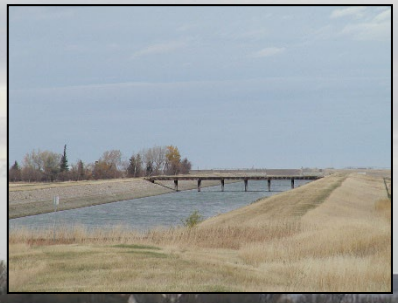
COUNTY OF WARNER No. 5

LAND USE BYLAW

No. 930-17

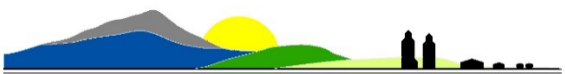




October 2017

Consolidated to Bylaw No. 1011-26, June 2026

Prepared by the



OLDMAN RIVER REGIONAL SERVICES COMMISSION

County of Warner No. 5
LAND USE BYLAW NO. 930-17

BYLAW NO. 930-17 OF THE COUNTY OF WARNER NO. 5 IS FOR THE PURPOSE OF ADOPTING A NEW LAND USE BYLAW IN ACCORDANCE WITH THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA 2000, CHAPTER M-26, AS AMENDED.

Whereas the Council of the County of Warner No. 5 wishes to adopt a new Land Use Bylaw to update and more effectively implement land use controls and address new development guidelines for certain types of uses within the County of Warner No. 5 and to comply with the provisions of the Municipal Government Act and the South Saskatchewan Regional Plan; and

Whereas the Council intends to foster orderly growth and development in the county; and

Whereas the Council is adopting a new Land Use Bylaw to update, enhance and clarify regulations, land use districts, and development criteria and standards. The main updates include incorporating new uses, definitions, standards and criteria, including but not limited to: secondary suites, solar-collector farms, medical marihuana production facilities, shipping containers storage, home occupations, wetland regulations, and amending municipal road setback restrictions for development; and

Whereas the bylaw is adopted in accordance with sections 639 and 692 of the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26 as amended, and the public hearing requirements.

Now therefore, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended, the Council of the County of Warner No. 5, in the Province of Alberta, duly assembled does hereby enact the following:

1. Bylaw No. 866-08 being the former Land Use Bylaw, and any amendments thereto, is hereby rescinded.
2. Bylaw No. 930-17 shall come into effect upon third and final reading thereof.
3. Bylaw No. 930-17, being the Land Use Bylaw, is hereby adopted.

READ a **first** time this 5th day of September, 2017.

***Reeve** - Ross Ford*

***Administrator** - Shawn Hathaway*

READ a **second** time this 24th day of October, 2017.

***Reeve** - Ross Ford*

***Administrator** - Shawn Hathaway*

READ a **third** time and finally PASSED this 24th day of October, 2017.

***Reeve** - Ross Ford*

***Administrator** - Shawn Hathaway*

County of Warner No. 5 Land Use Bylaw No. 930-17 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
933-18	"Extensive Agriculture – AG" to "Rural Recreational – RR"	Irrigation R/W Plan IRR49J, Road Plan 6992HD & a portion of the NW 13-5-20-W4M	17-Apr-2018
940-18	"Extensive Agriculture – AG" to "Grouped Country Residential – GCR"	Portion of Canal Right of Way in E 27-5-20-W4M referred to as Lot 5, Block RW, Plan IRR50	4-Sep-2018
942-18	Text amendments to update and enhance administrative procedures and standards to be in compliance with the modernized Municipal Government Act, to add regulations to manage cannabis production and retail sales, and add new subdivision criteria for allowing the resubdivision of existing small titles 20-acres or less in size		6-Nov-2018
952-19	"Hamlet Commercial – HC" and "Hamlet Industrial – HI" to "Hamlet Residential – HR"	Lot 1, Lots 2 and 3, Lot 4, Lot 17 Block 6, Plan 7199GL within SW 36-6-17-W4M (Wrentham)	17-Sep-2019
975-21	Text amendments to create regulations and criteria to manage the placing of Storage Containers on residential properties in the designated hamlets.		21-Dec-2021
980-22	Redesignation: "Hamlet Public-Institutional – HPI" to "Hamlet Residential – HR"	Lots 1 and 2, Block 5, Plan 7199GL and Lot 3, Lot 5, Plan 7199GL within SW 36-6-17-W4M (Wrentham)	19-Jul-2022
988-23	Redesignation: "Extensive Agriculture – AG" to "Grouped Country Residential – GCR"	Lot 1, Block 2, Plan 011579 within SE 29-6-20-W4M	21-Nov-2023
989-24	Redesignation: "Extensive Agriculture – AG" to "Grouped Country Residential – GCR"	Lot 27, Plan 1345J within SE 11-6-21-W4M	16-Apr-2024
Annexation – Order of Council 197/2024 June 20, 2024			
1005-25	"Extensive Agriculture – AG" to "Grouped Country Residential – GCR"	Lot 1, Block 1, Plan 2111396	3-Nov-2025
1011-26	"Extensive Agriculture – AG" to "Grouped Country Residential – GCR"	Portion of SE ¼ 23-6-21-W4M	16-Jun-2026

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County of Warner No. 5
LAND USE BYLAW NO. 930-17

ADMINISTRATION

1. TITLE

This bylaw may be cited as the County of Warner No. 5 Land Use Bylaw No. 930-17.

