development in accordance with the municipal development plan in recognition of the fact that hamlets act as important service centres for the agricultural community.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Farm machinery and industrial vehicle sales and service
- Fertilizer storage
- Grain elevators
- Non-noxious manufacturing and processing industries
- Outdoor storage
- Railway and railway related uses
- Wholesale or storage warehousing

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Autobody repair and paint shops
- Automotive dealerships
- Automotive repair and service shops
- Bulk oil depots
- Moved-in buildings
- Public or private utilities
- Seed cleaning plants
- Signs
- Surveillance suites
- Veterinary clinics

#### (c) Prohibited Uses

The following uses are **prohibited** within this land use district:

- Hazardous/noxious uses
- Resource extraction and associated works
- Stripping and sale of topsoil

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

### 3. MINIMUM LOT SIZE

- (a) All uses shall be as required by the designated officer.
- (b) On unserviced or partially serviced lots in the minimum lot dimensions may be increased by the designated officer in accordance with the Regional Health Authority and Alberta Labour regulations and recommendations.

**4. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
(a) All uses	7.6	25	3.0	10	9.1	30

(b) Display of vehicles, new machinery and equipment may be allowed in the front yard of a proposed building, provided such a display does not encroach on the required front yard and does not become unsightly.

(c) An additional 22.9 metres (75 ft.) shall be provided in the front yard for a service road if the parcel has frontage on a public roadway designated as a controlled highway or secondary road under the Highway Development Control Regulation.

**5. SITE COVERAGE**

The principal building and ancillary buildings combined shall cover no more than 60 percent of the total surface area of the lot.

**6. LANDSCAPING AND SCREENING**

Where any parcel or part of a parcel adjacent to a primary highway or secondary road is used for outdoor storage of goods, vehicles, buildings, or waste materials, the designated officer or Subdivision and Development Authority shall require screening by buildings, fences, hedges, trees, berming, or other landscaping features to his or its satisfaction.

**7. AREA STRUCTURE PLANS AND DESIGN SCHEMES**

If the designated officer determines that an area proposed for development may become a clustered industrial development in the future, he may recommend Council adopt an area structure plan or design scheme pursuant to the municipal development plan.

**8. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.**

**9. STANDARDS OF DEVELOPMENT – See Schedule 5.**

**10. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.**

**11. MOVED-IN BUILDINGS – See Schedule 7.**

**12. SIGN REGULATIONS – See Schedule 8.**

## HAMLET PUBLIC / INSTITUTIONAL – HP/I

**1. PURPOSE**

The purpose of this land use district is to provide the opportunity to develop a range of public/institutional uses needed to support the hamlet residents and the surrounding agricultural community.

**2. PERMITTED, DISCRETIONARY AND PROHIBITED USES**

**(a) Permitted Uses**

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Churches
- Civic halls and clubs
- Firehalls
- Government offices
- Libraries
- Public recreation
- Schools

**(b) Discretionary Uses**

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Ancillary buildings or uses
- Moved-in buildings
- Private recreation
- Public or private utilities

**(c) Prohibited Uses**

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

**3. MINIMUM LOT SIZE**

Lot area should not be varied, however, variances of length and width may be considered. The total area required may be obtained by exceeding the minimum lot width by the minimum length.

Use	Type of Servicing	Area		Min. Width		Min. Length	
		m <sup>2</sup>	sq. ft.	m	ft.	m	ft.
All uses	Sewer and water	464.5	5,000	15.2	50	30.5	100
	Sewer only	929.0	10,000	22.9	75	30.5	100
	Water only	1,858.0	20,000	30.5	100	30.5	100
	Unserviced	1,858.0	20,000	30.5	100	30.5	100

**4. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard	Side Yard	Rear Yard
All uses	As required by the Subdivision and Development Authority		

**5. SITE COVERAGE**

The principal building and ancillary buildings combined shall cover no more than 50 percent of the total lot area.

**6. LANDSCAPING AND SCREENING** – See Schedule 5.

**7. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS** – See Schedule 5.

**8. PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 5.

**9. STANDARDS OF DEVELOPMENT** – See Schedule 5.

**10. RURAL SERVICING STANDARDS AND SOIL SUITABILITY** – See Schedule 5.

**11. MOVED-IN BUILDINGS** – See Schedule 7.

**12. SIGN REGULATIONS** – See Schedule 8.



## HAMLET TRANSITIONAL / AGRICULTURAL – HT/A

### 1. PURPOSE

The purpose of this land use district is to permit the cultivation of land and non-intensive grazing of livestock within hamlet boundaries in areas which may be required for the expansion of urban uses in the future.

### 2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

#### (a) Permitted Uses

The following uses **shall** be permitted within this land use district upon receipt of a completed development application:

- Ancillary buildings or uses
- Cultivation of land and non-intensive grazing of livestock
- Manufactured homes (year 2000 or newer)
- Modular homes
- Ready-to-move dwellings (new)
- Single detached dwellings

#### (b) Discretionary Uses

The following uses **may** be permitted at the discretion of the Subdivision and Development Authority upon receipt of a completed development application:

- Garden suites
- Moved-in buildings
- Public or private utilities

#### (c) Prohibited Uses

The following uses are **prohibited** within this land use district:

- Confined feeding operations
- Mobile homes
- Resource extraction uses and associated works

- ◆ *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 42, is a Prohibited Use.*

### 3. MINIMUM PARCEL SIZE

All uses within this land use district shall be required to be a minimum of 4.0 ha (10 acres) in area or the area of an existing title.

### 4. MINIMUM SETBACK REQUIREMENTS

All uses within this land use district shall be subject to setback requirements as required by the designated officer or Subdivision and Development Authority.

### 5. DEVELOPMENT REQUIREMENTS

(a) The designated officer or Subdivision and Development Authority may require special standards such as but not limited to access, siting, and servicing in order to ensure the compatibility of any proposed development with potential or existing adjacent development.

(b) No large-scale subdivision or development within this district shall be approved prior to a reclassification of land concerned.

6. **GARDEN SUITES** – See Schedule 5.

7. **STANDARDS OF DEVELOPMENT** – See Schedule 5.

8. **RURAL SERVICING STANDARDS AND SOIL SUITABILITY** – See Schedule 5.

9. **MOVED-IN BUILDINGS** – See Schedule 7.

10. **MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 9.

## DIRECT CONTROL – DC

### 1. PURPOSE

The purpose of this land use district is to allow flexibility for approval of uses on suitable sites which have potential for a variety of different uses. On sites designated as Direct Control, Council is willing to consider proposals that do not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties.

### 2. PERMITTED USES

Any use Council considers suitable.

### 3. MINIMUM PARCEL SIZE

As Council determines necessary having regard to other standards in Schedule 2.

### 4. MINIMUM SETBACK REQUIREMENTS

As Council considers necessary.

### 5. STANDARDS OF DEVELOPMENT

As Council considers necessary having regard to Schedule 5.

### 6. SIGNS

As Council considers necessary having regard to Schedule 8.

### 7. OTHER STANDARDS

As Council requires.

### 8. APPROVAL PROCEDURE

- (a) Before Council considers an application for a use in the Direct Control district, they shall:
  - (i) cause notice to be issued by the designated officer in accordance with sections 26 and 27 of this bylaw;
  - (ii) hear any persons who claim to be affected by a decision on the application.
- (b) Council may then approve the application with or without conditions, or refuse the application.



# LINEAR PARCEL DIRECT CONTROL – LPDC

## PURPOSE

To give county Council the authority to decide upon uses that relate to linear parcels of land such as railway rights-of-way, as these lands can affect agriculture and a large number of residents.

### 1. PERMITTED USES

The following uses shall be permitted within this land use district upon receipt of a completed development application:

- Railway and railway related uses
- Any use Council considers appropriate

### 2. LOT SIZE REQUIREMENTS

At the discretion of Council.

### 3. SETBACK, YARD AND ACCESS REQUIREMENTS

At the discretion of Council.

### 4. GENERAL STANDARDS OF DEVELOPMENT

At the discretion of Council having regard to Schedule 5.

### 5. OTHER STANDARDS

As required by Council.

### 6. DELEGATION OF AUTHORITY

Applications for railway and railway related uses will be decided upon by the designated officer in accordance with section 16 of the bylaw.

### 7. APPROVAL PROCEDURE

- (a) Before Council considers an application for a use or development in the Linear Parcel Direct Control district, it shall:
  - (i) cause a notice to be issued by the designated officer in accordance with section 26 of this bylaw;
  - (ii) hear any persons that claim to be affected by the decision on the application;
  - (iii) the notice should contain the date and time that Council will hear the application.
- (b) Council may then approve the application with or without conditions or refuse the application with reasons.
- (c) When applicable, Council should seek comments from other agencies such as the planning advisor, regional health authority or any applicable provincial government department.

### 7. APPEAL PROCEDURE

Pursuant to section 641(4)(a) of the Act, if a decision with respect to a development permit application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.



Schedule 3

**DEVELOPMENT NOT REQUIRING  
A DEVELOPMENT PERMIT**

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## **DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

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No development permit is required for development of the following kind:

**1. AGRICULTURAL DEVELOPMENT**

- (a) Exempt uses:
  - (i) extensive cultivation or grazing of land,
  - (ii) non-residential farm buildings and structures,
  - (iii) fencing and shelter belts,
  - (iv) stockpiles.
- (b) Non-Exempt uses: Notwithstanding section (a), in the Urban Fringe districts a permit shall be required for farm buildings, structures and other developments.
- (c) A dugout or pond is exempt from a development permit if:
  - (i) the parcel is designated as Extensive Agriculture,
  - (ii) the parcel is designated as Urban Fringe and the dugout is to be used for agricultural purposes or country residential use, or
  - (iii) it is an ornamental pond less than 0.6 metres (2 ft.) in depth.
- (d) Agricultural developments listed above that are not closer than the following distances:
  - (i) 45.7 metres (150 ft.) of the centre line of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the Public Highways Development Act;
  - (ii) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway.

**2. OTHER DEVELOPMENT**

- (a) The carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major works of renovation.
- (b) The completion of a building which was lawfully under construction at the date of the first publication of the official notice required under section 28 of this bylaw, provided that:
  - (i) the building is complete in accordance with the terms of any permit granted by the designated officer or the Subdivision and Development Authority in respect of it and subject to the conditions to which that permit was granted; and
  - (ii) the building, whether or not a permit was granted, in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice.
- (c) The erection or construction of buildings, works, plants, or machinery needed in connection with operations for which a development permit has been issued for the period of those operations.

- (d) The development, maintenance and repair of public works, services, and utilities carried out by or on behalf of federal or provincial authorities on land which is publicly owned or controlled.
- (e) The maintenance and repair of public works, services, and utilities carried out by or on behalf of municipal or public authorities on land which is publicly owned or controlled.
- (f) The use of any building referred to in this section for the purpose for which construction was commenced.
- (g) Portable signs locating for a period of less than 45 days do not require a permit, and any other signs not requiring a development permit as outlined in Schedule 8, Sign Regulations.
- (h) County signs on public rights-of-way.

If there is any doubt as to whether a development permit is required, the matter shall be referred to the Subdivision and Development Authority for a decision.

Schedule 4

**SUBDIVISION CRITERIA**

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## SUBDIVISION CRITERIA

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The following criteria apply to the subdivision of land for the various uses listed:

### 1. EXTENSIVE AGRICULTURE

- (a) A proposed subdivision of agricultural land for an extensive agricultural use should be approved only if:
  - (i) the area of the proposed parcel and the resulting residual parcel will contain at least 32.4 ha (80 acres) each; or
  - (ii) a registered exception is indicated on a land title to a maximum of 4.0 ha (10 acres); and the resulting residual parcel will contain at least 28.3 ha (70 acres).
- (b) A proposed subdivision of agricultural land may be approved by virtue of:
  - (i) a part of the parcel being described in the existing title if the boundaries of the part are described in the existing title other than by reference to a legal subdivision;
  - (ii) a part of the parcel described in the existing title if the boundaries of the part are described in the existing title by reference to a plan of subdivision.
- (c) If a subdivision referred to (b) above is available in a title, the approval authority should consider the effects prior to other potential approvals. For example, an approval for a 32.4 ha (80 acre) subdivision under (a) above should not be considered for approval if a possible (b) subdivision is available.

### 2. CONFINED FEEDING OPERATIONS

A proposed subdivision of agricultural land for a confined feeding operation should be approved if:

- (a) the proposed parcel is the site of an existing confined feeding operation and the subdivision will result in a residual lot of at least 32.4 ha (80 acres); or
- (b) the proposed parcel is the site of a physically defined farmstead which does not exceed 4.0 ha (10 acres) and will result in a residual lot of at least 28.3 ha (70 acres); or
- (c) the proposed site is a cut-off parcel.

### 3. HORTICULTURAL USES

A proposed subdivision for an existing horticultural use should be approved if:

- (a) the use will be compatible with other uses in the vicinity; and
- (b) the area of the proposed lot will not exceed that which is required to contain the existing operation, its access road, any ancillary development, and will result in a residual agricultural parcel of at least 28.3 ha (70 acres); or
- (c) the area is a cut-off parcel.

