in the Province of Alberta

LAND USE BYLAW NO. 762.2021

May 2021

Consolidated to Bylaw No. 880.2026, September 2026

Prepared by



CARDSTON COUNTY
IN THE PROVINCE OF ALBERTA

BYLAW NO. 762.2021

BEING a bylaw of Cardston County in the Province of Alberta, to adopt a new Land Use Bylaw;

WHEREAS the Council of Cardston County wishes to adopt a new Land Use Bylaw to comply with the land use provisions established in the *Municipal Government Act*, Revised Statues of Alberta 2000, Chapter M-26, as amended;

AND WHEREAS the Land Use Bylaw provides for the regulation of the use and development of lands, building and structures with the municipality;

AND WHEREAS the purpose of the proposed bylaw is:

- To incorporate the mandatory changes required for land use bylaws prescribed in the *Municipal Government Act,*
- To incorporate minor revisions,
- To incorporate an expanded number of land use definitions,
- To add additional land use schedules and appendices which will govern specific developments in the municipality,
- To add more permitted uses;

AND WHEREAS it is deemed expedient and appropriate for Cardston County to consider Bylaw No. 762.2021 for the above-noted reasons;

NOW 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 Bylaw No. 443/98, being the former Land Use Bylaw, and any amendments thereto are hereby rescinded.

2. Bylaw No. 762.2021 shall come into effect upon third and final reading thereof.

3. Bylaw No. 762.2021 is hereby adopted.

READ a **first** time this 25th day of January, 2021.

Randall M. Bullock
Reeve – Randy Bullock

Chief Administrative Officer – Murray Millward

READ a **second** time this 25th day of May, 2021.

Randall M. Bullock
Reeve – Randy Bullock

Chief Administrative Officer – Murray Millward

READ a **third** time and finally PASSED this 25th day of May, 2021.

Randall M. Bullock
Reeve – Randy Bullock

Chief Administrative Officer – Murray Millward

Cardston County Land Use Bylaw No. 762.2021 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
723.2019	Redesignation: "Agricultural - AG" to "Group Country Residential - GCR"	Ptn. NE 32-6-21 W5M	9-Sept-2019
771.2021	Redesignation: "Agricultural - AG" to "Rural Recreation - RR"	Ptn. NE 2-7-25 W4M Ptn. SE 2-7-25 W4M	12-July-2021
772.2021	Redesignation: "Agricultural - AG" to "Single Lot Country Residential - SCR"	Ptn. NW 8-3-25 W4M	12-July-2021
773.2021	Redesignation: "Agricultural - AG" to "Single Lot Country Residential - SCR"	Ptn. LSD 9 within NE 11-5-27 W4M	12-July-2021
774.2021	Redesignation: "Agricultural – AG" / "Direct Control - DC" to "Rural Recreation - RR"	Ptn. SE 34-2-28 W4M; Ptn. SW 35-2-28 W4M; Ptn. NW 35-2-28 W4M; Ptn. NE 34-2-28 W4M	12-July-2021
775.2021	Redesignation: "Direct Control - DC" to "Grouped Country Residential - GCR"	Ptn SW 15-2-28 W4M Ptn SE 15-2-28 W4M Consisting of 23 lots	9-Aug-2021
776.2021	Addition of new Land Use District - Grouped Country Residential - 2 (GCR-2) "Direct Control - (DC)" to "Grouped Country Residential - 2 (GCR-2)"	Ptn SE 15-2-28 W4M Consisting of 19 lots	13-Sept-2021
777.2021	Addition of "Auto Wreckers" Use in Rural Commercial / Industrial 1 (RCI-1) Land Use District, with definition added to Schedule 13 - Definitions		9-Aug-2021
778.2021	Addition of "Cabin" as a use to Rural Recreation (RR) and Hamlet (H) Land Use Districts		9-Aug-2021
779.2021	Redesignation: "Agriculture (AG)" to "Rural Commercial / Industrial 1 (RCI-1)"	SW 15-4-25 W4M and Ptn. NW 15-4-24 W4M	13-Sept-2021
780.2021	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)"	Ptn. SW/SE 36-5-22 W4M	13-Sept-2021
782.2021	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)"	Ptn. Lot 2, Block 1, Plan 9412212	12-Oct-2021
787.2021	Redesignation: "Agriculture (AG)" to "Rural Commercial / Industrial 3 (RCI 3)" AND Addition of Land Use District "Rural Commercial / Industrial 3 (RCI 3) AND Addition of Schedule 13 - "Liquor Regulation"	Block 1, Plan 0110722	10-Jan-2022

Bylaw No.	Amendment Description	Legal Description	Passed
788.2021	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)" AND "Agriculture (AG)" to "Rural Small Holding (RSH)"	West Half of SW 29-5-21 W4M	14-Feb-2022
791.2022	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)"	Ptn. Block 23, Plan 4180AL	14-Feb-2022
793.2022	Redesignation: "Agriculture (AG)" to "Grouped Country Residential (GCR)"	North Half of SW 23-2-25 W4M	10-Mar-2022
794.2022	Redesignation: "Agriculture (AG)" to "Rural Recreation (RR)"	Lot 3, Block 1, Plan 981 3501	28-Mar-2022
795.2022	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)"	South Half of SE 18-6-2 W5M	10-Mar-2022
796.2022	Redesignation: "Direct Control (DC)" to "Grouped Country Residential (GCR)"	Lots 1-5 & 9-13, Block 1, Plan 191 0181 Lots 1-8, Block 2, Plan 191 0181 Lots 1-3, Block 3, Plan 191 0181 Lots 1-5, Block 4, Plan 191 0181 Lots 1-2, Block 5, Plan 191 0181 Lots 4-5, Block 5, Plan 191 1158 Lots 8-18, Block 3, Plan 191 1190 Lot 14, Block 1, Plan 211 1283	28-Mar-2022
797.2022	Redesignation: “Rural Small Holdings (RSH)” to “Agriculture (AG)”	Lot 2, Block 1, Plan 1010760 Within NE ¼ Sec 6, Twp 3, Rge 26, W4M	25-Apr-2022
799.2022	Redesignation: “Agriculture (AG)” to “Rural Recreation (RR)”	Lot 5, Block 1, Plan 181108 Lot 6, Bock 1, Plan 1811111	13-June-2022
800.2022	Redesignation: “Agriculture (AG)” to “Single Lot County Residential (SCR)”	Block Z, Plan 5652BD	13-June-2022
801.2022	Redesignation: “Agriculture (AG)” to “Rural Small Holdings (RSH)”	NW 30-1-24 W4M	11-July-2022
807.2022	Addition of “Secondary suite” as a Permitted Use in the Agriculture (AG) and Rural Small Holdings (RSH) land use districts. Addition of “Secondary suite” as a Discretionary Use in the Grouped Country Residential (GCR), Grouped Country Residential 2 (GCR-2), Hamlet (H), and Single Log Country Residential (SCR) land use districts. Addition of definition of “Secondary suites” to Schedule 14 Definitions.		7-Oct-2022
808.2022	Addition of Section 3.1 Use Criteria – Subdivision Restriction to Schedule 2 Land Use Districts Regulations, Grouped Country Residential – GCR Land Use District.		24-Oct-2022
809.2022	Redesignation: “Single Lot County Residential” to “Rural Recreation (RR)”	Lot 1, Block 3, Plan 1014736 Within NW 18-1-26 W4M	9-Jan-2023

Bylaw No.	Amendment Description	Legal Description	Passed
810.2022	Redesignation: “Agriculture (AG)” to “Single Lot Country Residential (SCR)”	Lot 2, Block 3, Plan 1011490 Lot 3, Block 3, Plan 1011490	14-Nov 2022
812.2023	Addition of Schedule 14 Campgrounds. Amend Definitions from Schedule 14 to Schedule 15. Amend Land Use District Maps from Schedule 15 to Schedule 16. Addition of “Campground, 4-Season” to Schedule 15 Definitions Addition of “4-Season Campground” as a Discretionary Use in the Rural Recreation (RR) land use district.		10-Oct-2023
813.2023	Redesignation: “Agriculture (AG)” to “Direct Control (DC)”	SE 4-3-25-W4M Lot 4, Block 4, Plan 0811251	27-Feb-2023
815.2023	Redesignation: “Agriculture (AG)” to “Single Lot Country Residential (SCR)”	Lot 1 in 13/14 NW 28-2-25-W4M Lot 2 in 13/14 NW 28-2-25-W4M	24-Apr-2023
816.2023	Redesignation: “Agriculture (AG)” to “Single Lot Country Residential (SCR)”	NW 1-5-27-W4M	11-Apr-2023
817.2023	Redesignation: “Agriculture (AG)” to “Grouped Country Residential (GCR)”	NE 36-5-22-W4M	24-Apr-2023
821.2023	Redesignation: “Agriculture (AG)” to “Grouped Country Residential (GCR)”	NW 5-3-25-W4M	14-Aug-2023
823.2023	Redesignation: “Agriculture (AG)” to “Rural Commercial Industrial -1 (RCI-1)”	NW 33-2-25-W4M	14-Aug-2023
824.2023	Addition of "Vehicle and Equipment Rentals (Recreation) as a Discretionary Use in the Rural Recreation (RR) Land Use District. Addition "Vehicle and Equipment Rentals (Recreation) to Definitions Schedule. Addition of "Commercial/Private Recreation" as a Discretionary Use in the Rural Recreation (RR) Land Use District. Addition of "Commercial/Private Recreation” and “Vehicle and Equipment Rentals (Recreation)” to Definitions Schedule.		27-Nov-2023
825.2023	Redesignation: “Agriculture (AG)” to “Grouped Country Residential (GCR)”	SW 23-5-22-W4M	14-Nov-2023
830.2023	Redesignation: “Agriculture (AG)” to “Single Lot Country Residential (SCR)”	SE 23-2-28-W4M	22-Jan-2024
831.2024	Redesignation: “Agriculture (AG)” to “Rural Commercial Industrial – 3 (RCI-3)	Lot 1, Block V, Plan 1204JK	12-Feb-2024
832.2024	Redesignation: “Agriculture (AG)” to “Single Lot Country Residential (SCR)	Legal Subdivision 2 and 7; 22-2-25 W4M	12-Feb-2024

Bylaw No.	Amendment Description	Legal Description	Passed
834.2024	Redesignation: "Agriculture (AG)" to "Grouped Country Residential (GCR)"	Plan 1611191, Block 3, Lot 1	22-Apr-2024
835.2024	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)"	NW 12-2-27 W4M	13-May-2024
839.2024	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)"	Portion of LS9 (NE) 33-2-25 W4M	12-Aug-2024
840.2024	Redesignation: "Agriculture (AG)" to "Single Lot Country Residential (SCR)	10 acres from Plan 1411349, Block 1, Lot 2 and 3	9-Sept-2024
Order in Council No. 359/2024 Dated December 4, 2024		Portion of the Northwest Quarter of Section 25, Township 5, Range 22, West of the 4th Merdian which lies between the south 11 rods and the north 60 rods thereof.	1-Jan-2025
841.2024	Amend the definition of "Cabin". Add "Cabin" as a Discretionary Use in the Grouped Country Residential (GCR) land use district.		10-Feb-2025
843.2024	"Single Lot Country Residential (SCR)" to "Grouped Country Residential (GCR)"	Lot 6, Block 1, Plan 0911954	15-Oct-2024
844.2024	"Agriculture (AG)" to "Rural Commercial Industrial - 1 (RCI-1)"	Plan RY41, Block RLY, Lot 5	28-Oct-2024
846.2024	"Agriculture (AG)" to "Rural Recreation (RR)	NW/NE 23-3-25 W4M	28-Oct-2024
847.2024	"Agriculture (AG)" to "Rural Commercial Industrial (RCI)"	NW-1-1-21-W4M	28-Oct-2024 **Repealed by 850.2025**
848.2025	"Agriculture (AG)" to "Grouped Country Residential (GCR)"	Block A, Plan 8710315	24-Feb-2025
850.2025	"Agriculture (AG)" to "Rural Commercial Industrial - 1 (RCI-1)"	NE 2-1-21-W4M	10-Mar-2025
855.2025	"Agriculture (AG)" to "Rural Small Holdings (RSH)"	Plan 1512239, Block 1, Lot 1	23-Jun-2025
856.2025	"Agriculture (AG)" to "Single Lot Country Residential (SCR)"	NW 16-6-21-W4M	11-Aug-2025
857-2025	"Agriculture (AG)" to "Single Lot Country Residential (SCR)" "Agriculture (AG)" to "Rural Small Holdings (RSH)"	SW 29-5-21 W4M	11-Aug-2025
858.2025	Addition of "Shipping Container" as a Discretionary Use under Single Lot Country Residential (SCR) land use district.		12-Jan-2026
860.2025	"Grouped Country Residential (GCR)" to "Rural Recreational (RR)"	Lot 2, Block 2, Plan 1311536	14-Oct-2025
861.2025	"Agriculture (AG)" to "Single Lot Country Residential (SCR)"	Lot 1, Block 1, Descriptive Plan 1611993	14-Oct-2025
862.2025	"Agriculture (AG)" to "Single Lot Country Residential (SCR)"	Lot 4, Block 2, Descriptive Plan 1912538	14-Oct-2025
866.2025	Addition of "Shipping Container" as a Discretionary Use under Rural Commercial Industrial (RCI-1) land use district.		12-Jan-2026

Bylaw No.	Amendment Description	Legal Description	Passed
868.2026	"Agriculture (AG)" to "Grouped Country Residential -1 (GCR-1)"	Lot 1, Block 1, Plan 0413461	9-Mar-2026
870.2026	"Rural Commercial Industrial (RCI-1) to "Direct Control (DC)"	Plan RY41, Block RLY, Lot 5 13 / 14 36-5-22-W4M	13-Apr-2026
871.2026	"Agriculture (AG)" to "Rural Small Holdings (RSH)" and "Grouped Country Residential (GCR)"	SW 23-5-22-W4M	25-May-2026
872.2026	Addition of Commercial Cabin Development to Schedule 15 Definitions. Amend definition of Cabin. Addition of Commercial Cabin Development as a Discretionary Use in Hamlet (H) and Rural Recreation (RR) land use districts.		27-Apr-2026
873.2026	"Agriculture (AG)" to "Rural Small Holdings (RSH)" and "Single Lot Country Residential (SCR)"	Lot 2, Block 1, Plan 0414296	25-May-2026
874.2026	"Agriculture (AG)" to "Grouped Country Residential (GCR)"	Lot 1, Block 1, Plan 9912467 Lot 3, Block 1, Plan 1511767	25-May-2026
876.2026	"Agriculture (AG)" to "Rural Small Holdings (RSH)"	Lot 1, Block 2, Plan 0915228	13-Jul-2026
877.2026	"Agriculture (AG)" to "Single Lot Country Residential (SCR)"	Lot 2, Block 1, Plan 0612762	10-Aug-2026
878.2026	"Agriculture (AG)" to "Single Lot Country Residential (SCR)"	SW 17-2-27-W4M	10-Aug-2026
880.2026	"Direct Control (DC)" to "Grouped Country Residential (GCR)"	SE 15-2-28-W4M	14-Sept-2026

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IN THE PROVINCE OF ALBERTA

LAND USE BYLAW NO. 762.2021

The Council of Cardston County in the Province of Alberta enacts as follows:

BEING A BYLAW OF CARDSTON COUNTY, IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE AND DEVELOPMENT OF LANDS, BUILDINGS AND STRUCTURES.

THIS BYLAW MAY BE CITED AS THE CARDSTON COUNTY LAND USE BYLAW.

1. DEFINITIONS

For Definitions, see Schedule 15.

2. DESIGNATED OFFICER / DEVELOPMENT OFFICER

(1) The office of "designated officer" is established.

(2) For the purpose of this bylaw, the designated officer shall be the Development Officer, the Chief Administrative Officer or the Municipal Planning Commission.

(3) A person appointed to the office of Development Officer:

(a) shall exercise only such powers and perform duties as are specified in this bylaw or by resolution of Council;

(b) is responsible for processing, and referring applications for land use redesignations**;**

(c) is responsible for processing, deciding and/or referring development permit applications in accordance with this bylaw;

(d) shall be considered a "designated officer" pursuant to sections 210 and 624 of the *Municipal Government Act* (*MGA)*.

(4) The Development Officer is also responsible for:

(a) maintaining a register and recording therein all applications made for development permits and the decisions made with respect to them;

(b) requesting written comments from building inspectors, other municipal staff and other agencies, as appropriate, prior to issuing a development permit or referring an application to the Municipal Planning Commission;

(c) the issuance of waivers not exceeding 20 percent of the measurable standards established in this bylaw;

(d) in consultation with the Chief Administrative Officer or his/her designate, the issuance of setback waivers for trees adjacent to municipal road allowances;

(e) the issuance of permits for second residences on a parcel, as outlined in a specific land use district; and

(f) carrying out such other duties and responsibilities as may be assigned by resolution of Council.

3. MUNICIPAL PLANNING COMMISSION

The Municipal Planning Commission shall perform only such powers and duties as are specified:

(a) in the municipality's Municipal Planning Commission and Development Authority Bylaw;

(b) in this bylaw,

(c) in the *Municipal Government Act*, or

(d) by resolution of Council.

4. LAND USE DISTRICTS

(1) The municipality is divided into those districts specified in Schedule 1 and shown on the Land Use District Maps.

(2) The one or more uses of land, buildings or structures identified as:

(a) permitted uses in each district, with or without conditions; or

(b) discretionary uses in each district, with or without conditions;

are described in Schedule 2.

(3) A land use not listed as a permitted or discretionary use in a district, shall be prohibited.

5. DEVELOPMENT PERMIT APPLICATIONS

(1) Except as provided in Schedule 3, no person shall commence a development unless he/she has been issued a development permit in respect of the development.

(2) An application for a development permit shall be made to the Development Officer by submitting:

(a) a completed application on the appropriate form in Appendix D;

(b) where the applicant/landowner is a corporation or a registered company, the results of a current corporate search shall be submitted as part of a development application;

(c) such other information as may be required by the Development Officer in accordance with Section 29 of this bylaw; and

(d) the fee prescribed in Appendix C.

(3) An application for a development permit shall be made by the owner of the land on which the development is proposed or, with the written consent of the owner, by another person.

(4) The Development Officer shall require proof of ownership, or written authorization by the owner for a developer, to make an application for a development permit. The Development Officer may require proof of locations of abandoned oil and gas wells, geotechnical information, results of percolation tests, soil stability tests, or the preparation of an area structure plan or conceptual scheme, prior to a decision being made regarding the development application.

6. DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION

(1) In accordance with section 683.1 of the *Municipal Government Act*, the Development Officer shall, within 20 days after the receipt of an application in accordance with Section 5(2) of this bylaw for a development permit, determine whether the application is complete.

(2) An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.

(3) The time period referred to in subsection (1) may be extended by signing an agreement between the applicant and the Development Officer using Form **J** in Appendix D.

(4) If the Development Officer does not make a determination referred to in subsection (1) within the time required under subsection (1) or (3), the application is deemed to be complete.

(5) If the Development Officer determines the application is complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging the application is complete, delivered by hand, mail or electronic means.

(6) If the Development Officer determines the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to those required by Section 29 of this bylaw. A submittal deadline for the outstanding documents and information shall be set out in the notice. A later date may be agreed on between the applicant and the Development Officer, in writing, to extend the deadline.

(7) When the Development Officer determines the information and documents required to be submitted under subsection (6) are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging the application is complete, delivered by hand, mail or electronic means.

(8) If the required documents and information under subsection (6) have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under subsection (6), the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.

(9) Despite issuance of a Notice of Completeness under subsection (5) or (7), the Municipal Planning Commission in the course of reviewing the application may request additional information or documentation from the applicant the Municipal Planning Commission considers necessary to review the application.

7. PERMITTED USE APPLICATIONS

(1) Upon receipt of a completed application for a development permit for a permitted use, the Development Officer shall, if the application otherwise conforms with this bylaw, issue a development permit with or without conditions.

(2) The Development Officer may refer any application for a permitted use to the Municipal Planning Commission for a decision.

(3) All development approvals granted by the Development Officer in accordance with subsection (1) above shall be summarized and filed with the Municipal Planning Commission at their next regularly scheduled meeting.

(4) The Development Officer, in the case of a permitted use, or the Municipal Planning Commission, in the case of a discretionary use, shall impose planning conditions in accordance with section 650 of the *Municipal Government Act* on any development permit and may impose other conditions including but not limited to:

(a) adherence to conditions or permits required by federal and provincial government agencies;

(b) adherence to conditions contained in an applicable intermunicipal development plan, area structure plan or conceptual scheme;

(c) obtaining and complying with safety codes permits;

(d) filing a copy of safety code permits and compliance documents with the municipality;

(e) obtaining and adhering to engineered plans, storm water drainage plans, traffic impact assessment plans, environmental impact assessments, and filing copies of the plans with the municipality;

(f) obtaining a variance or waiver regarding parcel size, yard relaxations or setbacks from municipal roadways and road allowances if required; and

(g) entering into a development agreement for registration on title.

8. DISCRETIONARY USE APPLICATIONS

(1) Upon receipt of a completed application for a discretionary use under Section 8, the Municipal Planning Commission or the Development Officer shall notify:

(a) in accordance with Section 9 of this bylaw, those persons likely to be affected by the issue of a development permit; and

(b) adjacent municipalities of the proposed development, in writing.

(2) Upon receipt of a completed application for a development permit for a development which does not comply with this bylaw, but in respect of which the Municipal Planning Commission is requested by the applicant to exercise discretion under Section 19, the Development Officer shall submit the application to the Municipal Planning Commission.

(3) Upon receipt of an application under subsection (2), and if the Development Officer or the Municipal Planning Commission is prepared to exercise discretion under Section 19, it shall notify, in accordance with Section 9 of this bylaw, those persons likely to be affected.

9. NOTIFICATION

(1) Upon receipt of an application under Sections 8 or 19 of this bylaw, the Municipal Planning Commission shall, prior to a decision, notify any person(s) likely to be affected using one of the following:

(a) a written notice shall be mailed by the Development Officer to a person(s) who will likely be affected; or

(b) the Development Officer shall post a notice of application conspicuously on the property for which the application has been made; or

(c) electronic notification as per Bylaw No. 707.2018; or

(d) the Development Officer shall hand deliver a notice of the application to a person(s) likely to be affected by the proposal; or

(e) any combination of (a), (b), (c) and (d).

(2) In all cases, notification shall:

(a) describe the nature and location of the use;

(b) state the time and place where the Municipal Planning Commission shall convene a meeting to consider the application as well as any oral or written submissions by the applicant or other affected parties.

(3) A person notified in accordance with Section 9 or any other person who considers they may be affected by an application, may submit written comments to the Municipal Planning Commission if they wish those comments to be read into the record.

(4) A minimum of seven (7) days notice shall be provided to persons notified under this Section.

(5) The Municipal Planning Commission, or the Development Officer, may establish notification distances for any application which requires any persons likely to be affected by the issuance of a discretionary development permit to be notified.

(6) Notification shall be in accordance with any adopted Intermunicipal Development Plan.

(7) If, in the opinion of the Development Officer or the Municipal Planning Commission, a proposed development is of a significant magnitude or has potential impact, it may decide to place a notice on the County website advertising the time, date and place where the development permit will be heard by the Municipal Planning Commission prior to rendering a decision on the application.

10. NOTIFICATION OF DEVELOPMENT PERMIT ISSUED

The Development Officer shall notify the applicant and those persons notified under Section 9 of this bylaw and any other person likely to be affected by the development:

(a) by mail, or

(b) by electronic notification as per Bylaw No. 707.2018, or

(c) by posting a notice in a conspicuous place on the property, or

(d) a combination of the above.

11. VALIDITY OF A DEVELOPMENT PERMIT

(1) Unless a development permit is suspended, cancelled or expired, it shall remain in effect for 12 months from the date of approval issued by the Development Officer, Municipal Planning Commission, the local Subdivision and Development Appeal Board, or the Land and Property Rights Tribunal.

(2) A development permit may be extended for an additional 12 months for a total of 24 months from the date of approval issued by the Development Officer or the Municipal Planning Commission.

(3) When any use has been discontinued for a period of 24 months or more, any previously issued development permit 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.

12. DEVELOPMENT AGREEMENTS

A development agreement pursuant to the *Municipal Government Act* may be required as a condition of a development permit or a subdivision approval.

13. ARCHITECTURAL CONTROLS

As a condition of a development or subdivision approval, an applicant may be required to prepare architectural controls for the subdivision and/or development area which are registered on the said lands as a restrictive covenant and are enforced by the developer through a monetary architectural deposit.

14. REAPPLICATION

If a decision on an application for a development permit has been refused by the Development Officer, the Municipal Planning Commission, the local Subdivision and Development Appeal Board, or the Land and Property Rights Tribunal, another application for development:

(a) on the same lot, and

(b) for the same or a similar use,

may not be accepted for at least six (6) months after the date of refusal.

15. APPEALS

(1) Any person affected by a decision of the Municipal Planning Commission or the Development Officer has the right pursuant to the *Municipal Government Act*, to appeal said decision to the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal.

(2) An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal to the Subdivision and Development Appeal Board within 21 days after:

(a) a person is notified of an order or decision or the issuance of a development permit; or

(b) the date on which the notice of the issuance of a development permit was given in accordance with Section 10 of this bylaw; or

(c) the expiration of the 40-day period for a decision to be made and any extension of the time period in accordance with Section 9 of this bylaw has expired.

16. COMMENCEMENT OF DEVELOPMENT

Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:

(a) until at least 21 days after the date of notification of the issuance of the permit; or

(b) if an appeal is made, until the appeal is decided upon.

17. TRANSFER OF DEVELOPMENT PERMIT

(1) 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.

(2) When any use has been discontinued for a period of 24 months or more, any previously issued development permit 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.

18. DEEMED REFUSAL / FAILURE TO RENDER DECISION

In accordance with section 684 of the *Municipal Government Act*, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or the Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the municipality, unless the applicant has entered into an agreement with the Development Officer to extend the 40-day period.

19. NON-COMPLIANCE WITH LAND USE BYLAW / WAIVERS

(1) The Municipal Planning Commission and the Development Officer are authorized to decide upon an application for a development permit notwithstanding the proposed development does not comply with the measurable standards of this bylaw if, in the opinion of the Municipal Planning Commission or the Development Officer:

(a) the proposed development would not unduly interfere with the amenities of the neighbourhood or 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 the land or building in Schedule 2.

(2) The Development Officer may exercise discretion under Section 19 of this bylaw in respect of the following matters:

(a) granting of waivers up to 20 percent of measurable standards;

(b) approval of minor deviations from approved site plans;

(c) imposing conditions on permitted uses in order to ensure a proposed use will comply with provisions of this bylaw, the municipal development plan or any other statutory plan.

20. ADDITIONAL CONDITIONS OF APPROVAL

The Development Officer or Municipal Planning Commission may impose any conditions considered necessary to ensure the development complies with this bylaw or any statutory plan, including the provision of legal, physical and/or satisfactory access.

21. SUSPENSION OF A DEVELOPMENT PERMIT

(1) The Development Officer, the Municipal Planning Commission or the Subdivision and Development Appeal Board may suspend or cancel the development permit stating the reasons for any suspension or cancellation, in writing, if it becomes aware:

(a) the application for the development permit contained misrepresentations; or

(b) facts concerning the application or the development were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known.

(2) If a development permit is suspended, the applicant may appeal the suspension to the Subdivision and Development Appeal Board and the Subdivision and Development Appeal Board shall:

(a) reinstate the development permit; or

(b) reinstate the development permit with conditions; or

(c) cancel the development permit if the Development Officer or the Municipal Planning Commission would not have issued the development permit if the facts disclosed would have been known at the time the Development Officer or the Municipal Planning Commission made the original decision.

22. STOP ORDERS

The Development Officer or the Municipal Planning Commission may issue a stop order in accordance with section 645 of the *Municipal Government Act*.

23. SIMILAR USES

Where a use is applied for which is not specifically considered in a land use district but, in the opinion of the Development Officer and/or the Municipal Planning Commission, is similar in character and purpose to another permitted or discretionary use in the land use district in which such use is proposed, the Development Officer or the Municipal Planning Commission may:

(a) rule the proposed use is a permitted or discretionary use in the land use district in which it is proposed; and

(b) direct a development permit be issued with or without conditions.

24. TEMPORARY PERMITS

When a proposed use is of a temporary or discretionary nature, the Development Officer or the Municipal Planning Commission may:

(a) issue a temporary development permit valid for a period it considers appropriate; and

(b) require the applicant to post a guarantee for the cessation or removal of the use and any associated development.

25. NUMBER OF DWELLING UNITS ON A PARCEL

The Development Officer is authorized to decide upon the construction or placement of the first and/or the second dwelling unit on a parcel of land, as outlined in a specific land use district.

26. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

Development not requiring a development permit is specified in Schedule 3.

27. NON-CONFORMING BUILDINGS AND USES

A non-conforming building or use may be continued in accordance with the conditions detailed in section 643 of the *Municipal Government Act*.

28. NON-CONFORMING USE VARIANCES

The Municipal Planning Commission is authorized to exercise variance powers with respect to non-conforming buildings pursuant to section 643(5)(c) of the *Municipal Government Act*.

29. ADDITIONAL DEVELOPMENT APPROVALS

The issuance of a development permit by the Development Officer or the Municipal Planning Commission does not preclude the applicant and/or his/her agent from obtaining any additional municipal, provincial or federal approvals required.

30. CONFINED FEEDING OPERATIONS

In accordance with the *Agricultural Operation Practices Act (AOPA)*, this Land Use Bylaw does not regulate confined feeding operations or intensive livestock operations that are less then the AOPA threshold numbers.

31. SEPARATION DISTANCE CALCULATIONS

For the purpose of this bylaw, unless specifically waived, all separation distance calculations shall be consistent with the processes and formulas established in the *Agricultural Operation Practices Act*.

32. DEVELOPMENT IN FLOODWAYS

In addition to any certified flood mapping, all development located in an identified floodway within the municipality shall comply with the *Flood Recovery and Reconstruction Act*, and any subsequent regulations established by the Lieutenant Governor in Council and section 693.1 of *the Municipal Government Act*.

33. DEVELOPMENT IN WETLANDS

(1) The land use regulations and provisions in this section apply to the use and development of all land and buildings in all land use districts.

(2) Applicants/developers must follow the Alberta Wetland Assessment and Impact Report Directive whenever an activity is proposed that will impact a wetland.

(3) Where applicable, all development proponents shall adhere to the Code of Practice for Wetland Replacements Works and, where applicable shall submit *Public Lands Act* applications.

(4) The Municipal Planning Commission may require the developer to retain all or portions of naturally occurring wetlands where the Municipal Planning Commission determines that the development may be done in a manner that avoids, minimizes, or mitigates the impacts to the wetlands.

(5) The applicant/developer is solely responsible for adhering to all relevant provincial and federal legislation and regulations including the *Water Act, R.S.A. 2000, c. W-3*, and the Alberta Wetland Policy.

34. NOTIFICATION TO ADJACENT MUNICIPALITIES

A draft version of any proposed:

(a) new land use bylaw; or

(b) statutory plan; or

(c) land use bylaw amendment which involves either a new land use district or a part of any other district lying 2 miles (3.2 km) or a distance established in an intermunicipal development plan;

shall be sent to the adjacent municipality concerned for comments and regard shall be had to any comments received prior to amendment of this bylaw.

35. LAND USE REDESIGNATIONS

If an application for a land use redesignation is refused by the Council, another application for a redesignation for the same or similar use may not be accepted for at least six (6) months after the date of refusal unless an application for a waiver of the time restriction is approved by Council.

36. RESCINDING LAND USE REDESIGNATIONS

(1) After the date of the adoption of this bylaw, Council may rescind an amending bylaw redesignating certain lands within the municipality to accommodate a proposed subdivision and/or development originally granted pursuant to this bylaw. Council may rescind the redesignation bylaw and rezone the lands back to their original designation if:

(a) the proposed subdivision has not been applied for, decided upon or extended;

(b) the proposed development has not been applied for, decided upon, commenced or extended after 24 months of the date the redesignation bylaw receiving third and final reading; and/or

(c) if a proposed subdivision application and/or development permit application for a redesignation parcel of land severely deviates or contains serious misrepresentation from the original proposal when the land was designated for that specific purpose.

(2) The rescinding of the redesignation bylaw shall be undertaken in accordance with section 191 of the *Municipal Government Act*.