2. DATE OF COMMENCEMENT

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

3. REPEAL OF FORMER LAND USE BYLAW

Bylaw No. 866-08 being the current Land Use Bylaw of the County of Warner No. 5 is repealed upon third and final reading of this bylaw.

4. AMENDMENTS TO THE BYLAW

The Council may amend this bylaw at any time in accordance with the procedures detailed in section 692 of the *Municipal Government Act (MGA)*.

5. COMPLIANCE WITH AND CONTRAVENTION OF THE LAND USE BYLAW

(1) A person who develops land or a building in the municipality shall conform with:

(a) the use or uses prescribed in Schedule 2;

(b) the applicable standards and requirements of development specified in Schedules contained in this bylaw;

(c) any conditions attached to a development permit if one is required.

(2) Every person who contravenes any provision of this bylaw is guilty of an offense under section 566 of the *Municipal Government Act* and is liable to a fine of not more than $10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

6. DESIGNATED OFFICER

(1) Pursuant to section 210 of the *Municipal Government Act*, Council establishes the position of Designated Officer to implement this bylaw.

(2) The Council shall, by resolution, appoint a person to the office of Designated Officer.

(3) The Designated Officer may exercise only such powers and duties as are specified:

(a) in this bylaw; or

(b) by resolution of Council.

(4) The Designated Officer is responsible for:

(a) receiving, processing, deciding upon and, as appropriate, referring all applications for a development permit in accordance with this bylaw, and determining whether a development permit application is complete in accordance with Section 9 of this Part;

(b) maintaining a register of all applications together with their disposition and other relevant details.

7. SUBDIVISION AND DEVELOPMENT AUTHORITY

(1) The Subdivision and Development Authority, pursuant to the Subdivision and Development Authority Bylaw, may exercise only such powers and duties as are specified:

(a) in the County of Warner No. 5 Subdivision and Development Authority Bylaw;

(b) in this bylaw; or

(c) by resolution of Council.

(2) The Subdivision Authority may delegate, through the municipality's Subdivision Authority Bylaw, this bylaw, or by resolution of Council, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:

(a) the delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application;

(b) the Subdivision Authority delegate is authorized to carry out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including the task of sending all required notifications to applicants as stipulated, carrying out site inspections.

8. LAND USE DISTRICTS AND SCHEDULES

(1) The County of Warner No. 5 is divided into those land use districts specified in Schedule 1 as illustrated on the Land Use District Maps.

(2) Schedule 2 specifies the one or more uses of land or buildings that are:

(a) permitted in each land use district with or without conditions; and/or

(b) discretionary in each land use district with or without conditions; and/or

(c) prohibited in each land use district.

(3) If a use is not listed as either permitted or discretionary, then it is a prohibited use (see Similar Uses).

9. DEVELOPMENT PERMIT APPLICATIONS

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

(2) An application for a development permit must be made to the Designated Officer by sending to him:

(a) a completed application (see Form A of Appendix B); and

(b) the fee prescribed in Appendix C; and

(c) if buildings or structures are part of the development proposal, a legible site plan with clear dimensions and setbacks to the existing improvements and distance to property lines and road rights-of-way; and

(d) a copy of professionally prepared building plans if required by the Designated Officer; and

(e) any such other information as may be required by the Designated Officer or Subdivision and Development Authority.

10. INCOMPLETE DEVELOPMENT PERMIT APPLICATIONS

(1) The Designated Officer or Development Authority may refuse to accept a development permit application where the information required under Section 9 (Development Permit Applications) is incomplete, or where, in the opinion of the Designated Officer or Development Authority, the quality of the material supplied is inadequate to properly evaluate the application.

(2) An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

(3) A Designated Officer shall, within 20 days after the receipt of an application in accordance with Section 9 for a development permit, determine whether the application is complete.

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

(5) The time period referred to in subsection (3) may be extended by an agreement in writing between the applicant and the Designated Officer.

(6) If the Designated Officer does not make a determination referred to in subsection (3) above within the time required under subsection (3) or (5), the application is deemed to be complete.

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

(8) If the Designated Officer determines that the application is incomplete, the Designated Officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided, including but not limited to, those required by Section 9. A submittal deadline for the outstanding documents and information shall be set out in the notice or a later date agreed on between the applicant and the Designated Officer in order for the application to be considered complete.