#### **4. RURAL ISOLATED LOT RESIDENTIAL USES**

- (a) A proposed subdivision for a developed residence or a developed farmstead area without a dwelling should be approved provided that:
- (i) the area of the proposed lot shall be:
    - as small as possible in order to conserve agricultural land; and
    - limited by the location and extent of physical characteristics and vegetation and such other land as is required for physical access to the proposed lot; and
    - will result in a residual agricultural parcel of at least 28.3 ha (70 acres);
  - (ii) the proposed lot and the proposed residual lot both have direct legal and physical access to a public roadway;
  - (iii) the access is satisfactory to the transportation approving authority; and
  - (iv) the size and location of the proposed lot will not significantly affect any irrigation system in the area;
  - (v) the minimum distance separation calculation to a neighbouring CFO shall be met.
- (b) A proposed subdivision for a single residential site that contains no dwelling should be approved provided that:
- (i) the proposed parcel does not exceed 4.0 ha (10 acres) in size and will result in a residual agricultural parcel of at least 28.3 ha (70 acres);
  - (ii) the proposed parcel contains a buildable site, which is not on hazard lands as may be determined by an engineering report if requested by the county;
  - (iii) the access is satisfactory to the transportation approving authority; and
  - (iv) the proposed parcel will not significantly affect any irrigation system in the area;
  - (v) the minimum distance separation calculation to a neighbouring CFO shall be met;
  - (vi) if adjacent to a CPR right-of-way, the proposed parcel contains a buildable site which is a minimum of 75 metres (246 ft.) from the CPR property line.
- (c) For rural isolated lot residential uses, the area separated by a permanent cut-off may be considered for approval.
- (d) At the discretion of the Subdivision Authority, an existing cut-off country residential use may be considered for subdivision approval with the original cut-off parcel being divided into two titles, without the parcel being redesignated to grouped country residential use or the requirement of a residual agricultural parcel of 28.3 ha (70 acres).
- (e) Except in the fringe districts or where lands have been redesignated to Grouped Country Residential, the subdivision authority shall not approve any application for subdivision approval which would create more than four parcels per quarter section.
- (f) The minimum lot size for any proposed rural isolated lot residential subdivision shall be as defined in the applicable land use district, unless stipulated otherwise in an approved area structure plan.

#### **5. URBAN FRINGE DISTRICTS**

- (a) Within the urban fringe districts, grouped country residential subdivisions may be considered for approval without redesignation with a minimum parcel size of 0.81 ha (2 acres).
- (b) Isolated country residential subdivision in the urban fringe districts may be considered for approval, with a minimum parcel size of 0.81 ha (2 acres), unless stipulated otherwise in an area structure plan.

- (c) In the Stirling Urban Fringe Agricultural district, a proposed subdivision for a single residential or isolated commercial site should be approved provided that:
  - (i) the proposed parcel is a minimum 4.0 ha (10 acres) square in size and will conform to the National Historic Site Plans parcel shape;
  - (ii) the proposed parcel configuration respects and does not compromise the historic grid pattern roadway layout;
  - (iii) the access is satisfactory to the transportation approving authority;
  - (iv) a plan or design scheme is prepared and accepted by the county which indicates the parcel size and configuration, the road pattern, topographic and drainage features and illustrates how the parcel configuration conforms to the National Historic Site Plan;
  - (v) the County of Warner shall require that a certified report be prepared for any application for subdivision approval which proposes to create six or more parcels of land in a quarter section if the proposed subdivisions do not obtain water from a licensed water source; and
  - (vi) the County of Warner may allow on a discretionary basis, a 4.0 ha (10 acre) square parcel to be subdivided into two 2.0 ha (5 acre) parcels, provided that it maintains the historic grid and road pattern.
- (d) Residential subdivisions may be considered for approval in the Stirling and Raymond Urban Fringe Residential districts with the minimum parcel size being determined by the type of water and sewer servicing to be provided, or unless stipulated otherwise in an area structure plan.
- (e) The applicant may be required to undertake a professional soil test/analysis to determine site suitability for any subdivision proposal involving private sewage septic systems located within 0.8 km (0.5 miles) of an urban boundary, where the existing or proposed parcels are less than 2.0 ha (5 acres) in size and there are six or more subdivisions within a quarter section.

**6. GROUPED COUNTRY RESIDENTIAL**

- (a) Except in the fringe districts, grouped country residential subdivision will only be considered after a redesignation to the Grouped Country Residential district.
- (b) Design schemes or area structure plans may be required.
- (c) Subdivisions for all grouped country residential uses may be required to provide information as outlined in section 8 of this schedule.

**7. RURAL INDUSTRIAL AND COMMERCIAL USES**

- (a) A subdivision application for an isolated industrial or commercial use should be approved if:
  - (i) the site will not exceed 4.0 ha (10 acres) and will result in a residual agricultural parcel of at least 28.3 ha (70 acres); or
  - (ii) the proposed parcel is on land which is defined as "cut-off".
- (b) A subdivision application for a grouped industrial site should be approved if:
  - (i) the land is not better agricultural land or hazard land;
  - (ii) the site is specifically designated for that use in the land use bylaw prior to approval;

- (iii) the proposed site uses only the minimum amount of land required;
- (iv) development on the proposed site will not significantly affect any irrigation system in the area.

**8. PUBLIC/INSTITUTIONAL USES**

- (a) For public/institutional uses, the maximum parcel size shall be as determined by the Subdivision Authority with consideration for the proposed use and the land area required to accommodate it.
- (b) An existing subdivision or certificate of title for a public use may be exempted from the maximum four titles per quarter section policy as per Section 4(e) of this schedule.

**9. INFORMATION REQUIREMENTS FOR ALL MAJOR DEVELOPMENT**

Conceptual schemes or area structure plans may be requested by Council or the Subdivision and Development Authority. The following information may be requested:

- (a) site plans and drawings,
- (b) soils analysis,
- (c) identification of other hazards or environmentally sensitive areas,
- (d) sewer system,
- (e) domestic water,
- (f) roadways and access points,
- (g) other utilities and services,
- (h) contour and surface drainage control,
- (i) development concept,
- (j) applicant's interest,
- (k) subdivision considerations,
- (l) disposal of municipal and/or environmental reserve,
- (m) staging of development,
- (n) development specifications,
- (o) landscaping and appearance,
- (p) architectural controls,
- (q) public input,
- (r) any other information the Subdivision and Development Authority may consider necessary.

**10. STATUTORY PLANS**

In some areas of the county, statutory plans may be adopted and certain standards that shall be complied with.



Schedule 5

**STANDARDS OF DEVELOPMENT**

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## STANDARDS OF DEVELOPMENT

### 1. QUALITY OF DEVELOPMENT

The designated officer or the Subdivision and Development Authority may impose conditions of development approval which serve to improve the quality of any proposed development within any land use district. Such special conditions may include, but are not limited to, landscaping, paved parking area, exterior building finishes, setback variation, the control of noise, smoke, odour and industrial wastes.

### 2. REDUCED LOT AREA AND DIMENSION

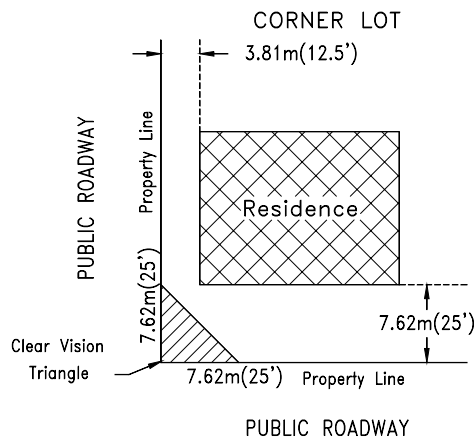
With the approval of the designated officer or the Subdivision and Development Authority or in the case of existing registered lots, the width, length or area of a lot may be reduced.

### 3. CORNER LOT RESTRICTIONS

On a corner lot nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of 0.9 to 3.0 metres (3 to 10 ft.) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property lines as follows:

#### (a) Urban Areas

7.6 metres (25 ft.) from the point of intersection.



#### (b) Rural Areas

##### (i) NEW SHELTER BELTS

7.6 metres (25 ft.) from any property line adjacent to a public roadway.

##### (ii) SOLID FENCES

7.6 metres (25 ft.) back from any property line adjacent to a public roadway, if such fence is 1.2 metres (4 ft.) or higher.

**4. RETAINING WALLS**

The designated officer or Subdivision and Development Authority may require the construction of a retaining wall as a condition of development approval if, in his or its opinion, significant differences in grade exist or will exist between the parcel being developed and adjacent parcels.

**5. MULTIPLE FRONT YARD PROVISION**

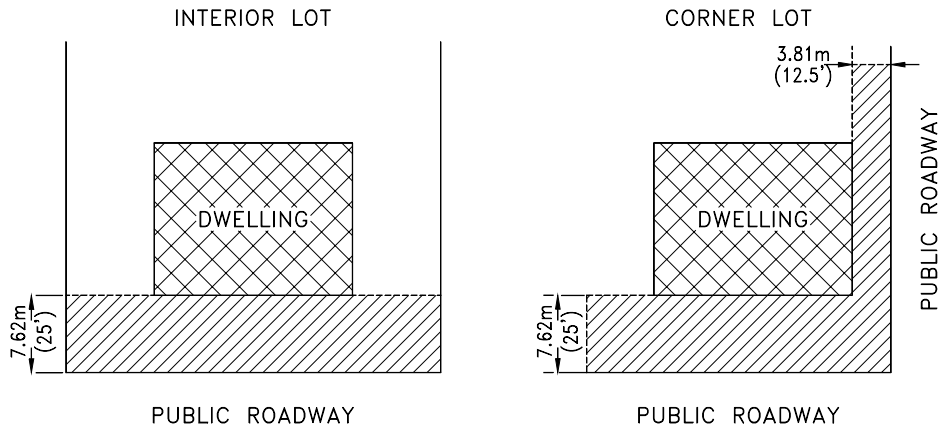
Where any lot or parcel has more than one front yard line, the front yard requirement shall apply to all yards, but at the discretion of the designated officer or Subdivision and Development Authority only one-half the front yard requirement may apply to one of the front yards and that yard shall be considered a side yard.

**6. REFUSE COLLECTION AND STORAGE**

- (a) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.
- (b) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

**7. FENCES IN URBAN RESIDENTIAL AREAS**

- (a) No fence, wall, vegetation or any combination thereof, lying within 7.6 metres (25 ft.) of the right-of-way of a public roadway (excluding lanes) shall extend more than 0.9 metre (3 ft.) above the ground (except in the case of corner lots where one yard is considered as the side yard and indicated in section 3 and in accordance with section 5 of this schedule) without a permit issued by the designated officer.



- (b) Fences in rear and side yards shall be limited to 1.8 metres (6 ft.) in height.

**8. BUILDING SETBACKS IN URBAN AREAS**

- (a) The Subdivision and Development Authority may waive the building setback requirement in a well-established residential area if, in their opinion, the setback blends in with the prevailing yard pattern.
- (b) The Subdivision and Development Authority may require increased building setbacks other than those listed in (a) if, in their opinion, such setbacks would be necessary.

## 9. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS

The following setbacks apply to subdivision or development applications adjacent to a CPR right-of-way:

### (a) Residential

- (i) A residential or country residential subdivision should not be approved, unless the parcel size is sufficient to allow the dwelling to be setback a minimum of 75 metres (246 ft.) of the CPR property line.
- (ii) Except for in designated hamlets, a development application for a new residential dwelling on a previously undeveloped parcel, should not be approved if the structure is located within 75 metres (246 ft.) of the CPR property line.
- (iii) Should a 75 metres (246 ft.) separation from the CPR property line not be achievable, the Development Authority may allow a dwelling no closer than 30 metres (98.4 ft.), subject to a berm being erected on the property, parallel to the railway right-of-way, with construction according to the following specifications: berm minimum height to be 2.5 metres (8.2 ft.) and side slopes not steeper than 2.5 to 1.
- (iv) An unoccupied accessory building, such as a garage, storage shed, etc., may be permitted closer than 30 metres (98.4 ft.), with the applicable districts' minimum side yard setbacks to apply.
- (v) The Development Authority, at its discretion, may allow a pre-existing dwelling within the 75 metres (246 ft.) distance to be repaired or rebuilt, if the structure has been damaged by flood or fire and is to be placed on the original permanent foundation.
- (vi) In a designated hamlet, a development application for a new residential dwelling to be located within 75 metres (246 ft.) of the CPR property line may be approved at the discretion of the Development Authority, subject to the owner entering into and signing an indemnity or Save Harmless Agreement with the County of Warner No. 5, that shall be registered on the land title by caveat prior to the development permit being issued.

### (b) Commercial and Non-Industrial

A commercial development not serviced by rail and/or non-industrial (excluding residential) use shall be setback from the track centerline a minimum distance of:

- (i) 4.6 metres (15 ft.) for a non-main track,
- (ii) 15.2 metres (50 ft.) for a main track with a speed more than 65 km per hour (40 mph),
- (iii) 12.2 metres (40 ft.) for a main track with a speed of 65 km per hour (40 mph) or less.

### (c) Conditions of Approval

As a condition of approval the Development Authority, at its discretion, may place other conditions on a development permit including the requirement that the developer install a chain link fence along the common property line of the railway, address drainage issues, or other such matters it considers necessary.

## 10. GARDEN SUITES

The Development Authority may issue a development permit for a garden suite for temporary accommodation. Garden suites shall:

- (a) be a portable, self-contained, manufactured housing unit;
- (b) not be placed on a permanent foundation;
- (c) not be located in a front yard;

- (d) not exceed one (1) storey in height;
- (e) have a maximum separation space of 15 metres (49.2 ft.) from the principal building;
- (f) not exceed 92.9 m<sup>2</sup> (1,000 sq. ft.) in size;
- (g) only be permitted on parcels with a minimum area of at least 3,716 metres (40,000 sq. ft.), if there is no municipal or treated sewage system provided.

**11. DEVELOPMENT AGREEMENTS**

The Subdivision and Development Authority may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement to:

- (a) construct or pay for the construction of public roadways or parking areas;
- (b) install or pay for the installation of utilities, and/or any municipal service mutually agreed upon;
- (c) pay for an off-site levy or redevelopment levy imposed by bylaw.