37. DESIGNATED NOTIFICATION AREAS

Cardston County may establish, periodically, designated notification areas within the municipality whereby subdivision applications and/or discretionary use development applications are sent to an adjacent municipality for comment prior to a decision being rendered by the Municipal Planning Commission. For the purpose of this section, one designated notification area has been established, which is comprised of all parcels of land located within the following quarter sections:

(1) SE 25-4-28 W4M
(2) NE 24-4-28 W4M
(3) SW 30-4-27 W4M
(4) NW 19-4-27 W4M

38. SCHEDULES, MAPS AND APPENDICES

(1) Schedules 1 through 14 form part of this bylaw.

(2) Appendices A through H do not form part of this bylaw and are for information and guidance purposes only.

39. AMENDMENT OR REPEAL OF BYLAW

The procedure for amendment or repeal of this bylaw is prescribed under sections 191, 230, 606 and 692 of the *Municipal Government Act*.

40. PENALTIES

Any person who contravenes a provision of this bylaw may be found guilty of an offence under section 566 of the *Municipal Government Act*.

41. ADOPTION OF BYLAW

(1) The Cardston County Land Use Bylaw No. 443/98, as amended, is hereby repealed.

(2) This bylaw comes into effect upon the final passing thereof.



Schedule 1

LAND USE DISTRICTS

Schedule 1

LAND USE DISTRICTS

1. GENERAL

Cardston County is divided into those districts identified in Section 2 and also shown on the Land Use Districts Maps in Schedule 16 of this bylaw.

2. LAND USE DISTRICTS

Each land use district shall be known by the following identifying names and symbols:

AGRICULTURAL	– AG
HAMLET	– H
SINGLE-LOT COUNTRY RESIDENTIAL	– SCR
GROUPED COUNTRY RESIDENTIAL	– GCR
GROUPED COUNTRY RESIDENTIAL 2	– GCR -2
RURAL SMALL HOLDINGS	– RSH
RURAL RECREATIONAL	– RR
RURAL COMMERCIAL/INDUSTRIAL 1	– RCI-1
RURAL COMMERCIAL/INDUSTRIAL 2	– RCI-2
RURAL COMMERCIAL/INDUSTRIAL 3	– RCI-3
DIRECT CONTROL	– DC

3. DESIGNATED HAMLETS

The following are named as Designated Hamlets for the purpose of this bylaw and their boundaries shall be shown on the applicable Land Use Districts Map:

- Aetna
- Beazer
- Del Bonita
- Kimball
- Leavitt
- Mountain View
- Spring Coulee
- Welling
- Welling Siding
- Woolford



Schedule 2

LAND USE DISTRICT REGULATIONS

Schedule 2

LAND USE DISTRICT REGULATIONS

AGRICULTURAL – AG

1. INTENT

The intent of this land use district is to allow agriculture to continue as an important land use in the County by ensuring it can operate unencumbered by conflicting land uses, while affording the municipality and its residents the flexibility to develop isolated non-agricultural uses in certain locations augmenting the agricultural land base.

2. USES

(1) **Permitted**[*]

Abattoir

Accessory building and use
Accessory structure
Alternative/renewable energy, individual
Animal care service, small
Animal care service, large
Day care facility
Farm building and structure
Garage suite
Garden suite
Grain terminal
Home care service
Household repair service
Manufactured home
Modular home
Moved-in building
Office
Residential addition
Ready to move home (RTM)
Secondary suite
Second family dwelling
Shipping container for farm use
Single family dwelling
Solar energy system, agricultural
Solar energy system, household

[*] See Schedule 3, Development Not Requiring a Development Permit

Structural alteration
Wind energy conversion system - Category 1
Weigh scale, private

(2) **Discretionary**

Airport/airstrip
Aquaculture operation
Archery range, commercial
Artificial insemination facility
Auction facility
Auction mart
Bed and breakfast
Bulk fertilizer storage and sale
Bulk fuel storage and sale
Cabin
Cemetery
Church
Community facility
Duplex
Employee housing
Farm supplies and service
Food processing
Food service/catering
Garden center
Greenhouse
Guest ranch
Helipad
Heliport site
Holiday trailer and RV storage
Home occupation, Class 3
Intensive horticulture
Kennel - Category 1 and 2
Lodge
Lodging house
Market garden
Multi-family unit
Outdoor storage
Private riding stable and arena
Private rifle range
Private rodeo grounds
Public and private institutional use
Public and private utility
Public park and recreation
Recreation vehicle storage
Resource extraction use

School
Sea can storage for future sale
Seed cleaning plant
Sod farm
Sports club
Subsequent family dwelling
Surveillance suite
Taxidermy
Tourist home
Tower
Vehicle service and repair
Warehouse store
Warehouse
Welding shop
Wind energy conversion system - Category 2 and 3
Weigh scale, public

(3) **Prohibited**

Cannabis production
Grouped country residential
Noxious industry

3. MINIMUM PARCEL AND LOT SIZES

The minimum parcel and lot sizes for the above-noted permitted and discretionary land uses shall be as follows:

(a) Single-lot country residential – 1.2 ha (3 acres) or existing titles

(b) Extensive agriculture – 28.3 ha (70 acres) or existing titles

4. MINIMUM SETBACK REQUIREMENTS

(1) All buildings, structures and development other than cultivation or grazing shall be setback from lot or parcel boundaries at least:

(a) 40 m (131 feet) from the center line of any developed or undeveloped roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and Cardston County;

(b) such distances as required by Alberta Transportation for designated highways in the Memorandum of Agreement;

(c) any greater distance which may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication, or to reduce potential snow drifting.

(2) The Municipal Planning Commission may establish a minimum setback from any existing residence where a proposed discretionary use may be incompatible with the residential use.

5. MINIMUM SETBACKS FROM PROPERTY LINES

All buildings and structures shall be setback a minimum of 7.6 m (25 feet) from all property lines not fronting on or adjacent to a municipal roadway.

6. SITE COVERAGE

The maximum site coverage for all the permitted and discretionary uses listed above:

(a) principal and accessory buildings – 50 percent; or

(b) as required by the Development Officer or Municipal Planning Commission.

7. ACCESS / DEVELOPMENT AGREEMENTS

(1) The municipality may, at the time of subdivision or development approval, require the developer to enter into a development agreement for the construction of any roadways, approaches or improvements for access purposes necessary to serve the development area.

(2) The development agreement may be registered, by caveat, on the certificate of title that is the subject of the proposed subdivision or development.

(3) As part of the development agreement, the municipality may establish the standard to which any access construction shall be met or exceeded in accordance with County road policies and standards.

(4) The municipality may require the developer to post a form of financial security to ensure the access construction meets or exceeds County road policies and standards.

8. OTHER USES / REDESIGNATION

(1) Other uses such as grouped country residential, noxious industry, rural recreational or rural commercial/industrial are not accommodated in this land use district. As a result, those proposed uses may require the landowner/developer to redesignate certain lands to a new or different land use district other than Agricultural – AG.

(2) The municipality may require a landowner/developer to prepare a detailed area structure plan or conceptual scheme as a support document for a land use redesignation request to municipal Council in accordance with Schedule 11 of this bylaw.

9. STANDARDS OF DEVELOPMENT – See Schedule 4.

10. MOVED-IN BUILDINGS – See Schedule 5.

11. HOME OCCUPATIONS – See Schedule 6.

12. WIND ENERGY CONVERSION SYSTEMS – See Schedule 7.

13. **SOLAR / ALTERNATIVE ENERGY SYSTEMS** – See Schedule 8.

14. **KENNEL REGULATIONS** – See Schedule 9.

15. **CANNABIS REGULATIONS** – See Schedule 10.

16. **AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES** – See Schedule 11.

17. **SHIPPING CONTAINERS** – See Schedule 12.

18. **DEFINITIONS** – See Schedule 15.

19. **FEES** – See Appendix C.

HAMLET – H

1. INTENT

The intent of this land use district is to provide for the orderly urban expansion in a designated hamlet by ensuring that non-residential uses are compatible with the amenities of residential areas, through the regulation of following permitted, discretionary and prohibited land uses.

2. USES

(1) **Permitted**[*]

Accessory building and use
Accessory structure
Bed and breakfast
Day care facility
Duplex
Home occupation, Class 2
Modular home
Personal care service
Ready to move home (RTM)
Residential addition
Restaurant
Service station
Single family dwelling
Solar energy system, household
Structural alteration

(2) **Discretionary**

Animal care service
Cabin
Campground
Cemetery
Church
Commercial cabin development
Community hall
Family campground (in excess of 5 units)
Grain terminal
Holiday trailer park and storage
Home occupation - Class 3
Market garden
Mobile home
Moved-in building
Multi-family dwelling

[*] See Schedule 3, Development Not Requiring a Development Permit.

Private recreation
Public and private utility
Retail outlet
Secondary suite
Second family dwelling
Shipping container
Surveillance suite
Taxidermy
Wind energy conversion system - Category 1

(3) **Prohibited**

Cannabis operation
Confined feeding operation
Noxious industry

3. MINIMUM LOT SIZES FOR FULLY SERVICED RESIDENTIAL LOTS

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Single family dwellings	15.2	50	36.6	120	557.4	6,000
Duplex and semi-detached dwellings	18.3	60	36.6	120	1114.8	12,000
Multiple family dwellings	30.5	100	36.6	120	1114.8	12,000
Single-wide mobile homes	15.2	50	36.6	120	557.4	6,000
Double-wide mobile homes	15.2	50	36.6	120	557.4	6,000
Row or town housing						
- interior unit	6.1	20	30.5	100	278.7	3,000
- end unit	10.0	30	30.5	100	185.8	2,000
All other residential uses	As required by the Municipal Planning Commission.					

4. MINIMUM LOT SIZES FOR UNSERVICED AND PARTIALLY-SERVICED RESIDENTIAL LOTS

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Single family dwellings with municipal sewer only	36.6	120	38.1	125	1393.5	15,000
Single family dwelling with municipal water only	36.6	120	38.1	125	1393.5	15,000
Single family dwellings with no municipal water or sewer	39.6	130	46.9	154	1858.0	20,000
All other residential uses	As required by the Municipal Planning Commission.					

5. MINIMUM SETBACK REQUIREMENTS FOR RESIDENTIAL LOTS

	Use	Lot Type	Front Yard m	Front Yard ft.	Side Yard m	Side Yard ft.	Rear Yard m	Rear Yard ft.
(a)	Single family detached	interior	7.6	25	1 @ 1.5 1 @ 3.0	5 10	7.6	25
		corner	7.6	25	1 @ 1.5 1 @ 7.6	5 25	7.6	25
	Duplex	interior	7.6	25	1 @ 1.5 1 @ 3.0	5 10	7.6	25
		corner	7.6	25	1 @ 1.5 1 @ 7.6	5 25	7.6	25
	Semi-detached	interior	7.6	25	2 @ 3.0	10	7.6	25
		corner	7.6	25	1 @ 3.0 1 @ 7.6	10	7.6	25
	Multiple family	interior	9.1	30	2 @ 6.1	20	9.1	30
		corner	9.1	30	2 @ 6.1 1 @ 9.1	20 30	9.1	30
	Row or townhouse	interior	7.6	25	end unit @ 4.6	15	7.6	25
		corner	7.6	25	end unit @ 7.6	25	7.6	25
	Mobile homes (single- and double-wide)	interior	7.6	25	1 @ 1.5 main entrance side 1 @ 3.0	5 10	7.6	25
		corner	7.6	25	1 @ 1.5 1 @ 7.6	5 25	7.6	25
	All other residential uses		As required by the Municipal Planning Commission.					

6. MAXIMUM SITE COVERAGE FOR RESIDENTIAL LOTS

(a) Principal building (dwelling) – 35%

(b) Accessory buildings – 10%

7. COMMERCIAL USES

(a) **MINIMUM LOT SIZE (Serviced)**

	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Permitted uses	9.1	30	36.6	120	334.6	3,600
All other uses	As required by the MPC.					

(b) **MINIMUM LOT SIZE (Unserviced or Partially Serviced)**

	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Municipal sewer only	22.9	75	30.5	100	696.8	7,500
Municipal water only	36.6	120	38.1	125	1393.4	15,000
No municipal sewer or water	39.6	130	46.9	154	1858.0	20,000

(c) **MINIMUM SETBACK REQUIREMENTS**

	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
Permitted uses	4.6	15	3.1	10	9.1	30

(d) **MAXIMUM SITE COVERAGE**

Principal and ancillary buildings – 80%.

8. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT – See Schedule 3.

9. STANDARDS OF DEVELOPMENT – See Schedule 4.

10. MOVED-IN BUILDINGS – See Schedule 5.

11. HOME OCCUPATIONS – See Schedule 6.

12. SOLAR ENERGY SYSTEMS AND ALTERNATIVE/RENEWABLE ENERGY – See Schedule 8.

13. DEFINITIONS – See Schedule 15

SINGLE-LOT COUNTRY RESIDENTIAL – SCR

1. INTENT

The intent of this land use district is to accommodate no more than two additional single-lot country residential subdivisions within a quarter section of land which have already met or exceeded the maximum of four subdivisions within that specific quarter section within the municipality.

2. USES

(1) **Permitted**[*]

Accessory building and use
Manufactured home
Modular home
Residential addition
Ready to move home (RTM)
Single family dwelling
Solar energy, household
Structural alteration

(2) **Discretionary**

Animal care service
Aquaculture operation
Bed and breakfast
Day care facility
Family campground (in excess of 5 units)
Food processing
Food servicing/catering
Garage suite
Garden suite
Greenhouse
Home care service
Home occupation - Class 2
Household repair service
Lodge
Lodge house
Moved-in residential building
Private riding stable and arena
Public and institutional use
Public park or recreation use
Public utility
Secondary suite
Second family dwelling
Shipping Container

[*] See Schedule 3, Development Not Requiring a Development Permit.

Taxidermy
Tourist home
Vehicle service and repair

(3) **Prohibited**

Confined feeding operation

3. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

(a) existing parcels;

(b) a minimum of 1.2 ha (3 acres) for unserviced lots; or

(c) a minimum of 0.6 ha (1.5 acres) for serviced lots.

4. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	15.2	50	7.6	25	15.2	50
	or 40 m (131 ft.) from the centreline of a municipal road allowance					

5. MAXIMUM SITE COVERAGE

Principle Building - 35%
Accessory Building - 10%

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. HOME OCCUPATIONS – See Schedule 6.

8. SOLAR ENERGY SYSTEMS AND ALTERNATIVE/RENEWABLE ENERGY – See Schedule 8.

9. DEFINITIONS – See Schedule 15.

10. FEES – See Appendix C.

GROUPED COUNTRY RESIDENTIAL - GCR

1. INTENT

The intent of this land use district is to accommodate clustered country residential development within comprehensively planned multi-lot designated areas provided the proposed uses should:

- not conflict with the agricultural, recreational or rural commercial/industrial uses on lands adjacent to or in close proximity to the proposal;
- not compromise the safe, efficient operation of the road network or urban expansion of neighbouring municipalities;
- comply with the pertinent development standards and requirements outlined in a detailed area structure plan or conceptual scheme, if required, for the area, this land use district and schedules of this bylaw.

2. USES

(1) **Permitted**[*]

Accessory building and use
Greenhouse less than 500 sq. ft. (46.5 sq. m.)
Residential addition
Ready to move home (RTM)
Single family dwelling
Solar energy, household
Structural alteration

(2) **Discretionary**

Bed and breakfast
Cabin
Day care facility
Duplex
Family campground (in excess of 5 units)
Greenhouse greater than 500 sq. ft. (46.5 sq. m.)
Home occupation - Class 2
Modular home
Moved-in building
Public and institutional use
Public utility
Recreational vehicle storage
Residential dugout
Secondary suite
Second family dwelling
Shipping container
Wind energy conversion system - Category 1

[*] See Schedule 3, Development Not Requiring a Development Permit.

(3) **Prohibited**

Cannabis production
Intensive livestock operation
Rural commercial/industrial

3. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

(a) existing parcels;

(b) a minimum of 1.2 ha (3 acres) for unserviced lots; or

(c) a minimum of 0.6 ha (1.5 acres) for serviced lots.

3.1 USE CRITERIA – SUBDIVISION RESTRICTION

Notwithstanding anything to the contrary within this land use bylaw, the lands within this district shall not be further subdivided to create additional parcels. Further subdivision would be appropriate:

(a) for a lot line adjustment (for example to address an encroachment, or similar irregularity); or

(b) to reconfigure two or more contiguous parcels through re-subdivision and consolidation, resulting in equal or lesser numbers of parcels.

The purpose and intent of this subdivision restriction is to ensure any use of the subject land provides for the ongoing preservation of larger parcel country residential development within the Municipality. For clarity, this subdivision restriction is a fundamental use criteria and shall not be varied or waived by the Subdivision Authority, the Subdivision and Development Appeal Board, or the Land and Property Rights Tribunal.

4. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	15.2	50	3.1	10	15.2	50
	or 40 m (131 feet) from the centreline of a municipal road allowance					

5. MAXIMUM SITE COVERAGE

Principle Building - 35%
Accessory Building - 10%

6. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

An area structure plan, if required by the Municipal Planning Commission for a grouped country residential application, shall consider and address the following matters:

(a) the implementation of urban expansion strategies of neighbouring municipalities;

(b) the safe and efficient use of nearby highways or secondary roads;

(c) possible future impact on resource developments;

(d) the effect on access to or development of existing or potential recreation amenities;

(e) the effect on surrounding agricultural operations;

(f) the effect on a critical wildlife zone or environmentally sensitive area;

(g) the visual environment of the surrounding landscape;

(h) the natural amenities provided by the land. These amenities may include, but are not limited to, varied topography, sloping land, a scenic view and tree cover;

(i) area prone to flooding or groundwater inundation. These areas shall not be considered for grouped country residential use;

(j) water supply and sewage disposal for the proposed development;

(k) areas of historical and archaeological interest;

(l) the proposed legal, physical and/or satisfactory access to the subdivision and/or development area; and

(m) such other matters considered necessary and appropriate by the Municipal Planning Commission.

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. HOME OCCUPATIONS – See Schedule 6.

9. SOLAR ENERGY SYSTEMS AND ALTERNATIVE/RENEWABLE ENERGY – See Schedule 8.

10. AREA STRUCTURE PLAN / CONCEPTUAL SCHEME REQUIREMENTS – See Schedule 11.

11. DEFINITIONS – See Schedule 15.

12. FEES – See Appendix C.

GROUPED COUNTRY RESIDENTIAL 2 – GCR-2

1. INTENT

The intent of this land use district is to accommodate and regulate land use on subdivided lots which are less than the conventional 1.2 ha (3 acre) parcel size.

2. USES

(1) **Permitted**[*]

Accessory building and use
Boat house
Recreational vehicle
Residential addition
Ready to move home (RTM)
Single family dwelling
Solar energy, household
Structural alteration
Wind energy conversion system - Category 1

(2) **Discretionary**

Bed and breakfast
Greenhouse
Home occupation - Class 2
Mobile home
Modular home
Moved-in building
Secondary suite
Shipping container

(3) **Prohibited**

Rural commercial/industrial

3. PARCEL AND LOT SIZES

Parcel and lot sizes for all permitted and discretionary uses listed above shall be a minimum of 0.2 ha (0.5 acre), or existing parcels.

[*] See Schedule 3, Development Not Requiring a Development Permit.

4. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	7.6	25	1.5	5	7.6	25

5. MAXIMUM LOT COVERAGE

(a) Principal building (dwelling) – 35%

(b) Accessory buildings – 10%

6. MINIMUM FLOOR AREA

Single family dwellings – at the discretion of the Development Officer

Accessory buildings – at the discretion of the Development Officer

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. MOVED-IN BUILDINGS – See Schedule 5.

9. HOME OCCUPATIONS – See Schedule 6.

10. SOLAR ENERGY SYSTEMS AND ALTERNATIVE/RENEWABLE ENERGY – See Schedule 8.

11. DEFINITIONS – See Schedule 15.

RURAL SMALL HOLDINGS – RSH

1. INTENT

The intent of this land use district is to accommodate no more than four 40-acre parcels in a quarter section which are less than the minimum agricultural parcel size established for other areas of the municipality.

2. USES

(1) **Permitted**[*]

Accessory building and use
Home occupation - Class 2
Manufactured home
Modular home
Moved-in building
Residential addition
Ready to move home (RTM)
Secondary suite
Second family dwelling
Single family dwelling
Solar energy, household
Structural alteration

(2) **Discretionary**

Bed and breakfast
Day care facility
Duplex
Home occupation - Class 3
Family campground (in excess of 5 units)
Food processing
Food service/catering
Garden suite
Garage suite
Greenhouse
Household repair service
Kennel - Category 1 and 2
Market garden
Outdoor storage
Public and institutional use
Public and private utility
Recreational vehicle storage
School

[*] See Schedule 3, Development Not Requiring a Development Permit.

Subsequent family dwelling
Taxidermy
Tower
Welding shop
Wind energy conversion system - Category 1

(3) **Prohibited**

Cannabis production
Grouped country residential
Rural commercial/industrial

3. PARCEL AND LOT SIZES**

For all the permitted and discretionary uses listed above, the minimum parcel size shall be 16.2 ha (40 acres).

4. MAXIMUM NUMBER OF PARCELS

(1) The maximum number of parcels that may be created in this land use district shall not exceed four (4) in total in a quarter section.

(2) The resubdivision of an existing rural small holdings parcel to create a smaller country residential parcel shall not be allowed if the proposed number of parcels in the quarter section will exceed four (4) in total unless the lands have been redesignated to accommodate the subdivision proposal.

5. MINIMUM SETBACK REQUIREMENTS

(1) All buildings, structures and development other than cultivation or grazing shall be setback from lot or parcel boundaries at least:

(a) 40 m (131 feet) from the center line of any developed or undeveloped roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and Cardston County;

(b) a minimum of 7.6 m (25 feet) from all property lines not fronting on or adjacent to a municipal roadway;

(c) such distances as required by Alberta Transportation for designated highways in the Memorandum of Agreement;

(d) any greater distance which may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication, or to reduce potential snow drifting.

** NOTE: The Municipal Planning Commission may grant minor parcel size variances to accommodate any existing registered exceptions from the Certificate of Title.

(b) The Municipal Planning Commission may establish a minimum setback from any existing residence where a proposed discretionary use may be incompatible with the residential use.

6. ACCESS / DEVELOPMENT AGREEMENTS

(1) The municipality may, at the time of subdivision or development approval, require the developer to enter into a development agreement for the construction of any roadways, approaches or improvements for access purposes necessary to serve the development area.

(2) The development agreement may be registered, by caveat, on the certificate of title that is the subject of the proposed subdivision or development.

(3) As part of the development agreement, the municipality may establish the standard to which any access construction shall be met or exceeded in accordance with County road policies and standards.

(4) The municipality may require the developer to post a form of financial security to ensure the access construction meets or exceeds County road policies and standards.

7. OTHER USES / REDESIGNATION

(1) Other uses such as grouped country residential, noxious industry, rural recreational or rural commercial/industrial are not accommodated in this land use district. As a result, those proposed uses may require the landowner/developer to redesignate certain lands to a new or different land use district other than Rural Small Holdings – RSH.

(2) The municipality may require a landowner/developer to prepare a detailed area structure plan or conceptual scheme as a support document for a land use redesignation request to municipal Council in accordance with Schedule 11 of this bylaw.

8. STANDARDS OF DEVELOPMENT – See Schedule 4.

9. MOVED-IN BUILDINGS – See Schedule 5.

10. HOME OCCUPATIONS – See Schedule 6.

11. WIND ENERGY CONVERSION SYSTEMS – See Schedule 7.

12. SOLAR / ALTERNATIVE ENERGY SYSTEMS – See Schedule 8.

13. KENNEL REGULATIONS – See Schedule 9.

14. CANNABIS REGULATIONS – See Schedule 10.

15. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES – See Schedule 11.

16. **SHIPPING CONTAINERS** – See Schedule 12.

17. **DEFINITIONS** – See Schedule 15.

18. **FEES** – See Appendix C.

RURAL RECREATIONAL – RR

1. INTENT

The intent of this land use district is to accommodate the subdivision and/or development of recreational land uses and activities in Cardston County.

2. USES

(1) **Permitted**[*]

Accessory building and use
Accessory structure
Cabin
Campground
Club house
Public and private recreation use
Public day use area
Recreational vehicle park
Residential in conjunction with an approved use
Riding arena
Riding stable
Solar energy, household
Structural alteration
Surveillance suite

(2) **Discretionary**

4-Season Campground
Bed and breakfast
Commercial cabin development
Commercial / private recreation
Convenience store
Driving range
Golf course
Greenhouse
Guest ranch
Modular home
Moved-in building
Public and private rifle range
Public and private utility
Ready to move home (RTM)
Recreational vehicle storage
Residential addition
Restaurant

[*] See Schedule 3, Development Not Requiring a Development Permit.

Retail
Rodeo grounds
Second family dwelling
Shipping container
Single family dwelling
Solar/alternative energy system
Vehicle and equipment rentals (recreation)
Wind energy conversion system - Category 1

(3) **Prohibited**

Confined feeding operation
Intensive livestock operation
Noxious industry

3. PARCEL AND LOT SIZES

Use	Area Minimum
All uses	1.2 ha (3 acres) or existing titles

4. MINIMUM SETBACK REQUIREMENTS

(1) All buildings, structures and development other than cultivation or grazing shall be setback from lot or parcel boundaries at least:

(a) 40 m (131 feet) from the center line of any developed or undeveloped roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and Cardston County;

(b) such distances as required by Alberta Transportation for designated highways in the Memorandum of Agreement;

(c) any greater distance which may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication, or to reduce potential snow drifting.

5. MINIMUM SETBACKS FROM PROPERTY LINES

All buildings and structures shall be setback a minimum of 7.6 m (25 feet) from all property lines not fronting on or adjacent to a municipal roadway.

6. SITE COVERAGE

The maximum site coverage for all the permitted and discretionary uses listed above:

(a) principal and accessory buildings – 50 percent; or

(b) as required by the Municipal Planning Commission.

7. ACCESS / DEVELOPMENT AGREEMENTS

(1) The municipality may, at the time of subdivision or development approval, require the developer to enter into a development agreement for the construction of any roadways, approaches or improvements for access purposes necessary to serve the development area.

(2) The development agreement may be registered, by caveat, on the certificate of title that is the subject of the proposed subdivision or development.

(3) As part of the development agreement, the municipality may establish the standard to which any access construction shall be met or exceeded in accordance with County road policies and standards.

(4) The municipality may require the developer to post a form of financial security to ensure the access construction meets or exceeds County road policies and standards.

8. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

The Municipal Planning Commission may require the preparation of an area structure plan or a conceptual scheme prior to considering an application or as a condition of approval for any use within this land use district in accordance with Schedule 11 of this bylaw.

9. ARCHITECTURAL CONTROLS

(1) The municipality may, at the time of subdivision or development approval, may require the developer to provide detailed architectural controls establishing development standards and restrictions for the development area.

(2) The architectural controls may be registered on the specific certificates of title by a restrictive covenant.

(3) The performance and adherence to the standards and restrictions established in the architectural controls shall be the sole responsibility of the developer or his/her agent.

10. STANDARDS OF DEVELOPMENT – See Schedule 4.

11. MOVED-IN BUILDINGS – See Schedule 5.

12. HOME OCCUPATIONS – See Schedule 6.

13. WIND ENERGY CONVERSION SYSTEMS – See Schedule 7.

14. SOLAR / ALTERNATIVE ENERGY SYSTEMS – See Schedule 8.

15. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES – See Schedule 11.

16. **SHIPPING CONTAINERS** – See Schedule 12.

17. **DEFINITIONS** – See Schedule 15.

RURAL COMMERCIAL/INDUSTRIAL 1 – RCI-1

1. INTENT

The intent of this land use district is to accommodate one or more commercial and/or industrial land uses within the municipality which will not compromise either the use of agricultural lands for agriculture or the safe and efficient operation of the local and provincial transportation systems.

2. USES

(1) **Permitted**[*]

Abattoir
Accessory building and use
Convenience store
Farm machinery and equipment sales
Farm service product sales
Financial service
Food service/catering
Highway commercial
Home occupation - Class 2
Intensive horticulture
Medical or dental facility
Mini storage facility
Office
Personal service
Restaurant and lounge
Retail store
Service station

(2) **Discretionary**

Animal care service
Auction mart
Auto wreckers
Automotive sales and service
Batch plant
Building supplies
Bulk fuel storage and sales
Car wash
Commercial recreation
Food processing
Grain terminal
Greenhouse
Group home

[*] See Schedule 3, Development Not Requiring a Development Permit.

Home occupation - Class 3
Hotel and motel
Light industrial/manufacturing
Lumber yard
Manufactured/modular home sales
Moved-in building
Private recreation
Public and institutional use
Public and private utility
Recreational vehicle sales
Residential accommodation secondary to an approved use
Retail shopping mall
Shipping Container
Solar/alternative energy system
Taxidermist
Warehousing
Wind energy conversion system

(3) **Prohibited**

Confined feeding operation
Grouped country residential

3. PARCEL AND LOT SIZES

(a) Serviced lots – 0.4 ha (1 acre)

(b) Unserviced lots – 1.2 ha (3 acres)

4. MINIMUM SETBACK REQUIREMENTS

(1)

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	6.1	20	3.0	10	6.1	20
Fences	6.1	20	0	0	0	0

(2) All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a primary highway may have special requirements for setback, access and service roadways as determined by the Municipal Planning Commission in accordance with the requirements of Alberta Transportation and the *Highways Development and Protection Act*.

(3) All buildings, structures and development that is to be located in close proximity to an escarpment, coulee break, river bank or other geographical feature may have special requirements for setback as determined by the Municipal Planning Commission upon due consideration of any comments from Alberta Environment and Parks if provided.

5. SITE COVERAGE

The maximum site coverage for all the permitted and discretionary uses listed above is:

(a) **Highway commercial**

(i) principal and accessory buildings – 50%; or

(ii) as required by the Municipal Planning Commission.

(b) **Offices, Personal Services and Retail Outlets**

(i) principal and accessory buildings – 80%; or

(ii) as required by the Municipal Planning Commission.

(c) **Solar energy systems** – 90%

(d) **All Other Uses**

(i) principal and accessory buildings – 50%; or

(ii) as required by the Municipal Planning Commission.

6. REDESIGNATION AND REFERRAL REQUIREMENTS

(1) The Municipal Planning Commission may recommend to Council the designation of a rural commercial/industrial land use district.

(2) Council or the Development Officer shall refer any proposed designation of a rural commercial/industrial land use district to the municipality's planning advisor for comment prior to making a decision.

(3) Council or the Development Officer shall refer any proposed designation or a rural commercial/industrial land use district or any proposed commercial use located within 0.8 km (½ mile) of a primary highway, except within a designated hamlet, to Alberta Transportation for comment prior to making a decision.

(4) An application for commercial/industrial use which is:

(a) adjacent to or within an environmentally sensitive area, critical wildlife zone or regionally significant area; or

(b) within 0.8 km (½ mile) of a primary highway, except within a designated hamlet;

shall be referred by the Development Officer to the municipality's planning advisor for comment before the Municipal Planning Commission considers the application.

7. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

The Municipal Planning Commission may require the preparation of an area structure plan or a conceptual scheme prior to considering an application or as a condition of approval for any use within this land use district (see Schedule 11).

8. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES

(1) No application to locate or expand a land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

(a) transportation or communication system, including highways, an airport site or communication facility; or

(b) regionally significant services or utilities facilities, including irrigation works, pipelines and power transmission lines.

(2) Any application for development located in the vicinity of a sour gas pipeline shall be circulated to the Alberta Energy Regulator for comment and, in addition, any new residential development shall be setback from a sour gas pipeline in accordance with the Subdivision and Development Regulation.

9. STANDARDS OF DEVELOPMENT – See Schedule 4.

10. SOLAR ENERGY SYSTEMS AND ALTERNATIVE/RENEWABLE ENERGY – See Schedule 8.

11. DEFINITIONS – See Schedule 15.

RURAL COMMERCIAL/INDUSTRIAL 2 – RCI-2

1. INTENT

The intent of this land use district is to accommodate a commercial or industrial land use associated with the development, production, operation and sale of medical and/or recreational cannabis within the municipality.

2. USES

(1) **Permitted***

Accessory building, use or structure to an approved cannabis use

(2) **Discretionary**

Cannabis distribution wholesaling
Cannabis, licensed medical production
Cannabis, licensed recreational production
Cannabis production facility
Cannabis retail store

3. PARCEL AND LOT SIZES

(a) Serviced lots – 0.4 ha (1 acre)

(b) Unserviced lots – 1.2 ha (3 acres)

4. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft.	m	ft.	m	ft.
All uses	40	131	3.1	10	7.6	25
Fences	6.1	20	0	0	0	0

Additional setbacks – see Schedule 10.