(9) If the Designated Officer determines that the information and documents submitted under subsection (8) above are complete, the Designated Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.

(10) If the required documents and information under subsection (8) have not been submitted to the Designated Officer within the timeframe prescribed in the notice issued under subsection (8), the Designated 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.

(11) Despite issuance of a Notice of Completeness under subsection (7) or (9), the Designated Officer or Municipal Planning Commission in the course of reviewing the application may request additional

information or documentation from the applicant that the development authority considers necessary to review the application.

11. PROCESSING PERMITTED USE APPLICATIONS

Upon receipt of a completed application for a development permit for a permitted use, the Designated Officer shall, if the application conforms with this bylaw, issue a development permit with or without conditions, including the provision of a development agreement pursuant to the *Municipal Government Act*.

12. PROCESSING DISCRETIONARY USE APPLICATIONS

(1) Upon receipt of a completed application for a development permit for a discretionary use, the Designated Officer shall send the application to the Subdivision and Development Authority.

(2) Upon receipt of an application under Section 12(1), the Designated Officer or Subdivision and Development Authority shall notify or cause to be notified the owners of the land likely to be affected by the issue of a development permit in accordance with Section 17(1).

(3) After considering any response to the notifications to owners likely to be affected by the development, the Subdivision and Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

13. PROCESSING NON-COMPLYING APPLICATIONS (WAIVER / VARIANCE REQUESTS)

(1) Upon the receipt of a completed application for a development permit for a permitted use which would require a waiver, the Designated Officer shall evaluate the application, and

(a) if a minor waiver is required, may waive the applicable standard and issue a development permit with or without conditions, provided the waiver does not exceed 10 percent of any measurable standard specified in the bylaw; or

(b) if the waiver required exceeds the 10 percent of any measurable standard in the bylaw, the Designated Officer shall refer the application to the Subdivision and Development Authority for a decision in accordance with Sections 12(1), 12(2) and 12(3).

(2) Upon receipt of an application under Section 13(1), and if the Subdivision and Development Authority is prepared to exercise its discretion under Section 13(3), it shall notify or cause to be notified the owners of land likely to be affected by the issue of a development permit in accordance with Sections 17(1).

(3) The Subdivision and Development Authority is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Subdivision and Development Authority:

(a) the proposed development would not:

(i) unduly interfere with the amenities of the neighbourhood; or

(ii) materially interfere with or affect the use or enjoyment or value of neighbouring properties; and

(b) the proposed development conforms with the use prescribed for that land or building in Schedule 2.

(4) After considering any response to the notifications to owners likely to be affected by the development, the Subdivision and Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

(5) The Designated Officer, Development Authority, or the Subdivision and Development Appeal Board on an appeal, do not have the authority to waive or vary an applicable standard of the bylaw, if a section or policy specifically states that the standard is not to be waived or varied.

14. NON-CONFORMING BUILDINGS AND USES

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

15. DEVELOPMENT ON NON-CONFORMING SIZED LOTS

(1) Development on an existing registered non-conforming sized lot that does not meet the minimum requirements for lot length, width or area specified in the applicable land use district in Schedule 1 may be permitted at the discretion of the Development Authority.

(2) The Development Authority is authorized to permit development on existing registered non-conforming sized lots for permitted uses where the Subdivision Authority issued a variance(s) to the minimum requirements for lot length, width and/or area as part of a subdivision approval.

16. NON-CONFORMING USE VARIANCES

The Development Authority is authorized to exercise minor variance powers with respect to non-conforming uses pursuant to section 643(5)(c) of the *Municipal Government Act*.

17. MEETING NOTIFICATION PROCEDURES

(1) Upon receipt of an application under Sections 12 through 13, the Designated Officer or Subdivision and Development Authority may notify or cause to be notified any persons likely to be affected by the proposed development by immediately:

(a) mailing a notice in writing to any person who, in the opinion of the Designated Officer or Subdivision and Development Authority may be affected; or

(b) posting a notice conspicuously on the property for which the application has been made; or

(c) placing a notice in a newspaper circulating in the County of Warner; stating:

(i) the nature and location of the application;

(ii) the place and time the Subdivision and Development Authority will meet to consider the application; and

(iii) the manner in which affected persons may present their concerns;

(d) or any combination of the above.

(2) Any person notified in accordance with Section 17 and who wishes to comment on the application must notify the Designated Officer or Subdivision and Development Authority of this intention within a minimum of 14 consecutive days of the mailing, posting or publication of a notice of application, if such comments are to be considered.