**12. EXPOSED FOUNDATIONS**

The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Subdivision and Development Authority.

**13. PRE-PLANNED DEVELOPMENT**

Where a pre-planned coordinated development is proposed for an area greater than 0.4 ha (1 acre), the standards shown in the land use schedule may be relaxed by the Subdivision and Development Authority to an amount necessary to enable the area to be developed to the highest standards of use and amenity provided that:

- (a) it is completed in one continuous operation; and
- (b) this is done on the basis of a comprehensive development plan approved by Council.

**14. NON-AGRICULTURAL USE LANDSCAPING STANDARDS AND GUIDELINES**

- (a) The designated officer or Subdivision and Development Authority may impose landscaping or screening requirements on development applications for permitted and discretionary uses if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.
- (b) Where any parcel or part of a parcel adjacent to a primary highway or secondary road is used for outdoor storage of goods, machinery, vehicles, buildings, or waste materials, the designated officer or Subdivision and Development Authority shall require screening by buildings, fences, hedges, trees, berming, or other landscaping features to his or its satisfaction.
- (c) The front yard shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the designated officer or Subdivision and Development Authority.
- (d) In the case of corner lots, the minor street frontage shall also be landscaped to the satisfaction of the designated officer or Subdivision and Development Authority.

- (e) Landscaping may consist of any or all of the following:
  - (i) trees, shrubs, lawn, flowers;
  - (ii) large feature rocks, bark chips, field stone (limit of 25 percent of total landscaped area);
  - (iii) berming, terracing;
  - (iv) other innovative landscaping features.
- (f) Where screen planting is required, evergreen trees and flowering trees should be used.

**15. COMMERCIAL / INDUSTRIAL USE DEVELOPMENT STANDARDS**

- (a) No use shall be approved which may generate traffic problems within the district.
- (b) Any proposed commercial or industrial development shall meet all the required and appropriate regulations of the Alberta Building Code.
- (c) In urban fringe districts, no offensive noise, vibration, smoke, dust, odours, heat or glare shall be produced by the use.
- (d) A permit for a use shall be revokable at any time by the Subdivision and Development Authority if, in their opinion, the use is or has become detrimental to adjacent land uses within this land use district or adjacent municipalities.
- (e) In hamlets, urban fringe districts or on parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. shall be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.
- (f) Where any parcel or part of a parcel has frontage on a controlled provincial highway, special standards for setbacks, access, and service roadways may be required by the designated officer or Subdivision and Development Authority in accordance with the recommendations and requirements of Alberta Transportation and the Highway Development Control Regulation.
- (g) Wrecked or damaged motor vehicles which might be located or stockpiled on the property must be screened from all adjacent parcels and roadways in the vicinity.
- (h) Where it appears that side yard setbacks may be necessary, the Subdivision and Development Authority may impose such a requirement as a condition of a development permit.
- (i) No veterinary clinic, kennel or riding stable shall be located within 304.8 metres (1,000 ft.) of a residential building excepting a Subdivision and Development Authority approved farm dwelling ancillary to the designated use.

**16. OFF-STREET PARKING**

**(a) General Requirements**

- (i) Parking areas shall be laid out and delineated in a manner which will provide for orderly parking (see diagram on following page).
- (ii) The designated officer may require that driveways and parking areas or portions thereof be properly gravelled or hard surfaced (e.g. asphalt, concrete).
- (iii) All parking space shall be provided on the same lot as the building or use, except where the designated officer may permit parking space to be on a lot within 152.4 metres (500 ft.) of the building or use if, in his opinion, it is impractical to provide parking on the same lot as the building or use. Where such other parking space is provided, a caveat, to the approval of the designated officer, shall be registered against the lot.

**(b) Specific Requirements**

<b>Use</b>	<b>Number of Parking Stalls Required</b>
Dwellings:	
Single family detached dwellings	2 per dwelling
Duplex and semi-detached dwellings	2 per unit
Multiple family dwellings	1.5 per unit
Single- and double-wide mobile homes	2 per unit
Retail and service commercial uses	1 per 55.7 m <sup>2</sup> (600 sq. ft.) of floor area and 1 per employee
Governmental (e.g. civic offices, government offices, library)	1 per employee with a minimum of 5 stalls
Hotel and motor hotels	1 per guest room
Licensed premises	1 per each 2 seating places
Public assembly (e.g. private or public halls, clubs, auditoriums)	1 per 6 seating places
Public or private utilities	As required by the designated officer
Service stations	1 per employee and 2 per service bay
Restaurants, cafes	1 per employee and 1 for each 4 seats
Industrial	1 per employee or more as required by the designated officer
Schools	1 per employee or more as required by the designated officer
Churches	1 per 6 seating places
Hospitals	1 per 3 beds
Banks and offices	1 per employee, with a minimum of 5

**17. LOADING AREA REQUIREMENTS**

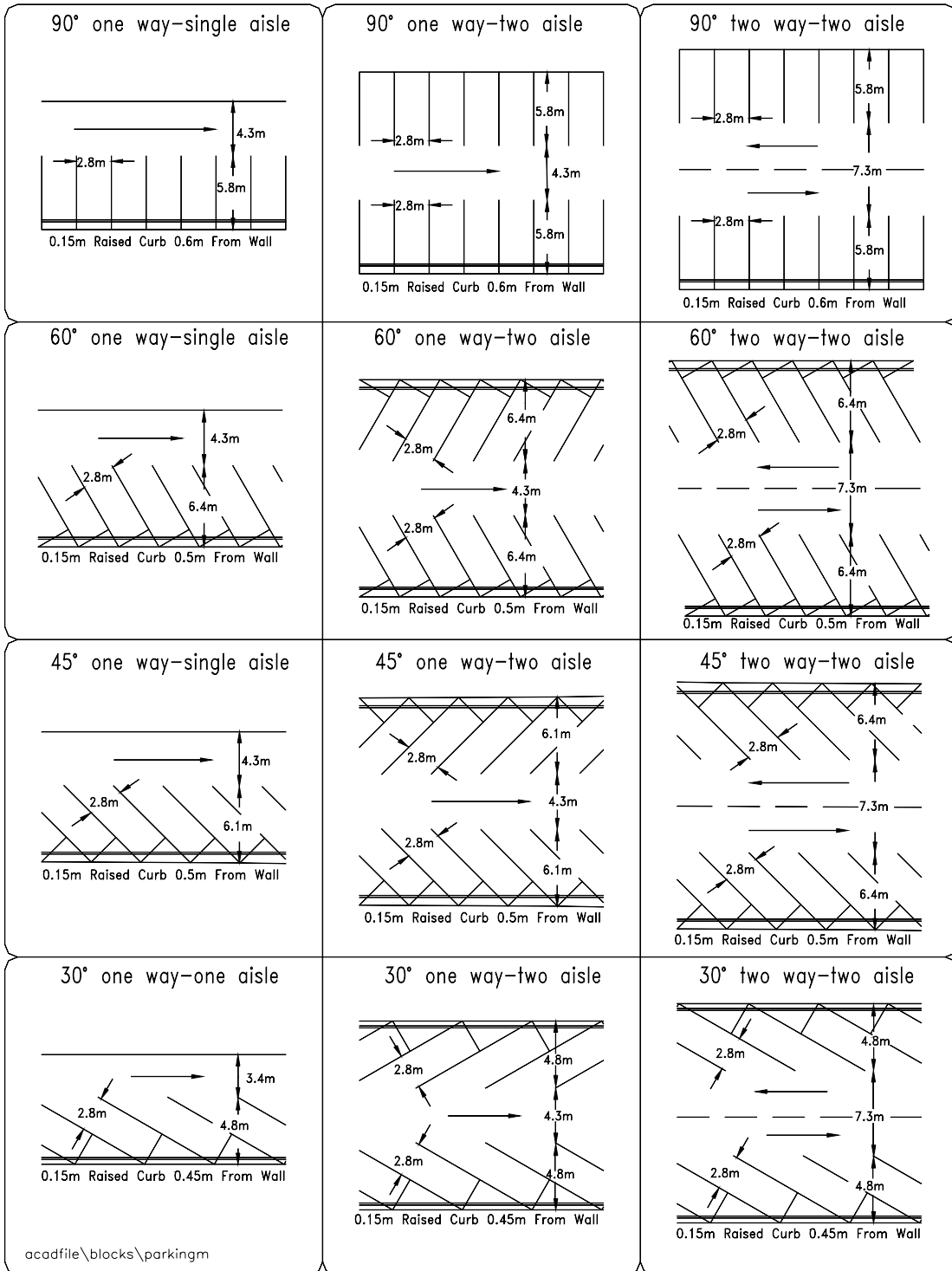
- (a) For commercial, industrial and other uses determined by the designated officer, there shall be a minimum of one off-street loading area, or more as required by the designated officer.
- (b) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.

**18. ADDITIONAL INFORMATION TO SUPPORT AN APPLICATION**

- (a) The designated officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of development on said land.
- (b) It is the responsibility of the applicant or developer to ensure the site is suitable for development. The designated officer may require an applicant to provide studies to indicate that the area proposed to be developed is not hazard land. This may include soils stability studies or flood plain analysis.



## PARKING LAYOUT ALTERNATIVES-METRES



## **19. RURAL SERVICING STANDARDS AND SOIL SUITABILITY**

- (a) The municipality or relevant Approval Authority may ask for a professional soil test/analysis at any time it is of the opinion it is warranted, to determine the suitability of the land for private sewage septic systems in relation to the development or subdivision proposal.
- (b) The applicant is responsible for undertaking any professional soil test/analysis required to determine the suitability of the site and its soil texture (test down to 8 ft. depth), and any costs associated with this shall be at their own expense. All required distances the sewage treatment system must be setback from the various attributes and property lines of the site shall be as per stipulated in the Alberta Private Sewage Systems Standard of Practice 1999 or any subsequent standard updates.
- (c) Sewage holding tanks are a method of private sewage disposal for residential subdivisions that may be considered acceptable by the municipality if no other reasonable alternative is available.
- (d) The County may, as a condition on a Development Permit for a dwelling or building that requires a private septic sewage system, require that the applicant be responsible for having the private septic sewage system installed to meet all provincial regulations or standards including the Alberta Private Sewage Systems Standard of Practice 1999 or any subsequent standard updates.
- (e) For the Urban Fringe districts, a professional soil test/analysis may be required in conjunction with consideration for policy 5(e) of Schedule 4, Subdivision Criteria, of the Land Use Bylaw.

Schedule 6

**HOME OCCUPATIONS**

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## HOME OCCUPATIONS

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Home occupations may be considered subject to the following conditions:

1. The use shall not generate traffic problems within the land use district.
2. A development permit for a home occupation shall be applicable only for the period of time the property is occupied by the applicant for such use.
3. All permits issued for home occupations shall be subject to the condition that the permit may be suspended if, in the opinion of the Subdivision and Development Authority, the use is or has become detrimental to the amenities of the neighbourhood.
4. A permit for a home occupation which has been suspended may be reinstated if any detrimental effects are overcome or any additional requirements are complied with.
5. Any home occupation involving food or personal services shall have the approval of the Chinook Regional Health Authority.



Schedule 7

**MOVED-IN BUILDINGS**

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## **MOVED-IN BUILDINGS**

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1. This schedule applies to moved-in buildings in designated hamlets and urban fringe districts:
2. Any application for a “moved-in building” considered by the Subdivision and Development Authority shall:
  - (a) be accompanied by recent colour photographs of the structure;
  - (b) meet all other requirements or conditions as required by the Subdivision and Development Authority, which may include physical exterior improvements such as painting, re-siding, replacement of windows, and new roof materials.
  - (c) The Development Authority may request that a Safety Code inspection report be completed and submitted to the County office as part of the development application.



Schedule 8

**SIGN REGULATIONS**

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## SIGN REGULATIONS

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1. **PURPOSE OF REGULATIONS**

These regulations provide standards for outdoor commercial advertising in the interest of amenity and traffic safety, having consideration to the number, size and location of advertisements insofar as they are likely to affect:

- (a) the appearance and character of any building or locality frequented by the public; and
- (b) the concentration of the motoring public and its ability to define authorized traffic signs.

2. **DEFINITIONS**

For the purpose of these regulations, certain words and expressions are defined as follows:

**Advertising sign** means a development or location of any object, device, display or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images.

**Directional and information sign** means a sign the message of which is limited to providing direction guidance, distance or similar information and which may contain a name or logo.

**Fascia sign** means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 metre (1 ft.) from the building.

**Freestanding sign** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure.

**Lawn sign** means a low-lying freestanding sign which is permanently attached to the ground, which is not connected to any building or other structure, and which does not exceed 1.2 metres (3.9 ft.) in height.

- 3. Advertising signs may only be allowed to be located within the county boundaries in order to advertise the principal use of the premises or the principal products offered for sale on the premises for businesses and services located within the County of Warner No. 5 and urban municipalities located in the county.
- 4. Lawn, fascia, and freestanding signs only may be permitted, provided that the location of any such sign does not become a visual obstruction to traffic.
- 5. Directional and informational signs may be permitted if warranted by the merits of each case.
- 6. All signs shall be maintained in a safe and tidy manner to the satisfaction of the designated officer or Subdivision and Development Authority. If, in the opinion of the Subdivision and Development Authority, a sign has fallen into disrepair the owner of the land may be required to remove the sign.
- 7. All signs, except county signs, will be located on private land.