5. DESIGNATION AND REFERRAL REQUIREMENTS

(1) The Municipal Planning Commission shall recommend to Council the designation of this rural commercial/industrial land use district.

(2) Council or the Development Officer shall refer any proposed designation of this rural commercial/industrial land use district to the municipality's planning advisor for comment prior to making a decision.

* See Schedule 3, Development Not Requiring a Development Permit.

(3) Council or the Development Officer shall refer any proposed designation for this rural commercial/industrial land use district or any proposed commercial use located within 0.8 km (½ mile) of a primary highway, except within a designated hamlet, to Alberta Transportation for comment prior to making a decision.

(4) An application for commercial/industrial use which is:

(a) adjacent to or within an environmentally sensitive area, critical wildlife zone or regionally significant area; or

(b) within 0.8 km (½ mile) of a primary highway, except within a designated hamlet;

shall be referred by the Development Officer to the municipality's planning advisor for comment before the Municipal Planning Commission considers the application.

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. CANNABIS REGULATIONS – See Schedule 10.

8. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES – See Schedule 11.

9. DEFINITIONS – See Schedule 15.

RURAL COMMERCIAL / INDUSTRIAL 3 – RCI 3

1. INTENT

The intent of this land use district is to accommodate a commercial or industrial land use associated with the development, production, operation and sale of Liquor within the municipality.

2. USES

(1) **Permitted***

Accessory building, use or structure to an approved Liquor use

Class A Liquor Facilities – Minors Allowed (i.e. Restaurants, Hotels)

(2) **Discretionary**

Class A Liquor Facilities – Minors Prohibited (i.e. Bars and Lounges)

Class B Liquor Facilities (i.e. recreation facilities, tourist facilities, sport stadiums, convention centre, theatre or public conveyance)

Class C Liquor Facilities (i.e. Private Clubs, Canteens, Lounges)

Class D Liquor Facilities (i.e. Liquor Stores, Manufactures off sales license)

Class E Liquor Facilities (i.e. Liquor Manufacturing, Micro Breweries)

Class F Liquor Facilities (i.e. Private small-scale manufacturing)

(3) Prohibited

3. PARCEL AND LOT SIZES

(a) Serviced Lots - 0.4 ha (1 acre)

(b) Unserviced Lots - 1.2 ha (3 acres)

4. MINIMUM SETBACK REQUIREMENTS

Use	**Front Yard**		**Side Yard**		**Rear Yard**	
	m	**ft**	**m**	**ft**	**m**	**ft**
All uses	40	131	3.1	10	7.6	25
Fences	6.1	20	0	0	0	0

Additional Setbacks – see Schedule 13

5. DESIGNATED AND REFERRAL REQUIREMENTS

(1) The Municipal Planning Commission shall recommend to Council the designation of this rural commercial/industrial land use district.

(2) Council or the Development Officer shall refer any proposed designation of this rural commercial/industrial land use district to the municipality's planning advisor for comment prior to making a decision.

(3) Council or the Development Officer shall refer any proposed designation for this rural commercial/industrial land use district, or any proposed commercial use located within 0.8 km (1/2 mile) of a primary highway, except within a designated hamlet, to Alberta Transportation for comment prior to making a decision.

(4) An application for commercial/industrial use which is:

(a) adjacent to or within an environmentally sensitive area, critical wildlife zone or regionally significant area; or

(b) within 0.8km (1/2 mile) of a primary highway, except within a designated hamlet; shall be referred by the Development Officer to the municipality's planning advisor for comment before the Municipal Planning Commission considers the application.

6. STANDARDS OF DEVELOPMENT – See Schedule 4

7. LIQUOR REGULATIONS – See Schedule 13

8. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES – See Schedule 11

9. DEFINITIONS – See Schedule 15

DIRECT CONTROL – DC

1. INTENT

To provide a means whereby Council may, on an individual basis, regulate and control the use and development on subdivided land or within a specific area of the municipality where the circumstances relating to the development or subdivision of the site are such that regulation and control by use of the other land use districts in this bylaw is inadequate considering location, parcel size or long-range planning goals.

2. USES

Council may by bylaw, specify permitted and/or discretionary uses or any prohibited uses on a site-specific basis.

3. APPROVAL PROCEDURE

(1) Before Council considers an application for a use or development in the Direct Control District, it shall:

(a) cause a notice to be issued by the Development Officer in accordance with Administration Section 9 of this bylaw;

(b) hear any person that claims to be affected by the decision on the application.

(2) Council may then approve the application with or without conditions or refuse the application.

(3) When applicable, Council should seek comments from other agencies such as the planning advisor, regional health authority or any applicable provincial government department.

4. APPEAL PROCEDURE

Pursuant to section 641(4)(a) of the *Municipal Government 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.

5. MINIMUM LOT SIZE

As required by Council.

6. MINIMUM SETBACK REQUIREMENTS

As required by Council.

7. MINIMUM LOT COVERAGE

As required by Council.

8. MINIMUM BUILDING HEIGHT

As required by Council.

9. STANDARDS OF DEVELOPMENT – See Schedule 4

10. MOVED-IN BUILDINGS – See Schedule 5

11. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES – See Schedule 11

12. DEFINITIONS – See Schedule 15

Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. EXEMPTIONS

No development permit is required for any development that is specifically exempt by the Lieutenant Governor in Council, pursuant to section 618(4) of the *Municipal Government Act*.

2. DEVELOPMENT PERMIT NOT REQUIRED

No development permit is required for the following:

(a) the carrying out of works of maintenance and 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 prior to the adoption of this bylaw provided that:

  (i) the building is completed in accordance with the terms of any permit granted by the Development Officer or the Municipal Planning Commission 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 use of any building referred to in Section 2(b)(ii) of this schedule for the purpose for which construction was commenced;

(d) 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;

(e) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial or public authorities on land which is publicly owned or controlled.

3. AGRICULTURAL DEVELOPMENT

No development permit is required for any use, building or structure associated with Agriculture – AG land use district that is a permitted or discretionary use in Schedule 2, and includes:

(a) extensive agriculture (cultivation and ranching);

(b) corrals and wooden fences;

(c) dugouts;

(d) farm gravel pits for own farm use;

(e) farm sheds, quonsets and barns;

(f) granaries;

(g) haystacks and livestock shelters;

(h) maintenance of existing buildings or structures;

(i) farm related garages;

(j) wind fences;

(k) water wells;

(l) residential renovations not involving structural alterations;

(m) landscaping and sidewalks;

(n) election signs;

(o) farm identification signs;

(p) shipping containers (maximum 4);

(q) travel trailers storage for personal use;

(r) outdoor arenas;

(s) family campgrounds;

(t) windrows, shelter belts and fencing;

(u) Class 1 and 2 home occupations in the Agricultural – AG land use district;

unless the use, building or structure is to be built:

(i) less than 39.9 m (131 feet) from the centre line of a road; or

(ii) on a flood plain, or less than 152.4 m (500 feet) from a flood plain; or

(iii) less than 304.8 m (1,000 feet) from a provincial highway;

in which instance a development permit and setback waivers are required.

4. CLARIFICATION

If there is a doubt as to whether a development is of a kind listed above, the matter shall be referred to the Municipal Planning Commission whose decision is final as to whether a development permit is required.

5. HOME OCCUPATIONS

Class 1 home occupations in the Hamlet – H, Grouped Country Residential – GCR, Grouped Country Residential 2– GCR-2, Single Lot Country Residential – SCR, Rural Small Holdings – RSH, Rural Recreational – RR and Rural Commercial/ Industrial – RCI-1 districts do not require development permits.

6. FAMILY CAMPGROUNDS

Family campgrounds, up to 5 units, do not require a development permit in the Hamlet – H, Grouped County Residential – GCR, Single Lot County Residential – SCR and Rural / Small Holdings – RSH land use districts.

Schedule 4

STANDARDS OF DEVELOPMENT

Schedule 4

STANDARDS OF DEVELOPMENT

1. QUALITY OF DEVELOPMENT

The Development Officer, the Municipal Planning Commission, or in the case of Direct Control, Council, may require additional standards as conditions of a development permit, in order to improve the quality of any proposed development within any land use district.

2. RETAINING WALLS

A retaining wall may be required as a condition of development if, in the opinion of the Development Officer or the Municipal Planning Commission, the construction could impact slope stability, building integrity, or affect an adjacent property.

3. FENCES

(1) Fences in rear and side yards shall be limited to no greater than 1.8 m (6 feet) in height unless a waiver has been issued.

(2) Post and rail and barbed-wire fences not posing a snow drifting problem may be located on property line.

(3) Fences may be located on a property line in all land use districts.

4. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district requiring servicing beyond which the municipality might normally supply, the Municipal Planning Commission may require a development agreement establishing the responsibilities of the developer(s) and such an agreement be registered on title by caveat.

5. HAZARDOUS CHEMICAL STORAGE

No hazardous chemical (as defined in the *Alberta Environmental Protection and Enhancement Act*) shall be permitted to be stored or kept within a Hamlet, Single-Lot Country Residential, Grouped Country Residential or Rural Recreational land use district.

6. OUTDOOR FUEL STORAGE

The outdoor storage of fuel in any non-agricultural land use district shall be suitably fenced to the satisfaction of the appropriate Fire Marshall.

7. REFUSE COLLECTION ON CONSTRUCTION SITES

All refuse on any construction site shall be properly screened from view and contained in an approved enclosure until such time as disposal occurs.

8. ENVIRONMENTAL DEVELOPMENT CONDITIONS

Development permit conditions may be required to satisfactorily minimize:

(a) soil erosion and coulee slumping;

(b) contamination of air or water;

(c) hindrance or alteration of water flow to a lake, river or reservoir;

(d) compromising the aesthetic quality of a scenic area;

(e) damage to an ecologically sensitive habitat or area of historic importance;

(f) conflicts with surrounding land uses;

(g) development within 100 m (328 feet) of a waterbody or an environmentally significant area, critical wildlife zone or regionally sensitive area.

9. COULEE AND WATERBODY SETBACK REQUIREMENTS

(1) No development shall occur within the distances calculated using the "Guidelines for the Subdivision of Land Adjacent to Steep Valley Banks" or subsequent guidelines provided by Alberta Environment and Parks (Figures 4.1 and 4.2, and Table 1) (see diagram below).

(2) Development within the distances calculated using the "Guidelines for the Subdivision of Land Adjacent to Steep Valley Banks" or subsequent guidelines provided by Alberta Environment and Parks may be allowed on the basis of soils studies prepared by an engineer qualified in the field of soils analysis.

(3) The Municipal Planning Commission shall require soils tests to be provided in support of any development permit application or subdivision application where they determine there is risk for soil failures.

Figure 4.1 - Cross-section of River Valley

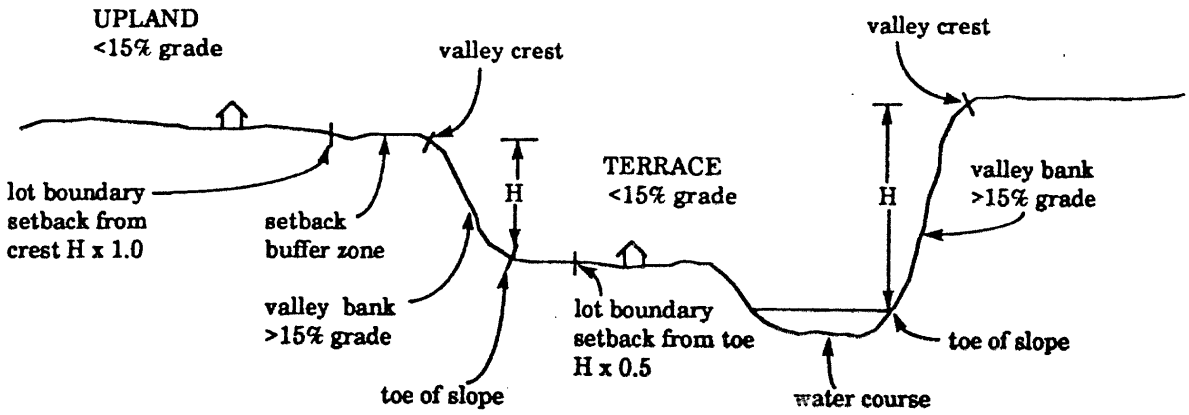


Table 1

Guidelines for the Setback of Lot Boundaries from a River Valley Crest where the Grade of the Adjacent Valley Bank Exceeds 15%

LOT BOUNDARY SETBACK

SLOPE FACTOR	H[1] x 2.0	H x 2.5	H x 3.0
LATERAL RIVER EROSION OF TOE OF SLOPE	No Erosion[2]	Minor Active Erosion	Major Active Erosion[3]
SLOPE STEEPNESS	>15 to 50% (>8.5 to 26.6 degrees)	51 to 100% (27.0 to 45 degrees)	more than 100%
SLOPE FAILURE ON BANK	No Failure, Minor[4] Inactive	Minor Active, Major[5] Inactive	Major Active Failure
PAST & EXISTING ANTHROPOGENIC DISTURBANCE[6]	No Disturbance to Moderate	Major Disturbance	
PROPOSED ANTHROPOGENIC DISTURBANCE	Minor to Moderate Disturbance	Major Disturbance	

1 The valley bank height, H is defined as the vertical distance from the valley crest to the toe of slope. The toe of slope may be found either where the valley bank meets a terrace or where it directly enters the water course.

2 an abandoned slope with the toe protected by a terrace

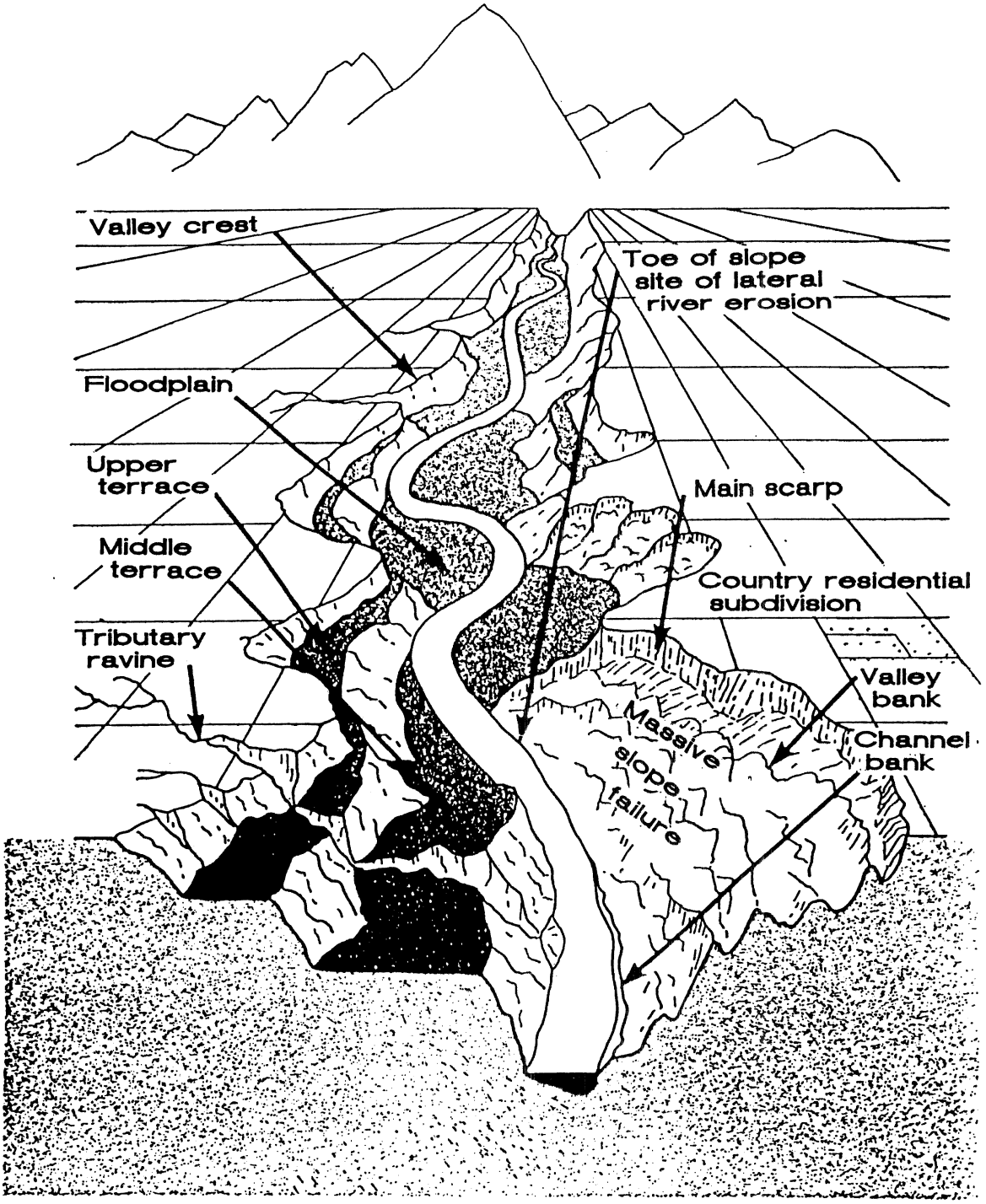
3 occurs on an outside bend of a river meander or opposite an island

4 minor refers to shallow slope failures, surface sloughing

5 major refers to deep seated slope failures involving the entire valley bank

6 man-induced disturbance such as excavating, filling, recontouring, drainage works, reservoirs, mining and tunnelling, utilities and roads

Figure 4.2 - Drawing of River Valley



(4) The Municipal Planning Commission shall require a flood risk analysis for development permit applications or subdivision applications for properties located in any river valley, drainage course or within 30.48 m (100 feet) of the high water mark of other water bodies such as lakes. The analysis shall use the "Guidelines for the Subdivision of Land in Areas Adversely Affected by River Flooding and Erosion".

(5) The Municipal Planning Commission shall require an applicant for a development permit or subdivision approval to undertake a geotechnical study to determine slope stability where they determine there is a risk for slope failure.

10. DRAINAGE

(1) At the discretion of the Development Officer or Municipal Planning Commission, the applicant shall be required to grade a parcel so all surface water shall drain from the building and site improvements in accordance with Alberta Environment regulations.

(2) The Development Officer or Municipal Planning Commission shall approve parcel and building elevations if drainage from existing elevations may affect adjacent parcels.

(3) No development shall alter the historic drainage patterns of the immediate area unless authorized by Alberta Environment and Parks.

11. AREA STRUCTURE PLAN / CONCEPTUAL SCHEME REQUIREMENTS

The Development Authority may require an applicant submit an area structure plan or a conceptual scheme prior to the designation of, or consideration for, development. Such plans shall address the following concerns to the satisfaction of the Municipal Planning Commission, including the:

(a) lot design, servicing, legal, physical and/or satisfactory access and sequence of development;

(b) undevelopable on-site areas subject to flooding, groundwater inundation, slumping and erosion;

(c) on-site areas of historical or archaeological significance;

(d) impact on the urban expansion strategies of any neighbouring municipality;

(e) impact on the safe, efficient operation of designated highways or rural roads;

(f) impact on future resource development of the area;

(g) impact on, access to or development of existing or potential recreation amenities;

(h) impact on wildlife habitats, natural areas and ecological reserves;

(i) potential conflicts with adjacent or surrounding land uses, particularly agricultural operations and irrigation systems;

(j) construction and financial responsibilities of the developer (development agreement);

(k) FireSmart provisions for the area;

(l) proposal results in six parcels or more in a quarter section, a certified report shall be prepared in accordance with the "Report Requirements under Section 23 of the Water Act for Subdivision Development";

(m) areas of historic or archaeological significance;

(o) any other matters considered necessary by the Municipal Planning Commission (see Schedule 11).

Schedule 5

MOVED-IN BUILDINGS/STRUCTURES/RESIDENCES

Schedule 5

MOVED-IN BUILDINGS / STRUCTURES / RESIDENCES

1. GENERAL REQUIREMENTS

(1) No building greater than 27.9 m^2 (300 sq. ft.) shall be relocated onto a different lot or parcel unless a development permit has been issued and any conditions of approval met.

(2) The building and the land upon which it is to be located shall be subject to all conditions and standards specified for the particular land use district involved.

2. APPLICATION FOR DEVELOPMENT PERMIT

The Development Officer or the Municipal Planning Commission may require any or all of the following be provided before an application to relocate a building from one lot to another can be accepted as a completed application:

(a) details of the purpose for which the building is to be used;

(b) the name and consent of the registered owner of the site to which the building is to be moved;

(c) written confirmation from a certified building inspector, at the applicant's cost, that the building meets, or can be made to meet, the provincial building code;

(d) details of the building's size and structural condition;

(e) details of any proposed improvements, alterations or renovations;

(f) an accurate plot or site plan of the site to which the building is to be moved;

(g) one or more recent colour photographs depicting different sides of the building.

3. CONDITIONS OF APPROVAL

The Municipal Planning Commission may attach any or all of the following conditions to a development permit to relocate a building:

(a) improvements, alterations or renovations required to meet other provisions of this bylaw, or to make the building compatible with surrounding uses and developments;

(b) specified improvements or alterations to the building and/or its proposed site to be completed by a certain date;

(c) a standardized security be provided to ensure that required improvements take place;

(d) the requirement of a building permit being obtained from a certified agency.

4. PERMIT VALIDITY

(1) No building shall be relocated until at least 21 days after the date of notification of the issuance of the development permit or, in the event of an appeal, until the appeal is decided.

(2) All structural and exterior renovations to a moved-in building shall be completed within 12 months of the issuance of a development permit.

(3) This schedule applies to both non-residential and residential structures with the exception of manufactured homes and new modular housing.

5. SECURITY

The Municipal Planning Commission, as a condition of a development approval, shall require the developer to provide a standardized $5,000.00 financial security with the municipality to ensure that any necessary improvements and/or standards are met, in accordance with the County's Fee Schedule.

Schedule 6

HOME OCCUPATIONS

Schedule 6

HOME OCCUPATIONS

1. CATEGORIES

For the purpose of this schedule and bylaw, the following classes shall be used to distinguish various home occupations:

Class 1 means a home occupation which involves the establishment only of an in-home office, phone and no more than two business vehicles.

Class 2 means a home occupation which may include one or more of the Class 1 criteria as well as one or more of the following:

(a) an exterior identification sign;

(b) an in-home retail sales area;

(c) an area for outdoor storage;

(d) the generation of pedestrian and vehicular traffic to the home occupation;

(e) the use of a garage or non-residential building for the activities associated with the home occupation;

(f) the use of three or more business vehicles;

(g) the use and storage of motorized equipment;

(h) one off-premises sign.

Class 3 means a home occupation which may include one or more of the Class 1 and 2 criteria as well as one or more of the following:

(a) the manufacturing, processing, assembly, packaging, storage, warehousing, shipping, wholesale distribution and/or retail sales of goods and services resulting from the home occupation;

(b) two or more off-premises signs.

2. APPLICATION

An application for a home occupation shall be considered by the Municipal Planning Commission or the Development Officer upon an application filed by the registered owner of the property unless a permit is not required as per Schedule 3 of this bylaw.

3. DISPLAYS / STORAGE

The issuance of a development permit for a Class 1 home occupation should not involve the display or storage of goods or equipment outside or inside the premises where these items are exposed to public view from the exterior.

4. COMPATIBILITY WITH NEIGHBOURHOOD

(1) No variation in the residential character and appearance of the dwelling, accessory residential building, or land should be permitted.

(2) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare produced by the use shall be discernible beyond the premises.

5. CONDITIONS OF APPROVAL

Permits issued for home occupations shall be subject to the conditions attached and may be revoked at any time if, in the opinion of the Municipal Planning Commission, the use is, or has become detrimental to the residential character of and amenities of the neighbourhood.

6. SIGNS

Permits for signs shall be in accordance with the Cardston County Sign Bylaw.

Schedule 7

WIND ENERGY CONVERSION SYSTEMS (WECS)

Schedule 7

WIND ENERGY CONVERSION SYSTEMS (WECS)

1. DEFINITIONS

The following definitions apply to this part:

Blade - A part of a WECS rotor which acts as a single airfoil, to extract kinetic energy directly from the wind.

Blade Clearance - The distance from grade to the bottom of the rotor's arc.

External Parcel Boundary - The property boundary for lands which are outside the footprint of the wind farm and adjacent to the WECS, where adjacent refers to lands contiguous in nature and not separated by a municipal road allowance.

Horizontal Axis Rotor - A wind energy conversion system, typical of conventional or traditional windmills.

Internal Parcel Boundary - The property boundary for lands which are within the footprint of the wind farm.

Rotor's Arc - The largest circumferential path travelled by a WECS' blade.

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.

Tower - The structure which supports the rotor above grade.

Vertical Axis Rotor - A wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

Small Scale Wind Energy Conversion System (Category 1) – A wind energy conversion system less than 6.1 m (20 feet) in height consisting of a single structure with the capacity to generate electricity only for the property owner's use on the site it is located, and not supplying power to the grid.

Wind Energy Conversion System (WECS) (Category 2) – A wind energy conversion system of one or more structures designed primarily for the property owner's use but capable of producing excess power supplying the provincial grid system.

Wind Energy Conversion System (WECS) (Category 3) – A wind energy conversion system of one or more structures designed to convert wind energy into mechanical or electrical energy on one or more parcels of land for commercial purposes.

2. INFORMATION REQUIREMENTS

All development applications for a WECS, depending upon category, shall be required to be accompanied by the following:

	Category 1	Category 2	Category 3
(a) a site plan showing and labeling the information outlined in this schedule, and the location of overhead utilities on or abutting the subject lot or parcel;	✓	✓	✓
(b) a detailed public consultation process, complete with a summary report;			✓
(c) an analysis of the visual impact of the project with respect to the scenic qualities of the municipal landscape, including the cumulative impact of other WECS in the area and the impact of overhead collection lines;			✓
(d) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour;	✓	✓	✓
(e) the manufacturer's specifications indicating: (i) the WECS rated output in kilowatts; (ii) safety features and sound characteristics; (iii) type of material used in tower, blade, and/or rotor construction;	✓	✓	✓
(f) a noise analysis at the site of the installation and the boundary of the property containing the development, to ensure consistency with AUC Rule 12 and Noise Directive 038;		✓	✓
(g) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;	✓	✓	✓
(h) proof of the applicant's circulation to required regulatory agencies and government departments;		✓	✓

		Category 1	Category 2	Category 3
(i)	information regarding general public safety;	✓	✓	✓
(j)	impacts to the local road system including required approaches from public roads;			✓
(k)	a plan outlining site decommissioning and reclamation;			✓
(l)	a description of potential impacts on existing or nearby WECS and wind infrastructure on adjacent properties.		✓	✓

3. REFERRALS

Prior to making a decision on a development application for a WECS, the Development Officer or Municipal Planning Commission shall refer and consider the input of the following if provided:

- Culture, Multiculturalism and Status of Women,
- Alberta Electric System Operator (AESO),
- Alberta Environment and Parks,
- Alberta Transportation,
- Alberta Utilities Commission,
- Navigation Canada, and
- Transport Canada.

4. SETBACKS

(1) A WECS shall be located at a distance of twice the height of the WECS, as measured from grade to the highest point of rotor's arc, from any dwelling or at the distance established by the 'AUC Rule 012: Noise Control' and the greater distance shall be applied.

(2) A WECS should be located so the outside of the rotor arc is a minimum of 10 m (32.8 feet) from the vertical projection of the internal parcel boundary and the total height plus ten (10) percent from any external parcel boundary. These setbacks shall apply only when adjacent parcels are held by different landowners.

(3) The setback for a WECS shall be a minimum of 100 m (328 feet) from a municipal road allowance.

5. MINIMUM BLADE CLEARANCE

The minimum vertical blade clearance from grade shall be 7.5 m (24.6 feet) for a WECS employing a horizontal axis rotor unless otherwise required by the Municipal Planning Commission.

6. COLOUR AND FINISH

(1) A WECS shall be finished in a non-reflective matte and colour which minimizes the obtrusive impact of a WECS, to the satisfaction of the Development Officer or Municipal Planning Commission.

(2) The wind turbines may display the developer's and/or manufacturer's logos and identification lettering on the structure.

7. NUMBER OF WECS

(1) Two or more WECS on a parcel or lot will be considered a multiple WECS for the purposes of this bylaw.

(2) The Development Officer or Municipal Planning Commission may approve multiple WECS on a case-by-case basis having regard for:

(a) proximity to other immediate land uses,

(b) density of WECS,

(c) underlying utilities,

(d) information received through the circulation process and at the development hearing.

Schedule 8

SOLAR ENERGY SYSTEMS AND ALTERNATIVE/RENEWABLE ENERGY

Schedule 8

SOLAR ENERGY SYSTEMS AND ALTERNATIVE/RENEWABLE ENERGY

1. SOLAR ENERGY SYSTEMS

Definitions

Solar energy system, agricultural, is a system using solar panels to collect solar energy from the sun and convert it to energy to be used for on-farm purposes, agricultural production or processing and on-site consumption. These energy systems are connected to the power grid and may augment the grid from time to time.

Solar energy system, commercial/industrial, is a system using solar technology to collect energy from the sun and convert it to energy to be used for off-site consumption, distribution to the marketplace, or a solar energy system not meeting the definition of solar energy systems, household.

Solar energy system, household, is a photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal or chemical energy intended for primarily the use and consumption on-site, by the landowner, resident or occupant. Solar energy system, household has an installation capacity of up to a maximum of 5 megawatts. These energy systems are connected to the power grid and may augment the grid from time to time.

Solar Energy System, Household Applications

(1) Development applications for solar energy system, household, shall be accompanied by the following information:

(a) documentation showing the system is designed to produce energy for primarily the use and consumption on site by the landowner, resident or occupant;

(b) manufacturer's specifications for system design, installation and output capacity;

(c) orientation and placement of solar panels on the site including setbacks from the property lines;

(d) manufacturer's specification and design drawings for panels mounted to the roof or walls of a building or accessory structure, including how the panels are to be affixed, maximum projection from the roof or wall, and structural capacity of the roof or wall to support the proposed development;

(e) for free-standing solar panels, a description of the proposed ground mount design and maximum height from the existing grade; and

(f) documentation showing all systems for mounting and securing meets Safety Code requirements.

(2) Solar energy system, household, shall adhere to the following:

(a) panels shall be located so they do not create a glare on or impact neighbouring parcels or public roadways, in a way it unduly affects the amenities of the neighbourhood, or presents a danger to the travelling public;

(b) panels mounted to a roof of a building or accessory structure shall not extend beyond the outermost edge of the roof;

(c) panels mounted to a roof or wall of a building or accessory structure shall not project more than 0.45 m (1.5 feet) from the surface;

(d) the maximum height of a free-standing solar panel shall not exceed 3.6 m (12 feet);

(e) setbacks prescribed in the land use district or those setbacks established by a condition applied to a development permit shall prevail; and

(f) the maximum number of panels per parcel shall be regulated by the Development Authority, subject to the existing use of the parcel and the current use of adjacent parcels.

Solar Energy System, Commercial/Industrial Applications

(3) Development applications for solar energy system, commercial/industrial, shall be accompanied by the following information:

(a) location of overhead utilities on or adjacent to the subject parcel;

(b) location and identification of environmentally sensitive areas on the parcel where the panels are to be located;

(c) detailed site plan showing the titled parcel(s), location of the solar energy system, required setbacks, existing structures, distance from adjacent lands and public roadways;

(d) details regarding the system type, number of structures, height of structures, energy process, grid connection and rated output;

(e) details regarding signage, public safety and security measures;

(f) site suitability analysis, including but not limited to, topography, soils characteristics and classification, storm water collection and management, road accessibility, grading and drainage plan, availability of water supply, sewage disposal and solid waste disposal if required, compatibility with surrounding land uses, potential impacts on agricultural land, potential visual impacts and consistency with the Municipal Development Plan;

(g) impacts on the local road system including approaches;

(h) post construction and decommissioning plan detailing removal of all solar energy structures and the reclamation of the lands back to or as close as possible, to its natural state; and

(i) environmental impact assessment prepared by a qualified professional demonstrating site suitability, impact mitigation ad reclamation requirements.

Public Consultation

(4) The applicant, or agent, shall advertise and host at least one open house or public meeting, in the general area of the site proposed for development, and provide proof of the meeting with a summary of the findings, to the municipality prior to the Municipal Planning Commission meeting, where the application will be heard.