18. SUITABILITY OF SITES

Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Subdivision Authority may refuse to approve the subdivision of a lot and the Development Authority may refuse to issue a development permit if, the Authority

is made aware or if in their opinion, the site of the proposed building or use is not safe or suitable based on the following:

(a) does not have safe legal and physical access to a maintained road in accordance with municipal requirements or those of Alberta Transportation if within 300 metres (984 ft.) of a provincial highway;

(b) has a high water table which makes the site unsuitable for foundations and/or sewage disposal systems in accordance with provincial regulations;

(c) is situated on an unstable slope;

(d) consists of unconsolidated material unsuitable for building;

(e) is situated in an area which may be prone to flooding, subsidence, erosion or is an area identified as a wetland that is either unsuitable for building or not able to be replaced;

(f) does not comply with the requirements of the Provincial Land Use Policies, Subdivision and Development Regulation, Municipal Development Plan or applicable area structure plan;

(g) is situated over an active or abandoned coal mine or oil or gas well or pipeline;

(h) would expose the structure itself and/or people living and working there to risk from the operations of a nearby airstrip;

(i) is unsafe due to contamination by previous land uses;

(j) has an inadequate or unsafe water supply;

(k) is incompatible with all existing and approved use of surrounding land;

(l) is situated closer to a confined feeding operation than the minimum distance separation recommended by the Natural Resources Conservation Board (NRCB);

(m) would materially interfere with the natural and economic expansion of an existing agricultural operation or its proposed expansion;

(n) does not meet the lot size and/or setback requirements of this bylaw;

(o) would prevent or interfere with the natural and economic extension of a nearby developed area, a coal mine, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline or a road system; or

(p) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

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

19. CONDITIONS OF APPROVAL

(1) **Permitted Uses**

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

(a) geotechnical investigation/soils tests or professional analysis to ensure the site is suitable in terms of topography, soil characteristics, flooding subsidence, erosion, wetlands, and sanitary sewerage servicing;

(b) will be legally and physically accessible to a municipal road or if within 300 metres (984 ft.) of a provincial highway will meet the requirements of Alberta Transportation;

(c) alteration of structure or building size or location to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;

(d) any measures to ensure any other requirements of this land use bylaw are complied with;

(e) any measures to ensure applicable provincial legislation such as the *Safety Codes Act* is complied with.

(2) **Discretionary Uses**

The Development Authority may place any of the above conditions [Section 19(1)(a) through (e] on a development permit for a discretionary use in any land use district to ensure that any concerns over the suitability of the development are satisfied, in addition to any other reasonable conditions to ensure the quality of a development and its compatibility with other existing and approved uses in the area.

20. CONDITIONS TO PROVIDE SECURITY

The Development Authority or Subdivision Authority has the authority to request as a condition of approval, the posting of security or bonds to be provided by the applicant to ensure that development permit or subdivision approval conditions are met. The appropriate authority or their designate(s) has the sole discretion to authorize the release of such funds, only when it has been suitably demonstrated to their satisfaction that the conditions have been completed to the requirements and standards of the municipality.

21. DEVELOPMENT PERMIT NOTIFICATION

(1) A decision of the Development Authority on an application for a development permit must be issued in writing in accordance with subsection (3) below.

(2) Upon the approval of the application and the issue of a development permit, the Development Authority shall immediately notify or cause to be notified, any persons likely to be affected or who have the right to appeal the decision of the Development Authority in accordance with the procedure in Section 17. The following notification processes shall be used:

PERMITTED USE PERMITS

(3) Upon issuance of a development permit for a permitted use that complies with this Bylaw, the Development Authority shall:

(a) send to the applicant a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision; and

(b) notify the public by either:

(i) posting a copy of the decision in a prominent place in the County Office for at least 14 days, or

(ii) publishing a notice of the decision in a newspaper circulated within the municipality, or

(iii) any combination of the above.

ALL OTHER PERMITS

(4) Upon the issue or refusal of a development permit for a use under Sections 12 (discretionary use), 13 (if a waiver is required), 29 (similar use) and 30 (temporary uses), the Designated Officer shall immediately:

(a) send a letter by regular postal mail, or send by electronic means, or both, or by any other method as may be agreed to between the applicant and Development Authority, a written notice of decision to the applicant; and

(b) notify all persons likely to be affected by the development by either:

(i) mailing a copy of the decision to those persons, departments and agencies, or

(ii) place an advertisement in the local newspaper circulating within the municipality, and/or at his discretion;

(iii) place a notice on the property in a prominent place; or

(iv) any combination of the above.

ISSUANCE OF DECISION AND TIMEFRAMES

(5) Upon issuance of a decision, the Designated Officer will give or send a copy of the written decision, which includes the date on which the decision was made, to the applicant on the same day the decision is made.

For the purposes of subsection (5), the "date on which the decision was made" means:

(a) the date the Development Authority signs the notice of decision or development permit, or

(b) the date the decision is posted in the newspaper,

whichever occurs later.