8. No sign shall be placed in a public road or laneway or be located or placed in such a manner that, in the opinion of the designated officer or Subdivision and Development Authority, will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility, and will not create a traffic hazard or obstruct the public's view of any other signage.
9. Unless otherwise specified, a Development Permit application is required for all signs, unless specifically exempt under Schedule 3, Development Not Requiring a Development Permit or Schedule 8, Sign Regulations, Section 10, Signs Not Requiring a Permit.
10. **SIGNS NOT REQUIRING A PERMIT**  
No Development Permit is required for the following types of signs:
  - (a) construction company signs, provided such signs are removed within 14 days of the completion of construction; and
  - (b) signs of public buildings; and
  - (c) political posters, provided all such signage is removed within 14 days after the completion of the relevant election or plebiscite; and
  - (d) real estate signs, provided all such signage is removed within 30 days after the sale or lease of the premises upon which the sign is located; and
  - (e) residency identification signs, provided the sign is no greater than 0.2 m<sup>2</sup> (2 sq. ft.) in area; and
  - (f) garage sale signs, provided the owner of the property upon which the sign is located has approved its placement and that the sign is removed immediately upon the conclusion of the sale; and
  - (g) on-premises directional and informational signage and incidental signs, 0.2 m<sup>2</sup> (2 sq. ft.) or less in area; and
  - (h) any traffic or directional and informational signage erected by the County of Warner or the Provincial Government or the Federal Government; and
  - (i) any community service bulletin board erected by the County of Warner and any notices posted on the bulletin board; and
  - (j) any window sign posted on the interior of the premises;provided all such signage is suitably maintained to the satisfaction of the designated officer or Subdivision and Development Authority.

Schedule 9

**DEVELOPMENT STANDARDS FOR  
MANUFACTURED, MOBILE, MODULAR AND  
READY-TO-MOVE (RTM) HOMES**

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## **DEVELOPMENT STANDARDS FOR MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE (RTM) HOMES**

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The following specific standards of development are applicable to all districts except the Extensive Agriculture – AG, which may be exempted from any or all of the requirements, as determined by the Development Authority.

### **PART A: MANUFACTURED AND MOBILE HOMES**

**MANUFACTURED HOME** means a newly-constructed residential building containing one dwelling unit built in a factory and designed to be transported in one or more sections to a suitable site. The home is transported on a dolly (with wheels) and the wheels are removed when the home arrives at the site. New manufactured homes shall be constructed to either the CSA Z241 or CSA A277 standards and be compliant with the Alberta Building Code. The homes are typically placed on foundation supports and installed to CSA Z240.10.1 standards and connected to utilities.

**MOBILE HOME** means any dwelling used or constructed in such a manner that enables it to be conveyed upon public streets or highways notwithstanding that its running gear may be removed or that it may be placed on a temporary or permanent foundation. It does not include prefabricated or sectional dwellings. The term mobile home includes “Double-wide” and “Single-wide” mobile homes, as defined, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

#### **1. STANDARDS AND REQUIREMENTS APPLICABLE TO MANUFACTURED AND MOBILE HOMES**

- (a) Standards of Development – Schedule 5.
- (b) Any special mobile home development standards adopted by Council.
- (c) Except where noted, all standards, requirements and guidelines shall apply to both single-wide and double-wide units located in conventional subdivisions or mobile home parks.

#### **2. ELIGIBLE MANUFACTURED OR MOBILE HOMES**

- (a) New factory-built units.
- (b) Used factory-built units in a good state of repair (to the satisfaction of the Subdivision and Development Authority).
- (c) Canadian Standards Association (CSA) certified units or units bearing the Alberta Building Label (CSA A277 or Z240 building labels).
- (d) Manufactured or mobile homes bearing the original modular home certification.

**3. ADDITIONAL INFORMATION FOR MANUFACTURED OR MOBILE HOME UNITS**

- (a) Any application for a development permit to locate a used mobile home shall include recent colour photographs of all elevations (i.e. front, side, and rear views) including additions; **and**
- (b) may require a personal inspection by the designated officer or Subdivision and Development Authority to determine the suitability of the unit.

**4. MOBILE HOME FOUNDATIONS, BASEMENTS, ROOFLINES AND ADDITIONS**

- (a) All double-wide units shall be placed on continuous concrete, or concrete block foundations capable of supporting the maximum anticipated load, in conformity with the provincial building requirements and CMHC regulations.
- (b) All single-wide mobile homes not placed on permanent foundations of continuous concrete or concrete block shall be skirted with compatible materials (this does not include straw bales as skirting) to the satisfaction of the designated officer.
- (c) The wheels, hitches and other running gear should be suitably enclosed or removed as soon as practical after placement of the unit on its foundation.
- (d) Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with a Subdivision and Development Authority approved material.
- (e) The maximum height of the exposed portion of a continuous concrete or concrete block foundation shall be not more than 0.6 metre (2 ft.) above the average finished grade level of the surrounding ground.
- (f) A basement for a mobile home may be permitted, provided access to the basement is housed within an enclosure approved by the designated officer.
- (g) Mobile home units not provided with a basement shall be within 0.3 to 0.6 metre (1 to 2 ft.) of the average finished grade of the surrounding ground.
- (h) All mobile home additions shall be of a design and finish which will complement the unit.
- (i) The yard area of each lot shall be developed and landscaped.

**5. MANUFACTURED HOUSING**

- (a) The following standards shall apply to manufactured housing units as a condition of development approval by the designated officer or Development Authority. The approval Authority shall issue a development permit for a manufactured housing unit provided that:
  - (i) The dwelling is a factory built unit that meets the year 2000 manufactured housing industry standards;
  - (ii) The dwelling is securely fastened and placed on a permanent foundation;
  - (iii) Units not on a basement shall be placed not less than 1 foot and not more than 2 feet higher than the average finish grade;
  - (iv) The minimum roof pitch shall not be less than a 4/12 pitch;
  - (v) The minimum square footage of the dwelling should not be less than 83.61 m<sup>2</sup> (900 sq. ft.);
  - (vi) The dwelling should be a minimum 20 feet in width;
  - (vii) The unit is CSA certified and will meet all safety code requirements;
  - (viii) At the discretion of the designated officer or Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval;

- (ix) The designated officer or Development Authority may request colour photographs be submitted of the entire structure and, in addition, may stipulate that the developer provide a security or performance bond of a minimum \$5,000 to ensure the conditions are met to the satisfaction of the municipality.
  - (x) Any costs incurred to meet any of the conditions or for building inspections shall be at the expense of the applicant.
- (b) As a condition of approval the designated officer or Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.

## **PART B: MODULAR AND READY-TO-MOVE (RTM) HOMES**

**MODULAR HOME** means a new prefabricated or modular residential dwelling unit manufactured in an enclosed off-site factory in one or more sections and then delivered to its intended site of use. It is typically not constructed on a frame, is transported onto a lot, and assembled over a permanent basement/foundation, which has the appearance of and is used as a conventional single-detached dwelling unit and is constructed to CAN/CSA - A277-90 standards.

**READY-TO-MOVE (RTM) HOME** means a new residential dwelling unit not previously occupied that would normally be constructed (stick-built) at a place other than its permanent location (off-site), such as on a construction site, plant site, or building yard that is built to the current Alberta Building Code. Once complete, the dwelling is then transported as one unit to the site and installed on a permanent foundation. This use is considered the same as a conventional single-detached dwelling and excludes manufactured homes, modular homes and moved-in buildings.

### **1. MODULAR HOME STANDARDS**

The approval authority shall issue a development permit for a modular home provided that:

- (a) the dwelling is a factory-built unit that meets the manufactured housing industry and CSA standards and the building code;
- (b) the dwelling is securely fastened and must be placed on a permanent foundation;
- (c) the minimum roof pitch shall not be less than a 4/12 pitch;
- (d) the minimum floor area of the principal dwelling not including a attached garage shall not be less than 83.61 m<sup>2</sup> (900 sq. ft);
- (e) the dwelling shall be a minimum 6.1 metres (20 ft.) in width;
- (f) the unit is CSA certified (meet Can/CSA - A277-90 standards) and will meet all safety code requirements;
- (g) the design, character, and appearance (including roof lines/material and exterior finish) of the home shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity;
- (h) at the discretion of the Development Officer or the Subdivision and Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval;
- (i) the dwelling shall conform to any architectural controls that may apply;

- (j) if there is any doubt as to the required standards being met, the Development Officer may refer the application to the Subdivision and Development Authority, for a decision.

**2. OTHER MODULAR AND READY-TO-MOVE (RTM) HOME STANDARDS**

- (a) As a condition of approval the Development Officer or the Subdivision and Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.
- (b) The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in the Land Use Bylaw.
- (c) The building, when completed, shall meet or exceed provincial building requirements.
- (d) The applicant/developer must submit professional building plans illustrating the exterior design, floor plan, elevations and setbacks.
- (e) The quality of the completed building shall be at least equal to the quality of the other buildings in the area.
- (f) Ready-to-move homes will typically be treated to the same bylaw requirements and standards as conventional single-detached residential uses. The approval authority shall issue a development permit for a Ready-to-move home provided that the provisions of the bylaw are met.

Schedule 10

**WATER ACT POLICIES**

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## WATER ACT POLICIES

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The provincial Water Act came into force in January 1999. It is the intent of the provincial government to eventually adopt Water Management Plans (WMPs) for all water basins in Alberta. As these plans will take several years to prepare in accordance with provincial guidelines, municipalities are encouraged to adopt interim policies in their respective municipal development plans and land use bylaws. To this end, the County of Warner has identified the following objectives and adopted the subsequent policies with respect to the Water Act.

### **OBJECTIVE**

To meet the legislative requirements of Section 23 of the Water Act regarding Subdivision Development.

### **POLICIES**

1. Prior to the preparation of a water management plan (WMP), the County of Warner shall require that a certified report be prepared for any application for subdivision approval or a proposed land use redesignation which proposes to create six or more parcels of land in a quarter section.
2. All certified reports shall be prepared in accordance with the "Report Requirements under Section 23 of the Water Act for Subdivision Development" as produced by Alberta Environment, September 1999.
3. The certified report shall be forwarded to the Regional Director for the Water Act for interpretation, evaluation and comment.
4. All costs associated with the preparation, evaluation, interpretation and/or distribution of the said report shall be borne by the registered owner or the agent authorized to act on behalf of the registered owner.
5. At its sole discretion, the County of Warner may charge additional fees to ensure that any certified report is referred to the appropriate authorities for evaluation and interpretation pursuant to section 61 of the Municipal Government Act.
6. Upon the preparation and subsequent adoption of a water management plan within the County of Warner, these policies shall be reviewed, re-evaluated and modified if necessary.





Schedule 11

**FEES**

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**FEES**

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Fees are established by resolution of Council from time to time. Appendix A contains the fee schedule as of the date of printing of this bylaw.

Changes may occur, applicants are requested to contact the designated officer for current fees.



Schedule 12

**WIND ENERGY CONVERSION SYSTEMS**

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## WIND ENERGY CONVERSION SYSTEMS (WECS)

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### PURPOSE

These standards are applied to power generators that feed power back into the general provincial power grid or is distributed to other properties. Generators providing power only to the property on which it is located do not require a development permit.

### DEFINITIONS

The following definitions apply to this part:

1. Blade  
An element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.
2. Blade Clearance  
In reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.
3. Horizontal Axis Rotor  
A wind energy conversion system, typical of conventional or traditional windmills.
4. Rotor's Arc  
The largest circumferential path travelled by a WECS' blade.
5. Total Height  
The height from grade to the highest vertical extension of a WECS. In the case of a WECS with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.
6. Towers  
The structure which supports the rotor above grade.
7. Vertical Axis Rotor  
A wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.
8. Wind Energy Conversion System (WECS)  
A wind energy conversion system is one or more structures designed to convert wind energy into mechanical or electrical energy.

### INFORMATION REQUIREMENTS

9. All development applications for a WECS shall be accompanied by:
  - (a) an accurate site plan showing and labeling the information including the location of overhead utilities on or abutting the subject lot or parcel, and contours of the land and access roads;

- (b) a visual representation including scale elevations, photographs and/or digital information of the proposed WECS showing total height, tower height, rotor diameter, colour and the landscape;
  - (c) the manufacturer's specifications indicating:
    - the WECS rated output in kilowatts,
    - safety features and sound characteristics,
    - type of material used in tower, blade, and/or rotor construction;
  - (d) an analysis of the potential for noise at:
    - the site of the installation,
    - the boundary of the parcel containing development,
    - at any habitable residence within a 2 km (1.2 miles) distance;
  - (e) a report regarding any public information meetings or other process conducted by the developer;
  - (f) any impacts to the local road system including required approaches from public roads having regard to County of Warner standard;
  - (g) preliminary reclamation/decommissioning plans.
10. As a condition of approval on a development application for a WECS, the developer:
- (a) shall be responsible for providing the appropriate reports and/or obtaining the approvals from the following:
    - Alberta Energy and Utilities Board,
    - Transport Canada,
    - Navigation Canada,
    - Alberta Community Development;
  - (b) may be required to obtain approval from Alberta Environment if the proposal is on crown land or located on or in close proximity to lands identified as environmentally sensitive areas.

**REFERRALS**

11. Prior to making a decision on a development application for a WECS, the Development Authority shall refer and consider the input from the following:
- an adjacent jurisdiction if its boundaries are located within 2 km (1.2 miles) of the proposed WECS,
  - county landowners within a 2-km (1.2-mile) radius.

**DECOMMISSIONING**

12. Should a WECS discontinue producing power for a minimum of two years, the WECS operator shall be required to provide a status report. A review of the status report by the Development Authority may result in a request for the WECS to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the designated officer in accordance with the provisions of the Municipal Government Act.