Additional Approvals

(5) Copies of regulatory approvals, utility permits and any other approvals required by the federal and/or provincial government shall be provided to the municipality.

Protection of Agricultural Lands

(6) In order to minimize the impact on agricultural lands, the:

(a) siting of solar energy systems, commercial/industrial should take place on lands considered to be low production, in dry corners, or on poor agricultural land with a Canada Land Inventory (CLI) soil classification of 4 through 7;

(b) use of irrigated land, native prairie grassland, and high quality agricultural soils with a Canada Land Inventory (CLI) soils classification of 1 through 3, should be discouraged.

Notification

(7) Development applications shall be referred to and comments be considered, if provided from:

(a) provincial and federal agencies, including but not limited to:

- Agriculture and Forestry,
- Culture, Multiculturalism and Status of Women,
- Alberta Energy Systems Operator (AESO),
- Alberta Environment and Parks,
- Alberta Transportation,
- Alberta Utilities Commission,
- NavCanada, and
- Transport Canada;

(b) adjacent municipalities; and

(c) landowners within 3.2 km (2 miles) of the proposed site consistent with 'AUC Rule 007' guidelines for public notification, or in accordance with an existing Intermunicipal Development Plan, or both.

Additional Conditions

(8) Depending on the size, type and site of the project being proposed, the Development Officer or Municipal Planning Commission may require the applicant to comply with any or all of the following standards or conditions:

(a) surface drainage shall be contained on the site, by a system approved by Alberta Environment and Parks, to ensure adjacent water bodies are not affected by run-off;

(b) a surface drainage plan shall be prepared by an engineer, at the developer's expense;

(c) redesignation of the property to the appropriate land use designation prior to making a development application;

(d) a road use agreement, complete with security shall be entered into as a condition of development; and

(e) a development agreement shall be entered into and registered on the title of the lands where the project is sited.

2. ALTERNATIVE/RENEWABLE ENERGY SYSTEMS

Definitions

Alternative/renewable energy, commercial/industrial means a use producing energy fuelled in ways not using natural resources such as fossil fuels, but is derived from sources such as geo-thermal, solar, water, wind, waste and waste by-products, which is then sold by off-site distribution to the market place.

Alternative/renewable energy, individual means a use producing energy without the use of natural resources such as fossil fuels, but is derived from sources such as geo-thermal, solar, water, wind, waste and waste by-products, used on-site for the sole consumption of the landowner, resident or occupant.

Anaerobic digester means a facility or system designed to process animal manure, organic or septic waste for conversion to bio-gas, which is then used to heat water or create electricity or organic fertilizer.

Biodiesel means alternative fuel produced from but not limited to renewable resources such as soy oil, animal fat or vegetable oil, by using a chemical process.

Bioenergy means the development of energy stored in organic matter such as wood, wood chips, bark, agricultural residue, and animal manure, used to generate electricity using thermal treatments, anaerobic digestion, biofuel or landfill methane.

Biofuel means a fuel derived from biological raw materials or biomass, such as animal manure.

Fermentation means the process of extracting energy from the oxidation of organic compounds.

Gasification means the process of converting organic or fossil based carbonaceous materials into carbon monoxide, hydrogen and carbon dioxide.

Geothermal energy means thermal energy generated and stored in the Earth.

Mechanical biological treatment system means a waste processing facility combined with a sorting facility applying a biological treatment such as composting or aerobic digestion.

Micro-hydro means hydroelectric power producing up to 100 kW of electricity using the natural flow of water.

Waste-to-Energy means the process of creating electricity or heat from the incineration of a waste source.

Permit Required

(1) All alternative/renewable development projects such as, but not limited to, anaerobic digester, biodiesel, bioenergy, biofuel, gasification, geothermal energy, mechanical biological treatment system, micro-hydro and waste-to-energy, require a development permit. This section is specific and applies to those commercial/industrial projects whose intent is to sell or export energy off-site.

Information Requirements

(2) Development applications for alternative/renewable energy, shall be accompanied by the following information:

(a) site plan showing and labelling the proposed development showing setbacks, building and structure sizes and location on the site, and distance to adjacent properties;

(b) site suitability analysis, including but not limited to, topography, soils characteristics and classification, storm water collection and management, road accessibility, grading and drainage plan, availability of water supply, sewage disposal and solid waste disposal if required, compatibility with surrounding land uses, potential impacts on agricultural land, potential visual impacts and consistency with the Municipal Development Plan;

(c) detailed information on the type of facility, structure or system and the energy process involved;

(d) manufacturer's specifications including the rated output in megawatts and safety features;

(e) impact analysis addressing sound, lighting, odour, by-products, waste products, traffic impacts on local and provincial roads, and haul routes;

(f) verification of a proposed water source, if required for the facility including water usage and reclamation;

(g) information regarding emergency response plan, safety plan for operations and general public safety;

(h) decommissioning plan and reclamation plan.

Public Consultation / Commercial Operations

(3) The applicant, or agent, shall advertise and host at least one open house or public meeting, in the general area of the site proposed for development, and provide proof of the meeting with

a summary of the findings, to the municipality prior to the Municipal Planning Commission meeting where the application will be heard.

Setbacks

(4) The buildings or structures of a commercial or industrial energy project shall comply with all the property line and public roadway setbacks as established in the district in which the project is proposed.

(5) In addition to the requirements in (4) above, structures or facilities related to waste-to-energy, anaerobic digesters, biodiesel or biofuels development shall not be located within:

(a) 304.8 m (1000 feet) of any residence, food establishment or public use facility;

(b) 121.9 m (400 feet) of any boundary or right-of-way of an irrigation district canal, creek, river, stream, lake shore or water body;

(c) parts of the project limited to transmission lines may be allowed within 30.48 m (100 feet) of those indicated in subsection (b) at the discretion of the Municipal Planning Commission subject to compliance with federal or provincial regulation.

(6) The Municipal Planning Commission may require larger minimum setbacks than stated in this section, having regard for the location of the development, potential environmental impacts, adjacent land uses and any determined natural, scenic, ecologically significant or environmentally significant features of the site or adjacent sites which may be affected by the development.

Notification

(7) Development applications for a commercial or industrial energy project may be referred to provincial and federal agencies, including but not limited to:

- Agriculture and Forestry,
- Culture, Multiculturalism and Status of Women,
- Alberta Energy Systems Operator (AESO),
- Alberta Environment and Parks,
- Alberta Sustainable Resource Development,
- Alberta Transportation,
- Alberta Utilities Commission,
- Natural Resources Conservation Board,
- NavCanada,
- Transport Canada,

and adjacent municipalities and landowners within 3.2 km (2 miles) of the proposed site or in accordance with an existing Intermunicipal Development Plan.

Additional Conditions

(8) Depending on the size, type and site of the project being proposed, the Municipal Planning Commission may require the applicant comply with any or all of the following standards:

(a) surface drainage must be contained on the site, by a system approved by Alberta Environment and Parks, to ensure adjacent water bodies are not affected by run-off;

(b) surface drainage plan must be prepared by an engineer, at the developer's expense;

(c) redesignation of the property to the appropriate land use designation;

(d) any biodiesel waste or water contaminated with biodiesel, is prohibited to be discharged directly into any sewer or water body;

(e) any licence, permit, approval or authorization granted by a provincial or federal regulatory body shall be filed with the municipality and adhered to;

(f) a road agreement, complete with security as required by the Municipal Planning Commission, shall be entered into as a condition of development; and

(g) a development agreement shall be entered into and registered on the title of the lands where the project is sited.

Site Specific Energy Generating Facilities

(9) Energy generating facilities whose energy is not distributed off site where the energy generating facility is located may be approved on a case-by-case basis by the Municipal Planning Commission taking into regard the applicable standards of this bylaw and provincial and federal regulations.

Schedule 9

KENNEL REGULATIONS

Schedule 9

KENNEL REGULATIONS

1. DEFINITIONS

Kennel - Category 1 means a commercial establishment in which three or less dogs, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes a veterinary clinic.

Kennel - Category 2 means a commercial establishment in which more than three dogs, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes a veterinary clinic.

2. APPLICATION

(1) An application for a development permit shall be made to the Development Officer by submitting:

(a) a completed development application in Form A of Appendix D;

(b) the fee prescribed in Appendix C;

(c) a site plan showing the legal description, property lines, setbacks, easements, and the location of existing and proposed development in relation to lot boundaries; and

(d) floor plans and elevations at a minimum scale of 1:200 or such other scale as required by the Development Officer.

(2) Buildings or exterior exercise area(s) shall not be used to accommodate dogs within 304.8 m (1000 feet) of a dwelling located on adjacent parcels and a diagram indicating the distances shall be submitted with the development permit application.

(3) The Municipal Planning Commission shall determine the maximum number of adult dogs kept at any one time by the kennel owner.

3. CONSTRUCTION STANDARDS

(1) Dog facilities, including buildings and exterior exercise areas, shall be located to the rear of the principal building and be constructed to the following standards:

(a) interior walls and ceilings shall be constructed of washable building material;

(b) exterior walls shall be fire-resistant and impervious to moisture;

(c) doors, window frames and window sashes shall be impervious to moisture and rodent resistant;

(d) insulation shall be required; and

(e) all facilities shall have ventilation and light.

(2) Pens, rooms, exercise runs, and holding stalls shall be soundproofed if deemed necessary by the Municipal Planning Commission which shall base its decision on the number of animals to be kept at the kennel, the proximity of the kennel to other uses and/or other kennels, and adverse effects on the amenities of the area.

(3) All kennel facilities shall be screened by visual and sound barriers, fences and/or landscaping, to the satisfaction of the Municipal Planning Commission.

4. HOURS OF OPERATION

In addition to soundproofing requirements, the times at which the animals are allowed outdoors may be regulated.

5. HEALTH REQUIREMENTS AND INSPECTION REPORTS

(1) Kennel facilities shall be operated in accordance with provincial health regulations. All excrement and similar waste shall be disposed of in a manner acceptable to Alberta Health Services.

(2) As a condition of approval, the Municipal Planning Commission shall require the applicant to submit an inspection report, prepared by a Doctor of Veterinary Medicine, to the municipality on an annual basis.

6. SUPERVISION

As a condition of development approval, the Municipal Planning Commission may establish hours of supervision for the animals housed at a kennel.

Schedule 10

CANNABIS REGULATIONS

Schedule 10

CANNABIS REGULATIONS

1. DEFINITIONS

For the purpose of this schedule of the Land Use Bylaw, the following definitions shall apply:

Cannabis refers to the plant Cannabis sativa and is as defined in the Government of Canada *Cannabis Act*.

Cannabis accessory refers to the products used in the consumption of cannabis and is as defined in the Government of Canada *Cannabis Act*.

Cannabis distribution and wholesaling means an activity regulated by the province through the Alberta Gaming, Liquor and Cannabis Commission (AGLC) where cannabis is provided from the grower to the retailer.

Cannabis, licensed medical production means the authorized horticultural production and processing of cannabis for medical purposes and pharmaceutical prescriptions.

Cannabis, licensed recreational production means the authorized horticultural production and processing of cannabis to supply cannabis retail stores to sell to consumers of a legal age.

Cannabis production facility means a development where medical and/or recreational cannabis is grown, processed, packaged, tested, stored, destroyed or loaded for shipping.

Cannabis retail store means a business which has been licensed by the province to sell cannabis and cannabis accessories to consumers of a legal age.

2. APPLICABILITY

The requirements of this schedule apply to all cannabis retail stores, and cannabis production facilities.

3. CANNABIS RETAIL STORE

All cannabis retail stores shall meet the following requirements:

(1) Prior to applying for a municipal development permit for a cannabis retail store, the applicant is required to apply to the Alberta Gaming, Liquor and Cannabis Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application.

(2) As part of the development application, the applicant shall demonstrate how the building location and design comply with all requirements under the *Alberta Gaming, Liquor and Cannabis Regulation*.

(3) The developer or applicant or owner shall provide copies of all approved Alberta Gaming, Liquor and Cannabis Commission licenses as a condition of the development permit.

(4) The business must obtain and maintain a current business license.

(5) The hours of operation for the business may be established as a condition of a development approval.

(6) All signage for the cannabis retail store use shall be in accordance with the *Alberta Gaming, Liquor and Cannabis Regulation*.

4. CANNABIS PRODUCTION FACILITY

All cannabis production facilities shall meet the following requirements:

(1) The owner or applicant must provide, as a condition of development permit, a copy of the current license for all activities associated with cannabis production as issued by Health Canada.

(2) The owner or applicant must obtain any other required approval, permit, authorization, consent or license to ensure compliance with applicable federal, provincial or other municipal legislation.

(3) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.

(4) The development shall not operate in conjunction with another approved use.

(5) The development shall not include an outdoor area for storage of goods, materials or supplies.

(6) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.

(7) The Municipal Planning Commission may require, as a condition of a development permit, a public utility and waste management plan, completed by a qualified professional including detail on:

(a) the incineration of waste products and airborne emissions, including smell;

(b) the quantity and characteristics of liquid and waste material discharged by the facility; and

(c) the method and location of collection and disposal of liquid and waste material.

5. SETBACKS

For the purposes of sections 640(7), 642(5) and 687(3) of the *Municipal Government Act*, a premises described in a cannabis licence may not have any part of an exterior wall located within 500 m (1640 feet) of:

(a) a provincial health care facility or a boundary of the parcel of land on which the facility is located;

(b) a building containing a school or a boundary of a parcel of land on which the building is located; or

(c) a boundary of a parcel of land designated as school reserve or municipal and school reserve under the *Municipal Government Act*.


The Future of Cannabis in Alberta
The rules around cannabis in Alberta once it is legal in summer 2018.
AGE LIMIT
18+
LICENSED GROWERS
Strictly regulated by the federal government.
PROVINCIAL GOVERNMENT OVERSIGHT
The Alberta Gaming and Liquor Commission (AGLC) directly manages how cannabis gets from the licensed grower to the retailer.
WORKPLACE
Alberta is reviewing all existing regulations and programs to ensure rules continue to address impairment at work.
AGLC-OPERATED ONLINE SALES
Age verification occurs at point of sale and at delivery.
ADVERTISING
Product advertising will only be allowed inside cannabis stores.
DRIVING
Police are able to suspend licences and seize vehicles if people drive impaired, including impairment by cannabis.
PRIVATE CANNABIS RETAIL STORES
May only sell cannabis and cannabis accessories. Minors are prohibited from entering cannabis stores, even if accompanied by an adult.
POSSESSION
Adults can possess up to 30 grams of legal cannabis in public.
PUBLIC CONSUMPTION
HOME
Each household is allowed to grow up to four plants. Landlord and tenant agreements or condo bylaws can be used to set rules for consumption and growing.
OWNERS AND STAFF
Must undergo extensive background checks. Qualified employees must be 18 and undertake training.
Smoking and vaping cannabis are prohibited in areas frequented by kids and other public places where smoking tobacco is prohibited.
February 2018
Alberta
alberta.ca/cannabis

Jurisdictional Responsibilities

Activity	Responsible		
	Federal	Provincial	Municipal
Possession limits **	✓		
Trafficking	✓		
Advertisement & packaging **	✓		
Impaired driving	✓	✓	
Medical cannabis	✓		
Seed-to-sale tracking system	✓		
Production (cultivation and processing)	✓		
Age limit (federal minimum) **	✓		
Public health	✓	✓	
Education	✓	✓	✓
Taxation	✓	✓	✓
Home cultivation (growing plants at home) **	✓		
Workplace safety		✓	
Distribution and wholesaling		✓	
Retail model		✓	
Retail location and rules		✓	✓
Regulatory compliance	✓	✓	
Public consumption		✓	✓
Land use/zoning			✓

Schedule 11

AREA STRUCTURE PLAN/ CONCEPTUAL SCHEME REQUIREMENTS

Schedule 11

AREA STRUCTURE PLAN / CONCEPTUAL SCHEME REQUIREMENTS

1. INTRODUCTION

The following guidelines provide pertinent information for applicants who have been directed to prepare detailed subdivision and/or development plans prior to a land use redesignation or a subdivision or development application being filed with the municipality.

2. DEFINITIONS

Area structure plan means a statutory plan, adopted by municipal bylaw, prepared in accordance with section 634 of the *Municipal Government Act* and the local Municipal Development Plan for the purpose of providing a framework for subdivision and development of land in the municipality.

Conceptual scheme means an area structure plan which has not been adopted by municipal bylaw.

3. AREA STRUCTURE PLAN / CONCEPTUAL SCHEME REQUIREMENTS

Depending on the magnitude or complexity of a development and/or subdivision proposal, the Municipal Planning Commission may require an applicant to submit an area structure plan or conceptual scheme prior to a land use redesignation or consideration of a subdivision and/or development proposal within the following land use districts:

- Grouped Country Residential – GCR
- Grouped Country Residential 2 – GCR-2
- Rural Commercial/Industrial 1 – RCI-1
- Rural Commercial/Industrial 2 – RCI-2
- Rural Recreational – RR
- Direct Control 1 – DC-1

If required, such plans shall address the following issues or concerns to the satisfaction of the Municipal Planning Commission, including the:

(a) lot design, servicing, legal, physical and/or satisfactory access, and sequence of development;

(b) undevelopable on-site areas subject to flooding, groundwater inundation, slumping and erosion;

(c) on-site areas of historical or archaeological significance;

(d) impact on the urban expansion strategies of any neighbouring municipality;

(e) impact on the safe, efficient operation of nearby highways or rural roads;

(f) impact on future resource development of the area;

(g) impact on, access to or development of the areas existing or potential recreation amenities;

(h) impact on vicinity wildlife habitats, natural areas and ecological reserves;

(i) potential conflicts with adjacent or surrounding land uses;

(j) construction and financial responsibilities of the development (development agreement);

(k) if within 1.6 km (1 mile) of a provincial highway, any comments from Alberta Transportation;

(l) if the proposal would result in six parcels or more in a quarter section, a certified report 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. The costs of preparation, evaluation, interpretation and/or distribution of the said report shall be borne by the applicant and the results shall be forwarded to the Regional Director for the *Water Act* for interpretation, evaluation and comment;

(m) FireSmart provisions in the area; and

(n) any other matters considered necessary by the municipality.

4. AREA STRUCTURE PLAN / CONCEPTUAL SCHEME COMPONENTS

(a) **Legal, Physical and/or Satisfactory Access**

Prior to the municipal Council considering an area structure plan, a conceptual scheme or a bylaw amendment to accommodate a subdivision and/or development proposal, the developer shall demonstrate that the project land has or will have a legal, physical and/or satisfactory means of access.

(b) **Lot Sizes**

The minimum lot size for any or all country residential parcels shall be 0.4 ha (1 acre) unless waived to a lesser amount by the Municipal Planning Commission.

(c) **Parcel Densities**

The plan or scheme shall identify, at full build-out, the maximum amount of lots proposed for the development area.

(d) **Conceptual Designs**

An application for a multi-lot or recreational proposal shall be accompanied by a detailed site plan showing all proposed lots and future development area on the said parcel. The site plan shall be drawn to scale and a copy submitted to the Development Officer when an application is filed with the municipality.

(e) **Contours**

Where developments are proposed to be built in areas of slopes greater than 10 percent or where roads and water channelization are to be incorporated into the development, a detailed contour map shall be prepared for the development area.

(f) **Water Supply**

The area structure plan or conceptual scheme shall describe the water supply proposed for the development area. An indication of the number and location of wells or the number and capacity of cisterns shall be provided by the developer.

NOTE: If wells are to be used individually or as a community water supply, the developer is encouraged to have the said well(s) licensed with the Groundwater Branch of Alberta Environment and Parks.

(g) **Sewage Disposal**

The area structure plan or conceptual scheme shall describe the sewage disposal system proposed for the development area. Septic fields or pump-out systems shall be used for private sewage disposal systems based on geotechnical information provided by the developer. All sewage installations shall be in accordance with the Private Sewage Disposal Systems Regulation.

(h) **Types of Subdivision**

The Municipal Planning Commission is the Subdivision Authority having jurisdiction in the County. An application that proposes a multi-lot subdivision shall be undertaken either by a plan of survey or by a condominium plan (if bareland is involved).

NOTE: An undivided interest whereby a number of land owners are identified on one or more certificate of title does not constitute a subdivision of land.

(i) **Development Agreements**

Pursuant to the *Municipal Government Act* the municipality may, at the time of subdivision or development, require the developer to enter into a development agreement for the construction of roadways and/or servicing necessary to serve the development area.

NOTE: The municipality may require the developer to provide a form of security to ensure that any or all aspects of the agreement are undertaken to the satisfaction of the County.

(j) **Geotechnical Reports**

As a requirement of the area structure plan or conceptual scheme, geotechnical reports may be required by the municipality. The said reports may require the following testing and subsequent reports to be undertaken:

- percolation,
- aquifer and groundwater analysis,
- slope stability,
- drainage.

(k) **Architectural Controls**

As a development standard of the area structure plan or conceptual scheme, architectural controls are suggested to be supplied by the developer to ensure all development in the

development area is consistent with neighbouring property. These controls shall be registered concurrently by a Restrictive Covenant at the time a plan of survey is filed with Land Titles Office and the sole responsibility of the developer to invoke and enforce.

(l) **Phasing of Subdivision and Development**

The developer shall provide to the municipality a detailed time frame that outlines the timing they envision for the consideration and subsequent decision on their development and/or development application.

(m) **Public Participation Process and Consultation**

The developer shall provide to the municipality a detailed outline of the proposed public participation process for the development and/or subdivision. An indication of the time and place of public meetings as well as consultation with the elected officials and affected community residents is encouraged.

(n) **Transportation Routes and Public Utilities**

A requirement of an area structure plan or conceptual scheme is to indicate and provide locations of existing and proposed transportation routes and public utilities which will serve the development area.

(o) **Municipal Reserve Dedications**

Pursuant to the *Municipal Government Act*, the municipality may require the applicant proposing a multi-lot subdivision to provide up to 10 percent of the development area for Municipal Reserve purposes. As the municipality's existing policy is to take money in place of land for this purpose, a market analysis provided by the developer or a price agreed upon by both parties will be used to determine the value of reserve owing on the proposal.

(p) **Subdivision and Development Referrals**

The developer may be required to obtain other regulatory approvals from the appropriate agencies and government departments that have jurisdiction on proposed uses. The municipality is required to refer certain applications to various agencies and departments for their comments and consent.

NOTE: A municipal approval does in no way absolve a developer from obtaining any other necessary local, provincial or federal approvals including the requirement to undertake an environmental impact assessment.

(q) **Historic Resources**

Subdivision or development proposals for lands identified that contain, or are likely to contain, historic or archaeological significance may be required to conduct a Historic Resources Impact Assessment prior to the onset of development activities in consideration of the requirements of the provincial *Historical Resources Act* and any directives from Culture, Multiculturalism and Status of Women. If required, this assessment shall be conducted by a qualified consultant on behalf of the proponent at the proponent's expense.

(r) **Other Development Considerations**

The developer, in preparing the area structure plan or conceptual scheme, shall provide details, including but not limited to, the following matters:

- garbage disposal,
- fire protection (location of on-site or nearby water reservoirs),
- school bus service,
- location, width and turning radius of existing and proposed roadways,
- access and egress to the proposal,
- a statement of all intended land uses for the development site,
- types and location of fencing proposed for the development,
- the environmental impacts on lands and wildlife in the immediate area,
- the FireSmart provisions for the area.

(s) **Municipal Prerogatives**

The municipality, at its sole discretion, may undertake any or all of the following:

- adopt a duly prepared area structure plan by municipal bylaw, or prepare a conceptual scheme which will govern subsequent subdivision and development of the specific area,
- may change any or all of the guidelines or requirements outlined in the above-noted sections,
- may waive the requirements to provide any of the information discussed in these guidelines if the components are not necessary for the area,
- may waive the lot sizes or the parcel densities proposed in these guidelines,
- may require the developer to provide a higher standard of servicing than outlined in the Land Use Bylaw or a statutory plan based on the density or complexity of a development proposal,
- may require the developer to provide any additional information not addressed or contemplated in these guidelines.

Schedule 12

SHIPPING CONTAINERS

Schedule 12

SHIPPING CONTAINERS

1. GENERAL STANDARDS

(1) Shipping containers shall only be allowed in the land use districts where they are listed as a permitted or discretionary use in Schedule 2, Land Use District Regulations.

(2) An application for a development permit for a proposed shipping container(s) shall be completed and submitted to the Development Officer along with the appropriate application fee. At least two recent colour photographs of each container (one end view and one side view) shall accompany the application.

(3) There shall be a principal use on the property where the shipping container is proposed, except as provided in Section 2 of this schedule.

(4) The maximum number of shipping containers permitted on a lot shall be regulated by the Development Officer or the Municipal Planning Commission.

(5) Where multiple shipping containers are permitted on a lot, they shall be stacked no more than two containers high.

(6) The Development Officer or Municipal Planning Commission may require as a condition of approval that any shipping container be maintained to the satisfaction of the Municipal Planning Commission.

(7) The Development Officer or Municipal Planning Commission may require as a condition of approval that any shipping container be screened from view or landscaped.

(8) The exterior of all shipping containers should be kept clean**.**

(9) Shipping containers should not display advertising, company logos, names or other marketing without an approved sign permit.

(10) The Development Officer or Municipal Planning Commission may regulate the time period for which a development permit is valid through the issuance of a temporary permit. The validity of a temporary permit shall not exceed one year.

(11) A development that proposes to convert shipping containers to use as a building or structure for a different use may be considered by the Development Officer or Municipal Planning Commission subject to the following:

(a) the use is a permitted or discretionary use in the applicable land use district in which the development is proposed;

(b) the shipping container conversion will be able to meet all applicable building and safety code requirements; and

(c) the Development Officer or Municipal Planning Commission is satisfied that the design, character and appearance of the finished building is compatible with other buildings in the vicinity and that the design, character and appearance of the building is consistent with the purpose of the land use district in which the building is located.

(d) The Development Officer or Municipal Planning Commission may require engineering reports, structural engineer's stamped schematic drawings, and building inspection reports in consideration of approving a development permit for a shipping container conversion.

2. TEMPORARY SHIPPING CONTAINERS

A shipping container may be placed temporarily on a construction site, for the period of construction only, in any land use district without obtaining a development permit subject to the following provisions:

(a) the shipping container is needed in connection with construction of a development for which a development permit has been issued;

(b) the construction site is active (i.e. construction has commenced and is on-going or is about to commence within one week); placement of a shipping container on an inactive construction site is not permitted;

(c) no more than one shipping container is placed on the construction site (a development permit will be required for any additional shipping containers that are required);

(d) the exterior of the shipping container is kept clean and does not display any advertising other than the company logo or trademark;

(e) in hamlet land use designations, the shipping container shall be located a minimum of 3.05 m (10 feet) from the front property line and 1.52 m (5 feet) from the side and rear property lines;

(f) in rural land use designations, the placement of the shipping container shall comply with public roadway setback requirements;

(g) the shipping container shall be removed immediately upon completion of construction.

3. SHIPPING CONTAINERS ASSOCIATED WITH AGRICULTURE

Within the Agricultural – AG land use district, a maximum of four shipping containers are permitted without obtaining a development permit subject to the following provisions:

(a) the shipping containers are associated with agriculture;

(b) the lot upon which the containers are placed is 1.21 ha (3 acres) or greater in size;

(c) the location of the containers comply with the public roadway setback requirements of the land use district;

(d) the exterior of the shipping containers be kept clean and regularly maintained;

(e) the shipping containers should not display advertising, company logos, names or other marketing without an approved sign permit.

Schedule 13

LIQUOR REGULATIONS

LIQUOR REGULATIONS

1. DEFINITIONS

For the purpose of schedule B of the Land Use Bylaw, the definitions located in the Gaming, Liquor, and Cannabis Act shall apply and the following definitions will also apply:

Gaming, Liquor and Cannabis Act – The ACT approved by the Province of Alberta to regulate Gaming, Liquor and Cannabis.

Gaming, Liquor and Cannabis Regulation – as per Alberta Regulation 143/1996

Liquor means any wine, beer, cider, spirits, or other product that is intended for human consumption in which the percentage of alcohol by volume exceeds an amount prescribed by the regulations, unless the product is secluded from the definition of liquor by board regulations under section 130 of the Gaming, Liquor, and Cannabis Act.

Class A Liquor Facilities means the authorization of the licensee to have a Licensed Premises the licensed premises under a Class A Liquor license must be premises that any member of the public is permitted to enter, such as a restaurant or Hotel.

Class B Liquor Facilities means the authorization of the licensee to have a Licensed Premises must be a recreational facility, tourist facility, racetrack, sports stadium, convention centre, theatre or public conveyance in which entrance is restricted to persons who purchase a ticket or pay a user fee or on some other basis acceptable to the board.

Class C Liquor Facilities means the authorization of the licensee to have a licensed premises must be a club, canteen, travellers' lounge or institution in which entrance is restricted to members and their guests, residents and their guests or on some other basis acceptable to the board.

Class D Liquor Facilities means a retail liquor store who can purchase, possess, store, and sell liquor approved by the board.

(a) General Merchandise liquor store licence; authorizes the licensee to do the things that a retail liquor store licence authorizes in conjunction with a general merchandising business.

(b) General off sale license authorizes a person who holds a Class A liquor licence premises in a hotel or for a licensed premises other than a hotel that are approved by the board.

(c) manufactures off sales license authorizes a person who holds a licence referred to in section 55(a) or (b) in the Regulation.

(d) sacramental wine resale licence.

(e) delivery service licence

(f) commercial caterer licence.

Class E Liquor Facilities means a facility authorized to manufacture liquor on site, and to manufacture, possess, and store its manufactured liquor.

(a) The facility can either sell to the Commission, provide liquor to its employees and their guests for consumption on site.

(b) If the facility also holds a Class A or B licence the facility can also sell the manufactured liquor for consumption on the premises.

(c) If the facility also holds a Class D licence the facility can also sell the manufactured liquor for consumption off premises.

Class F Liquor Facilities means a facility authorized to permit adults to make wine, cider or beer up to the quantity approved by the board, to charge a fee for permitting adults to make and store wine, cider or beer, and to store the wine, cider or beer.

2. APPLICABILITY

The requirements of this schedule apply to all liquor establishments and stores, and liquor manufacturing facilities.

3. LIQUOR FACILITY GUIDELINES

All Liquor Facilities shall meet the following requirements:

(1) Prior to applying for a municipal development permit for a Liquor Facility, the applicant is required to apply to the Alberta Gaming, Liquor, and Cannabis Commission (AGLC) for a determination of eligibility to obtain a license and submit verification of the AGLC eligibility as part of the development application.

(2) As part of the development application, the application shall demonstrate how the building location and design comply with all requirements under the Alberta Gaming Liquor and Cannabis Commission licenses as a condition of the development permit.

(3) The developer or applicant or owner shall provide copies of all approved Alberta Gaming, Liquor and Cannabis Commission licenses as a condition of the development permit.

(4) The business must obtain and maintain a current business license.

(5) The hours of operation for the business may be established as a condition of a development approval.

(6) All signage for the liquor establishment shall be in accordance with the Alberta Gaming, Liquor and Cannabis Regulation.

(7) The owner or applicant must obtain any other required approval, permit, authorization, consent, or license to ensure compliance with applicable federal, provincial, or other municipal legislation.

(8) The Municipal Planning Commission may require, as a condition of a development permit, a public utility and waste management plan, completed by a qualified professional including detail on:

(a) The quantity and characteristics of liquid and waste material discharged by the facility; and

(b) the method and location of collection and disposal of liquid and waste material.

4. SETBACKS

For the purposes of sections 640(7), 642(5) and 687(3) of the Municipal Government Act, a premises described in a Liquor License may not have any part of an exterior wall located within 500m (1640 feet) of:

(a) a provincial health care facility or a boundary of the parcel of land on the which the facility is located.

(b) a building containing a school or boundary of parcel of land on which the building is located: or

(c) a boundary of a parcel of land designated as school reserve or municipal and school reserve under the Municipal Government Act.

Schedule 14

CAMPGROUNDS

Schedule 14

CAMPGROUNDS

1. INTENT

(1) For the purposes of this Bylaw, any development that contains or provides for two or more camping units for commercial camping purposes is considered a campground and must apply for and obtain a development permit and/or building permits.

2. DEVELOPMENT PERMIT APPLICATIONS

(1) An application for a development permit shall include:

(a) a site plan illustrating in detail the proposed improvements to the site, including camping areas, roadways, natural barriers, landscaping, perimeter fencing, storage areas, playgrounds, and utility areas;

(b) an analysis of biophysical characteristics of the subject lands, including how environmentally sensitive areas and species will be protected;

(c) a utility servicing plan indicating how water and sewer will be provided and managed;

(d) floor plans, elevations, and sections of the buildings as required by the Development Officer for any proposed buildings

(e) a Operations Management Plan including hours and season of operation, number of employees, site security, camping rules, refuse management, and any other relevant matters;

(f) a fire and emergency management plan, approved by the local Fire Chief.