22. DEVELOPMENT DEEMED REFUSED

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 and may be appealed when the decision of the Designated Officer or Subdivision and Development Authority as the case may be, is not made within 40 days of receipt of the completed application by the Designated Officer.

23. DEVELOPMENT COMMENCEMENT

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 on which the decision was made to issue the permit; or

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

(c) Any development occurring prior to the dates determined under subsections (a) and (b) is entirely at the risk of the applicant, developer or land owner.

This does not apply to a development permit for a permitted use issued without conditions.

24. DEVELOPMENT APPEALS

Any person applying for a development permit or any other person affected by any order, decision, or development permit made or issued by a Designated Officer or Subdivision and Development Authority or any development application deemed refused in accordance with Section 10, may appeal such an order, decision or deemed refusal to the County of Warner Subdivision and Development Appeal Board in accordance with the procedures detailed in the *Municipal Government Act* (see Subdivision and Development Appeal Board Bylaw).

25. REAPPLICATION FOR DEVELOPMENT

(1) If an application for a development permit is refused by the Designated Officer, the Subdivision and Development Authority or, on appeal by the Subdivision and Development Appeal Board, another

application for a development on the same lot, and for the same or similar use, may not be made for at least 6 months from the date of refusal.

(2) If an application was refused solely because it did not comply with this bylaw, or was refused as an incomplete application under Section 10, another application on the same lot for the same or similar use may be accepted before the time period referred to in Section 40(1) provided the application has been modified to comply with this bylaw. All applicable fees shall apply.

(3) If a land use bylaw amending bylaw is defeated by Council, another amending bylaw for the same or similar purpose may not be made for at least six months from the date of the bylaw defeat.

26. PERMIT VALIDITY

(1) Unless a development permit is suspended or cancelled, a development permit remains in effect for 12 months after the date of its issue.

(2) The validity of a development permit may be extended:

(a) by the Designated Officer or the Subdivision and Development Authority, if the Designated Officer issued it; or

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

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

(3) When any use has been discontinued for a period of 24 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced:

(a) until a new application for a development permit has been made and a new development permit issued; or

(b) in the case where a development was commenced prior to the adoption of a land use bylaw and a permit was never issued, an application for a development permit must be made and a valid development permit issued.

27. PERMITS – Transferable

(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) In the case of non-residential uses and ancillary uses, when the use has been discontinued for a period of two years or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

(3) Home Occupation permits are not transferable and are tied to both the property and owner of the residence for which the original permit was issued.

28. STOP ORDER

The Designated Officer is authorized to issue an order under section 645 of the *Municipal Government Act* whenever he/she considers it necessary to do so.

29. SIMILAR USES

Where an application is made for any use not specifically allowed in a land use district, but is reasonably similar in character and purpose to a permitted or discretionary use in that district, the Subdivision and Development Authority may:

(a) rule that the proposed use may be allowed with or without conditions; and

(b) issue a development permit in accordance with Sections 11 through 12, as the case may be.

30. TEMPORARY USES

Where, in the opinion of the Designated Officer or Subdivision and Development Authority, a proposed use is of a temporary nature:

(a) they may issue a temporary development permit valid for a period specified by the Designated Officer or Subdivision and Development Authority, but which may not exceed beyond five years;

(b) it shall be a condition of every temporary development permit that the municipality shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;

(c) the Designated Officer may require the developer(s) to post a bond guaranteeing the cessation or removal of work at the end of the period;

(d) the use must be a permitted or discretionary use.

31. NUMBER OF DWELLINGS ON A LOT

(1) No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Development Authority in accordance with Sections 31(2) through 31(5).

(2) A Designated Officer shall issue a development permit to a person that would permit the construction or location of a second dwelling unit (both agricultural and non-agricultural use) on a parcel if the parcel has an area of at least 32.4 ha (80 acres).

(3) On parcels less than 32.4 ha (80 acres), the Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:

  (a) is to be occupied by a person who is engaged on a full-time basis for at least six months each year in an agricultural pursuit;

  (b) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units;

  (c) is a mobile home forming part of a park for mobile home units; or

  (d) is a building, as defined in the *Condominium Property Act*, that is the subject of a condominium plan to be registered in a Land Titles Office under that Act.

(4) A Designated Officer or Development Authority may, in a development permit, exempt any person or land from the operation of Section 31(1) if:

  (a) the dwelling is temporary in nature; and

  (b) the permit has an expiry time; and

  (c) the second dwelling meets the minimum distance separation calculation for confined feeding operations; and

(d) the dwelling be located in such a way as not to encourage further subdivision; or

(e) the dwelling is categorized as a secondary suite that complies to the standards and criteria of the bylaw as stipulated in Schedule 6.