### **SETBACKS**

13. A WECS shall comply with all the setbacks related to roadways that govern the principal use in the district in which it is located.
14. Where, in the opinion of the Development Authority, the setbacks referred to in section 13 (above) are not sufficient to reduce the impact of a WECS from a public roadway or a primary highway, the Development Authority may increase the required setback.
15. A WECS should not be located less than twice the height of the WECS, as measured from the ground to the highest point of the rotor's arc, from a residential dwelling unit; but in all instances, the minimum setback applied shall be in accordance with AEUB (Alberta Energy and Utilities Board) stipulations or standards.
16. A WECS shall be located so that the horizontal distance measured at grade from the outside of the rotor arc to any property boundary, other than roadways, is at least 7.5 metres (24.6 ft.).

### **MINIMUM BLADE CLEARANCE**

17. The minimum vertical blade clearance from grade shall be 7.5 metres (24.6 ft.) for a WECS employing a horizontal axis rotor unless otherwise required by the Development Authority.

### **TOWER ACCESS AND SAFETY**

18. To ensure public safety, the Development Authority may require that:
  - (a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 metres (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
  - (b) no ladder or permanent tower access device shall be located less than 3.7 metres (12.1 ft.) from grade;
  - (c) a locked device shall be installed on the tower to preclude access to the top of the tower;
  - (d) all of the above be provided or such additional safety mechanisms or procedures be provided as the Development Authority considers reasonable and appropriate;
  - (e) the use of tubular towers, with locked door access, will preclude the above requirements.

### **DISTRIBUTION LINES**

19. All power lines from the approved WECS up to the point of interconnection of the grid should be underground except where the Development Authority approves overhead installations.

### **COLOUR AND FINISH**

20. Unless otherwise required by the Development Authority, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Development Authority.
21. No lettering or advertising shall appear on the towers or blades. In other parts of the WECS, the only lettering will be the manufacturer's and/or owner's identification or municipal symbol upon approval by the Development Authority.

#### **WECS APPLICATIONS**

22. The Development Authority may approve WECS on a case-by-case basis having regard for:
  - (a) information provided in the application,
  - (b) proximity to other land uses in the immediate area,
  - (c) consideration of the cumulative effect of all WECS approved or proposed in the immediate area,
  - (d) underlying utilities,
  - (e) information received from the circulation of the application and the public.
23. Prior to a decision being made, the Development Authority may hold a public meeting in order to solicit the views of the public in regard to the application, as WECS are categorized as a discretionary use.
24. The Development Authority may apply any standards that are provided for in the Extensive Agriculture or Grouped Rural Industrial / Commercial districts.

Schedule 13

**MINOR LIVESTOCK OPERATION REQUIREMENTS**

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**MINOR LIVESTOCK OPERATION REQUIREMENTS**

**1. PURPOSE**

The establishment of the following parameters is intended to control the keeping of animals in urban fringe areas. This is accomplished by making the rules clear to all participants, as County Council wishes to provide the opportunity for some residents to keep a limited amount of livestock on small parcels and acreages. This schedule applies to parcels 32.4 ha (80 acres) or less in size in the various fringe districts.

**2. LIVESTOCK DENSITIES**

For both the purpose of applying the standards of the land use bylaw and determining the requirements for a “minor livestock operation” application for a development permit, a person is limited to the following densities.

- (a) A county development permit is not required if the number of animals is equal to or less than the density numbers of column 1. A county development permit will be required for operations that keep animals above the density threshold of column 2, and the county will stipulate the maximum number of animals that may be allowed. For the purpose of keeping livestock in the urban fringe districts, the following densities shall apply:

<b>Types of Livestock</b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>
	<b>No Permit Required</b>	<b>Development Permit Required (If the per acre threshold is exceeded)</b>
	<b>Max. Animals Per Acre</b>	<b>No. of Animals</b>
Bulls .....	2	Greater than 2 per acre, but not to exceed 20
Cows (not including calves) .....	2	Greater than 2 per acre, but not to exceed 30
Dairy Cattle (both milking and replacement)....	1	Greater than 1 per acre, but not to exceed 30
Feeder Cattle .....	2	Greater than 2 per acre, but not to exceed 30
Veal Calves.....	10	Greater than 10 per acre, but not to exceed 75
Piggery: Sows (farrow to wean).....	5	(Maximum of 29 allowed)
Piggery: Sows (farrow to finish) .....	2	(Maximum of 29 allowed)
Piggery: Feeder Hogs (120 lbs. average).....	4	Greater than 40, but not to exceed 90
Hens, Cockerels.....	10	Greater than 10 per acre, but not to exceed 400
Chicks, Broilers .....	15	Greater than 15 per acre, but not to exceed 400
Turkey Hens or Feeders .....	5	Greater than 5 per acre, but not to exceed 200
Rams or Ewes, and Lambs.....	2	Greater than 2 per acre, but not to exceed 75
Horses.....	1	Greater than 1 per acre 20, but not to exceed 20
Others or Mixed animal feeding operations .....		To be determined by Development Authority

- (b) The second portion of column 2 stipulates the maximum number of animals allowed by the County in the fringe districts. For numbers that exceed the maximum in column 2 and reach the low-end threshold of the NRCB's (Natural Resources Conservation Board) mandate, the proposal comes under NRCB jurisdiction and will require a registration or approval. However, the County of Warner shall prohibit, through policies in its Municipal Development Plan, new confined feeding operations in the urban fringe districts.

### **3. APPLICABILITY AND STANDARDS**

- (a) Any proposed minor livestock operation or expansions to existing operations that will exceed the numbers listed in column 1 above shall require a development permit. For numbers that both exceed the threshold number in column 2 and reach the low-end threshold of the NRCB's legislation, the operation shall be considered a confined feeding operation and will come under the authority of the province, and the jurisdiction of the NRCB.
- (b) The Development Authority may limit densities or deny permits to any operator where land use problems have been experienced in the past.
- (c) For all minor livestock operations, all corrals, feeders, shelters or other structures for feeding shall not be located closer than 91.5 metres (300 ft.) to a neighbouring established residence. New residences are also encouraged to be located a minimum of 91.5 metres (300 ft.) from any established corrals, feeders, shelters or other structures for feeding of a neighbouring minor livestock operation.

### **4. OTHER STANDARDS**

- (a) The Development Authority may impose other standards for the keeping of livestock or for minor livestock operations permit approvals, and may also make as conditions or take into account:
  - (i) all aspects of the current Agricultural Operations Practices Amendment Act, 2001, Standards and Regulations;
  - (ii) comments from the Regional Health Authority, Alberta Environment, Alberta Agriculture, Food and Rural Development, and the NRCB;
  - (iii) a minimum distance separation of 61 metres (200 ft.) will be maintained between any irrigation canals or drain and a minor livestock operation's corrals, feeders, shelters or manure storage site. In all instances, the canal shall be protected from contaminated runoff;
  - (iv) manure must be contained on the premises, stored in a safe manner, and shall not run-off or contaminate other lands or water sources;
  - (v) a suitable manure storage site or sites shall be provided that will accommodate storage for the entire minor livestock operation, and regulations as described in the Agricultural Operations Practices Amendment Act, 2001, Standards and Regulations, may be applied;
  - (vi) any short term solid manure storage site must be located at least one metre above the water table and must be located not less than 150 metres (492 ft.) from the nearest neighbouring residence;
  - (vii) dead animals must be properly disposed of within 48 hours to minimize odours, flies, and transmission of disease to other animals.
- (b) In all cases, the establishment of a new minor livestock operation and expansions to an existing minor livestock operation should be located as far away as possible from dwellings that are not part of the operation (refer to 3(c) above).

- (c) The Development Authority may add any conditions to a permit that is in relation to recommendations or regulations of the Regional Health Authority or as described in the Agricultural Operations Practices Amendment Act, 2001, Standards and Regulations, or any conditions of its own that it deems necessary.

**5. MINOR LIVESTOCK OPERATION MANAGEMENT PLAN**

- (a) At the time of a permit application for either a new minor livestock operation or an expansion to an existing operation, the applicant may be requested to provide to the designated officer a Minor Livestock Operation Management Plan.
- (b) The Development Authority and/or Subdivision and Development Appeal Board may place conditions on the existing portion of the minor livestock operation in order to address existing inadequacies and improve the existing situation, thereby making the entire operation more suitable.
- (c) The Development Authority and/or the Subdivision and Development Appeal Board may ensure implementation of the Minor Livestock Operation Management Plan by placing important aspects of the plan on development permits as conditions of approval.
- (d) A copy of the Minor Livestock Operation Management Plan, if requested by the Development Authority, shall be available for public viewing at the County of Warner office during normal office hours, any time after a permit is applied for.





Schedule 14

**FORMS AND APPLICATIONS**

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**COUNTY OF WARNER NO. 5  
APPLICATION FOR A DEVELOPMENT PERMIT**

**SCHEDULE 14  
FORM A**

LAND USE BYLAW NO. 866-08

DEVELOPMENT APPLICATION NO. \_\_\_\_\_

DATE OF APPLICATION \_\_\_\_\_

**GENERAL INFORMATION**

APPLICANT'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

REGISTERED OWNER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER: \_\_\_\_\_

(Option - Lease - Other)

LEGAL DESCRIPTION OF LAND: LOT(S) \_\_\_\_\_ BLOCK \_\_\_\_\_ PLAN \_\_\_\_\_

QUARTER \_\_\_\_\_ SECTION \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_

STREET ADDRESS (if applicable) \_\_\_\_\_

***IMPORTANT:*** This information may also be shared with appropriate government and/or other agencies (e.g. Alberta Agriculture; Alberta Environment; Alberta Transportation; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the County of Warner No. 5.

**SPECIFIC INFORMATION**

IN ORDER TO PROPERLY EVALUATE AN APPLICATION FOR DEVELOPMENT, THE DESIGNATED OFFICER MUST BE PROVIDED WITH A COMPLETE AND CLEAR DESCRIPTION OF THE LAND; EVERYTHING WHICH IS PRESENTLY BUILT ON THE LAND, AND EVERYTHING WHICH IS TO BE BUILT ON THAT LAND.

**1. Details of DEVELOPMENT SITE:**

Describe the **lot/parcel dimensions** \_\_\_\_\_ and **lot area/parcel acreage** \_\_\_\_\_. Indicate data on a scaled PLOT PLAN as follows: 0-4 acres at 1" = 20'; 5-9 acres at 1" = 100'; 10 or more acres at 1" = 200'.

**2. Details of EXISTING DEVELOPMENT:**

Describe below and indicate clearly on the scaled PLOT PLAN how many buildings/structures are presently located on the lot; noting the **use(s) / type(s), dimensions, floor area(s)** and which one(s) [if any] are to be removed, relocated and/or renovated.

\_\_\_\_\_  
\_\_\_\_\_

Indicate clearly on the scaled PLOT PLAN the **setbacks** of all buildings from the front, rear, and side yard lot boundaries, as well as **distances** between all buildings/structures.

**3. Details of PROPOSED DEVELOPMENT: (Estimated cost of development: \_\_\_\_\_ )**

Describe below and indicate clearly on the scaled PLOT PLAN how many new buildings, additions and structures are to be constructed on the lot, noting the **use(s), type(s), dimensions** and **floor area(s)** of each. Describe below any proposed interior renovations, changes in use, or home occupations (if applicable).

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Indicate clearly on the scaled PLOT PLAN the **setbacks** of all new buildings, additions, or structures from front, rear and side yard lot boundaries, as well as **distances** between all existing and proposed developments.

**4. Details of POTENTIAL HAZARDS:**

(a) Is the proposed development located in the vicinity of a coulee bank/break? Yes \_\_\_\_\_ No \_\_\_\_\_

If "yes", please provide details on the building sites' setback distance from the front edge of the valley or coulee break (escarpment rim). \_\_\_\_\_

(b) Is the proposed development to be situated within 500 metres (1,640 ft.) of an established anhydrous ammonia bulk storage facility? Yes \_\_\_\_\_ No \_\_\_\_\_

(c) Provide details and location information of any present or abandoned gas wells on the land, or sour gas wells in the vicinity (within 1.5 km) of the proposed development. \_\_\_\_\_

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Describe further or any other **potential hazards** on or near the land that is the subject of the application that may render the site unsuitable for the proposed use (i.e. unstable slopes such as coulee banks, high water table or floodplains). \_\_\_\_\_

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**5. Details of LANDSCAPING and FENCING:**

Describe generally the type of **landscaping features** and **fencing** proposed, and indicate **locations** on a scaled LANDSCAPE PLAN. \_\_\_\_\_

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**6. Details of VEHICLE PARKING and ACCESS:**

Describe the number and **dimensions** of all existing and proposed **parking spaces, loading spaces,** and **driveways** on site and indicate locations of same on a scaled LANDSCAPE PLAN. \_\_\_\_\_

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**7. Details of EXTERIOR BUILDING FINISH:**

Describe the **type(s)** and **colour(s)** of all **material** used to finish the existing and proposed structure exteriors.

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Indicate same on SKETCHES of all new **structure elevations** (not necessarily scale drawings).

**8. Details of SERVICES:**

Indicates as follows: **A** = available                      water ( )                      sewer ( )                      septic field ( )  
**R** = required                      natural gas ( )                      electricity ( )                      telephone ( )

Estimated **Commencement** Date: \_\_\_\_\_

Estimated **Completion** Date: \_\_\_\_\_

**I have submitted particulars concerning the completion of the proposed development and I am aware that I may be required to pay for all local improvement costs, which could include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate. I agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable.**

*I have read and understand the terms noted below and hereby apply for permission to carry out the development described above and on the attached plans and specifications. I further certify that the registered owner of the land described above is aware of, and in agreement with this application.*

\_\_\_\_\_  
Signature of **Applicant**

\_\_\_\_\_  
Signature of **Registered Owner** (if not applicant)

**TERMS:**

1. Subject to the provisions of the land use bylaw of the County of Warner No. 5, the term "development" includes the making of any change in the use of buildings or land.
2. Although the designated officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a development permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. The applicant/developer assumes all responsibility to ensure that they are not constructing in a floodplain, natural drainage, or other potentially hazardous area.
5. Construction undertaken subsequent to approval of this development permit application may be regulated by the **Provincial building requirements**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by **Alberta Labour**.