3. GENERAL DESIGN STANDARDS

(1) The following design standards shall be adhered to during the development and operation of a campground or recreational vehicle park:

(a) minimum site area of 1.2 ha (3 acres) unless otherwise allowed by the Development Authority;

(b) the campground layout shall promote the conservation and management of habitat, wetlands, and coulees/steep slopes;

(c) a minimum 7.6 m (25 ft) natural or landscaped defensible space buffer shall be provided from property line and maintained free of camping stalls or units;

(d) a minimum of 30.0 m (100 ft) or 40.0 m (131 ft) (which ever is greater) natural or landscaped defensible space buffer shall be provided from the property line paralleling a County road allowance and maintained free of camping stalls or units;

(e) a minimum of 10 percent of the total site shall be set aside in a location suitable to the Development Authority and shall be designed to provide adequate and safe follow of traffic;

(f) each campsite stall much be accessed by an internal road;

(g) internal roads shall be surfaced to the satisfaction of the Development Authority and shall be designed to provide adequate and safe flow of traffic;

(h) fires will be permitted only in designated fire pits or other such facilities;

(i) potable water and sewage disposal much be provided to the satisfaction of the Development Authority and to provincial standards;

(j) all campsite boundaries shall be defined on the ground by permanent flush stakes, or markers, with a stall number or other identification system;

(k) if fences are designed or required by the Development Authority, they shall be uniform in design and maintained in a safe and attractive condition;

(l) minimum of one parking stall per campsite; No parking shall be allowed within Cardston County road allowances;

(m) a landscaping plan that retains and supplements natural vegetation shall be provided to the satisfaction of the Development Authority.

(2) Campgrounds may allow for stays for season occupancy only, or a different period at the discretion of the Development Authority in accordance with Section 4 of this Schedule.

(3) Construction of roads and/or approaches leading to a proposed or enlarged campground or recreational vehicle park may be required as a condition of development approval. An existing road or approach may be required to be upgraded to sustain the volume and type of traffic to be generated by the proposed campground.

(4) One on-site operator suite/residence for all season use may be allowed.

(5) Noise control measure may be required and may include the use of berms, natural barriers and screens and locating noise-insensitive aspects of the campground or recreational vehicle park close to the noise source.

(6) All facilities shall meet the standards of the *Recreation Area Regulation* from the *Alberta Health Act* and all other public health regulations and be kept in a manner satisfactory to Alberta Health Services.

(7) All facilities shall meet the standards of the *Alberta Building Code* and kept in a manner satisfactory to the *Safety Codes Act*.

(8) No additions can be done unless a development permit from Cardston County is approved, and Building Permits from Cardston County (or its contractor) is obtained.

4. 4-SEASON DESIGN STANDARDS

Means an area where two or more campsites are located by camping units (holiday or tent trailers, recreation vehicles, tents and similar equipment) by the public as living quarters for personal, recreation, education, or vacation purposes. This use requires additional conditions on the Campground approval that would guarantee safe living through all times of the year, such as underground water systems, underground sewer systems, and power. Campground owner must provide all service buildings required by the *Alberta Building Code* and the *Alberta Recreation Area Regulation*, and other regulations required for safe living conditions.

(1) All Design Standards from the previous Section 3. General Design Standards must be followers.

(2) Campground owner must keep internal roads plowed and in proper order at all times of the year.

(3) Each site must have portable water system available all year around by either a community water system, underground Cistern, or other water delivery system approved the Development Authority and Alberta Health Services.

(4) The Campground owner must provide the availability of potable water that is delivered by a water system that undergoes routine monitoring and microbiological sampling. This must be provided by either an underground waterline built and maintained in accordance with Alberta Environment and Protected Areas or Alberta Health Services standards from an approved potable water facility. Or hauled from an approved facility, hauled by proper CSA approved water tanks marked “POTABLE WATER ONLY” by the owner or by delivery contract. Method of providing Potable Water must be approved by the Development Authority and Alberta Health Services.

(5) Each site must have an underground septic system available all year around by either a community septic system, underground holding tank, or other sewer systems approved by the Development Authority, *Safety Code Act*, Alberta Health Services and/or Alberta Environment and Protected Areas.

(6) The Campground owner must provide the Septic Removal Services themselves or by an approved contractor. The disposal of the effluent must be disposed of at a proper disposal side that is monitored and reported to Alberta Environment and Development Authority and Alberta Health Services.

(7) Each site must have an all year around electrical and/or LP gas available.

(8) Campground owner must provide garbage facilities as per the Alberta Recreation Area Regulation.

(9) All 4-Season RVs must be property anchored, Building Permits from Cardston County (or their Contractor) must be obtained to ensure proper anchoring.

(10) All RV units proposed to be used as 4-seasons must prove the ability to use within the winter months including but not limited too:

(a) Proper insulation for Waterlines and Septic lines.
(b) Proper CSA approved heaters for indoor use, with proper ventilation.
(c) CSA Z240 and/or CSA Z241 compliant.
(d) Any other standard practice for safe Winter RV use.

(11) Campground Owner must apply to Cardston County through the development permit process prior to any site being used as 4-Season to ensure all conditions above are complied with.



Schedule 15

DEFINITIONS

Schedule 15

DEFINITIONS

In this bylaw, words used in the singular include the plural, and words using the masculine gender include the feminine gender.

A

Abattoir means a licensed facility where animals are killed and processed into meat products for human consumption.

Access, legal means the registration of an easement, access right-of-way plan or a surveyed road on a Certificate of Title which provides access and/or egress for an individual or beneficiary to a specific property.

Access, physical means a surveyed road, used as a public road, built to a municipal standard, which provides year round access and/or egress to a specific property.

Access, satisfactory means a registered easement, access right-of-way plan or surveyed road, which is not built to a municipal standard, providing access and/or egress to a specific property on a year round, fair-weather or seasonal basis.

Accessory 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 Development Officer or Municipal Planning Commission decides is normally subordinate and incidental to the principal building; or

(b) the use of which the Development Officer or Municipal Planning Commission decides is normally subordinate and incidental to the principal use of the site on which it is located.

Accessory development means a building or use which is subordinate, incidental and directly related to the principal use of the premises, building, or site and which does not substantially add to the patronage, volume of traffic, or intensity of the use of the premises, building or parcel. An accessory building or use shall be located on the same parcel as the principal use and shall not precede the development of the principal building or use unless authorized by the Municipal Planning Commission.

Accessory structure means a building or structure detached from a principal building, normally ancillary, incidental, subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, propane tanks, satellite dishes, garages, and garden sheds. When a building is attached to the principal building by a roof, a floor or foundation above or below grade, it is part of the principal building.

Accessory use means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as the principal use or building.

Addition means any construction increasing the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Adjacent means land which is contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land.

Agriculture – see "Extensive agriculture".

Agricultural Operation Practices Act (AOPA) means the *Agricultural Operation Practices Act*, Revised Statutes of Alberta, 2000, Chapter A-7, as amended.

Airplane hangar means a structure used to house, store or maintain airplanes.

Airport apron means the area of an airport where aircraft are parked, unloaded, refuelled, or boarded.

Airport site means the lands used for the operation of an airport.

Airstrip means a small landing area having only one runway, with no other airport facilities.

Alternative/renewable energy means a use which produces energy in ways which do not use natural resources such as fossil fuels, but is derived from sources such as geo-thermal, solar, water, wind, waste and waste by-products.

Amusement arcade means a facility where mechanical or electronic games are kept for the purpose of providing entertainment or amusement to the public for a fee.

Animal care service, large means development used for the care, treatment, boarding, breeding or training of animals and livestock within or outside buildings and includes the sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding and breeding, facilities for impounding and quarantining animals and related research facilities.

Animal care service, small means development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where care and confinement facilities are enclosed within a building. Examples include pet grooming salons, pet clinics, veterinary offices and mobile animal care services.

Apartment dwelling means a building or a portion of a building which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use includes a building containing more than six dwelling units, where each unit is provided with its own primary access to the outside.

Applicant means the registered owner of the land or his/her representative or agent.

Approved use means a use of land and/or building for which a development permit has been issued by the Development Officer or the Municipal Planning Commission.

Apron means a flat-surfaced area surrounding and lying adjacent to a mobile home pad.

Aquaculture means the hatching, raising and breeding of fish or other aquatic plants for sale or personal consumption requiring a body of water such as a pond, river, lake, estuary, waterbody or facility to sustain the operation.

Arcade – see "Amusement arcade".

Archery means the sport or skill of shooting with a bow and arrow.

Archery range, private means a privately-owned building, structure or outdoor area or space used to carry on the sport of archery by the owner and a limited number of friends or guests.

Archery range, public means a building, structure or outdoor area or space used to carry on the sport of archery by paying customers.

Architectural controls means a detailed set of design standards and criteria established by the developer for lands that are the subject of a subdivision and/or development approval. The architectural controls are registered by a restrictive covenant on those lands and are administered and enforced solely by the developer through a monetary architectural control deposit. Examples of design criteria may include, but are not limited to, housing type, square footage of principal and accessory buildings, roof pitch, roofing materials, the number of garage structures, landscaping, exterior colours and finish materials, building commitment timeframes, driveway materials and garage orientations.

Area redevelopment plan means a statutory plan in accordance with the *Municipal Government Act* and the Municipal Development Plan for the purpose of all or any of the following:

(a) preserving or improving land and buildings in the area;

(b) rehabilitating buildings in the area;

€ removing buildings from the area;

(d) constructing or replacing buildings in the are€(e) establishing, improving or relocating public roadways, public utilities or other services in the area; or

(f) any other development in the area.

Area structure plan means a statutory plan prepared in accordance with section 634 of the *Municipal Government Act* and the Municipal Development Plan for the purpose of providing a framework for subdivision and development of land in the municipality.

Art and craft studio means a development used for the purpose of manufacturing goods by hand. Typical uses include pottery, ceramic, jewelry, toy manufacturing, art and sculptures.

Artificial insemination facility means an operation which collects, stores and/or places semen from animals not resident of the facility into the reproductive tract of a female by means other than sexual intercourse for the purpose of impregnating the female.

As required by the Municipal Planning Commission means a standard or requirement of the Land Use Bylaw established as a condition of a development approval.

Athletic and recreational facility means a facility for the purpose of active recreation or athletic activities where patrons are predominantly participants and any spectators are incidental. This includes skating and hockey rinks, swimming pools, rifle, archery and pistol ranges, bowling alleys and racquet courts.

Auction facility means a use of land or buildings for the auctioning and temporary storage of household effects, goods and equipment, except livestock.

Auction mart means the use of land or buildings for the auctioning and temporary storage of domestic livestock.

Auditorium means a room, hall or building designed for stage and film presentations, concerts, recitals and lectures.

Auto body and paint shop means a premise where vehicles are repaired and painted.

Auto sales and/or service means the use of land or buildings where motor vehicles and parts are displayed for sale or service.

Auto wreckers means the use of land or buildings for the receiving, dismantling, resale or transportation of inoperable motor vehicles, machinery, equipment, parts metals, construction material or other similar materials. Such uses include, but are not limited to, junkyards, auto wreckers, and salvage and scrap yards.

B

Bakery means a facility where baked products are prepared, sold and/or distributed.

Bank means a financial institution for the deposit, custody, loan, exchange or issuance of money.

Basement means the storey of a building of which the ceiling level is less than 1.82 m (6 feet) above the average finished surface level of the surrounding ground.

Batch plant – see "Natural resource extraction".

Bed and breakfast means sleeping accommodations and a morning meal, provided in a guest house or private residence.

Berm means a dyke-like form used to separate incompatible areas or functions, or constructed to protect the site or district from vehicular road noise or water.

Boarding house means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where meals or lodging for those persons are provided for compensation pursuant to previous arrangements or agreements.

Boat house means an enclosed or partially enclosed structure designed for the use and storage of private watercraft, boat motors and marine equipment.

Boat launch means a facility for launching of boats or watercraft into a body of water.

Buffer means a row of trees, hedges, shrubs or berm to provide visual screening and separation between uses, buildings, sites or districts.

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

Building has the same meaning as it has in the *Municipal Government Act*.

Building height means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

Building inspector means the person(s) appointed by the municipality through an accredited agency to conduct inspections in the municipality.

Building supply center means a commercial entity dedicated to the supply and sale of hardware, construction supplies, home improvement items and like goods to wholesalers, retailers, or the public.

Bulk fertilizer storage and sales means a facility or storage containers used to house and sell fertilizer products to the public.

Bulk fuel storage and sales means a commercial wholesale or retail outlet dedicated to the storage of fuels such as, but not limited to, diesel, gasoline, aviation fuel, propane, oil, grease and solvents and/or the sale of those products to wholesalers, retailers, agricultural entities and the public.

C

Cabin means a habitable seasonal dwelling unit, which is less than 69.7 m^2 (750 sq. ft.) and complete with a sleeping area, and/or cooking, and/or washroom facilities constructed, renovated, or relocated in compliance with this bylaw and the Safety Codes Act, but is not required to fulfil the requirements of the Alberta New Home Warranty. A cabin is for *personal use only* cannot be used as a full-time residence *or rental,* at any time, unless further approvals and permits are obtained from Cardston County, Alberta Safety Codes, and Alberta New Home Warranty. The number of Cabins on a Parcel is to be determined by the Municipal Planning Commission.

Campground means an area where two or more campsites are located for seasonal occupancy by camping units (holiday or tent trailers, recreation vehicles, tents and similar equipment) by the 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 ancillary uses.

Campground, 4-SEASON means an area where two or more campsites are located by camping units (holiday or tent trailers, recreation vehicles, tents and similar equipment) by the public as living quarters for recreation, education, or vacation purposes. This use requires additional conditions on the Campground approval that would guarantee safe living through all times of the year, such as unground water systems, underground sewer systems, power. Campground owner must provide all service buildings required by the Alberta Building Code and the Alberta Recreation Area Regulation. And other regulations required for safe living conditions.

Campground, basic means a parcel of land developed into designated lots for camping and having minimum amenities, including but not limited to, potable water by means of a standpipe, well, or cistern, tables, outdoor privies and some fire pits.

Campground, commercial means a parcel of land which has been planned and developed into a number of identifiable lots for the placement of tents or recreational vehicles for overnight accommodation where a fee is paid by the individuals for the camping privilege based on the level of camping services provided to each site.

Campground, family means an area where three or more campsites are located for occupancy, cost shared between members of the landowner's family or friends.

Campground, primitive means a parcel of land developed for the random placement of tents and recreational vehicles and having the minimum amenities of potable water by means of a standpipe, well, or cistern, tables, outdoor privies and some fire pits.

Campground, private means:

(a) a use of land or buildings for financial gain where admittance is based on the payment of a fee, or where admission is limited to members of a club, organization or association; and

(b) a use of land or buildings intended for seasonal occupancy by holiday or tent trailers, recreation vehicles, tents and similar equipment. 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.

Campground, semi-serviced means a parcel of land developed for camping and having at least 50% of the designated lots with at least partial services including, but not limited to, tap water, central service building(s) with flush toilets and wash basins, sewage disposal stations, tables, some fire pits, firewood for sale and a caretaker on premises.

Campground, serviced means a parcel of land developed for camping and having at least 75% of the designated lots with at least partial services including, but not limited to, tap water, central service building(s) with flush toilets, wash basins and showers, sewage disposal stations, tables, fire pits, firewood for sale, public telephone and a caretaker on premises.

Camping means a four-season, outdoor activity involving one or more overnight stays away from home in a shelter such as a tent, camper or recreational vehicle.

Camping, random means the ad hoc placement of one or more tents, campers or recreational vehicles used to sleep overnight on areas of public or private lands, free of charge, where no camping-related services exist or are provided.

Cannabis definitions – see Schedule 10.

Carport means a partially enclosed structure intended for the shelter of one or more motor vehicles.

Car wash means a building designed for the cleaning of motor or recreational vehicles.

Cemetery means a landscaped open space for the entombment of the deceased, and may include a crematoria, cineraria, columbaria, and mausolea.

Cenotaph means a structure or monument erected at an area designed for public assembly and reflection to honour individuals who lost their lives in wartime periods and whose bodies are buried elsewhere.

Certificate of Compliance means a document signed by the Municipal Planning Commission or Development Officer certifying a development complies with this bylaw with respect to yard requirements and as represented on an Alberta Land Surveyor's Real Property Report.

Church means a facility for the purpose of assembly and worship and may include social, recreational and community activities such as group meetings, cultural events, banquets, and child care services.

Clear vision triangle means a triangular area formed on the corner site by two street property lines and a straight line, which intersects them 6.1 m (20 feet) from the corner where the property lines meet.

Club house means a building or room occupied by a club, fraternity or an association used for social or recreational activities by its members and/or guests.

Commercial means the use of land and/or buildings for the purpose of sale, display and storage of goods and/or services. On-premises manufacturing, processing or refining of materials may be deemed to be a commercial use, at the discretion of the Development Officer or Municipal Planning Commission.

Commercial cabin development means one or more habitable dwelling units operated as rental accommodation occupied by guest(s) for less than 30 days. All Commercial Cabins are built in accordance with the Alberta Building Code and must include a sleeping area and may include cooking and/or washroom facilities. If washroom facilities are not provided within the Cabin unit, then a separate washroom facility must be provided on the property. Potable Water must be provided to guests in accordance with all Provincial Water Act requirements, Alberta Health and Safety requirements, and all Alberta Safety Code requirements.

Commercial/private recreation means the use of land, building or facility for recreational purposes, but where the public is admitted by payment of a fee, or where admission is by membership to a club, organization or association. Facilities associated with the operation may include eating facilities, administrative offices and retail operations, provided any such operation is accessory and incidental to the principal recreational use.

Commercial use means the use of land and/or building for the purpose of display, storage and wholesale or retail sale of goods and/or services to the general public. On-site manufacturing, processing or refining of goods shall be incidental to the sales operation.

Common wall means a vertical separation dividing a portion of a building from the remainder of the building and creating a building which, from its roof to its lowest level, is separate and complete unto itself, such wall being owned by one party but jointly used by two parties, through an agreement.

Communication facility means a building, cabinet, shed, vault, box, pedestal, tower, pole, antenna or structure used for the transmission, distribution, housing or protection of electronic equipment used for the broadcast or reception of electro-magnetically transmitted information or wireless communication signals.

Communication system means one or more networks of communication links, services or facilities used for the broadcast or reception of communication signals.

Community facility means community halls, public libraries, parks, playgrounds, schools, agri-plexes, arenas, skating rinks, and other similar facilities.

Conceptual scheme means a detailed site layout plan for a piece of land which:

(a) shows the location of any existing or proposed buildings;

(b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole;

(c) provides for access roads, water, sewer, power and other services to the satisfaction of the Municipal Planning Commission; and

(d) has not been adopted by municipal bylaw as an area structure plan.

Condominium means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners.

Condominium plan means a plan of survey registered at Land Titles Offices prepared in accordance with the provisions of the *Condominium Act*, Revised Statutes of Alberta 2000, Chapter C-22, as amended.

Confined feeding operation (CFO) has the same meaning as defined in the *Agricultural Operation Practices Act*.

Contractor means an individual or company who contracts on predetermined terms to provide labour and materials and is responsible for the performance of a construction job in accordance with established specifications or plans.

Convenience store means a small retail outlet selling goods and food on a day-to-day basis from a business premises.

Convention facility means a permanent facility for meetings, seminars and conventions. Eating establishments and drinking establishments may be incorporated into the facility as accessory uses.

Council means the Council of Cardston County in the Province of Alberta.

Country lodge – see "Lodge".

Country residence means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area.

Crematorium means a place where a dead person's or animal's body is cremated.

Critical wildlife zone means an area critical to significant numbers of a species during at least part of the year. This can include wintering areas for ungulates, nesting or staging areas for waterfowl, colony sites for colonial nesters, and over-wintering areas for upland birds established in the South Saskatchewan Regional Plan.

Cultural establishment means a development available to the public for the purpose of assembly, instruction, cultural or community activity and includes such uses as a church, library, museum and art gallery.

D

Day care facility means a facility for the provision of care, supervision or rehabilitation of children or adults for periods not exceeding 24 consecutive hours.

Density means the number of dwelling or accommodation units on a site expressed in units per hectare or acre.

Designated notification area means a mutually agreed to area of land, lying outside an intermunicipal plan boundary, whereby a subdivision application and/or discretionary use development application are referred to an adjacent municipality for comment before a decision is rendered by the municipality having jurisdiction.

Designated officer means the Chief Administrative Officer (CAO) or his/her designate, the Development Officer or the Municipal Planning Commission.

Developed residence means a dwelling that:

(a) is permanent and habitable,
(b) has developed legal access,
(c) may have electrical and gas utilities available to the site,
(d) has a supply of potable water and a functional sewage disposal system,
(e) is situated on a permanent foundation, and
(f) has a kitchen and sleeping area.

Developer means an individual having an interest in land or his/her agent who wishes to alter the title and/or change the use of the property.

Development has the same meaning as it has in the *Municipal Government Act*.

Development agreement means a contractual agreement between the municipality and an applicant for a development permit which specifies the public roadways, utilities and other services to be provided by the permit holder as a condition of development approval or subdivision approval, provided the agreement is in accordance with Sections 648, 650, 654 and 655 of the *Municipal Government Act*, as amended.

Development area means the area to be occupied by a building or structure plus the area reasonably required for excavation and construction.

Development Authority means the Development Officer or the Municipal Planning Commission.

Development permit means a document issued pursuant to this bylaw authorizing a development.

Discretionary use means one or more uses of land or buildings described in Schedule 2 as discretionary uses.

District means a district established under Schedule 1 of this bylaw.

Dog Kennel – see "Kennel".

Double-wide mobile home means mobile home permanently fixed to two chassis, or is permanently fixed to one chassis with a section which can be expanded or telescoped from the mobile home for additional floor area. Double-wide mobile homes shall not be less than 6.1 m (20 feet) in width.

Drinking establishment means an establishment licensed pursuant to provincial legislation where alcoholic beverages are served for consumption on the premises.

Drive-in business means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

Drop lens cobra head fixture means a streetlight where the curve of the lens extends downward past the exterior of the fixture.

Dry cleaner means an establishment which specializes in the cleaning of clothes or fabrics with substantially non-aqueous organic solvents to which special detergents or soaps may be added.

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

Dwelling unit means one 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

Easement means a non-possessory interest in real property that provides the holder or entity with the right to use another party's real property for a specific purpose while the underlying legal title to the real property encumbered by the easement is retained by the registered owner for all other purposes.

Eating establishment means a facility where food is prepared and served on the premises for sale to the public and includes restaurants, delicatessens, cafeterias and drive-in restaurants.

Eaveline means the line formed by the intersection of the wall and roof of a building.

Employee housing means one or more dwelling units used exclusively for the residence of employees and members of their family.

Entertainment establishment means a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may include a live theatre or cinema.

Environmental education means field trips related to publicly or privately sponsored educational and interpretive programs.

Environmentally significant areas means:

(a) "Hazard" lands and areas which are unsuitable for development in their natural state such as floodplains, floodway, flood fringe, flood prone areas, permanent wetlands, and steep and unstable slopes; or which pose severe constraints on types of development such as areas of artesian flow and aeolian surficial deposits;

(b) areas which perform a vital environmental, ecological or hydrological function such as aquifer recharge;

(c) areas which contain unique geological or physiographic features;

(d) areas which contain endangered species;

(e) areas which are unique habitats such as natural grasslands and wetlands;

(f) areas which contain an unusual diversity of plant and/or animal communities due to a variety of geomorphological features and microclimatic effects;

(g) areas which contain large and relatively undisturbed habitats and provide sheltered habitat for endangered species;

(h) areas which contain plants, animals or land forms which are unusual or of regional, provincial or national significance; or

(i) areas which provide an important linking function and permit the movement of wildlife over considerable distance.

Environmental reserve means a parcel of land specified as environmental reserve by a Subdivision Authority pursuant to section 664 of the *Municipal Government Act*, as amended.

Equipment sales, rental and service means the use of land or buildings for the retail sale, wholesale distribution, rental and/or service of hand tools, construction, farming, gardening and automotive equipment, machinery parts and office equipment.

Escarpment means a steeply sloping area with a slope of 15% or greater separating two level or more gently sloping areas and may contain isolated pockets of lesser sloped terrain and includes ravines, gullies, coulees and side draws.

Escarpment setback means a line established by the Municipal Planning Commission based on a geotechnical assessment defining the closest point to the escarpment top of bank or toe of slope where subdivision or development may occur.

Emergency services means fire, police, ambulance or similar service.

Existing lot means a lot existing at the time this bylaw was adopted.

Existing parcel means a lot or parcel as defined in the *Municipal Government Act* and for which a certificate of title has been issued.

Extended care facility means a public or private health facility with overnight accommodation for the care, supervision or rehabilitation of individuals.

Extensive agriculture means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing 28.3 ha (70 acres) more or less, not including cannabis production.

Exotic animals means species of animals not native to Canada.

F

Factory-built housing means homes intended for residential occupancy constructed in a factory, including modular, panelized and pre-engineered homes.

Fair weather road means a county dirt road which is unimproved or under improved, not maintained with gravel and provides seasonal, unreliable, or intermittent access to parcels of land within the municipality.

Family campground – see “Campground, family”.

Farm building means a building or development commonly contained in a farmstead associated with a farming operation or an extensive agriculture use. Examples include barns, granaries, implement machinery and equipment sheds, dugouts, corrals, fences and haystacks but this use does not include intensive horticultural facility, intensive livestock operation or any dwelling unit.

Farm/industrial machinery sales, rental, service and repair means the use of land or buildings for the sale, service and/or rental of agricultural implements, and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

Farmstead means a part of a parcel:

(a) developed with dwellings, buildings, structures, shelter belts, dugouts, storage areas for farm equipment, produce and fertilizer; or

(b) which may be defined by topography, vegetation, or other physical constraints.

Farmstead, abandoned means a part of a parcel formerly used to reside in a permanent habitable dwelling which was delineated by shelterbelts, vegetation encompassing buildings, structures, dugouts and equipment.

Farm supplies and service means the use of land or buildings for the sale, storage and distribution of grain, livestock feed, fertilizer or chemicals used in agriculture.

Feed mill means the use of land, buildings or structures for the purpose of producing animal feed from raw agricultural products.

Fence means a roofless structure, wall or hedge used as an enclosure or screening on any part of a lot.

Fill means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed building or development.

Financial institution – see "Bank".

Fire hall – see "Public and institutional use".

FireSmart means a program developed in Alberta by Partners in Protection to educate stakeholders on the risks of developing in the Wildland Urban Interface which includes methods to reduce the risk of wildfire to those developments and is illustrated in a publication "FireSmart – Protecting Your Community from Wildfire" (PIP-1999) by outlining minimum standards for development in a Wildland Urban Interface.

Fitness center means a premises used for the development of physical health or fitness, including but not limited to, health centers, gymnasiums, racquet ball courts, spas and weight loss salons.

Flood elevation, 1:100 year means the water level reached during a 1:100 year flood determined using criteria established by Alberta Environment and Parks.

Flood fringe means the portion of the floodplain outside the designated floodway inundated by flood waters characterized by low velocity flows, shallow depths and/or standing water.

Floodplain means the areas adjacent to a watercourse susceptible to inundation by water due to flooding.

Flood prone lands means areas subject to flooding from time to time.

Floodrisk area means land bordering a water course or waterbody which would be inundated by a 1:100 year flood determined by Alberta Environment and Parks.

Floodway means the channel of a watercourse and those portions of the floodplain joining the channel which are readily required to carry and discharge flood waters or flood flows of a 1:100 year flood with no significant increase in the base flood elevation.

Floor area means the sum of the total external horizontal area of all floors and passageways of a building, but not including basements, attached garages, and open porches.

Food processing means an industry which refines or mills an agricultural product into an edible commodity fit for human consumption.

Food services/catering means the preparation of meals at one location for delivery to other locations.

Foundation means the supporting base structure of a building.

Fourplex dwelling means cluster housing containing four dwelling units, where:

(a) each unit has two contiguous or abutting walls to provide fire separation from the adjacent dwelling units;

(b) two of the dwelling units face the front yard, and two dwelling units face the rear yard; and

(c) each unit is provided with its own separate primary access to the outdoors.

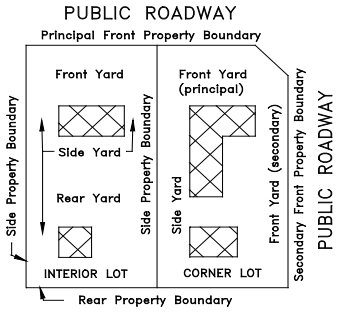
Fragmented parcel means a titled area which has been or has the potential of being subdivided pursuant to the policies and criteria established the County's subdivision policies.

Freight terminal means a facility accommodating the storage and distribution of freight shipped by rail, or highway.

Frontage means the lineal distance measured along the front legal lot line.

Front property boundary, principal means the front property boundary as shown in Figure 14.1.

Figure 13.1



Front property boundary, secondary means the front property boundary as shown in Figure 14.1.

Funeral home means a development used for the arrangement and holding of funerals, and preparation of the dead for burial or cremation.

G

Gaming or gambling establishment means a building or structure used for the purpose of dealing, operating, maintaining or conducting a game played with cards, dice, or machine for money, property or item of value.

Garage (residential) means an accessory building designed and used for storage of motor vehicles.

Garage suite means a dwelling unit located above a garage, accessory to a principal dwelling unit.

Garden center means the use of land or buildings for the sale, display, growing and storage of garden, household, and ornamental plants and trees provided the retail sale and display of plants and trees remains the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

Garden shed means a small outdoor storage compound constructed for the housing of garden tools, lawn equipment or other small items.

Garden suite – see "Secondary and/or subsequent residence".

Gas bar means a facility for the sale of fuel, lubricants and other automotive fluids but is not a service station.

Golf course means an outdoor establishment designated for the game of golf. Accessory uses include a pro shop, driving range and food service.

Golf driving range means an area of land whose purpose is to accommodate the practicing of golf shots and may include the land encompassed by netting or screening and may also include buildings, such as a club house or maintenance building as part of the use.

Government building – see "Public and institutional use".

Grade means the average elevation of the ground or street surface.

Grade point means the point(s) on a site which are used to measure the maximum permitted height of a building or structure from grade. Where grade points have not been established as part of an approved comprehensive grading plan, the location of grade points shall be determined by a professional engineer or surveyor hired by the developer.

Grain brokerage house means a terminal comprised of elevators, conveyance systems, truck scales, offices, grain terminals, and bins used for the purpose of marketing grains, oilseeds, and specialty crops.

Grain terminal means a facility or inland grain structure for the collection, grading, sorting, storage, and transhipment of grains.

Grandfathered development means a use of land or buildings having been in existence and/or operational prior to adoption of the present Land Use Bylaw and is lawfully allowed to exist in its present state even though it may not comply with the uses or standards allowed within the present Land Use Bylaw.

Greenhouse means a building specially designed and used for the growing of vegetables, flowers or other plants for sale.

Gross floor area means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface.

Grouped country residential development means three or more contiguous country residential lots.

Grouped country residential resort use means three or more contiguous country residential lots developed in conjunction with an approved recreation use.

Grouped noxious industry means two or more contiguous noxious industries located in a designated area or district designed to accommodate these particular uses of land or buildings.

Group home means development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A "Group home" may incorporate accommodation for resident staff as an accessory use.

Guest means an individual who occupies a dwelling unit which is not their residence.

Guest house means an attached or detached accessory building with no kitchen or cooking facilities used to house guests of the occupants of the principal building.

Guest ranch means a ranch or resort in an agricultural setting designed for vacationers offering primarily lodging, horseback riding and other activities typical of western ranches.

H

Habitable dwelling – see "Permanent habitable dwelling".

Hay processing means the use of land, buildings or structures for the production of hay into bales or pellets for sale as feed to domestic livestock.

Hazard lands means areas not suitable for subdivision and/or development due to geographic or locational constraints.

Health care service means development used for the provision of physical and mental health services on an outpatient basis, of a preventative, diagnostic treatment and/or therapeutic nature. Typical uses include medical and dental offices, health clinics, and chiropractic offices.

Heavy industrial means manufacturing, developing, creating, assembling and fabricating with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials used in the manufacturing process.