(5) The Development Authority may issue a development permit for a garden suite provided that:

(a) it is used to temporarily accommodate no more than two individuals that are dependent on the primary care givers that reside in the principal dwelling; or

(b) where circumstance warrants, a garden suite may be used to temporarily house individuals providing care to the resident(s) of the principal building; and

(c) the dwelling meets the standards of development criteria as stipulated in Schedule 6.

(d) A garden suite may be approved as a permanent use at the discretion of the Development Authority with regard to the criteria in Schedule 6.

32. METRIC MEASUREMENTS AND STANDARDS

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

33. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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

34. MUNICIPAL APPROVAL FOR ENCROACHMENTS

(1) A landowner or developer is required to obtain permission from the municipality for any improvement or structure that may be located over an easement or utility right-of-way in favour of the municipality or one of its utility agency designates.

(2) In situations where a development may be exempt from obtaining a development permit, the landowner or developer is still required to obtain permission from the municipality for any improvement or structure that may be located over an easement or utility right-of-way in favour of the municipality or one of its utility agency designates. Notwithstanding that no permit may be required, the municipality, at their prerogative, may deny the placement of structures or improvements over an easement or right-of-way and may also order the removal or relocation of such.

35. SUBDIVISION APPLICATIONS

(1) An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A completed application shall consist of:

(a) an official application, in the manner and form prescribed, clearly and legibly filled out with all the required information and signatures provided as requested on the form;

(b) the applicable fees paid;

(c) an up-to-date and current copy of the Certificate of Title to the subject land;

(d) a (clear and eligible) diagram, Surveyors sketch or tentative subdivision plan with dimensions and a north arrow, in the manner requested which may include the provision that it be professionally prepared as stipulated;

(e) provincial abandoned gas well information;

(f) any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the Land Use Bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use;

(g) the consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the *Municipal Government Act (MGA)* must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.

(2) In accordance with the *Municipal Government Act (MGA)*, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:

(a) for an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter;

(b) for an application determined to be incomplete, written notification shall be given to the applicant (Notice of Incompleteness) which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority;

(c) in respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.

(3) Notwithstanding subsection (2), the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the *MGA* to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

(4) A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

36. INCOMPLETE SUBDIVISION APPLICATIONS

(1) The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 35(1) and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

(2) If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in Section 35(2)(b).

(3) The notification provided for in subsection (2) shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the *MGA*.

37. DEFINITIONS

A

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

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

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

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

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

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

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

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

Ancillary building means any building:

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

(b) the use of which the Subdivision and Development Authority decides is normally subordinate and incidental to the principal use of the site on which it is located.

Ancillary use means a use of a building or lot which the Designated Officer decides is normally subordinate and incidental to the principal use of the building or lot.

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

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

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

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

B

Bed and breakfast means a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation and a breakfast meal is prepared in the common kitchen of the principal residence by the owner and provided for registered guests.

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

Boat launches means a structure or facility to launch and retrieve recreational boats/watercraft from a trailer or for the hand launching of canoes/kayaks or other small boats. Most ramp facilities typically have breakwater protection from large waves, parking lots, a courtesy dock to assist in launching, and may include public toilets, benches, refuse containers, and lighting.

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

Buildable area means that portion of a lot or parcel in a title that may be physically developed, constructed or built upon for buildings, structures and improvements (e.g. driveways, accessory buildings, septic fields, various utilities) and may not include land that is subject to floods, subsidence, or land that contains wetlands, steep slopes, contamination or other various hazard lands, or a land area that has easements or rights-of-way registered over it in which buildings or structures cannot be placed over, or land situated within required road and property line setbacks.

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

Building and trade contractor service means the use of land or buildings for businesses engaged in activities commonly referred to as construction including plumbing, heating, , dry walling, framing, electrical, renovating and related excavating and the interior storage of materials and storage related to the same and may include an office.

Bulk fertilizer storage and sales means an establishment where fertilizer goods, most commonly for agricultural purposes, are received and stored for the purpose of distribution and sales.

Bulk fuel storage and sales means an establishment where fuel is received and stored for the purpose of distribution and sales excluding cardlock operations and truck stops.

C

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

Cannabis means a plant Cannabis sativa, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, and any substance or mixture of substances that contains or has on it any part of such a plant; and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained, but does not include a non-viable seed of a cannabis plant.

Cannabis production facility means a building or use where federally approved medical or non-medical (recreational) cannabis plants are grown, processed, packaged, tested, destroyed, stored or loaded for shipping, and that meets all federal or provincial requirements and that meets all requirements of this bylaw, as amended from time to time. This use includes standard, nursery and micro-processing facilities as defined by federal legislation.