**PLEASE NOTE: Obtaining all necessary permits and required inspections for building, electrical, plumbing, gas, etc., are the responsibility of the applicant/owner/developer.**



**COUNTY OF WARNER NO. 5  
NOTICE OF DEVELOPMENT HEARING**

**SCHEDULE 14  
FORM B**

**LAND USE BYLAW NO. 866-08  
DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

Notice is hereby given that an application is being made for a development permit with regard to the following:

**TYPE OF DEVELOPMENT:**

**LEGAL DESCRIPTION OF SITE:**

**PLACE OF HEARING:** \_\_\_\_\_

**TIME OF HEARING:** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

Any person affected by the said proposal has the right to present a written brief prior to the hearing and to be present and be heard at the hearing.

Persons requesting to be heard at the hearing or submitting briefs shall inform the designated officer no later than:

\_\_\_\_\_ (a.m./p.m.) on \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**Designated Officer**





**COUNTY OF WARNER NO. 5  
NOTICE OF DECISION**

**SCHEDULE 14  
FORM C**

**LAND USE BYLAW NO. 866-08  
DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

In the matter of development of property located at \_\_\_\_\_  
\_\_\_\_\_

The development as specified in Application No. \_\_\_\_\_ has been:

APPROVED

APPROVED subject to the following conditions:

REFUSED for the following reasons:

Development Permit to be issued on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

A development permit has been issued in accordance with this notice but shall not be valid until fourteen (14) days after the date of issue of notice in accordance with section 686 of the Municipal Government Act, which shall be presumed to be effected 7 days from the date of mailing if the document is mailed in accordance with the Interpretation Act, Revised Statutes of Alberta 2000, Chapter I-8.

**DATE:** \_\_\_\_\_ **SIGNED:** \_\_\_\_\_

Designated Officer

**THIS DOES NOT CONSTITUTE A DEVELOPMENT PERMIT**

**This decision is appealable to the Subdivision and Development Appeal Board of the County of Warner No. 5 within fourteen (14) days of the date of this notice by any party considering themselves to be adversely affected, which shall be presumed to be effected 7 days from the date of mailing if the document is mailed in accordance with the Interpretation Act, Revised Statutes of Alberta 2000, Chapter I-8.**



**COUNTY OF WARNER NO. 5  
DEVELOPMENT PERMIT**

**SCHEDULE 14  
FORM D**

**LAND USE BYLAW NO. 866-08**

**DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

**DEVELOPMENT PERMIT NO. \_\_\_\_\_**

This development permit is hereby issued to:

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

In respect of works consisting of: \_\_\_\_\_

\_\_\_\_\_

On land located at: \_\_\_\_\_

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. \_\_\_\_\_

and is subject to the conditions contained herein:

This permit becomes effective the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within fourteen (14)\* days of the following date:

**DATE:** \_\_\_\_\_ **SIGNED:** \_\_\_\_\_

**Designated Officer**

\* The 14 days shall be presumed to be effected 7 days from the date of mailing if the document is mailed in accordance with the Interpretation Act, Revised Statutes of Alberta 2000, Chapter I-8.

**THIS IS NOT A BUILDING PERMIT**

**IMPORTANT: (see over)**

**IMPORTANT:**

The development outlined above is subject to the following conditions:

- (a) This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaw, laws, orders and/or regulations affecting such development.
- (b) This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
- (c) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit.
- (d) The designated officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
- (e) Construction undertaken in accordance with this development may be regulated by the **provincial building requirements**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by **Alberta Labour**.

**COUNTY OF WARNER NO. 5  
NOTICE OF APPEAL HEARING**

**SCHEDULE 14  
FORM E**

**LAND USE BYLAW NO. 866-08  
DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

This is to notify you that an appeal has been made to the Subdivision and Development Appeal Board pertaining to a decision in respect of Application No. \_\_\_\_\_ which involves development described as follows:

Development was:

- APPROVED
  
- APPROVED WITH CONDITIONS (as follows):
  
  
  
  
  
  
  
  
  
- REFUSED for the following reasons:

**PLACE OF HEARING:** \_\_\_\_\_

**TIME OF HEARING:** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

Any person affected by the proposed development has the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the hearing shall submit a written brief or notice of intention to be heard, (or both) to the Secretary of the Subdivision and Development Appeal Board no later than:

\_\_\_\_\_ (a.m./p.m.) on \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**Secretary of the  
Subdivision and Development Appeal Board**



**COUNTY OF WARNER NO. 5  
APPLICATION FOR A LAND USE BYLAW AMENDMENT**

**SCHEDULE 14  
FORM F**

**LAND USE BYLAW NO. 866-08  
DEVELOPMENT APPLICATION NO. \_\_\_\_\_**

**GENERAL INFORMATION**

APPLICANT'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

REGISTERED OWNER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER: \_\_\_\_\_

LEGAL DESCRIPTION OF LAND: LOT(s) \_\_\_\_\_ BLOCK \_\_\_\_\_ PLAN \_\_\_\_\_  
(Option - Lease - Other)

QUARTER \_\_\_\_\_ SECTION \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_

STREET ADDRESS (if applicable) \_\_\_\_\_

**NATURE AND REASONS FOR AMENDMENT REQUEST:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SPECIFIC INFORMATION**

**IN ORDER TO PROPERLY EVALUATE AN APPLICATION FOR AMENDMENT, COUNCIL AND THE SUBDIVISION AND DEVELOPMENT AUTHORITY MUST BE PROVIDED WITH A COMPLETE AND CLEAR DESCRIPTION OF THE LAND; EVERYTHING WHICH IS PRESENTLY BUILT ON THE LAND, AND EVERYTHING WHICH IS TO BE BUILT ON THAT LAND.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the lot/parcel dimensions and acreage \_\_\_\_\_

\_\_\_\_\_

Indicate data on a scaled PLOT PLAN: 0-4 acres at 1" = 20'; 5-9 acres at 1" = 100'; 10 or more acres at 1" = 200'.

Indicate clearly on the scaled PLOT PLAN the **setbacks** of all buildings from the front, rear, and side yard lot boundaries, as well as **distances** between all buildings/structures (existing and proposed).

*I have read and understand the terms noted below and hereby apply for a land use bylaw amendment to facilitate the development described above or shown on the attached plans. I further certify that the registered owner of the land described above is aware of, and in agreement with this application.*

\_\_\_\_\_  
Signature of **Applicant**

\_\_\_\_\_  
Signature of **Registered Owner** (if not applicant)

**TERMS:**

1. Subject to the provisions of the Land Use Bylaw No. 866-08 of the County of Warner No. 5, the term "development" includes the making of any change in the use of buildings or land.
2. Although the designated officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a development permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. **A decision shall be made by Council within 90 days** from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing.
5. A **refusal** is not appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 6 months after the date of refusal.
6. An **approval** shall be finalized by amending the land use bylaw in accordance with section 692 of the Municipal Government Act.

**Decision of Council:**

REFUSED for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**First Reading Date:** \_\_\_\_\_

**Public Hearing Date:** \_\_\_\_\_

**Second Reading Date:** \_\_\_\_\_

Approved by Amending Bylaw No. \_\_\_\_\_

**Third and Final Reading Date:** \_\_\_\_\_



Schedule 15

**DEFINITIONS**

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## DEFINITIONS

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### A

**Abattoir** means premises where livestock is slaughtered and the meat is cut, cured, smoked, aged, wrapped or frozen for distribution.

**Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

**Agricultural land** means all lands used or capable of being used for grazing or cultivation.

**Agricultural land unit (extensive agricultural)** means a parcel of land used for agricultural purposes and containing at least 32.4 ha (80 acres); or a parcel with a registered exception on a land title to a maximum of 4.0 ha (10 acres); with the resulting residual parcel containing at least 28.3 ha (70 acres).

**Agricultural market** means a use involving the sale of raw agricultural products but may include as an accessory to the principal use, the sale of factory-sealed or prepackaged food products that normally do not require refrigeration.

**Agricultural pursuit** means gaining a livelihood from the primary production of crops or raising of livestock not including uses servicing, processing or transporting agriculture.

**Agricultural services** means establishments primarily engaged in supplying and servicing materials and services for soil preparation, crop treating, landscaping, horticultural services and veterinary or other animal services.

**Agricultural production** means the production, keeping or maintenance, for sale, lease or personal use of plants including, but not limited to: forage and sod crops; grains and seed crops; trees, fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral ornamental and greenhouse products; or lands devoted to a soil conservation or management program.

**Airports and airstrips** means any area, designed, prepared, equipped or set aside for the arrival, departure, movement or servicing of commercial and private aircraft; and includes any associated buildings, installations, open space, runways and equipment for landing/takeoff and flight control. This also includes aircraft and airport related manufacturing services.

**Ancillary building** means any building:

- (a) which is separate from the principal building on the lot on which both are located, and the use of which the Subdivision and Development Authority decides is normally subordinate and incidental to that of the principal building; or
- (b) the use of which the Subdivision and Development Authority decides is normally subordinate and incidental to the principal use of the site on which it is located.

**Ancillary use** means a use of a building or lot which the designated officer decides is normally subordinate and incidental to the principal use of the building or lot.

**Area structure plan** means a statutory plan in accordance with the Municipal Government Act and general municipal plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

**Autobody repair and paint shop** means those premises where automobiles, trucks, and other vehicles undergo body repair and painting.

**Automotive dealership** means a development used for the retail sale and rental of new or used automobiles and/or recreation vehicles together with incidental repair and maintenance services and sales of parts.

**Automotive repair and service shop** means a development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This land use class includes, among other uses, transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. This use class does not include autobody repair and paint shops.

## B

**Boarding stable** means a structure designed for the feeding, housing and exercising of horses not owned by the owner of the premises.

**Breeding facility** means a commercial facility where domestic animals are kept, bred, bought, and/or sold.

**Buildable area** means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions and separation distances have been deducted.

**Building** includes any thing constructed or placed on, in, over or under land but does not include a highway or public roadway or bridge forming part of a highway or public roadway.

## C

**Campground** means an area upon which two or more campsites are located or maintained for seasonal occupancy by camping units (holiday or tent trailers, recreation vehicles, tents and similar equipment) of the general public as temporary living quarters for recreation, education or vacation purposes. This use may include supplementary bathroom and recreational facilities, eating shelters, convenience retail, laundry facilities and dwelling accommodation for the owner/operator as part of the use or, as accessory uses.

**Church** means the use of premises for religious worship, including, but not limited to a mosque, synagogue, temple, chapel, or religious meeting room.

**Commercial** means the use of land and/or buildings for the purpose of public sale, display and storage of goods and/or services on the premises.

**Commercial greenhouse** means a structure in which plants, vegetables, flowers and similar materials are grown for sale.

**Comprehensive development plan** means a detailed site layout plan which provides for the orderly development of a parcel or group of parcels, and which has taken into account the effects of such development on the immediate and surrounding area.

**Confined feeding operation (CF0)** means an activity on land that is fenced or enclosed or within buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing, but does not include seasonal feeding and bedding sites.

**Council** means the Council of the County of Warner No. 5.

**Country residential use** means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area, whether the dwelling is occupied seasonally, for vacation purposes or otherwise, or permanently.

**CSA A277** (CAN/CSA A277 - Standard) means a Canadian Standards Association procedure for the certification of a factory that builds manufactured homes. This procedure includes certification of both the plant and product built and has requirements for auditing of the plants quality control program along with in-plant inspections. A CSA A277 certification means that the product is deemed to be built to the standards of the Alberta Building Code and meets the National Building Code. Portions of the plumbing, electrical and heating system may or may not be factory installed. This standard does not cover those portions of structures or services that are not factory installed, nor subsequent transport or erection of the product on site.

**CSA Z240** (CAN/CSA Z240.0.1-92 - Standard) means the latest Canadian Standards Association Standard for factory built homes that are complete structurally and have the entire plumbing, electrical and heating system installed. The standard does not cover those portions of structures or services that are not factory installed, nor subsequent transport or erection of the product on site.

**Cut-off country residential use** means a residential use on a parcel of land that has been created by the cut-off parcel subdivision policies in the land use bylaw.

**Cut-off parcel** means a parcel of land that is separated from the major area of the lot by:

- (a) a permanent irrigation canal as controlled and maintained by the irrigation district;
- (b) a permanent watercourse normally containing water throughout the year;
- (c) a railway which physically contains a rail line;
- (d) a graded public roadway or highway;
- (e) an embankment; or
- (f) other physical features;

and is impractical to farm or graze either independently or as part of a larger operation, including nearby land.

## D

**Designated officer** means a person authorized by Council to act as a Development Authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's Subdivision and Development Authority Bylaw and Land Use Bylaw.

**Developed residence** means a residence which:

- (a) is habitable;
- (b) has developed legal access;
- (c) has a permanent foundation;
- (d) has electrical and gas utilities available to the site;
- (e) has developed sewer and water systems.

**Development** means:

- (a) an excavation or stockpile and the creation of either of them;
- (b) a building or an addition to or replacement or repair of a building and the construction or placing in, on, over or under land of any of them;
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of land or building; or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

**Development permit** means the county issued permit, pursuant to this land use bylaw, for development which has been approved by the designated officer, Subdivision and Development Authority or Subdivision and Development Appeal Board.

**Discretionary use** means the use of land or a building provided for in the land use bylaw, that can be approved, with or without conditions, or refused by the Subdivision and Development Authority following receipt by the designated officer of a completed application and fee.