Helipad means a designated area used for the take-off, landing, or parking of helicopters.

Heliport means a facility for the use of helicopters landing or taking off and includes development of passenger terminals, service, repair and storage facilities required for the purpose of operating a heliport in accordance with all applicable statutes and regulations.

Highway, provincial means highways outlined in the Memorandum of Agreement between Alberta Transportation and Cardston County.

Highway commercial means development along a major highway, providing goods and services to the travelling public. Typical highway commercial uses may include, but are not limited to, service stations, truck stops, , drive-ins and fast-food restaurants.

Historical site means a site or a building designated to be of historical significance by the Government of Canada or the Government of Alberta.

Holiday trailer or **travel trailer** means an accommodation unit designed to be transported on its own wheels designed or constructed to permit its use as a temporary dwelling for travel and recreation only.

Home care service means the provision of food, lodging and care of individuals conducted in a conventional single-family dwelling which has common cooking and washroom facilities.

Home improvement center means a facility where building materials, tools, domestic garden supplies, household accessories required for interior or exterior building renovations, and similar goods are stored, offered or kept for sale, including any outside storage yards.

Home occupation - Class 1 – see Schedule 6.

Home occupation - Class 2 – see Schedule 6.

Home occupation - Class 3 – see Schedule 6.

Horticulture means the concentrated use of land or buildings for the raising of crops, plants or vegetables.

Hospital means a facility providing room, board, or surgical and other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoria, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

Hostel means a facility to provide temporary (not exceeding 30 days) accommodation for remuneration with a dormitory-style accommodation, communal kitchen and sanitary facilities and may include recreational facilities or services.

Hotel means a building used for sleeping accommodation and ancillary services provided in rooms which may contain bar/kitchen facilities. The building may also contain additional services such as parking facilities, restaurant or dining room, room service or public convention facilities.

Household repair service means the provision of repair services to appliances and small motors found within and around the home.

I

Improvement means any installation or physical change made to a property with a purpose of increasing its value, utility or beauty.

Incineration facility means any stationary or mobile technical unit and associated equipment dedicated to the thermal treatment of wastes with or without recovery of the combustion heat generated by the incineration.

Industrial equipment sale and rental means the sale or rental of equipment used in building, roadway, pipeline, oilfield and mining construction or agricultural production.

Industrial manufacturing means development used to manufacture, fabricate, process, assemble, produce or package goods or products, including but not limited to, administrative offices and warehousing and wholesale distribution uses.

Institutional means a use by or for an organization or society for public or social purpose, including but not limited to, senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

Intensive agricultural operation means any concentrated method used to raise crops or to rear or keep livestock, animals, poultry, fish or their products for market.

Intensive horticultural operation or facility means a use of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponics, aquaponics, market gardens, tree, mushroom and sod farms and such other uses the Municipal Planning Commission considers similar in nature and character to any one or all of these uses.

Intensive livestock operation means any land enclosed by buildings, shelters, fences, corrals or other structures which, is capable of confining, rearing, feeding, dairying or auctioning livestock, but excepting out wintering of a basic breeding herd of livestock, and are less than the *Agricultural Operation Practices Act (AOPA)* threshold numbers.

K

Kennel - Category 1 – see Schedule 9.

Kennel - Category 2 – see Schedule 9.

L

Laboratory means a facility for the purpose of scientific or technical research, investigations or experimentation.

Land and Property Rights Tribunal means a provincial body, formerly knows as the Municipal Government Board, which functions, among other duties, as an appeal board for certain subdivision and development appeals in Alberta involving provincial interests as outlined within the *Municipal Government Act.*

Landscaped area means a portion of a site which is landscaped pursuant to a development permit, and excludes areas used for parking and driveways.

Landscaping means the modification and enhancement of a site or development through the use of the following:

(a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;

(b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and

(c) excludes all areas utilized for driveways and parking.

Land Use Bylaw means the Cardston County Land Use Bylaw.

Lane means a public thoroughfare which provides a secondary means of access to a lot or lots.

Laundromat means a self-serve facility for the cleaning of clothing or other fabric goods.

Laundry means a facility for the cleaning and pressing of clothing or other fabric goods.

Light industrial/manufacturing – see "Industrial manufacturing".

Liquor store means a retail establishment licensed under provincial authority for the sale of beer, wine, or spirits for consumption off-premises.

Livestock sales yard means the use of land, buildings or structures designed for the holding of domestic livestock for purposes of sale or transfer by auction, consignment or resale.

Loading space means a portion of a lot or parcel designated or used by a vehicle while loading or unloading goods or materials into a building or used on a parcel or lot.

Lodge means a facility for tourists having a minimum of five (5) accommodation rooms and cooking facilities which are not located in the accommodation rooms and where there are no areas for public retail, public entertainment functions, meeting rooms and public convention rooms. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms, athletic and recreation facilities (indoor and outdoor) for use by the guests.

Lot, in accordance with the *Municipal Government Act*, means:

(a) a quarter section;

(b) a river lot shown on an official plan referred to in section 32 of the *Surveys Act* filed in a land titles office;

(c) a settlement lot shown on an official plan referred to in section 32 of the *Surveys Act* filed in a land titles office;

(d) a part of a parcel where the boundaries of the parcel are separately described in a certificate of title other than by reference to a legal subdivision; or

(e) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

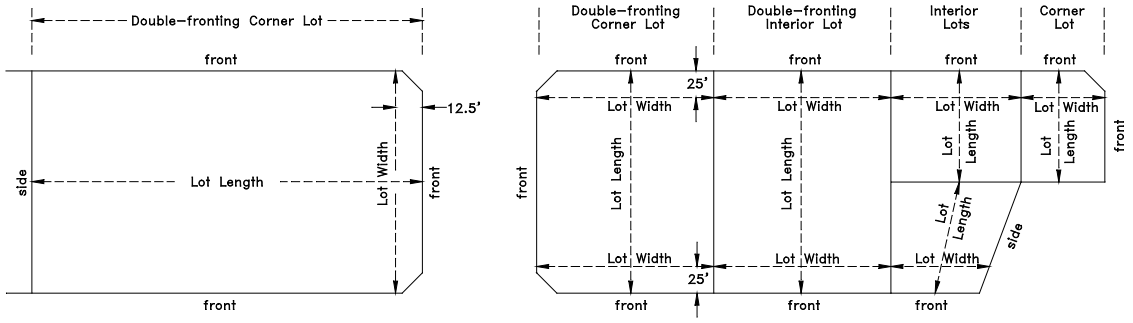
Lot area means the area contained within the lot lines of a lot as shown on a plan of subdivision or described in a certificate of title.

Lot, corner means a lot located at the intersection of two or more streets.

Lot, double fronting means a lot with two front property boundaries, where the front property boundaries are situated at opposite sides of the lot, as shown in Figure 13.2.

Lot, interior means a lot other than a corner lot as shown in Figure 1.2.

Figure 13.2



Lot length means the horizontal distance between the shortest or principal front property boundary and the opposite property boundary, measured along the median between the side property boundaries as shown in Figure 13.2.

Lot, serviced means a parcel of land which has been directly connected to treated water and sewage system. In addition, the lot will have access to electrical power, a heating source, phone and internet service.

Lot, unserviced means a parcel of land which is not connected to a treated water and sewage system. Water service may be provided by means of a well, cistern or underground spring while sewage disposal may be accommodated by a septic field or mound, a containment tank or pump-out system. The lot may not have access to electrical, heating, phone and/or internet services.

Lot width means the horizontal distance between opposite side property boundaries measured at a point 7.62 m (25 feet) from the shorter or principal front property boundary as shown in Figure 13.2.

Lumber yard means the use of land or buildings where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and includes storage on the premises of such material.

Luminaire means a complete lighting system including lamp and fixture.

M

Machinery and equipment sales and repair means the use of land or buildings for the display, sale, service and/or rental of machinery.

Manufactured home – see "Modular home".

Manure spreading means the dispersing of animal or human waste on lands to capture the nutrient value to enhance crop production.

Market garden means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

May means an action is discretionary.

Measurable standards means the numerical values attributed to items listed in the land use districts and/or schedules of this land use bylaw. Measurable standards include, but are not limited to, heights, setbacks, parcel sizes, lot coverage, parking stall requirements, sign copy areas, animal units or densities.

Mechanical and structural repair means upgrading or maintenance of existing buildings or structures.

Medical and dental office means development providing medical and health care on an outpatient basis, including but not limited to, medical and dental offices, clinics, occupational health and safety offices, pharmacies, dispensaries, counselling services, chiropractic and naturopathic services and such other uses as the Municipal Planning Commission considers similar in character and nature to any of these uses.

Mini storage facility means a development which includes a series of enclosed storage bays or lockers, and may include outdoor storage sites for recreational vehicles, all of which are intended for rental or lease to the general public.

Minimum building setback means the shortest distance between the wall of a building and a designated lot line.

Minimum Distance Separation (MDS) means the minimum distance calculated for separation between **a** confined feeding operation and another use based on criteria established by the Natural Resources Conservation Board, the municipality or provincial regulation, used to minimize land use conflicts.

Mobile home means a prefabricated dwelling unit:

(a) designed to be transported on its own frame and wheels, and placed on a foundation and connected to utilities is ready for occupancy; and

(b) is subject to the current provincial building requirements.

The term mobile home includes "double-wide" and single-wide" mobile homes, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles not intended for permanent residential habitation or subject to the current provincial building requirements.

Mobile home park means a lot 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.

Mobile home sales and service means development for the sale, rental or storage of new and used mobile homes, and includes supplementary maintenance services and the sale of parts and accessories.

Mobile home subdivision means lands divided into lots where mobile or modular homes are placed on permanent foundations for human occupation.

Modular home means the construction of a building in prefabricated units at a factory which:

(a) are assembled at the location away from the home site;

(b) are transported from one point to another by being carried on a motor vehicle;

(c) are not constructed on a frame capable of being equipped with wheels; and

(d) are certified Alberta Safety Code compliant under CSA A277 and labelled accordingly.

Modular home park – see "Mobile home subdivision".

Modular home sales and service means a commercial business where modular homes are sold and serviced.

Motel means development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a motel has its own private exterior access and is provided with an adjoining or conveniently-located parking stall. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses.

Moved-in building means a conventional, preconstructed, new or previously utilized, residential or non-residential building which is physically removed from one site to another site.

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

Municipal development plan means a statutory plan, adopted by bylaw in accordance with section 632 of the *Municipal Government Act*.

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

Municipality means the geographic area of Cardston County in the Province of Alberta.

Municipal Planning Commission (MPC) means a committee appointed by Council to act as a subdivision and development authority pursuant to section 624(2) of the *Municipal Government Act* and in accordance with the municipality's Municipal Planning Commission and Development Authority Bylaw.

Municipal reserve means the land specified to be municipal reserve by a subdivision authority pursuant to section 666 of the *Municipal Government Act*.

Municipal/school reserve means the land specified to be municipal and school reserve by a subdivision authority pursuant to section 666 of the *Municipal Government Act*.

Museum means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period.

N

Natural resource extraction use – see "Resource extraction use".

Natural Resources Conservation Board (NRCB) means the board established by provincial statute to regulate confined feeding operations and associated uses in the Province of Alberta.

Non-conforming building, in accordance with section 643 of the *Municipal Government Act*, means a building:

(a) lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and

(b) which on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.

Non-conforming use, in accordance with the *Municipal Government Act*, means a lawful specific use:

(a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw or any amendment thereof affecting the land or building becomes effective; and

(b) on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

Noxious industry means an industry which is hazardous, noxious, unsightly or offensive and cannot, therefore, be compatibly located in an urban environment. Examples include, but are not necessarily limited to: abattoirs, oil and gas plants, asphalt plants, sanitary landfill sites, sewage treatment plants or lagoons, auto wreckers or other such uses determined by the Municipal Planning Commission to be similar in nature, but does not include confined feeding operations (CFOs)

Noxious industry, grouped means two or more contiguous noxious industries.

O

Office means development to accommodate:

(a) professional, managerial and consulting services;

(b) the administrative centres of businesses, trades, contractors and other organizations; and

(c) service-related businesses such as travel agents, insurance brokers, real estate agents.

Off-street parking space means a lot or parcel or portion thereof, excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.

Orientation means the arranging or facing of a building or structure with respect to the points of the compass.

Outdoor athletic and recreational facility means a facility available to the public for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.

Outdoor vehicle storage means the outdoor storage of vehicles including automobiles, recreation vehicles and boats.

Outside storage means the open storage of goods, merchandise or equipment outside a building or on a vacant parcel.

Owner means the person or persons shown as the owner(s) of land on a Certificate of Title or on the assessment roll of a municipality.

P

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

Parking facility includes parking areas, parking spaces and parking structures which are defined as follows:

(a) **Parking area** means a portion of land or a building or a combination of both, set aside for and capable of providing space for the parking of motor vehicles.

(b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.

(c) **Parking structure** means a building or other structure designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.

Passive recreation means the use of land for a sport or hobby which does not require the provision of a structure, facility or expensive equipment to accommodate the activity. Such examples include, but are not limited to, hiking, jogging, swimming, site-seeing, bird watching, gardening, berry picking, cross country skiing, snowshoeing, or walking.

Patio means an outdoor area of a lot developed and used for leisure and/or recreation purposes.

Permanent foundation means a foundation installed to provide structural support for a building or structure, in accordance with Alberta Safety Codes.

Permanent habitable dwelling means a non temporary building or part of a building, intended to be used as a place of residence for humans, the condition of which allows for the inhabitants to live in reasonable comfort free of serious defects to health and safety and containing reasonable cooking, eating, living, sleeping and sanitary facilities.

Permanent residence – see "Developed residence".

Permitted use means:

(a) the one or more uses of land or buildings stated in Schedule 2 as permitted uses; and

(b) uses which, in accordance with and subject to the *Municipal Government Act*, shall be issued a development permit with or without conditions (unless the use is exempted from requiring a development permit) if the proposed development conforms with this bylaw.

Personal care service means a development providing services for personal care and appearance; services for cleaning, altering and maintenance of personal effects and accessories. Personal service includes barber shops, beauty salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, laundromats, funeral homes and such other uses the Municipal Planning Commission considers similar to any one or all of these uses.

Pet cemetery means the use of land or buildings for the interment of deceased domestic animals.

Place of worship means a building dedicated to the undertaking of religious practices and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, or mosques and may include such accessory uses as offices for administration of the place of worship, parsonages, and parish houses.

Planner means the person or organization retained by the municipality to provide planning-related advice or services.

Plan of subdivision means a plan of survey prepared in accordance with the relevant provisions of the *Land Titles Act* for the purpose of effecting subdivision.

Playground – see "Public park or recreation use".

Post office means a government approved facility charged with regulating and handling the transmission of mail or parcels.

Primary access means the location and manner of the principal means of vehicular access and egress from a site or building.

Primary residence means the principal dwelling unit located on a titled piece of land.

Principal building means a building which:

(a) is the main building on a lot; or

(b) by reason of its use, is the primary purpose for which the lot is used.

Principal use means the main purpose for which a lot, parcel, or building is used or intended to be used.

Printing establishment, commercial means a retail business providing photocopying and/or commercial printing and retail services.

Printing establishment, industrial means a facility providing non-retail commercial, industrial printing and publishing services normally using automated, web-type presses or full colour process printing.

Private means the use of land or buildings intended for or restricted to the use of a particular person or group or class of persons which is not freely available to the general public.

Private club means a facility, not open to the general public, for the meeting, social or recreational activities of members of philanthropic, social services, athletic, business or service organizations, without on-site residences. Private clubs may include rooms for eating, drinking and assembly.

Private riding arena and rodeo grounds means infrastructure used by family and guests and is limited by invitation, whether offered free of charge or involving commercial activity amounting to no more than 50% of the annual income derived from the parcel of land.

Private rifle range means a rifle range used by family and guests having no commercial use or monetary charges for use and is limited by invitation.

Private utility means the provision, distribution, collection, transmission or disposal of water, sewage, garbage, oil, gas, power, information, telecommunications, telephone or generation of electricity provided by an entity which is not under public, provincial or municipal franchise or ownership which provides the public or business with a particular utility or service.

Prohibited use means one or more uses of land or buildings described in a land use district as prohibited uses.

Property line means any legal surveyed boundary of a parcel.

Provincial Land Use Policies means policies established by order of the Lieutenant Governor pursuant to section 622 of the *Municipal Government Act* in areas of the province which do not have a Regional Plan.

Public means the use of land or buildings belonging or open to, enjoyed and used by and/or maintained for the public generally, but not limited to a facility the control of which is wholly or partially exercised by some level of government.

Public and private institutional use means a use of land or buildings for an organization, individuals or society for public or social purposes and includes the following:

(a) a school or educational facility whether public or private;

(b) churches or places of worship;

(c) medical facilities which provide both in-patient and out-patient services, including hospitals, nursing homes and sanatoriums;

(d) government and municipal offices, libraries and similar developments;

(e) protective services, including fire halls, police stations and ambulance services;

(f) cemeteries; and

(g) such other uses as the Municipal Planning Commission considers similar in nature and character to any one of these.

Public and private recreation use means a public or private park, playground, recreation area, including but not limited to hiking, biking, snow sledding, skiing, all-terrain vehicle (ATV), and/or walking trail, indoor or outdoor rink, gymnasium, sportsfield, campground, historic or archaeological site or any similar facility or use of land or buildings provided the park, playground, recreation area or similar facility is owned and/or administered by any level of government, a private organization, association or society or private individual.

Public area means any outdoor place to which the public has access, including but not limited to rights-of-way, highways, transportation facilities, schools, places of amusement, parks, playgrounds, and the outdoor common areas of public buildings and facilities.

Public building means a facility owned or operated by or for the municipality, the provincial government, the federal government, or a corporation which is an agent of the Crown under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality.

Public day use area means an area open to the general public for temporary resting and relaxing and the use typically consists of off-street parking areas, refuse containers, benches and public washrooms. It may also include an area for low impact recreational activities such as walking, hiking, overlooks and wildlife viewing points, swimming or fishing areas, but does not allow for camping or overnight stays on the premises.

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 open space means land which is not in private ownership and is open to use by the public.

Public park or recreation use means a public park, playground, recreation area, indoor or outdoor rink, gymnasium, sportsfield, campground, historic or archaeological site or any similar facility or use of land or buildings provided the park, playground, recreation area or similar facility is owned and/or administered by any level of government.

Public picnic area means the use of land or a shelter which is accessible or visible to all members of the community or public where they may temporarily partake in sitting in the open air/natural environment to consume food or beverages carried by themselves, and typically includes structures such as picnic tables, shelters, benches and refuse containers on the site.

Public place means any location in the municipality for public use and includes streets, lanes, boulevards, sidewalks, parks, campgrounds, squares or rights-of-way.

Public roadway means, in a county, city, town, new town, village or summer village, the right-of-way of all or any of the following:

(a) a local road,

(b) a service road,

(c) a street,

(d) an avenue, or

(e) a lane.

Public thoroughfare means any pathway, sidewalk, bridge, lane, service road, local street, collector street, arterial street, or highway.

Public use means government-owned facilities to which the public has access such as public parks, schools, school administrative buildings, recreational, cultural, and service buildings, but not including public land or buildings devoted solely to the storage and maintenance of equipment and material or the disposal of refuse.

Public utility means the right-of-way for one or more of the following:

(a) telecommunications systems;

(b) waterworks systems;

(c) sewage systems;

(d) heating systems;

(e) systems for the distribution of gas, whether natural or artificial;

(f) systems for the distribution of artificial light or electric power;

(g) water management projects;

(h) wind energy conversion systems (WECS); and

(i) solar energy systems and alternative/renewable energy.

Q

Qualified professional means a professional educated in their field of practice or study and whom can demonstrate appropriate knowledge, expertise and abilities and one who practices the principle of professional accountability (architect, landscape architect, land use planner, municipal planner, biologist, civil engineer, geotechnical engineer, municipal engineer, Alberta Land Surveyor, agrologist, geoscientist, hydrologist). A qualified professional can be described as an expert with specialized knowledge in field which one is practicing professionally and practices a high standard of professional ethics, behaviour and work activities while carrying out one's profession.

Qualified professional, wetlands means a person recognized and registered with the province as a Qualified Wetland Science Practitioner (QWSP) who is a person with experience and training in the applicable field. Typically a qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geology or related field, and a minimum of two years of related work experience.

Quarter section means a titled area of approximately 64.75 ha (160 acres).

R

Railway means any use connected with the direct operation of a railway system.

Ready-to-move home (RTM) means a home or modular home built off-site in a manufacturer's yard, or construction site, ready for immediate occupancy once it has been placed on a foundation on an approved building site, with services connected, and completion of a final inspection.

Ready-to-move structure means a structure, other than a home, such as a barn, granary, garage, shed, machine shop, built off-site or moved from an existing site to another.

Real property report (RPR) means a legal document illustrating in detail the location of all relevant, visible public and private improvements relative to property boundaries.

Rear lane means service access, generally for vehicular traffic at the rear of properties.

Recreational facilities means buildings or structures associated with accommodating recreational uses which require physical alteration to the area in which they are performed, or those facilities used exclusively for the preparation, maintenance, and storage of equipment used in recreational activities such as swing sets and slides, sandboxes, poles for nets, picnic tables, benches, barbecue stands, and similar equipment or structures.

Recreational vehicle park – see "Campground, private".

Recreational vehicle sales and rentals means a facility for the retail sale or rental of new or used motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar recreational vehicles, bicycles, and skis and may include incidental maintenance services and sale of parts.

Recreational vehicle sanitary pump out site means a facility for the disposal of wastes from recreational vehicles.

Recreational vehicle storage means a fenced compound used for the parking, wintering, or storing of trailers, motor homes, boats, quads or recreational vehicles licensed under the *Motor Vehicles Administration Act* for a specified fee paid to the owner or proprietor of the property.

Recycling facility means the use of land or buildings for the purchasing, receiving or temporary storage of discarded articles, provided the use does not generate a detrimental effect or nuisance beyond the boundaries of the lot or site on which it is situated. A recycling facility may involve supplementary production of by-products or materials and includes bottle, can and paper recycling depots.

Redesignation "redesignate", "redistrict", or "rezone" means changing the existing land use district on the official Land Use Districts Map in the Land Use Bylaw.

Regionally sensitive areas means lands within the municipality which are or may be environmentally sensitive including but not limited to:

(a) a swamp;
(b) a gully, ravine or coulee;
(c) an escarpment;
(d) a natural drainage course;
(e) riparian lands adjacent to the beds and shores of rivers, streams, creeks, water bodies, or natural drainage courses;
(f) wetlands;
(g) lands subject to flooding, including flood risk areas, floodways, and flood fringe;
(h) unstable lands;
(i) contaminated lands;
(j) a public park;
(k) a designated historic or archaeological site;
(l) an environmentally significant area; or
(m) a forest reserve.

Regional Plan means the South Saskatchewan Regional Plan.

Registered owner means:

(a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
(b) in the case of any other land:

(i) in the absence of a person described in paragraph (ii), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land; or

(ii) the purchaser of the fee simple estate in the land under an agreement for sale which is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest which is the subject of a caveat registered against the certificate of title.

Religious assembly – see "Church".

Religious institution – see "Churches" or "Place of worship".

Reserve land means environmental reserve, municipal reserve or school reserve or municipal and school reserve.

Residential means the use of land or buildings for the purpose of domestic habitation on a continual, periodic or seasonal basis.

Residential accommodation in conjunction with an approved use means the construction or placement of a dwelling unit which is incidental or accessory in nature to the principal use or activity on the subject lands.

Residential dugout means an excavation of land which is normally lined or clay packed and filled with water for on-site irrigation, domestic and/or potable use by the landowner.

Residential streets means streets whose primary function is to allow access to residential lots.

Resort means a development offering recreational, educational, cultural, convention and conference facilities, together with visitor accommodation, in a location chosen for the unique qualities and attributes of its natural physical setting. Appropriate uses within a resort may include, but are not limited to: visitor accommodation, private residences, convention and conference facilities, indoor and outdoor recreation facilities, retail and personal service facilities and other uses suitable to the location.

Resort accommodation means a facility for visitors to a resort, which may be in the form of visitor accommodation, apartment hotels, lodges, campground or other forms of tourist accommodation.

Resource extraction use means a use of land or buildings which is governed by the location of a natural resource and involves the extraction or on-site processing and/or storage of a natural resource. Resource extraction uses include, but are not limited to the following:

(a) cement and concrete batching plants;

(b) sand and gravel operations;

(c) logging and forestry operations, including sawmills; and

(d) such other uses as established by the Municipal Planning Commission to be similar to any one or all of the above uses.

Resource processing activity means the extraction or refining of natural resources including fossil fuels, minerals, timber, or sand and gravel on a commercial basis.

Restaurant means development where food and beverages are prepared and served and may include alcoholic beverage service and on- or off-premises catering services. This term includes restaurants, cafes, lunch and tea rooms, ice cream parlours, banquet facilities, take-out restaurants and such other similar uses.

Retail means premises where goods, merchandise, and personal services are offered for sale at retail to the public.

Retail store means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale.

Riding arena means either an indoor or outdoor establishment where horses are boarded and cared for, and where instruction in riding, jumping and showing is offered, and where horses may be hired for riding.

Riding stable means a compound designed with stalls for the housing, bedding or confinement of riding stock.

Rifle range means an authorized indoor and/or outdoor area designed for the purpose of controlled discharge of firearms including long guns and hand guns.

Riparian area means land comprised of the vegetative and wildlife areas strongly influenced by water adjacent to streams, shorelines and wetlands delineated by the existence of plant species normally found near fresh water.

Road means land defined as a road in the *Municipal Government Act*, Chapter M-26, RSA 2000, as amended.

Rodeo grounds means infrastructure, including but not limited to, corrals, grandstands, stables, arenas, parking and concession booths.

Rowhouse dwelling or townhouse means a residential building containing three or more dwelling units, where each dwelling unit is joined in whole or in part at the side and where no dwelling unit is located in whole or in part above another dwelling unit. Each dwelling unit in a rowhouse is separated from the abutting dwelling unit by a wall, extending from the foundation to the roof, and each dwelling unit is provided with its own direct access from grade.

Rural agri industry means the use of land, buildings and/or structures for the purpose of harvesting, refining, storing, processing, extracting, distributing, fuelling, selling and/or any other activity associated with the enhancement of agricultural production or by-products.

Rural industry means the use of land, buildings or structures for the manufacturing, processing, refining, storage, packaging and distribution of agricultural related products where the activities undertaken are not compatible with an urban environment.

Rural recreation means the use of land, buildings or structures for the provision of recreational activities, pursuits or opportunities in a rural setting.

S

Salvage or waste disposal facility means development for purchasing, receiving or transporting of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. This term includes uses such as autowreckers, salvage and scrap yards, garbage container services, effluence tanker services and such other uses as the Municipal Planning Commission considers similar in character and nature to any one or all of these uses.

Satellite equipment means an antenna, dish and receiver designed to receive and broadcast signals.

School means a place of instruction offering courses of study. Included in the category are public, private, and separate schools.

School, commercial means a place of instruction operated for profit.

School, post-secondary means a public or private educational establishment providing academic, professional, trade, craft or other educational curriculum to post-secondary students.

School , private means a school, other than a school operated by a School Board under the *School Act*, providing grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education.

School, public or separate means a place of instruction operated with public funds pursuant to the *School Act*.

Scrap yard means a facility where materials are stored temporarily on the site for reprocessing into scrap materials for sale or where useable parts for used goods, equipment or vehicles are sold.

Screening means a fence, wall, berm or hedge used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

Sea can means a structure or a shipping container normally used to transport goods by semi-truck and loaded on and off sea vessels, but for the purpose of this bylaw, serves as a storage unit on dry land.

Sea can storage means the use of a shipping container for the sole purpose of storing farm equipment and/or personal goods.

Seasonal occupancy means the habitation or use of land, buildings or structures which coincides with the weather seasons prevailing in a particular area or region.

Secondary residence means the second residence placed, located or constructed on the same parcel as the primary residence.

Secondary suite means a secondary suite is a self-contained dwelling unit that is part of a house containing not more than two dwelling units (including the secondary suite) and any common spaces such as common storage, common service rooms, common laundry facilities or common areas used for exit.

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

Semi-detached dwelling – see "Duplex".

Senior citizen housing means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

Service club – see "Private club".

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

Setback means the distance required between a building, development or use from a property line facing a street or other property line.

Shall means the action is mandatory.

Shipping container / sea can means a container used for transport of goods by means of rail, truck or sea. These containers are rectangular in shape and are generally made of metal.

Shopping mall means a unified concentration of retail stores and service establishments in a suburban area with generous parking space, planned to serve a community or neighbourhood.

Shrub means a single or multi-stemmed woody plant typically under five (5) metres at maturity.

Sign has the same meaning as it has in the Cardston County Sign Bylaw.

Similar use means a use which is not specifically considered in a land use district but, in the opinion of the Municipal Planning Commission, is similar in character and purpose to another use identified as permitted or discretionary in the land use district. The Municipal Planning Commission:

(a) may determine the proposed use is either a permitted or discretionary use in the land use district in which it is proposed; and

(b) may determine a development permit be issued in accordance with this bylaw.

Single family 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.

Single lot commercial means a lot specifically zoned to facilitate a commercial entity not considered a home occupation.

Single-wide mobile home means a mobile home which is:

(a) not greater than 4.88 m (16 feet) in width; and

(b) permanently fixed to a single chassis.

Sod farm means the commercial growing of sod through seeding and stripping of topsoil to sell the final product for soil coverage and landscaping.

Solar energy system means the use of land or buildings for the conversion of the sun's rays to thermal, electrical or mechanical energy.

Souvenir shop means a retail store which sells various souvenirs and mementos and generally caters to the shopping needs of visitors.

Sports club means a use of land and/or buildings for a private organization, association, society, or private individual for public or private use, including but not limited to, a drift track, the sport of drifting, tuning cars, BMX track, go-kart track, skate park or such other uses.

Statutory plan means a municipal development plan, area structure plan or area redevelopment plan adopted under the *Municipal Government Act.*

Stop order means an order issued by the Municipal Planning Commission pursuant to section 645 of the *Municipal Government Act*.

Storey means the portion of a building situated between the top of any floor and the top of the next floor above it or, if there is no floor above it, the ceiling above it.

Street means a public thoroughfare affording the principal means of access to abutting parcels, and includes the sidewalks and the land on each side of and contiguous with the prepared surface of the thoroughfare and owned by the municipality.

Structural alteration means a repair or alteration to the supporting members or fabric of a building which tends to either substantially prolong its use or alter its character.

Subdivision means the division of a parcel by an instrument.

Subdivision and Development Appeal Board means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development.

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

Subdivision approval means the approval of a subdivision by a subdivision approving authority.

Subdivision Authority means the person or body empowered to approve a subdivision.

Subsequent family dwelling means the placement, location or construction of one or more dwelling units on a parcel of land which has two residences in existence.

Surveillance suite means a dwelling unit or sleeping unit developed in conjunction with a principal use so the dwelling is a supplementary use to the principal use, and is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security for a development.

T

Take-out service means the sale of food or beverages in a form ready for consumption from a restaurant.

Taxidermist means an individual engaged in the art of preparing life-like representations of animals by stuffing the skin or fashioning a wooden or plaster model on which the skin of the specimen is mounted or moulded.

Taxi service means a business established to provide chauffeur-driven automobile transportation available on call to carry a passenger between two points for a fare determined by a taximeter or flat rate.

Temporary foundation means the placement, construction or erection of a building or structure on a base constructed of materials other than concrete or steel such as pilings, blocks, skids, wood, gravel, stilts or drums.

Temporary occupancy means the habitation or use of land, buildings or structures for a defined or finite period of time limited to a consecutive number of days, weeks or months during a calendar year.

Temporary storage yard means development used exclusively for temporary outside storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include storage yards for construction vehicles, equipment and materials or recreation vehicles.

Temporary structure means a structure without any foundation or footings which is removed when the designated time period has elapsed.

Temporary use means a use which is not to become permanent.

Theatre means a building or structure designed for the showing of motion pictures or to accommodate a company of performers for the showing of plays or dances.

Tourist home means a dwelling unit operated as an accommodation unit, occupied by a guest(s) for a period of less than 28 days.

Tower means a vertical structure used to support, telecommunication, navigational, microwave, power generation, telephone, transmission, cellular or directional devices.

Townhouse means a single building comprised of three or more dwelling units separated from each other by walls extending from foundation to roof, with each dwelling unit having a separate, direct, at grade entrance. This includes all row, linked, patio, garden court or other housing which meet these criteria.