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

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

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

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

Conceptual Design Plan or Scheme means a planning document consisting of a proposed subdivision plan and support information and is usually not adopted by bylaw (non-statutory). The plan typically illustrates the number of parcels and minimum lot sizes, the location of roadways and access points, general indication of the parcel surface drainage or contour maps, and information or illustrations showing any existing utility, easements, rights-of-way or canals present. Information is also provided on the proposed potable water and sewer system, and the plan may be required to include engineered storm water plans or soils tests or other information that the Subdivision Authority may request which it feels is relevant to the land or proposal.

Conceptual site plan means a plan (to scale) showing uses and structures proposed for a parcel of land as required by the regulations involved. Its purpose is to show how the intended use relates to the major landscape features and includes lot lines, roads, building sites, reserved open space, buildings, major landscape features - both natural and man-made - and, depending on requirements, the location of proposed utility lines, recreation areas, parking areas, and utilities.

Clubhouses means buildings and facilities, owned or operated by a corporation, association, person, or persons, for a social, educational, or recreational purpose, to which membership is required for participation, and not primarily operated for profit, but to render a service that is customarily carried on as secondary to the recreational use.

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

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

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

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

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

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

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

(a) a permanent irrigation canal as controlled and maintained by the irrigation district;

(b) a permanent watercourse normally containing water throughout the year;

(c) a railway which physically contains a rail line;

(d) a graded public roadway or highway;

(e) an embankment; or

(f) other physical features;

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

D

Day Care Centre or facility means a building or portion thereof used for the provision of care, maintenance and supervision of seven or more children, by persons unrelated to the children by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, nurseries and after-school or baby-sitting programs which meet the conditions of this definition or are required to be licensed by the provincial government.

Day Home means a private residence where care, development and supervision are provided for a maximum of six children clients between the ages of 0-12 years, by persons unrelated to the children by blood or marriage, including children under the age of 12 who reside in the home, for periods not exceeding 24 consecutive hours.

Deck means a wooden, or other similar hard-surfaced platform, with or without a roof, walls or railings intended for outdoor living space or amenity area and which is generally attached to a building.

> **Ground Level Deck** means an unenclosed (no roof or walls) amenity area of wood, or other similar material, that is constructed less than 0.6 m (2 ft.) above grade and is typically attached to a dwelling.
>
> **Ground Level Patio** means an unenclosed (no roof or walls) amenity area of concrete, brick, wood, or other material that is constructed at grade and may or may not be or attached to a dwelling.
>
> **Raised Deck** means a horizontal structure with a surface height 0.6 m (2 ft.) or greater above grade at any point, but generally no higher than the first storey floor level, and is intended for use as a private outdoor amenity space.

Demolition means any act or process that destroys or removes in part or in whole a building or structure.

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

Developed residence means a residence which:

(a) is habitable;

(b) has developed legal access;

(c) has a permanent foundation;

(d) has electrical and gas utilities available to the site;

(e) has developed sewer and water systems.

Development means:

(a) an excavation or stockpile and the creation of either of them;

(b) a building or an addition to or replacement or repair of a building and the construction or placing in, on, over or under land of any of them;

(c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of land or building; or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

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

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

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

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

Driving ranges means an area equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting, and which may include a snack-bar and proshop and other incidental activities pertaining to this activity.

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

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

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

E

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

F

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

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

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

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

Flood fringe means that portion of the flood plain that lies outside of the flood way and is susceptible to inundation by flood waters characterized by relatively low velocity flows, shallow depths and/or standing water.

Flood hazard area means the area including and adjacent to a watercourse that is subject to both regular, intermittent or 1:100 year flooding, or any area officially designated as such by government departments or identified in government studies, legislation, or mapping, and includes but is not limited to the flood plain.

Flood plain means the areas adjacent to a watercourse that are susceptible to inundation by flood waters and includes both the flood way and the flood fringe.

Flood way means that portion of the flood plain, normally lying adjacent to the channel of a watercourse, which is susceptible to regular inundation by flood waters characterized by high velocity flows, extensive depths and/or standing water.

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

> **Floor area, gross** means the total floor area of a building contained within the outside surface of exterior walls and basements.
>
> **Floor area, net** means the gross floor area of building excluding walls, partitions, mechanical rooms, washrooms, stairways, elevators and internal garbage storage areas.

Food processing means a development for the preparation, processing, or canning and packaging of food products and the wholesale distribution of the same.

Foundation means the supporting base structure of a building which has been designed and engineered to support the associated weight of the building or structure.

G

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

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

Grade or Established Grade means with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of such building, and when used with reference to a structure, shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road or highway means the elevation of the street, road or highway established by the Municipality or Development Authority.

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

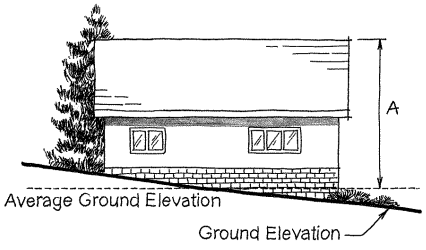
Greenhouse means a building whose sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or personal enjoyment. This use does not include Cannabis Production Facility which is a separate use.