**District** means a defined area of a municipality as set out in the land use district schedules of uses and indicated on the land use bylaw district maps.

**Double-wide mobile home** means a "Mobile home" (as defined) that is permanently fixed to two chassis, or is permanently fixed to one chassis and has a section which can be expanded or telescoped from the mobile home for additional floor area. Double-wide mobile homes are typically not less than 6.1 metres (20 ft.) in width.

**Duplex dwelling** means a building containing two separate dwelling units connected by a common floor/ceiling.

**Dwelling** means any building used exclusively for human habitation and which is supported on a permanent foundation extending below ground level, including multiple dwellings, apartments, lodging and boarding houses.

**Dwelling unit** means two or more self-contained rooms provided with sleeping, cooking, dining and sanitary facilities intended to be used permanently or semi-permanently as a residence for one or more individuals as a single housekeeping unit.

## E

**Extensive agriculture** means the cultivation or open grazing on lots of 32.4 ha (80 acres) or more for the production of crops and/or livestock.

## F

**Farm machinery and industrial vehicle sales and service** means development for the sale and service of vehicles over 1 ton and equipment designed for use in the construction, maintenance or operation of buildings, roadways, pipelines, oil fields, or mining projects, or in forestry, freight hauling or agriculture. Repair, servicing, cleaning and the sale of accessories and parts may be principal uses.

**Farm stand** means a booth or stall located on a farm from which produce and farm products are sold to the general public.

**Farmstead** means an area in use or formerly used for a farm home or farm buildings or both and which is impractical to farm because of the existing buildings, vegetation or other constraints.

**Financial institution** means a development or use primarily for providing the service of banking or lending money, such as bank, savings and loans institution, or credit union.

## G

**Garden suite** means a supplementary dwelling unit that is a small, portable, self-contained, manufactured housing unit which is located on the same lot or parcel as a principal dwelling unit and where the supplementary dwelling is used to temporarily accommodate no more than two individuals that are dependent on the primary care givers that reside in the principal dwelling requiring the development permit to be renewed on an annual basis.

**Golf course** means a tract of land for playing golf, improved with tees, greens, fairways, hazards and which may include club houses and shelters.

**Grain elevator** means a facility for the collection, grading, sorting, storage, and transshipment of grains. This definition also includes 'inland grain terminals'.

**Greenhouse** means a building whose sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or personal enjoyment.

**Grouped country residential** means more than two adjacent residences on parcels less than the minimum agricultural parcel size.

**Grouped industrial** means two or more contiguous industrial lots.

## H

**Hazardous/noxious uses** means those uses which by their nature are harmful or destructive to man or other organisms and may cause or contribute to an increase in mortality or serious illness.

**Hazard land** means an area of land which is unsuitable for development in its natural state, for example by virtue of being susceptible to flooding, steepness of slope or instability of slope, etc.

**Highway commercial** means a use which provides goods and/or services essential to the motoring public such as, but not necessarily limited to, service stations, cafes, restaurants, motor hotels, public roadside rest stops and campgrounds, recreation vehicle sani-dumps and private commercial recreation developments.

**Home occupation** means the ancillary use of a dwelling unit (or accessory building or land) by a profession, trade, craft for gainful employment involving the manufacture, processing, provision or sale of goods and services.

**Hotel** means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, licensed premises or dining room, room service or public convention facilities.

## I

**Industrial** means the use of land and/or buildings for the purpose of manufacturing, processing, refining, storing, distributing materials or products for sale or application elsewhere. On-premises sales are incidental to the operation of the industry.

**Intensive horticulture** means the cultivation or use of land and/or buildings on a lot less than 32.4 ha (80 acres) which are employed for the commercial production and sales (on or off-site) of specialty crops grown by high yield and density techniques. Examples include, but are not necessarily limited to, greenhouses, nurseries, hydroponic or market gardens, mushroom, berry or tree farms.

**Isolated country residential** means, for the purpose of subdivision, one or two existing or proposed country residential uses.

**Isolated single lot commercial** means commercial uses located or proposed to be located on parcels of land not adjacent to other proposed or existing commercial uses.

**Isolated single lot industry** means industrial uses located or proposed to be located on parcels of land not adjacent to other proposed or existing industrial uses.

## K

**Kennel** means an establishment in which more than six dogs or domesticated animals more than one year old are housed, groomed, bred, boarded, trained or sold.

## L

**Land-locked parcel** means that a parcel does not have a means of legal or physical access.

**Legal access** means any vehicular way which is an existing provincial or country roadway or which is shown on a plan registered in the Land Titles Office and includes the land between the street lines, whether improved or unimproved.

**Library** means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific, natural, or artistic value.

**Livestock sales yards** means a facility where agricultural related items including livestock are bought and sold by public auction.

**Lodging or boarding house** means a building in which the owner lives and supplies sleeping unit accommodation, for remuneration, for not more than ten residents. It may or may not include meal service. It includes lodges for senior citizens but does not include hotels, motels, temporary shelter services, congregate housing, or bed and breakfasts.

**Lot** means:

- (a) a quarter section;
- (b) a river lot shown on an official plan referred to in section 32 of the Surveys Act that is filed or lodged in a land titles office;



- (c) a settlement lot shown on an official plan referred to in section 32 of the Surveys Act that is filed or lodged in a land titles office;
- (d) a part of a parcel described in a certificate of title other than by reference to a legal subdivision; or
- (e) a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

## M

**Manufactured home** means a newly-constructed residential building containing one dwelling unit built in a factory and designed to be transported in one or more sections to a suitable site. The home is transported on a dolly (with wheels) and the wheels are removed when the home arrives at the site. New manufactured homes shall be constructed to either the CSA Z241 or CSA A277 standards and be compliant with the Alberta Building Code. The homes are typically placed on foundation supports and installed to CSA Z240.10.1 standards and connected to utilities.

**May** means, within the context of a policy, that a discretionary action is permitted.

**Minor livestock operation** means the keeping of limited amounts of livestock in urban fringe areas on parcels less than 32.4 ha (80 acres) in size, whereby the density of animals conforms to Schedule 13 of the land use bylaw but where the total number of animal units is below the threshold number of the NRCB.

**Mobile home** means a factory built dwelling used or constructed in such a manner that enables it to be conveyed upon public streets or highways notwithstanding that its running gear may be removed or that it may be placed on a temporary or permanent foundation. It does not meet the year 2000 manufactured housing industry standards (or either the CSA Z241 or CSA A277 standard) and does not include prefabricated or sectional dwellings. The term mobile home includes "Double-wide" and "Single-wide" mobile homes, as defined, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

**Mobile home park** means a lot occupied by or intended for two or more single-wide and/or double-wide mobile homes, where each mobile home site is not subdivided into a separately titled lot.

**Modular Home** means a new prefabricated or modular residential dwelling unit manufactured in an enclosed off-site factory in one or more sections and then delivered to its intended site of use. It is typically not constructed on a frame, is transported onto a lot, and assembled over a permanent basement/foundation, which has the appearance of and is used as a conventional single-detached dwelling unit and is constructed to Can/CSA - A277-90 standards.

**Motel** means a building or group of buildings on a site providing separate sleeping units complete with washing and sanitary facilities and with adjoining or conveniently-located parking space, designed or operated primarily for the purpose of providing temporary accommodation.

**Moved-in building** means a conventional pre-constructed previously occupied building which is physically removed from one site, transported and re-established on another site.

**Multi-family dwelling** means a building containing three or more separate dwelling units.

**Municipal Development Plan** means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the Act.

**Municipal Government Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

## N

**Non-conforming building** means a building that is lawfully under construction at the date of first publication of an official notice of a proposal to pass this land use bylaw, and that does not or will not conform to the requirements of the land use bylaw when it becomes effective; OR a building which was lawfully constructed under Land Use Bylaw No. 790-98.

**Non-conforming use** means a use of land or a building, or intended to be made of a building lawfully under construction at the date of the first publication of an official notice of a proposal to pass a land use bylaw affecting such use, and does not or will not conform to the requirements of this bylaw when it becomes effective.

**Noxious industry or use** means a use or development, usually industrial or commercial in nature, used for manufacturing, fabricating, processing, assembly, storage, production or packaging of goods, materials, or products where the use may be detrimental to public health, safety or welfare beyond the boundaries of the site or parcel upon which it is situated, often by reason of emissions (i.e., air, water or noise) created as a result of the use. The use may be incompatible with residential or other development because of toxic gases, smells, wastes, noise, dust or smoke emissions which are not confined to the site or parcel upon which the use is situated. This use typically includes: abattoirs, slaughterhouses and rendering plants, alfalfa processing plants anhydrous ammonia storage facilities, fertilizer manufacturing plants, gas processing plants, petrochemical industries or refineries, and metal industries, which are involved in the concentration, refining, smelting, or re-smelting of ores or metals.

## O

**Office** means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacturing or handling of a product.

## P

**Parcel** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

**Permanent foundation** means a foundation installed to provide structural support for a building or structure, for a period of at least 20 years including: concrete slab on grade, concrete strip footings, wood or concrete full basement and pile or pier footings.

**Permitted use** means the use of land or building(s) which is permitted in a district for which a development permit shall be issued, following receipt by the designated officer of a completed application with appropriate details and fees.

**Personal service establishment** means uses that provide personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, hairdressers, manicurists, aestheticians, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but do not include health services.

**Physical access** means any legal access which has been constructed to a specified provincial or municipal standard.

**Physical separation** means a barrier that creates a cut-off parcel and physically defines a parcel that is impractical to farm or graze either independently or as part of a larger operation.

**Planning advisor** means the person or organization retained by the County of Warner No. 5 to provide planning-related advice and services.

**Principal building** means a building which:

- (a) occupies the major or central portion of a lot;
- (b) is the chief or main building on a lot; or
- (c) constitutes, by reason of its use, the primary purpose for which the lot is used.

**Principal use** means the main purpose, in the opinion of the designated officer or the Subdivision and Development Authority, for which a lot is used.

**Private recreation** means the for-profit development of sports or recreational activities and may include eating and retail areas.

**Processing and warehousing of agricultural goods** means the storage of agricultural materials (such as fertilizer or seed) in a warehouse or terminal where such materials may be combined, broken down or aggregated for trans-shipment or storage purposes where the original material is not chemically or physically changed.

**Prohibited use** means any use which is neither permitted nor discretionary.

**Provincial Land Use Policies** means the policies established by order of the Lieutenant Governor in Council pursuant to section 622 of the Act.

**Public/institutional** means uses, areas or facilities such as, but not necessarily limited to: churches, schools, community halls, cemeteries, weigh scales, government agricultural research stations, public utility facilities and structures.

**Public or private utility** means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm sewage drainage facilities;
- (e) telecommunications systems;
- (f) systems for the distribution of artificial light or electric power;
- (g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure;
- (h) any other things prescribed by the Lieutenant Governor in Council by regulation.

**Public recreation** means the use, facilities or areas such as a public park, playground, indoor or outdoor rink, gymnasium, sports field, historic or archaeological site or any similar facility or use of land or building that is owned or administered by any level of government or not-for-profit organization.

**Public roadway** means land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road, or any municipal controlled road allowance in the municipality whether developed or undeveloped, and includes a bridge forming part of a public road and any structure incidental to a public road.

## R

**Railway and railway related uses** means a railway line and any use connected with the direct operation or maintenance of a railway system and also includes any loading or unloading facilities, but excludes seed cleaning plants or bulk oil depots which are separate uses.

**Ready-to-move (RTM) home** means a new residential dwelling unit not previously occupied that would normally be constructed (stick-built) at a place other than its permanent location (off-site), such as on a construction site, plant site, or building yard that is built to the current Alberta Building Code. Once complete, the dwelling is then transported as one unit to the site and installed on a permanent foundation. This use is considered the same as a conventional single-detached dwelling and excludes manufactured homes, modular homes and moved-in buildings.

**Registered exception** means a description on a land title that excludes ownership of part of the area described in the same title.

**Restaurant** means an establishment where food is prepared and served on the premises for sale to the public, and may include entertainment which is ancillary to the preparation and service of food.

**Retail** means a premise where goods, merchandise, and other materials are offered for sale at retail to the general public and includes limited open-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. Minor government services such as postal services are permitted within general retail stores.

**Riding academy** means an establishment where horses are boarded and cared for and where instruction in riding, jumping and showing is offered and the general public may, for a fee, hire horses for riding.

**Rural industry** means industries which may or may not support agriculture, are non-labour intensive industries and require relatively large areas of land, but require minimal on-site improvements, services and public amenities.

## S

**Screening** means a method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

**Seed cleaning plant** means a building or facility used for the storage and preparation of seed used in agriculture.

**Semi-detached dwelling** means a two-family dwelling, the units of which are placed side by side with a common party wall, all under one roof, but having separate title.

**Service station** means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils and minor accessories for motor vehicles.

**Setback** means, within the context of a policy, that the action is mandatory.

**Shall** means, within the context of a policy, that the action is mandatory.

**Similar use** means a use of land or building(s) for a purpose that is not provided for in any district designated in this bylaw, but is deemed by the Subdivision and Development Authority to be similar in character and purpose to another use of land or buildings that is included within the list of permitted or discretionary uses prescribed for that district.

**Single detached dwelling** means a freestanding residential dwelling, other than a mobile home, not forming part of and not physically attached to any other dwelling or structure, and contains one dwelling unit.

**Single-wide mobile home** means a "Mobile home" which is:

- (a) typically not greater than 4.9 metres (16 ft.) in width; and
- (b) permanently fixed to a single chassis; and
- (c) not intended to be expanded, telescoped or twinned for additional floorspace.

"Double-wide mobile home" is a separate use.