Townhouse, stacked means a multiple dwelling comprised of three or more dwelling units and constructed where one or more dwelling units are located totally or partially above another dwelling unit, and each having a separate, direct entrance from grade or a landscaped area.

Transportation systems means one or more networks of transportation links, services and facilities which collectively are of federal, provincial or municipal importance which include highways, railways, bicycle or pedestrian systems.

Travel agency means an office or enterprise engaged in the selling, arranging or furnishing of information regarding personal transportation or travel.

Triplex means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area.

Truck repair and servicing means a facility for the servicing and repair primarily of licensed motor vehicles.

Truck sales and rental means a commercial venture selling or renting trucks of various sizes, including but not limited to, passenger trucks, vans, cube vans, 3 and 5 ton trucks, semi-trucks, picker trucks, concrete trucks and crane trucks.

Truck stop means a service station which caters to large commercial vehicles such as semi-trailer trucks as well as intermediate-sized vehicles and passenger vehicles. The use "Truck stop" includes a restaurant, card lock, retail sales, vehicle towing services, and similar uses incidental to the operation of the truck stop.

Truck transport depot means a centralized area for the dispatching, parking, loading, unloading, storage or servicing of commercial trucks engaged in the business of transporting goods and materials to specified destinations.

Truck wash means a building or structure used for the commercial cleaning of large trucks, semi's and their trailers, agricultural equipment and vehicles but does not allow for the off-loading of human, animal or noxious or hazardous waste.

U

Unsubdivided quarter section means a titled area of 64.75 ha (160 acres) more or less, but excluding road widenings, previous subdivision for school sites and other public uses.

Urban municipality means the area of a town or village.

Utility means one or more of the following:

(a) system for the distribution of natural gas;

(b) facility for the storage, transmission, treatment, distribution or supply of water or electricity;

(c) facility for the collection, treatment, movement or disposal of sanitary sewage;

(d) storm sewage drainage facility; or

(e) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclauses (a) to (d) which are exempted by the Lieutenant Governor in Council in the Exemption Regulation.

V

Vegetation management means the manipulation of plant material for purposes of controlling wildfires or diseases.

Vehicle and equipment rentals (recreation) means a use of land or buildings for the rental of motor vehicles, motorcycles, recreation vehicles (RV), snowmobiles, atv, utv, boats, bicycles, and other similar vehicles for recreational purposes, and the rentals of recreation type equipment any may include maintenance and service of the vehicles and equipment. All proposed uses will be subject to all applicable laws and guidelines set forth by the Alberta Government and Government of Canada.

Vehicle sales and rental means a use of land or buildings for the sale of automobiles, vans, motorcycles, snowmobiles, tent and holiday trailers, boats and other recreational vehicles and craft and trucks with a tare weight. This use includes supplementary vehicle maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel.

Vehicle service and repair means a facility for the repair and servicing of motor vehicles, including but not limited to, mufflers, oil changes, transmissions, engine replacement, autobody and glass repair.

Veterinary clinic means a facility for the care of animals, including but not limited to, a building, outdoor pens, runs or enclosures.

W

Waiver means the relaxation or variance of a development standard established in the Land Use Bylaw. For the purpose of this bylaw the Development Officer or the Municipal Planning Commission or, on appeal, the Subdivision and Development Appeal Board can waive measurable standards of the Land Use Bylaw.

Warehouse means a building used for the indoor storage of goods and merchandise.

Warehouse store means a facility for the wholesale or retail sale of goods from within an enclosed building where the warehouse or storage component occupies at least 50 percent of the gross floor area and retail uses occupy 50 percent or less of the gross floor area. Typical uses include furniture, carpet and appliance warehouses.

Warehousing means the use of a building for the storage of materials, products, goods and merchandise.

Weigh scale, private means the personal or on-farm use of a building by an individual in which scales are used in weighing or measuring a manufactured product, food, quarried material or transported goods which arrives or departs the scale area.

Weigh scale, public means a building in which scales are used in weighing or measuring a manufactured product, food, quarried material or transported goods which arrives or departs the scale area available for use by the general public.

Welding shop means a business engaged in the fabrication, assembly or repair of machinery or equipment by welding.

Wetland means areas inundated and saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation adapted for life in saturated soil condition including swamps, marshes and bogs.

Wildland Urban Interface (WUI) means an identified area where residential, industrial or agricultural developments are located within or near wildland settings with natural vegetation, at risk from wildfire.

Wildlife corridor means an area which provides or is designed to provide connectivity between areas of wildlife habitat.

Wind energy conversion system (WECS) means a system consisting of subcomponents which converts wind energy to electrical energy using rotors, tower and a storage system.

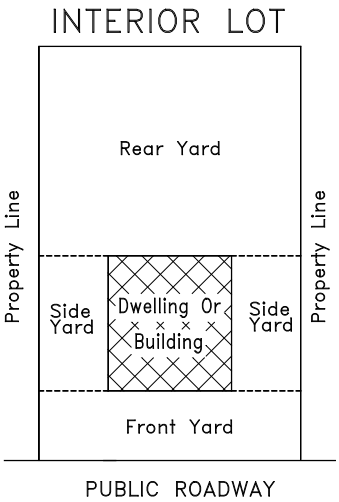
Workshop means an establishment where manufacturing, arts or crafts are carried on by an individual.

Y

Yard means the minimum required open space, on a site, lying 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 as shown in Figure 13.3.

Figure 13.3



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 as shown in Figure 13.3.

Yard, side means a yard extending from the front yard to the rear yard, and measured as to width at the least horizontal distance between the side property line or side street line and the nearest projection of any building as shown in Figure 13.3

Schedule 16

LAND USE DISTRICTS MAPS

APPENDIX A

MUNICIPAL PLANNING COMMISSION AND DEVELOPMENT AUTHORITY BYLAW

CARDSTON COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO 768.2021

BEING a Bylaw of Cardston County, in the Province of Alberta for the purpose of establishing a development authority and Municipal Planning Commission Bylaw.

WHEREAS the *Municipal Government Act,* Revised Statues of Alberta 2000, Chapter M-26, pursuant to Section 624, requires the municipality to adopt a Bylaw to establish a Municipal Development Authority;

AND WHEREAS the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 as amended, pursuant to Section 626, may adopt a Bylaw to establish a Municipal Planning Commission;

AND WHEREAS the Municipal Planning Commission is authorized to make decisions on applications for development approval in accordance with administrative procedures, the South Saskatchewan Regional Plan, the Municipal Government Act, the Subdivision and Development Regulation, any statutory plan of the municipality, and the municipal land use bylaw;

AND WHEREAS the purpose of this bylaw is to establish the authority of the Municipal Planning Commission and Designated Officer to carry out the duties of the Development Authority.

NOW THEREFORE, the Cardston County Council, duly assembled enacts as follows:

1.0 TITLE

1.1 This Bylaw may be cited as the "Municipal Planning Commission and Development Authority Bylaw".

2.0 DEFINITIONS

2.1 The following definitions shall apply when used within the Bylaw:

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

(b) **Authorized Persons**: means a person or organization authorized by council to which the municipality may delegate any of its Development Authority powers, duties or functions.

(c) **Council**: the Council of Cardston County;

(d) **Designated officer**: means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.

(e) **Development Authority:** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:

1) In the Act; or

2) In the Cardston County Land Use Bylaw

3) In this Bylaw

4) By resolution of Council

(f) **Member**: means the members of the Municipal Planning Commission.

(g) **Municipal Planning Commission ("MPC")**: means the Municipal Planning Commission of Cardston County as established by this Bylaw.

(h) **Municipality**: means Cardston County in the Province of Alberta

(i) **Secretary**: means the person or persons authorized to act as secretary for the Development Authority.

(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.

3.0 *DEVELOPMENT AUTHORITY*

3.1 The Development Authority for Cardston County is:

(a) The Designated Officer, for an application for development approval which is a permitted use under the Land Use Bylaw and which complies with the requirements and regulations set out in the Land Use Bylaw.

(b) The Municipal Planning Commission established under this Bylaw, when the application for development permit is:

1) A discretionary use under the Land Use Bylaw; or

2) A permitted use under the Land Use Bylaw which does not otherwise comply with the requirements and regulations as set out in the Land Use Bylaw.

3.2 Notwithstanding Section 2, the Designated Officer may forward any application for development approval to the Municipal Planning Commission for a decision.

Powers and Duties

3.3 The Development Authority has those powers and duties as set out in the Act, Land Use Bylaw, and this Bylaw, and any regulations made thereunder.

Appointment of Development Officer

3.4 Council may, by resolution, appoint a Designated Officer as Development Officer(s). The powers and duties of the Development Officer shall be outlined in the Cardston County Land Use Bylaw.

4.0 *MUNICIPAL PLANNING COMMISSION*

Establishment of the Municipal Planning Commission

4.1 A Commission known as the Municipal Planning Commission of Cardston County is hereby established.

Membership

4.2 The MPC shall be composed of not less than seven (7) persons as follows:

1) All seven (7) members of Council

4.3 Four (4) members of the MPC shall constitute a quorum

4.4 A member of the MPC shall not be appointed to the Subdivision and Development Appeal Board.

4.5 When a person ceases to be a member of the MPC 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.

Chairperson and Vice-Chairperson

4.6 The Chairperson and Vice-Chairperson shall be the Deputy Reeve and Reeve, respectively.

4.7 Where the Chairperson and Vice-Chairperson are both absent from a meeting of the MPC, one of the other members shall be elected by a simple majority to preside over that meeting.

Secretary

4.8 The Designated Officer(s) shall serve as Secretary to the MPC, and shall:

1) Not have a vote;

2) Notify all members of meeting of the MPC;

3) Notify the public pursuant to the notification procedure of the Land Use Bylaw and the Act;

4) Prepare and maintain a file of written minutes of the business transacted at all meetings of the MPC;

5) Record decisions of the MPC and issue the decision and/or permit forthwith to all parties affected;

6) Be authorized to sign on behalf of the MPC any order, decision, approval, notice or other thing made, given or issued by the MPC;

7) Keep record of the names and addresses of those making representations at the meeting; and

8) Undertake other duties as the MPC may require in the conduct of its business.

4.9 In the event of a tie vote, any motion of the MPC shall be deemed defeated.

Functions and Duties

4.10 The Municipal Planning Commission has the following functions and duties:

1) Upon request of Council, to advise Council with respect to achieving the orderly, economical and beneficial development, use of land and pattern of settlement in the Municipality; and

2) To serve as a Development Authority pursuant to Part 17 of the Act and of this Bylaw.

4.11 The MPC shall hold regular meetings on a monthly basis on a date to be determined by the Council and it may also hold special meetings at any time at the call of the Chairperson. Where a monthly meeting is not warranted it can be cancelled or re-scheduled at the discretion of the Chairperson.

4.12 Development permit applications referred to the MPC shall be considered and either approved, with or without conditions, or refused in accordance with the Land Use Bylaw and the Act Part 17 and any regulations made thereunder.

4.13 A decision of the MPC is not considered final until notification of the decision is given in writing.

4.14 If a member has a pecuniary interest in the matter before the MPC, the member shall:

1) Disclose the general nature of the pecuniary interest to the MPC prior to the MPC's decision of the matter

2) Abstain from discussion and disposition on the matter; and

3) Leave the room in which the meeting is taking place until discussion and disposition of the matter is completed.

4.15 The abstention of the member and the disclosure of the member's interest shall be recorded in the minutes.

4.16 Notwithstanding Section 4.8 (6) of this bylaw, any order, decision or approval made, given or issued by the MPC may be signed by the Chairperson or Vice-Chairperson of the MPC.

6.0 ***EFFECTIVE DATE***

6.1 This Bylaw shall come into force and effect upon third reading thereof. Upon third reading of this Bylaw, Bylaw 443/98 (Subdivision and Development Authority Bylaw) and all amendments thereto are hereby repealed.

READ a **first** time this 26th day of April, 2021.

Randall M. Bullock

Reeve – *Randall M. Bullock*

County Administrator – *Murray L. Millward*

READ a **second** time this 26 day of April ,2021.

Randall M. Bullock

Reeve – *Randall M. Bullock*

County Administrator – *Murray L. Millward*

READ a **third** time and finally PASSED this 26 day of April ,2021.

Randall M. Bullock

Reeve – *Randall M. Bullock*

County Administrator – *Murray L. Millward*

APPENDIX B

SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW

CARDSTON COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO. 717.2019

BEING A BYLAW OF THE CARDSTON COUNTY IN THE PROVINCE OF ALBERTA TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD;

AND WHEREAS the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26* as amended from time to time requires the municipality to adopt a bylaw to establish a Municipal Subdivision and Development Appeal Board or an Intermunicipal Subdivision and Development Appeal Board;

AND WHEREAS the Council of the Cardston County wishes to join other area municipalities to establish the Chinook Intermunicipal Subdivision and Development Appeal Board;

AND WHEREAS the Chinook Intermunicipal Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of a Subdivision Authority or a Development Authority in accordance with the South Saskatchewan Regional Plan (SSRP), the *Municipal Government Act (MGA)*, the Subdivision and Development Regulation, the local Land Use Bylaw and statutory plans;

NOW THEREFORE, the Council of the Cardston County in the Province of Alberta duly assembled, enacts as follows:

1. TITLE

This Bylaw may be cited as the Chinook Intermunicipal Subdivision and Development Appeal Board Bylaw.

2. AUTHORIZATION

Pursuant to section 627(1)(b) of the *MGA*, this bylaw hereby authorizes the municipality to enter an agreement with the other participating municipalities to establish the Chinook Intermunicipal Subdivision and Development Appeal Board.

3. DEFINITIONS

Appellant means the person who may file an appeal to the Board from decisions of a Subdivision Authority or a Development Authority in accordance with the *MGA*.

Board means the Chinook Intermunicipal Subdivision and Development Appeal Board established pursuant to this bylaw.

Board Member means an appointed member of the Chinook Intermunicipal Subdivision and Appeal Board appointed in accordance with this bylaw and who has obtained provincial training and certification.

Board Panel means the group of appointed Board Members actively sitting to hear and decide on an appeal at an appeal hearing.

Chair means the person elected from the Board panel members sitting to hear an appeal to act as the person who presides over the hearing and the procedures.

Chief Administrative Officer (CAO) means the individual appointed to the position for the municipality in accordance with the *MGA*.

Clerk means the person or persons who has completed training and is certified by the province and authorized to act as the administrative clerk for the Intermunicipal Subdivision and Development Appeal Board by the member municipality within which the appeal is held.

Conflict of Interest means both Common Law Bias and Pecuniary Interest.

Council means the Council of the (Municipality).

Development Authority has the same meaning as in the *MGA*.

Hearing means a public meeting convened before the Board acting as a quasi-judicial body to hear evidence and determine the facts relating to an appeal of decisions of a Subdivision Authority or a Development Authority, prior to the Board making a decision on the matter subject to the appeal.

Municipality means the municipal corporation of the Cardston County together with its jurisdictional boundaries, as the context requires.

Panel Member means an individual Board member participating in the group panel to hear an appeal.

Participating municipality means a municipality in the Province of Alberta who has entered into an agreement with other municipalities, as referred to in Section 2 of this bylaw, to establish the Chinook Intermunicipal Subdivision and Development Appeal Board.

Procedural guidelines means the policies, processes and administrative matters applicable to the filing of an appeal and conducting a hearing, and the roles, duties and conduct of Board members and Clerks.

Subdivision Authority has the same meaning as in the *MGA*.

Subdivision and Development Appeal Board has the same meaning as in the *MGA*.

Quorum means the minimum number of Board panel members required to hear an appeal.

Municipal Government Act (MGA) means the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26*, as amended from time to time.

Chinook Intermunicipal Subdivision and Development Appeal Board means the Board established by agreement to act as the Subdivision and Development Appeal Board.

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.

4. APPOINTMENT OF THE BOARD

(1) The Board is comprised of the member representative(s) as appointed by the participating municipalities.

(2) A municipality may participate in the Chinook Intermunicipal Subdivision and Development Appeal Board without appointing individual representative(s) by utilizing the appointed Board Members of the other participating member municipalities to act on the municipality's behalf as its appeal body.

(3) For each member municipality appointing individual Board Member representative(s) to the Chinook Intermunicipal Subdivision and Development Appeal Board, the appointment shall be made by resolution of Council. Appointed Board Members from a municipality shall consist of no more than three (3) members, with no more than one (1) being an elected official and the other two (2) being non-elected officials who are persons at large. If two (2) or less persons are appointed as members, they must be non-elected persons at large.

(4) For those member municipalities appointing individual representative(s) to the Board, the remaining composition of the Board Panel Members shall be the appointed members from the other municipalities of the Chinook Intermunicipal Subdivision and Development Appeal Board.

(5) Appointments to the Chinook Intermunicipal Subdivision and Development Appeal Board shall be made for a term of not more than three years. Reappointments must coincide with the successful completion of the mandatory provincial refresher training course to be taken every three (3) years.

(6) Board Members may be appointed for a two (2) or three (3) year term, at the discretion

of the municipality, for the purpose of establishing a staggered expiration of terms amongst the Board Members.

(7) A Board Member may resign from the Chinook Intermunicipal Subdivision and Development Appeal Board at any time by providing written notice to the municipality to that effect.

(8) Where Council has appointed a Board Member representative(s) for the municipality, Council may remove its individual appointed Board Member representative(s) at any time if:

a) in the opinion of Council, a Board Member is not performing his/her duties in accordance with the MGA, this Bylaw or the rules of natural justice,

b) a Board Member is absent for more than three (3) consecutive hearings to which he/she has been assigned to sit on the Board Panel without reasonable cause, or

c) a Board Member has participated in a matter in which that Board Member has a Conflict of Interest, contrary to the provisions of this Bylaw.

5. COMPOSITION

(1) The Board Members of the Chinook Intermunicipal Subdivision and Development Appeal Board shall meet in Panels, and two (2) or more Panels may meet simultaneously. The Panels have all the powers, duties and responsibilities of the Subdivision and Development Appeal Board.

(2) For the purpose of this Bylaw, the Board Panel formed from the appointed members of the Chinook Intermunicipal Subdivision and Development Appeal Board to hear an appeal, shall normally be composed of not less than three (3) persons, with no more than one (1) being an elected official.

(3) Two (2) Board Members constitute a quorum of the Board Panel.

(4) If a vacancy of an appointed Board member representative from a municipality shall occur at any time, the municipality may appoint another person to fill the vacancy by resolution of Council.

(5) In the absence of the municipal appointed member representative(s) of the municipality in which the appeal originates being available to sit on a Panel, then the appointed Panel Member representative(s) from the other municipalities of the Chinook Intermunicipal Subdivision and Development Appeal Board shall form the composition of the Board Panel to hear and decide on a matter of appeal on behalf of the municipality.

(6) Board Panel Members of the Chinook Intermunicipal Subdivision and Development Appeal Board shall not be members of a Municipal Subdivision Authority or Development Authority or municipal employees of the municipality in which the appeal is located.

(7) A person appointed as a Board Member in accordance with this Bylaw must successfully complete and maintain the mandatory provincial training and certification prior to sitting on a Panel to hear an appeal.

6. COSTS AND REMUNERATION

(1) Board Members may be entitled to reasonable remuneration for time and expenses relating to participating on a Board Panel.

(2) Costs related to appeal hearings and the remuneration to Board Members shall be provided as specified in the intermunicipal agreement of the participating members of the Chinook Intermunicipal Subdivision and Development Appeal Board.

7. DUTIES OF THE INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

(1) The Chinook Intermunicipal Subdivision and Development Appeal Board shall hold hearings as required pursuant to the *Municipal Government Act* on a date to be determined by the Board.

(2) The Board, and those Members who sit as a Board Panel hearing an appeal, shall govern its actions and hearings in respect of the processes and procedures as outlined in the Procedural Guidelines.

(3) A Board Member may only participate in an appeal hearing if they have successfully completed the mandatory provincial training prior to the appeal hearing date.

(4) The Board Panel may, at its discretion, agree to adjournments in respect of the processes and procedures as outlined in the Procedural Guidelines.

(5) A Board Panel hearing an appeal shall appoint a Chair to preside over the proceedings prior to the commencement of the hearing.

(6) An order, decision or approval made, given or issued by the Board Panel and under the signature of the Chair, or a Board Member acting as a designate, is the decision of the Board.

(7) The Board Members shall conduct themselves in a professional, impartial and ethical manner and apply the principles of administrative justice and judicial fairness.

(8) The Board Members shall consider and act in respect of the Chinook Intermunicipal Subdivision and Development Appeal Board Procedural Guidelines.

(9) The Board does not have the jurisdiction or authority to award pecuniary or monetary awards or costs to any persons, entity or organization involved in an appeal.

8. APPEAL FILING

(1) An appeal shall be filed in writing by an appellant, in accordance and in the manner prescribed in the *MGA*, to the municipality and include the payment of the applicable municipal appeal fee.

(2) If there is a question about the validity of an appeal being filed, the Board Panel must convene the appeal hearing in accordance with the *MGA* to establish jurisdiction and then it may decide on the matter of validity. It shall be the responsibility of the Board Panel to make the determination of whether the appeal is valid.

(3) In the event an appeal is abandoned or withdrawn in writing by the appellant, the Board Panel shall not be obliged to hold the appeal hearing referred to in the *MGA* unless another notice of appeal has been served upon the Board in accordance with the *MGA*.

9. CLERK RESPONSIBILITIES AND DUTIES

(1) Council shall by resolution appoint a Clerk as a designated officer, or sub-delegate to its CAO the authority to appoint a Clerk or Clerks, for the specific purposes of providing administrative assistance to the Board in fulfilling its legislative duties.

(2) The appointed Clerk shall attend all meetings and hearings of the Chinook Intermunicipal Subdivision and Development Appeal Board held in that member municipality, but shall not vote on any matter before the Board.

(3) A person appointed as a Clerk to assist the Chinook Intermunicipal Subdivision and Development Appeal Board in accordance with this bylaw must have successfully completed the mandatory provincial training prior to assisting the Board in its legislative duties.

(4) The Clerk, acting for the Board, shall accept on behalf of the Board appeals which have been filed with the municipality in relation to a decision of the Subdivision Authority or the Development Authority.

(5) The Clerk of the Board shall keep records of appeals and proceedings for the municipality in which the appeal has been filed, as outlined in the Procedural Guidelines.

10. ADMINISTRATIVE

(1) **Singular and Masculine** – Words importing the singular number shall include the plural number and vice versa and words importing one gender only in this Bylaw shall include all genders and words importing parties or persons in this Bylaw shall include individuals,

partnerships, corporations, and other entities, legal or otherwise.

(2) **Severability** – Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

11. ENACTMENT

(1) This bylaw shall come into effect upon third and final reading thereof.

(2) This Bylaw rescinds Bylaw No. 433.1995, being the former municipal Subdivision and Development Appeal Board Bylaw, and any amendments thereto.

READ a **first** time this 11th day of March, 2019.

Reeve *– M.J. (Jim) Bester*

County Administrator *- Murray Millward*

READ a **second** time this 11th day of March, 2019.

Reeve *– M.J. (Jim) Bester*

County Administrator *- Murray Millward*

READ a **third** time and finally PASSED this 11th day of March, 2019.

Reeve *– M.J. (Jim) Bester*

County Administrator *- Murray Millward*

APPENDIX C

SCHEDULE OF FEES

POLICY: SCHEDULE OF FEES	
AUTHORIZED BY: COUNCIL	**POLICY SOURCE: ADMINISTRATION**
EFFECTIVE DATE: DECEMBER 16, 2019	**PAGE: 1 OF 3**

Policy Purpose

The purpose of this policy is to establish the fees and charges charged by Cardston County for various administrative purposes. This policy will be reviewed annually to ensure that the County's fees and charges established in this policy are current.

Part 1: Fees for Administrative and General Services

Item / Description	Fee / Charge
Regular County Map*****	$30.00 / map
Tax Certificate	$50.00 / certificate
Tax Compliance Letter	$50.00 / letter
Tax Information	$25 / parcel
Freedom of Information and Protection of Privacy Act Request Processing	As per *Freedom of Information and Protection of Privacy Regulation*, Alta. Reg. 186/2008.
Business License	$50.00 / license (resident) $200.00 (non-resident) $130.00 (regional)
Assessment Review Board Appeal******	
Farmland	$50.00 / appeal
Residential (3 or fewer dwellings)	$50.00 / appeal
Residential (4 or more dwellings)	$650.00 / appeal
Non-Residential	$650.00 / appeal
Linear Property	$650.00 / appeal
Equalized Assessment	$650.00 / appeal

*****An additional fee of $13 will be charged for postage and handling if maps need to be mailed.
******Assessment Review Board fees will be refunded if the Board decides in favour of the complainant or if the complainant withdraws his/her appeal.

Part 2: Planning and Development Fee Schedule

Item / Description	Fee / Charge
Application for Permitted Use	$100.00 / application $300.00 if development commences prior to obtaining a development permit
Application for Discretionary Use	$200.00 / application $600.00 if development commences prior to obtaining a development permit
Application for Land Use Bylaw Amendments	$800.00 / application
Application for Road Allowance Closure	$100 / application Applicant will be charged for **all** associated surveying and administrative costs.

Request to Convene a Meeting*	
Council	$1000.00 / meeting
Municipal Planning Commission	$1000.00 / meeting
Subdivision & Development Appeal Board	$1000.00 / meeting
Subdivision & Development Appeal Board	$500.00 / appeal
Request for a Letter of Compliance	$25.00 / letter
Request for a Bylaw Waiver or Variance	$50.00 / request
Registration Costs	
Easement Save	$80 / agreement
Harmless	$80 / agreement
Development Agreement	$80 / agreement
Encroachment Agreement	$80 / agreement
Party Wall Agreement	$80 / agreement

*This fee only applies for requests to convene a previously unscheduled meeting. There is no charge for regularly scheduled meetings.

Part 3: Agricultural Services Board Fee Schedule

Item / Description	Rate	5% GST	Total
Cattle Loading Chute - per day	$50.00	2.50	$52.50
Cattle Hoof Trim Chute – per day	$35.00	1.75	$36.75
Sprayers **Per Day**: Back pack sprayer	$5.00	.25	$5.25
Lawn push sprayer	$10.00	.50	$10.50
60 Gallon skid sprayer (fits in side by side)	$20.00	1.00	$21.00
85 Gallon Intelli-sprayer with 150 feet of hose/remote	$50.00	2.50	$52.50
180 Gallon skid sprayer	$35.00	1.75	$36.75
150 gallon Insecticide skid sprayer	$30.00	1.50	$31.50
350 gallon pull type sprayer	$50.00	2.50	$52.50
John Deere 1590 15’ No Till Grass Drill Minimum Charge $200.00	$10.00/acre + $150.00 Delivery and Set-up Charge	YES	
Manure Spreader **Per Day**			
BUNNING – small – 280 bushel heaped	$500.00	25.00	$525.00
BUNNING – LARGE – 420 bushel heaped	$550.00	27.50	$577.50
Eco Bran Applicator for Grasshoppers Small	$12.00	.60	$12.60
Large	$30.00	1.50	$31.50
Eco Bran 20 Kg bag	$75.00	n/c	$75.00
Ro-Con Applicator – Per Day (non-poisonous gopher control)	$20.00	1.00	$21.00
Concentrate foaming agent	$45.00 jug	2.25	$47.25
Pasture Pipeline plow – Per Day	$35.00	1.75	$36.75
Pull type Sheep-foot Packer (per unit) -Day	$150.00	7.50	$157.50
Post hole auger Per Day	$35.00	1.75	$36.75
3 point hitch seeder (broadcast)	$30.00	1.50	$31.50
Tree Planters and Mulch Applicator	no charge		n/c
RFID tag reader	no charge		n/c
Skunk and Raccoon traps ($100.00 deposit)	no charge		n/c
Burrow Builder for controlling Pocket Gophers	$35.00	1.75	$36.75

Item / Description	Fee / Charge	Total w/ GST
2, 4-D 10L 1L	 $85.00/10L $10.00/1L	
Oracle (Banvel II)	 $220.00/9.46L $25.00/1L	
Roundup Transorb	 $80.00/10L $9.00/1L	
PAR III	 $75.00 + GST/10L $40.00 + GST/4L	 $78.75 $42.00
Hi-Lite Dye (Blue)	$22.00 +GST/1 Qt.	$23.10
Restore II	 $330.00/9.7L $40.00/1L	
Overdrive	 $330.00 + GST/3.4KG $11.90/1 acre	$346.50
Grazon SC	 $260.00/10L $30.00/1L	
Reclaim II (20 Acre)	$840.00/Case	
Tordon 22 K	 $525.00/10L $56.00/1L	
Aspect	 $280.00/10L $30.00/1L	
Eco Bran	$72.00/bag	
Cal-Mix	$90.00 + GST/5KG	$90.45
Gopher Poison (2% LSC)	 $11.00/Bottle $260.00/Case	
Phos-Toxin	$50.00/Flask	
Ro-Con Concentrate	$42.00 + GST/4L	$44.10

Part 4: Utility Fees and Charges

Item/ Description	Fee / Charge
Water Line Hook-up (non-regional line)	$20,000.00 / hook up
Hook-up to Regional Line	$15,000.00 / hook-up (water license included)
Water Line Disconnect / Reconnect	$200.00 / request
Water Licenses	$1,500.00 / license
Monthly Residential Flat Fee	$25.00 / month
Monthly Commercial Flat Fee	$50.00 / month + $1.32/$m^3$ for 72m^3
Spring Coulee	$25.00 / month + $1.36/$m^3$
Magrath Co-op Magrath N and NW	$57.40 / month for 36 m^3 for 36m^3 $61.40 / month for 36 m^3 for 36m^3

Cardston South Co-op	$25.00 / month + $1.36/m³ for 60 m^3
Cricklewood	$25.00 / month + $1.36/m³ for 36$m^3$
Hill Spring	$25.00 / month + $1.36/m³ for 36$m^3$
Magrath NE	$56.88 / month for 36m³
Bulk Water	$3.00 / m³
Volume Surcharge	$1.98 / m³ over service limit

Part 5: Public Works Fee Schedule

Item / Description	Fee / Charge
Road Approach Deposit	$500 deposit / agreement

Part 6: Cemetery Fee Schedule

Item / Description	Fee / Charge
Aetna	$150 / Resident $250 / Affiliated-Resident $500 / Non-Resident
Kimball	$150 / Resident $250 / Affiliated-Resident $500 / Non-Resident
Taylorville	$150 / Resident $250 / Affiliated-Resident $500 / Non-Resident
Spring Coulee	$150 / Resident $250 / Affiliated-Resident $500 / Non-Resident
Woolford	$150 / Resident $250 / Affiliated-Resident $500 / Non-Resident

Policy History

Adopted	May 9, 2016
Revised	December 16, 2019

APPENDIX D

FORMS

APPLICATION FOR A DEVELOPMENT PERMIT *

FORM A

APPLICATION NO. _____

APPLICANT (Please print): _____

ADDRESS: _____ **TELEPHONE:** _____

REGISTERED OWNER: _____

ADDRESS: _____

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) _____

EXISTING USE: _____ **PROPOSED USE:** _____

If development or land use is temporary, state for what period: _____

LOT DIMENSIONS: Width _____ Length _____ Area _____

MAIN BUILDING: Floor Area _____ Percentage of lot occupied _____

Setback: Front yard _____ Rear yard _____ Side yards _____ and _____

ANCILLARY BUILDINGS: Total Floor Area _____ Percentage of lot occupied _____

Setback: Rear yard _____ Side yards _____ and _____

DETAILS OF PROPOSED DEVELOPMENT:

OFF-STREET PARKING SPACES: Size _____ Number _____

OFF-STREET LOADING SPACES: Size _____ Number _____

FOUNDATION: _____ EXTERIOR FINISH: _____

SERVICING: ❑ WATER ❑ SEWER ❑ SEPTIC FIELD

LANDSCAPING DETAILS: _____

OTHER DETAILS: _____

Estimated **Commencement** Date: _____ Estimated **Completion** Date: _____

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the registered owner of the land described above is aware of this application.

Date of Application: _____ **Signature of Applicant:** _____

* All measurements must be metric.

IMPORTANT - See notes over

NOTES:

1. Subject to the provisions of the Cardston County Land Use Bylaw, the term "development" includes the making of any change in the use of buildings or land.

2. Although the Development 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 duplicate should be submitted with this application in sufficient detail to enable adequate consideration of the 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, that is,

   Block plans or site plans – 1:100
   Other drawings – 1:50

   However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.

4. **If a decision is not made within 40 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, **the application shall be deemed to be refused** and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.

NOTICE OF MUNICIPAL PLANNING COMMISSION MEETING

FORM B

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 MEETING: _____

TIME OF MEETING: _____

DATE OF MEETING: _____

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 meeting shall submit a written request to be heard to the Development Officer not later than:

_____ (a.m./p.m.) on _____

DATE: _____ **SIGNED:** _____

Development Officer

NOTICE OF DECISION

FORM C

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:

DATE OF DECISION: _____

Development Permit issued on the _____ day of _____, _____

A development permit will be issued in accordance with this notice but not be valid until twenty one (21) days after the date that this decision has been mailed to adjacent assessed land owners, or posted on the site, or published in a newspaper, unless an appeal is lodged pursuant to section 686(1) of the *Municipal Government Act*. If an appeal is lodged, then a permit will not be issued until the Subdivision and Development Appeal Board has determined that appeal and this notice of decision may be modified, confirmed, or nullified thereby.

(THIS DOES NOT APPLY TO PERMITTED USES.)

DATE: _____ **SIGNED:** _____

Development Officer

IMPORTANT: Notice of approval in no way removes the need to obtain any permit or approval required by any federal, provincial, or municipal legislation, and/or regulations pertaining to the development approved.

*** Intention to appeal must be received within 21 days after the date which the written decision was given.**

DEVELOPMENT PERMIT

FORM D

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 development application number _____ and plans submitted by the applicant.

This permit refers only to works outlined in development application number _____

and is subject to the conditions contained in the notice of decision dated _____ .

DATE: _____ **SIGNED:** _____

Development Officer

IMPORTANT - See over

IMPORTANT:

The development outlined on the reverse 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 Cardston County Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaws, 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 Development 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.

APPLICATION FOR A
LAND USE BYLAW AMENDMENT

FORM E

APPLICATION NO. _____

FEES SUBMITTED $ _____

APPLICANT: _____

ADDRESS: _____ **TELEPHONE:** _____

REGISTERED OWNER: _____

ADDRESS: _____ **TELEPHONE:** _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____ W_____M

PROPOSED AMENDMENT:

From: _____

_____

To: _____

_____

APPLICANT'S SUBMISSION:

Please state your reasons for applying for this amendment. Attach a separate sheet if required.

_____

_____

_____

_____

_____

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application.

DATE: _____ **SIGNED:** _____

Applicant

AGREEMENT FOR TIME EXTENSION OF A DEVELOPMENT APPLICATION

FORM F

APPLICATION NO. _____

I/we _____ being the registered owner or person authorized to act on behalf of the registered owner with respect to:

Application No. _____

For: _____

Located on (legal description): _____

_____

Do hereby agree to a time extension of: _____ days, until

_____

_____

On the understanding that if a decision has not been made by this time, I may deem the application refused and appeal to the Subdivision and Development Appeal Board in accordance with the provisions of the *Municipal Government Act.*

_____

***Signature** of Registered Owner/Person Acting on behalf of:*

_____

***Signature** of Witness*

DATE: _____

_____

***Signature** of Development Officer*
Cardston County

_____

***Signature** of Witness*

DATE: _____

STOP ORDER

FORM G

APPLICATION NO. _____

TO THE REGISTERED OWNER: _____

ADDRESS: _____ **TELEPHONE:** _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____ W_____M

PLEASE TAKE NOTICE that in accordance with the section 645 of the *Municipal Government Act*, you are HEREBY ORDERED TO:

_____

_____

_____

_____

_____

_____

_____

_____

_____

BE ADVISED that pursuant to section 566 of the *Municipal Government Act*, a person who contravenes an order under section 645, is guilty of an offense 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; and be FURTHER ADVISED that pursuant to section 685 and section 686(1) of the *Municipal Government Act*, you may appeal this order by serving a written notice of the appeal on the Subdivision and Development Appeal Board within 21 days after the date this order was received, in care of the Secretary, Subdivision and Development Appeal Board, Cardston County, Box 580, Cardston, Alberta, T0K 0K0.

DATE: _____ **SIGNED:** _____

Development Officer
Cardston County

APPLICATION FOR A HOME OCCUPATION

FORM H

APPLICATION NO. _____

APPLICANT: _____

ADDRESS: _____ **TELEPHONE:** _____

REGISTERED OWNER: _____

ADDRESS: _____ **TELEPHONE:** _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____ W_____M

Existing Use: _____

Proposed Use Being Applied For: _____

Hours of Operation: _____ to _____

Noise Generated:	☐ Yes	☐ No	
Off-Street Parking Available:	☐ Yes	☐ No	No. of Spaces _____
Storage of Goods on Property:	☐ Yes	☐ No	
Anticipated Increase in Vehicular Traffic:	☐ Yes	☐ No	
Odours or Noxious Effluents:	☐ Yes	☐ No	
Additional Vehicles Required:	☐ Yes	☐ No	

APPLICANT'S SUBMISSION: Please state your reasons for applying for this home occupation. (Attach a separate sheet if necessary.)

_____

_____

_____

_____

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application.

DATE: _____ **SIGNED:** _____

Applicant

APPLICATION FOR A TEMPORARY DEVELOPMENT PERMIT

FORM I

APPLICATION NO. _____

FEES SUBMITTED $ _____

APPLICANT: _____

ADDRESS: _____ **TELEPHONE:** _____

REGISTERED OWNER: _____ **TELEPHONE:** _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____ W____M

Existing Use: _____

Proposed Use: _____

Proposed Duration: from _____ to _____

PARTICULARS OF PROPOSED DEVELOPMENT: _____

_____

_____

_____

_____

_____

Additional information or clarification can be helpful in processing the application without delay. You may wish to use the back of this form, or attach a separate sheet with such information.

Please fill out the Right of Entry authorization on reverse.

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I have submitted particulars concerning the completion of the proposed development and 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 am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____ **SIGNED:** _____

Applicant

IMPORTANT: See Over

ADDITIONAL INFORMATION: _____

_____

_____

_____

_____

_____

IMPORTANT:

1. Subject to the provisions of the Cardston County Land Use Bylaw, the term "development" includes any change in the use of buildings or land.
2. Although the Development 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 an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within 21 days of issuance of a Development Permit, is at his own risk.
3. Please submit a plan or drawing showing location of existing and proposed buildings, roads, services, boundaries, etc. in sufficient detail to ensure proper consideration of the application. Measurements may be metric or imperial units. It is desirable that the plans and drawings should be on a scale appropriate to the development, that is:

   Site plans – ratio of 1:1000 or 1:1500
   Other drawings – ratio of 1:100 or 1:200

   or as required by the Development Officer.

   However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40 day period unless an agreement for a time extension has been entered into with the municipality.

RIGHT OF ENTRY:

I hereby authorize representatives of Cardston County to enter my land for the purpose of conducting a site inspection in connection with this application.

This right is granted pursuant to section 542(1) of the *Municipal Government Act*.

DATE: _____ **SIGNED:** _____

Registered Land Owner(s)

NOTE: When, in the opinion of the Municipal Planning Commission, a proposed use is of a temporary or discretionary nature, it may issue a temporary development permit valid for such a period as it considers appropriate. It shall be a condition of every temporary development permit that Cardston County shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period. The Municipal Planning Commission may require the applicant to post a guarantee for the cessation or removal of the use and any associated development.

TIME EXTENSION FOR
20-DAY PROCESSING TIMEFRAME

FORM J

PERMIT NO. _____

APPLICANT: _____

MAILING ADDRESS: _____ **TELEPHONE:** _____

Legal Description: _____

Expiry Date of Processing Timeframe: _____

Extended Time Requested: _____

Reason for Extension Request: _____

_____

_____

_____

DATE: _____ **SIGNED:** _____

Applicant / Owner

DATE EXTENDED TO: _____

DATE: _____ **SIGNED:** _____

Development Officer

APPENDIX E

SUBDIVISION GUIDELINES

CARDSTON COUNTY

SUBDIVISION GUIDELINES

1. The Municipal Planning Commission, acting as the Subdivision Authority, shall ensure that the proposed use intended for the subdivision complies with the present land use designation in the land use bylaw and is also consistent with any applicable statutory plan (i.e. municipal development plan) or area structure plan).

2. The Municipal Planning Commission may impose reasonable planning-related conditions to ensure that the subdivision is designed to meet or exceed municipal standards (i.e. development agreements, engineering studies, etc.).

3. The Municipal Planning Commission shall ensure, pursuant to section 654(1)(a) of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, that the land that is the subject of a subdivision application is suitable for the use which it is intended.

4. The Municipal Planning Commission cannot place erroneous or frivolous conditions on a subdivision to render an approval too costly to complete. Conditions must be placed on approvals in good faith and be planning-related.

5. Applications which do not comply with the land use bylaw and/or a statutory plan must be redesignated before a decision can be rendered by the Subdivision Authority.

6. All subdivision decisions, either approved or refused, must contain reasons for the decision.

7. In order to make an informed decision, the Municipal Planning Commission may request that additional information be provided such as: slope stability tests, hydrogeological studies, stormwater management evaluations, floodplain information, etc. prior to rendering a decision.

8. The Municipal Planning Commission may request that Municipal and/or Environmental Reserve (easements) be provided by the applicant as a condition of a subdivision approval.

9. The Municipal Planning Commission shall ensure that every parcel created by a subdivision approval has legal access and/or egress or access satisfactory to the municipality.

10. The Municipal Council may establish subdivision policies, by resolution or bylaw, to provide direction to the Municipal Planning Commission when rendering decisions on subdivision applications (i.e. first parcel subdivision, fragmented parcels, etc.).

11. The Municipal Planning Commission shall endeavor to create subdivided parcels which meet or exceed the minimum lot requirements established in the respective land use district to ensure that multiple waivers are not required at the time a development application is received.

12. As part of its subdivision decision-making, the Municipal Planning Commission should consider, if applicable, the cumulative effect of the proposal on the surrounding lands.

13. The Municipal Planning Commission shall consider all comments received, prior to a decision, from pertinent referral agencies and/or adjacent landowners.

14. The Municipal Planning Commission must render a subdivision decision within 60 days of a completed application unless additional information is required to be provided and the applicant has agreed to a time extension.

15. All subdivision decisions are valid for one year from the date of the letter informing the applicant of the subdivision approval.

16. The Municipal Council may grant a time extension(s) to validate the subdivision approval beyond the one year initial approval date at its sole discretion.

17. A subdivision decision and/or its conditions may be appealed, in accordance with section 678 of the *Municipal Government Act*, to the appropriate appeal board within 14 days after the receipt of the written decision of the Municipal Planning Commission, or deemed refusal by the Municipal Planning Commission.

18. All subdivision applications must be processed in an expeditious manner in accordance with section 653.1 of the *Municipal Government Act*.

APPENDIX F

REPORT REQUIREMENTS UNDER SECTION 23 OF THE WATER ACT

Alberta
ENVIRONMENT

Report Requirements

under Section 23 of

the *Water Act*

for Subdivision Development






Report Requirements for Subdivision Development Under Section 23 of the *Water Act*

Introduction

The *Water Act* (the "Act") came into force on January 1, 1999, replacing the *Water Resources Act*.

Under the Act, a statutory right exists for the diversion and use of water for household purposes. The statutory right is defined for a volume of water with use of up to 1,250 m^3 of water per year and applies to a person who owns or occupies land that adjoins a river, stream, lake, or under which groundwater exists.

Section 23 of the Act and the regulations stipulate that where a proposed subdivision will result in six or more parcels of land within a quarter-section, a professional engineer, geologist, or geophysicist must submit a report to the local subdivision approving authority. This report must advise whether there is sufficient volume for each of the parcels to divert a volume of 1,250 cubic metres of water, while not interfering with other water users in the area. If the report is not submitted, each of the parcels will not have statutory right for household purposes except for those parcels in place prior to the subdivision. Residents in the new subdivision may divert and use water, however they will not have the benefit of the statutory right, which is the highest priority use under the Act.

This requirement addresses rural landowners' concerns during the extensive public consultation process regarding subdivision development and its impacts on existing diversions of water. The requirement does not apply to subdivisions that were either approved or applied for prior to January 1, 1999.

Report Guidelines

It is acknowledged that groundwater is the major water supply source for individual lots within a newly created subdivision, and that the majority of reports prepared in meeting Section 23 requirements will be with respect to groundwater. Surface water sources can be considered and where a surface water source is considered for meeting the household requirements, a report to meet the Section 23 requirement is necessary. The following guidelines address the requirements that are necessary to assess groundwater feasibility and impacts.

Groundwater conditions vary within the province, thus the level of investigations and testing is left to the hydrogeologist who is responsible for making decisions based on site-specific conditions. These guidelines do not attempt to deal with details of testing or with technical interpretation.

The report required under Section 23(3)(a) must be prepared and certified by a professional member of the Alberta Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA), whose area of competence is within the groundwater discipline.

The report should contain:

1. A field-verified survey of all the wells, springs and dugouts within an appropriate radius of the proposed subdivision test well. The survey data should be presented on plan(s) showing the quarter section and section-line grids and include the following:

   (a) locations of all wells (including observation wells), test holes, springs and dugouts with the following information:

      (i) names of licensees and registration holders under the *Water Act* and the allocation of each source of supply within the area of interest surrounding the proposed subdivision, and

      (ii) ownership of municipal (central distribution source of supply) and private water wells, observation wells, test-holes, springs and dugouts.

   (b) table(s) summarizing the location, ownership, and well depth and construction details (screened, open or slotted interval), depth to water, aquifer unit intervals, pump intake depth, the purpose, water use requirements and, if available, chemical analyses for sites identified in the survey. Dugout sizes and the flow rate of springs should also be included.

2. Schematic diagrams showing construction of the proposed production well(s)/test wells and any observation well(s).

3. Names of drilling contractors involved in data acquisition.

4. Lithologic and where available, geophysical logs, with aquifer zones indicated, of all holes drilled along with copies of any maps drawn showing the extent and thickness of the aquifer being tested and other aquifers.

5. Plans showing the location of buried valleys, delineation of depth to bedrock and the aerial distribution and extent (contact/subcrop), etc.

6. Details of drawdown and recovery in all test well(s) and observation well(s) together with and interpretation of the results including graphs of time-drawdown and distance-drawdown and all calculation performed. Copies of raw data must be included.

7. Cross sections of appropriate orientation and length through the proposed subdivision test well(s), neighbouring water wells, observation wells and test holes illustrating the correlation of the aquifer units and their non pumping water levels, and the location of springs, dugouts and water bodies when applicable.

8. Calculated cones of depression, neglecting recharge, after 1, 5 and 20 years of production at rates projected for the **complete** subdivision development.

9. Table of expected drawdown, neglecting recharge, after, 1, 5 and 20 years of production at the location of all wells within an appropriate distance of the proposed subdivision test well(s).

10. (1) Copies of all chemical analyses performed. Time and date of sampling must be recorded.

(2) During the pumping test, at least one water sample collected in a sterilized container shall be analysed for the following constituents (time and date of sampling must be recorded):

CHEMICAL

- Ammonia – Nitrogen (mg/L)
- Arsenic (mg/L)
- Calcium (mg/L)
- Chloride (mg/L)
- Colour (TCU)
- Copper (mg/L)
- Fluoride (mg/L)
- Dissolved Iron (mg/L)
- Lead (mg/L)
- Magnesium (mg/L)
- Manganese (mg/L)
- Mercury (mg/L)
- Nitrite and Nitrate (mg/L as N)
- pH
- Phenols (mg/L)
- Sodium (mg/L)
- Sulphate (mg/L as SO_4)
- Sulphide (mg/L)
- Total Dissolved Solids (mg/L)
- Total Alkalinity (mg/L as $CaCO_3$)
- Total Hardness (mg/L as $CaCO_3$)
- Total Kjeldahl Nitrogen (TKN)
- Total Phosphate (mg/L)
- Turbidity (NTU)
- Zinc (mg/L)

BACTERIOLOGICAL:

Fecal Coliforms (mpn/mL)
Total Coliforms (mpn/mL).

10. Analysis of the pumping test data by recognized hydrogeologic methods assessing

(a) the aquifer potential yield,

(b) aquifer(s) continuity within the drift or bedrock,

(c) aquifer parameters: Transmissivity (T), Storativity Coefficient (S),

(d) the potential impacts (drawdown) on area residents' water supplies as a result of the long-term diversion of groundwater from the aquifer interval(s), and

(e) groundwater/surface water interaction, if applicable.

11. Groundwater quality assessment

12. Statement(s) quantifying whether the diversion of 1,250 cubic metres of water per year for each household within the proposed subdivision

(a) has a significant adverse effect on household users, licensees or traditional agriculture users identified in the field-verified survey in existence prior to subdivision approval, and

(b) is consistent with an applicable approved water management plan.

Future wells proposed for subdivision may be completed in different aquifer units (zones). Thus assessment of potential interference should be done for each unit, assuming "worst case" situation.

The required report should be a culmination of a process that includes:

- Literature review:

(a) Alberta Research Council reports and maps (hydrogeological reconnaissance and bedrock topography, etc)

(b) Consultants' reports filed with the Groundwater Information Centre (submitted in support of groundwater diversion licences and other published reports)

(c) Groundwater quality of the aquifer unit(s) in which the neighbouring water wells are situated (based on available chemical analyses).

- Field verification of water wells within an appropriate radius of the proposed subdivision:

  (a) The county or municipal district. may have historic land ownership records to help verify the location of water wells and test holes.

  (b) Information may be available from the Groundwater Information Centre (contains name of the landowner at the time the well was drilled).

  (c) The field survey provides an opportunity to identify the location of old water well(s) for which no record is available, and any new well(s) for which the record(s) has yet to be submitted by the water well contractor. During the field-verified survey, addition water use information can be obtained from the landowner such as current usage, existing approval(s) under the *Water Resources Act* and whether the current landowner will be applying for registration under section 24 of the Act (up to 6250 cubic metres/year).

- A preliminary pumping test (up to two hours in length) for each test well if more than one aquifer unit is being considered

- Assessment of all available information to determine if further hydrogeologic investigations are warranted. If it is, a longer pumping test should be carried out on each test well to determine long-term yield and potential impact on the surrounding wells

- Selecting or drilling observation wells before a longer constant-rate pumping test(s) is carried out

- A constant-rate pumping test to meet, but not limited to, the following criteria:

  (a) Rate shall not be less than the anticipated maximum production rate

  (b) Maximum variation in pump rate shall be +/- 5%

  (c) Pumping shall continue for a period of time sufficient to identify any limiting boundary conditions

  (d) Recovery measurements are to be taken for at least the same length of time as the well was pumped

  (e) Appropriate number of observation wells should be provided and monitored on the same schedule as the test well

  (f) Pumped water should be disposed of in accordance with regulations

APPENDIX G

BED AND BREAKFAST HEALTH STANDARDS AND GUIDELINES

BED AND BREAKFAST
HEALTH STANDARDS AND GUIDELINES

The following are excerpts from Alberta Health "Bed and Breakfast Health Standards and Guidelines", April 1996.

DEFINITIONS

Bed and Breakfast	A private owner-occupied dwelling where rooms are rented and a breakfast meal is provided for registered guests.
Potable Water	Water that is safe and suitable to drink. The Regional Health Authority will assess the water quality in Bed and Breakfast facilities.
Potentially Hazardous Food	Any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish or other ingredients, including synthetic ingredients and which is in a form capable of supporting the growth of disease-causing organisms.
Residential Kitchen	The primary kitchen in a private home.
Sanitization	The application of cumulative heat or chemicals or cleaned food contact surfaces that, when evaluated for efficacy, yield a reduction of 5 lots, which is equal to a 99.999% reduction, of representative disease micro organisms of public health importance. (FDA Food Code 1993)

OPERATIONAL REQUIREMENTS

General Premises

1. A Bed and Breakfast establishment must comply to building standards set out by the Alberta Building Code. (refer to Appendix B)
2. The premises must be maintained in good repair and sound condition.
3. The premises must be maintained in a condition that prevents, wherever possible, the entry, presence or harbourage of rodents, flies and other pests.
4. The premises must be equipped with smoke alarms and fire extinguishers as prescribed by the Alberta Building Code. (refer to Appendix B)
5. The building shall be maintained in a clean and sanitary condition.
6. Plumbing and drainage systems or private sewage disposal systems shall be maintained in proper operating condition and free from defects.
7. Heating facilities supplied must be capable of maintaining an indoor temperature of not less than 22°C (72°F) if the premises are used or intended to be used during the winter months.

Bedrooms

1. Bedrooms shall be of sufficient size [3.5 m^2 (38 sq. ft.) of floor space per person] to prevent overcrowding.
2. Beds provided for guests shall be maintained in a clean and sanitary condition and equipped with a mattress cover.
3. All other furnishings provided shall be maintained in good condition and easily cleanable.
4. An adequate supply of mattress covers, pillows and other bedding must be provided and maintained in a clean and sanitary condition.
5. Sheets and pillow cases that are provided for guests must be laundered prior to each new guest or at least once per week for long-term guests.

Washrooms

1. Washroom floors must be smooth/impervious to moisture and easily cleanable.
2. In a washroom provided for guests, a supply of soap and single service or individual hand towels must be provided. Paper towels are recommended.
3. Individual guest towels shall be laundered as needed and prior to each new guest.
4. Washrooms shall be cleaned and disinfected on a daily basis.

Swimming Pools/Hot Tubs

1. Hot tubs and/or swimming pool facilities made available to registered guests must comply with the Public Health Act – Swimming Pool Regulation.
2. If hot tub/swimming pool facilities are made available to guests, application for a swimming pool permit must be made to the Regional Health Authority to operate such a facility.

Waste Disposal

1. Garbage containers shall be provided in each guest room and emptied daily.
2. Garbage and refuse must be disposed of in an approved manner to prevent objectionable odours and the attraction of pests.
3. All waste sharps – such as needles, syringes and razor blades – shall be placed in a puncture resistant container with a tight fitting lid and disposed of in accordance with the Regional Health Authority's requirements.
4. All other waste materials shall be collected in appropriate containers.
5. Indoor waste receptacles shall be lined with disposable plastic bags.

FOOD PROTECTION AND PREPARATION

1. An adequate supply of hot and cold potable water shall be provided. The source of drinking water shall be subject to the approval of the Regional Health Authority and tested annually.
2. All food preparation surfaces shall be smooth, impervious to moisture and easily cleanable.

3. All food must come from an approved/inspected source. The use of home-canned food, with the exception of fruit jams and jellies, is prohibited.

4. All foods are to be protected from contamination.

5. Perishable foods or potentially hazardous foods must be kept refrigerated at a temperature of less than 4°C (40°F) or held at greater than 60°C (140°F). A food grade thermometer shall be kept in the refrigerator(s) to monitor the temperature by the Bed and Breakfast operator.

6. All frozen food items must be stored at a temperature of not warmer than -18°C (0°F).

7. Once served to a guest, open portions of left-over food must not be re-used.

8. All utensils (dishes, silverware, etc.) must be stored in a clean and sanitary condition.

9. All reusable utensils are to be effectively cleaned and sanitized by using one of the following methods:

   (1) An approved manual three-compartment sink procedure, or

   For example: If your kitchen has only a two-compartment sink, the three-compartment method can be incorporated by either refilling the second sink with a sanitizing solution after rinsing or using a tub or basin with a sanitizing solution. This can be discussed with your Health Inspector. (see Approved Sanitizing Solutions)

   (2) An approved commercial dishwasher, or

   (3) A domestic or home-style dishwasher, provided the following criteria are met and has been approved by the local Health Inspector.

      a) The dishwasher must effectively remove physical soil from all surfaces of dishes.

      b) The dishwasher must sanitize the dishes, i.e. by the application of sufficient accumulative heat (sani cycle) or by the addition of chemical sanitizer.

      c) The dishwasher must be installed and operated according to the manufacturer's instructions for the highest level of sanitization possible.

10. Pets may be present on the premises, but must be kept out of preparation and dining areas during food preparation and serving for the guests.

11. Laundry facilities may be present in the residential kitchen but shall not be used during food preparation and service.

12. A food handler while engaged in food handling shall
    (a) be clean in his person,
    (b) be free from infected sores or wounds,
    (c) wear only clean clothing,
    (d) refrain from smoking or chewing tobacco, and
    (e) keep his hair effectively under control.

13. A food handler is recommended to take the FOOD SANITATION AND HYGIENE training course available from your Regional Health Authority.

14. A food handler must have good personal hygiene and ensure that hands are washed prior to handling food.

15. Soap and paper towels shall be provided by the kitchen sink.

APPROVED SANITIZING SOLUTIONS

BLEACH

A chlorine solution of not less than 100 p.p.m. available chlorine is required at a temperature of not less than 45°C.

Dilution of household bleach (chlorine) for disinfecting purposes:

a) one Tablespoon per gallon of water
b) ½ ounce per gallon of water
c) ½ teaspoon per litre of water
d) 2 ml per litre of water

(These examples are approximations based on 5% available chlorine or household bleach)

If used for disinfecting surfaces the diluted bleach (chlorine) should be prepared fresh on a daily basis. Store in a spray bottle labelled accordingly, and keep the solution, as all other chemicals away from children. The use of bleach is inexpensive and effective, however, bleach is corrosive.

QUATS

A Quaternary ammonium compound (QUATS) having a strength of at least 200 p.p.m. is required at a temperature of not less than 45°C.

QUATS are milk to the skin, heat stable (strength stays the same from the day dilution is made), do not dull finishes on floors nor corrode metals, however, are more expensive.

Examples include:

a) Deosan
b) Air X-78
c) Enzall
d) Germicidal multi purpose cleaner
e) Micro Quat
f) Proclean 130
g) Quavo Plus
h) Pursue
i) Lemon Tree

IODINE

An iodine solution containing at least 25 p.p.m. available iodine is required at a temperature of not less than 45°C.

Commonly formulated as an iodophor it has quick microbial action, is relatively non-toxic, non-irritating and stable. Iodine may stain porous and plastic surfaces and is relatively expensive.

ALBERTA BUILDING CODE REQUIREMENTS

The following are excerpts from Alberta Labour "Bed and Breakfast Accommodation and the Alberta Building Code", January 1996.

INTRODUCTION

This document is for individuals wishing to convert their single family dwelling into Bed and Breakfast accommodations.

These guidelines assume there will be a maximum of eight (8) guests plus the permanent residents of the dwelling. If this is exceeded, then the bed and breakfast establishment is to be treated as a motel or hotel, and other more stringent requirements of the Alberta Building Code will apply.

GENERAL

It is recommended that a general overview of the dwelling be conducted by a Building Safety Codes Officer to review the safety of the dwelling in such areas as structural, stability, stairs, guards & handrails, heating system, etc.

If any renovation or construction is needed to operate a Bed and Breakfast, safety permits for building, electrical, plumbing and gas may be required. Contact your local building authority or the nearest Alberta Labour Office.

REGIONAL HEALTH AUTHORITY

No person is to operate a Bed and Breakfast establishment unless the owner has received written approval from the Regional Health Authority.

BEDROOMS

No cooking facilities are allowed in sleeping rooms or suites.

WINDOWS

Each bedroom is to have at least one exterior window, (unless an exterior door is provided), openable from the inside without the use of tools or special knowledge. It is to have an unobstructed opening of not less than 380 mm (15 in.) in any direction and 0.35 m^2 (3.76 sq. ft.) in area.

Where a window opens into a window well, a clearance of at least 550 mm (22 in.) is to be provided in front of the window. Where the sash swings toward the window well, the operation of the sash will not reduce the clearance in a manner that would restrict escape in an emergency.

The window glass area for each bedroom is to be a minimum 5% of the floor area.

SMOKE ALARMS

At least one permanently wired smoke alarm is required on each floor level, including basements, and between each sleeping room and the rest of the dwelling.

It is also recommended that smoke alarms, either battery or hardwired, be located in each bedroom.

Where two or more alarms are required, they are to be interconnected so that the activation of one alarm will cause all alarms to sound.

FIRE ALARMS

If sleeping accommodation is provided for more than 10 persons (including the guests and family) a fire alarm system is to be provided throughout the dwelling.

Fire alarm systems are to be installed in conformance with CAN/ULC-S524-M, "Standard for Installation of Fire Alarm Systems" and tested to ensure satisfactory operation in conformance with CAN/ULC-S537-M, "Standard for the Verification of Fire Alarm Systems."

A certificate of verification is to be obtained from a Certified Fire Alarm technician, who does not work for the installation company, to ensure satisfactory operation of the system.

EXTINGUISHERS

At least one Class 2A-10 BC portable extinguisher is to be installed on each floor level of the dwelling and an additional one is to be installed in the kitchen area.

EMERGENCY PLAN

An emergency escape plan for the occupants of the dwelling unit is to be prepared by the owner and be acceptable by the local fire department. The guests are to be kept informed of the plan. For further information contact your local fire department or refer to the emergency plan section of the Alberta Fire Code.

HEATING AND VENTILATION

The heating system is to be capable of maintaining an indoor air temperature of 22°C at the outside winter design temperature.

The mechanical ventilation system is to have a capacity to exhaust inside air and to introduce outside air at the rate of not less than 0.5 air changes per hour.

COOKING EQUIPMENT

A domestic stove and oven complete with a range hood is acceptable for food preparation. If a commercial grill and/or fryer is proposed, the kitchen ventilation system is to be designed, constructed and installed to conform to NFPA 96, "Installation of Equipment for the removal of Smoke and Grease-Laden Vapours from Commercial Cooking Equipment."

PLUMBING FACILITIES

An accessible adequate supply of potable water, suitable sanitary facilities and plumbing fixtures are to be provided for the occupants in the dwelling.

SWIMMING POOLS & HOT TUBS

Swimming pool and/or hot tub facilities made available to guests are to comply with section 7.3 of the Alberta Building Code and they must also meet the requirements of the Swimming Pool Regulations under the Public Health Act.

For further information, please contact your Local Building Authority or the nearest Alberta Labour Building Safety Office.

APPENDIX H

CONFINED FEEDING OPERATIONS

CARDSTON COUNTY

CONFINED FEEDING OPERATIONS

For the purposes of understanding the thresholds established in the *Agricultural Operations, Part 2 Matters Regulation,* wherein an approval is required by the Natural Resources Conservation Board.

Threshold Levels

Category of Livestock	Type of Livestock	Column 2	Column 3
		Number of Animals (registration)	Number of Animals (approvals)
Feedlot Animals	Cows/Finishers (900+ lbs)	150 – 349	350+
	Feeders (450 – 900 lbs)	200 – 499	500+
	Feeder Calves (< 550 lbs)	360 – 899	900+
	Horses – PMU	100 – 399	400+
	Horses – Feeders > 750 lbs	100 – 299	300+
	Horses – Foals < 750 lbs	350 – 999	1000+
	Mules	100 – 299	300+
	Donkeys	150 – 449	500+
	Bison	150 – 349	350+
Dairy (*count lactating cows only)	Lactating cows* (Lactating cows only –associated Dries, Heifers and Calves are not counted)	50 – 199	200+
Swine (*count sows only)	Farrow to finish*	30 – 249	250+
	Farrow to wean*	50 – 999	1000+
	Farrow only*	60 – 1249	1250+
	Feeders/Boars	500 – 3299	3300+
	Growers/Roasters	500 – 5999	6000+
	Weaners	500 – 8999	9000+
Poultry	Chicken – Breeders	1000 – 15999	16000+
	Chicken – Layer (includes associated pullets)	5000 – 29999	30000+
	Chicken – Pullets/Broilers	2000 – 59999	60000+
	Turkeys – Toms/Breeders	1000 – 29999	30000+
	Turkey – Hens (light)	1000 – 29999	30000+
	Turkey – Broiler	1000 – 29999	30000+
	Ducks	1000 – 29999	30000+
	Geese	1000 – 29999	30000+

Category of Livestock	Type of Livestock	Column 2	Column 3
		Number of Animals (registration)	Number of Animals (approvals)
Goats and Sheep	Sheep – Ewes/Rams	300 – 1999	2000+
	Sheep – Ewes with Lambs	200 – 1999	2000+
	Sheep – Lambs	1000 – 4999	5000+
	Sheep – Feeders	500 – 2499	2500+
	Goats – Meat/Milk	200 – 1999	2000+
	Goats – Nannies/Billies	400 – 2999	3000+
	Goats – Feeders	500 – 4999	5000+
Cervid	Elk	150 – 399	400+
	Deer	200 – 999	1000+
Wild Boar	Feeders	100 – 299	300+
	Sow (farrowing)	50 – 99	100+

- When Dairy Replacement Heifers are housed away from the dairy, treat as Beef – Feeders.
- When Dairy calves are housed away from the dairy, treat as Beef– Feeder Calves.