**Stockpile** means the temporary storage of materials on or off of a hard surface. Materials stored may include: soil, manure, forage crop or machinery.

**Stop order** means an order issued by the Development Authority pursuant to section 645 of the Act.

**Subdivision and Development Authority** means the body established by bylaw to act as the Subdivision and Development Authority in accordance with sections 623 and 624 of the Act.

**Subdivision and Development Appeal Board** means a body of individuals established in accordance with sections 627-629 of the Municipal Government Act, and through a Subdivision and Development Appeal Board Bylaw to which development decisions of the County of Warner designated officer and Subdivision and Development Authority may be appealed by the applicant.

**Subdivision and Development Regulation** means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the Act.

**Surveillance suite** means a living area of less than 92.9 m<sup>2</sup> (1000 sq. ft.) that may contain office, kitchen, sleeping and washroom facilities, but is not intended for permanent occupation of multiple residents and is not a dwelling. The surveillance suite is a secondary use to an approved use, therefore requiring the industrial or commercial use to be in operation while the suite is located.

## U

**Use** means the purpose or function to which land, buildings, or structures are put.

## V

**Veterinary clinic** means a facility for the medical treatment of animals and includes provision for their overnight accommodation within the building only, and may include associated office space.

## W

**Waiver** means the relaxation or variance of a development standard established in the land use bylaw. For the purpose of this bylaw, only the Subdivision and Development Authority or, on appeal, the Subdivision and Development Appeal Board can waive provisions of the land use bylaw, except those which the development officer is authorized to grant under this bylaw.

**Water body** means any natural or artificial collection of water, whether permanent or temporary.

**Water course** means any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or flood water.

**Wind energy conversion system (WECS)** means one or more structures designed to convert wind energy into mechanical or electrical energy.

**Wholesale or storage warehousing** means development for the storage and/or wholesale distribution of goods except for livestock.

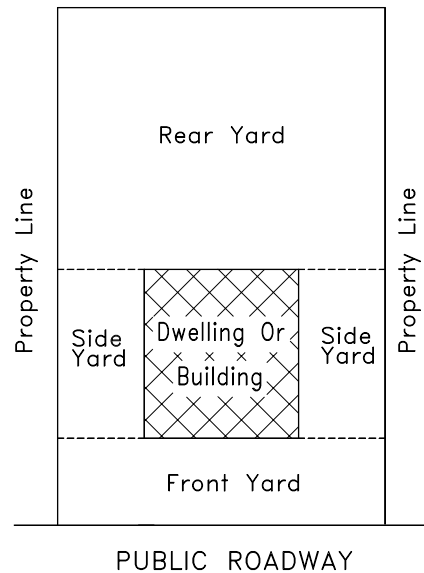
## Y

**Yard** means the minimum required open space, on a site, that lies between the principal and accessory building or structure and the nearest lot line.

**Yard, front** means a yard extending across the full width of the site and measured, as to depth, at the least horizontal distance between the front street line and the nearest projection of the principal building.

**Yard, rear** means a yard which extends the full width of a site and measured, as to depth, at the least horizontal distance between the rear property line and the nearest projection of any building.

**Yard, side** means a yard extending from the front yard to the rear yard, and measured as to width at the last horizontal distance between the side property line or side street line and the nearest projection of any building as shown in Figure 1.



**Figure 1**

**All other words and expressions, not otherwise defined, have the same meaning assigned to them in the Act.**

APPENDIX A

**SCHEDULE OF FEES**

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**SCHEDULE OF FEES**

1. Every request for a Land Use Bylaw Amendment, the adoption of an Area Structure Plan, Area Redevelopment Plan or any other Statutory Plan shall be accompanied by a Five Hundred Dollar (\$500.00) application fee.
  
2. Every application for a Development Permit shall be accompanied by the following, non-refundable fee(s):
  - (a) **Development for Residential Uses**

Home Occupations .....	\$ 100.00
Single Family Residence .....	100.00
All Multi Dwellings (per unit).....	100.00
Additions to Dwellings .....	50.00
Accessory Buildings in Residential Districts.....	50.00
  
  - (b) **Development for Commercial and Industrial Uses**

Change of Use or Additional Use .....	\$ 100.00
New Buildings with an area:	
less than 500 m <sup>2</sup> .....	150.00
500 to 2,000 m <sup>2</sup> .....	250.00
2,001 to 5,000 m <sup>2</sup> .....	450.00
more than 5,000 m <sup>2</sup> .....	1,000.00
Meteorological Towers .....	100.00
Wind Energy Conversion Systems.....	
1 to 10 towers .....	200.00
more than 10 towers (additional \$20 per tower)	
  
  - (c) **Development for Minor Livestock Operations** .....
 \$ 100.00 |
  
3. If any use is discretionary in a land use district, an additional \$100.00 for the cost of advertising the application is required.
  
4. Every appeal for either a subdivision application or development application shall be accompanied by a \$200.00 appeal fee.
  
5. When a development has been commenced prior to a development application being made, and the applicant subsequently submits an application, a fee will be charged that is double the normal permit fee.



**SUBDIVISION AND DEVELOPMENT  
AUTHORITY BYLAW NO. 776**

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COUNTY OF WARNER NO. 5

BYLAW NO. 776

1. Being a bylaw of the County of Warner No. 5 in the Province of Alberta to establish a municipal Subdivision and Development Authority;

AND WHEREAS, the Municipal government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Authority by December 1, 1995;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for subdivision and development approval in accordance with the administrative procedures, land uses, and schedules established in the municipal land use bylaw.

AND WHEREAS, this bylaw may be cited as the County of Warner No. 5 Subdivision and Development Authority Bylaw;

NOW THEREFORE, the Council of the County of Warner No. 5 in the Province of Alberta duly assembled, enacts as follows:



2. DEFINITIONS:

- a. **Act** means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.
  - b. **Municipality** means the County of Warner No. 5 in the Province of Alberta.
  - c. **Council** means the Council of the County of Warner No. 5.
  - d. **Subdivision and Development Authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:
    - i. in the Act; or
    - ii. in the County of Warner No.5 Land Use Bylaw; or
    - iii. in this bylaw; or
    - iv. by resolution of council.
  - e. **Municipal Planning Commission** means the Municipal Planning Commission of the County of Warner No. 5 as established by bylaw.
  - f. **Designated Officer** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.
  - g. **Members** means the members of the Subdivision and Development Authority.
  - h. **Secretary** means the person or persons appointed by council to act as as secretary for the Subdivision and Development Authority.
  - i. **Authorized persons** means a person or organization authorized by the council to which the municipality may delegate any of its Subdivision and Development Authority powers, duties or functions.
  - j. **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal government Act, as amended from time to time.**
3. For the purpose of this bylaw, the Subdivision and Development Authority for the municipality shall be the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority in accordance with the land use bylaw.
4. The Subdivision and Development Authority shall be composed of not more than five (5) persons who are elected officials and adult residents of the County of Warner No. 5.
5. Appointments to the Subdivision and Development Authority shall be made by resolution of council.
6. Appointments to the Subdivision and Development Authority shall be made for a term of one year.
7. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his term, council shall appoint another person for the unexpired portion of that term within 60 days of receiving notice of the vacancy.


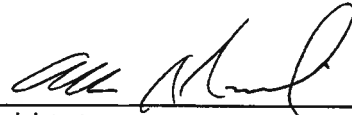
8. The members of the Subdivision and Development Authority shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year from the date of election.
9. Each member of the Subdivision and Development Authority shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by council; and the remuneration, travelling and living expenses shall be paid by the County of Warner No. 5.
10. The Council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Authority, but shall not vote on any matter before the Subdivision and Development Authority.
11. The Subdivision and Development Authority shall hold regular meetings as required on a date to be determined by the Subdivision and Development Authority, and it may also hold special meetings at any time at the call of the chairman.
12. Three (3) of the members of the Subdivision and Development Authority shall constitute a quorum.
13. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Authority.
14. The Subdivision and Development Authority may make its orders, decisions, development permits and approvals; and may issue notices with or without conditions.
15. The Subdivision and Development Authority may make rules to govern its hearings.
16. Members of the Subdivision and Development Authority shall not be members of the Subdivision and Development Appeal Board.
17. The secretary of the Subdivision and Development Authority shall attend all meetings of the Subdivision and Development Authority and shall keep the following records with respect thereto:
  - a. the minutes of all meetings
  - b. all applications;
  - c. records of all notices of meetings and of persons to whom they were sent;
  - d. copies of all written representations to the Subdivision and Development Authority;
  - e. notes as to each representation;
  - f. the names and addresses of those making representations at the meeting;
  - g. the decision of the Subdivision and Development Authority;
  - h. the reasons for the decision of the Subdivision and Development Authority;
  - i. the vote of the members of the Subdivision and Development Authority on the decision;
  - j. records of all notices of decision and of persons to whom they were sent;
  - k. all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Authority;
  - l. such other matters as the Subdivision and Development Authority may direct.
18. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his/her term, the council may, by resolution, appoint another person for the unexpired portion of that term.
19. The Council of the County of Warner hereby delegates the following subdivision powers, duties or functions to the Oldman River Regional Planning Commission:
  - a. the providing of advice to applicants for subdivision approval;
  - b. the processing of applications for subdivision;
  - c. the collecting of all pertinent subdivision approval fees;
  - d. the requirements for notification of applicants, pertinent agencies, government departments and adjacent land owners;
  - e. the preparation of draft resolutions for consideration by the Subdivision Authority;
  - f. the appearance at meetings of the Subdivision Authority as requested to do so from time to time;
  - g. the compilation and documentation of all pertinent comments of those persons and local authorities to which the notice of application was given;
  - h. the conduction of a site inspection (where feasible to do so) at the location of the proposed application for subdivision approval;
  - i. the finalization and required endorsement of plans of survey or other instruments for registration purposes at Land Titles Office;
  - j. the conveyance of notification of final subdivision approval to the registered owner and/or the authorized agent;
  - k. the maintenance of a control registry and corresponding archival information relating to the application for subdivision approval on behalf of the municipality;

- i. the providing of all pertinent information for consideration at a hearing of the appropriate subdivision appeal board;
  - m. the appearance, for the purpose of providing pertinent information, at a hearing of a subdivision appeal board;
  - n. the performance of any other duties or functions as requested, by resolution of council, as agreed to by the Oldman River Regional Planning Commission:
20. Upon the establishment of the Oldman River Intermunicipal Service Agency, the Service Agency will assume the subdivision powers, duties and functions included in section 19.
21. This bylaw comes into effect upon the third and final reading thereof.


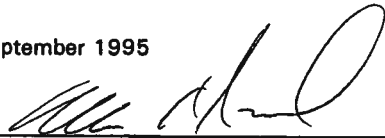
READ a first time this 19 day of September 1995

 _____	 _____
Reeve	Administrator

READ a second time this 19 day of September 1995

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Reeve	Administrator

Read a third time and finally passed this 19 day of September 1995

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Reeve	Administrator





**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD BYLAW NO. 777**

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COUNTY OF WARNER NO. 5

BYLAW NO. 777

1. Being a bylaw of the County of Warner No. 5 in the Province of Alberta to establish a municipal Subdivision and Development Appeal Board;

AND WHEREAS, the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Appeal Board by December 1, 1995;

AND WHEREAS, the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, this bylaw may be cited as the County of Warner No. 5 Subdivision and Development Appeal Board Bylaw;


NOW THEREFORE, the Council of the County of Warner No. 5 in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:
  - a. Act means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.
  - b. Municipality means the County of Warner No. 5 in the Province of Alberta.
  - c. Council means the Council of the County of Warner No. 5.
  - d. Subdivision and Development Appeal Board means the tribunal established to act as the municipal appeal body.
  - e. Member mean a member of the Subdivision and Development Appeal Board.
  - f. Secretary means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.
  - g. All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.
3. For the purpose of this bylaw, the Subdivision and Development Appeal Board for the County of Warner No. 5 shall be composed of not more than five(5) persons who are adult residents of the County of Warner No. 5.
4. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of council.
5. Appointments to the Subdivision and Development Appeal Board shall be made for a term of one year.
6. The members of the Subdivision and Development Appeal Board shall elect one of themselves as chairman and one of themselves as vice-chairman to hold office for a term of one year from the date of election.
7. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by council; and the remuneration, travelling and living expenses shall be paid by the County of Warner No. 5.
8. The Council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
9. The Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of the chairman.
10. Three (3) of the members of the Subdivision and Development Appeal Board constitute a quorum.
11. There shall not be a majority of municipal councillors sitting to hear any individual appeal.

12. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
13. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
14. The Subdivision and Development Appeal Board may make rules to govern its hearings.
15. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
16. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term, the council may, by resolution, appoint another person for the unexpired portion of that term within 60 days of receiving notice of the vacancy.
17. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
  - a. the minutes of all meetings;
  - b. all applications;
  - c. records of all notices of meetings and of persons to whom they were sent;
  - d. copies of all written representations to the Subdivision and Development Appeal Board;
  - e. notes as to each representation;
  - f. the names and addresses of those making representations at the meeting;
  - g. the decision of the Subdivision and Development Appeal Board;
  - h. the reasons for the decision of the Subdivision and Development Appeal Board;
  - i. the vote of the members of the Subdivision and Development Appeal Board on the decision;
  - j. records of all notices of decision and of persons to whom they were sent;
  - k. all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
  - l. such other matters as the Subdivision and Development Appeal Board may direct.
18. This bylaw comes into effect upon third and final reading thereof.

READ a first time this 19 day of September 1995.

  
Reeve

  
Administrator

READ a second time this 19 day of September 1995.

  
Reeve

  
Administrator

Read a third time and finally passed this 19 day of September 1995.

  
Reeve

  
Administrator