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

Grouped industrial means two or more contiguous industrial lots.

H

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



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

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

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

Horticulture means the use of land or buildings for an agricultural operation concerned with intensively cultivated plants produced on site, typically utilizing smaller areas of land than extensive agricultural practices, high yield production or specialty crops and are either used for food, for medicinal, environmental, aesthetic purposes or sold. These uses may include plant nurseries, greenhouses, market gardens, hydroponic, tree farms, wood lots, mushroom farms, sod farms, specialty crops, or experimental crops. All woodlot operations shall comply and adhere to the Woodlot Management Guidelines of Alberta.

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

I

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

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

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

Isolated single lot commercial means commercial uses located or proposed to be located on parcels of land not adjacent to other proposed or existing commercial uses. This use does not include Retail Cannabis Store which is a separate use.

Isolated single lot industry means industrial uses located or proposed to be located on parcels of land not adjacent to other proposed or existing industrial uses. This use does not include Cannabis Production Facility which is a separate use.

K

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

L

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

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

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

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

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

Lot means:

(a) a quarter section;

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

(c) a settlement lot shown on an official plan referred to in section 32 of the *Surveys Act* that is filed or lodged in a land titles office;

(d) a part of a parcel described in a certificate of title other than by reference to a legal subdivision; or

(e) a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

M

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

Marina means any facility for the mooring, berthing, storing, docking or securing of watercraft, but not including community piers and other non-commercial boat docking and storage facilities. A marina may include boat sales, boat fuel sales, boat construction, boat repair, marine equipment sales, or promotional events, boat and Jet Ski rental, and other uses clearly incidental to watercraft activities.

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

Medical Cannabis means a substance used for medical and pharmaceutical purposes authorized by a license issued under the federal government and in accordance with the Government of Canada's Access to Cannabis for Medical Purposes Regulations (ACMPR) or any subsequent legislation which may be enacted in substitution.

Meteorological Tower means a structure used to facilitate the collection and analysis of wind, temperature, precipitation, air pressure or other atmospheric data and may include an anemometer, wind direction vane, temperature and pressure sensors and other measurement devices attached to it at various levels above the ground.

Mini storage means a development which includes a series of enclosed storage bays or lockers, and may include outside storage sites for recreation vehicles, all of which are intended for rental or lease to the general public.

Minor building additions or renovations to existing residential structures means changes to a structure or part thereof that the exterior, size, or appearance of a building and/or increases the net floor area of the building but are cosmetic, minor in nature, or do not generally exceed 10% of the net floor area.

Minor livestock operation means the keeping of limited amounts of livestock in urban fringe areas on parcels less than 32.4 ha (80 acres) in size, whereby the density of animals conforms to Schedule 9 of the land use bylaw but where the total number of animal units is below the threshold number of the NRCB.

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

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

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

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

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

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

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

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

N

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

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

Noxious industry or use means a use or development, usually industrial or commercial in nature, used for manufacturing, fabricating, processing, assembly, storage, production or packaging of goods, materials, or products where the use may be detrimental to public health, safety or welfare beyond the boundaries of the

site or parcel upon which it is situated, often by reason of emissions (i.e., air, water or noise) created as a result of the use. The use may be incompatible with residential or other development because of toxic gases, smells, wastes, noise, dust or smoke emissions which are not confined to the site or parcel upon which the use is situated. This use typically includes: abattoirs, slaughterhouses and rendering plants, alfalfa processing plants anhydrous ammonia storage facilities, fertilizer manufacturing plants, gas processing plants, petrochemical industries or refineries, and metal industries, which are involved in the concentration, refining, smelting, or re-smelting of ores or metals.

Nuisance means any use, prevailing condition or activity which adversely affects the use or enjoyment of property or endangers personal health or safety.

O

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

P

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

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

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

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

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

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

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

Principal building means a building which:

(a) occupies the major or central portion of a lot;

(b) is the chief or main building on a lot; or

(c) constitutes, by reason of its use, the primary purpose for which the lot is used.

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

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

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

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

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

Public day use areas 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 picnic areas 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 or private utility means any one or more of the following:

(a) systems for the distribution of gas, whether artificial or natural;

(b) facilities for the storage, transmission, treatment, distribution or supply of water;

(c) facilities for the collection, treatment, movement or disposal of sanitary sewage;

(d) storm sewage drainage facilities;

(e) telecommunications systems;

(f) systems for the distribution of artificial light or electric power;

(g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure;

(h) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclauses (a) through (h) that are exempted by the Lieutenant Governor in Council by regulation.

Within the context of this definition, "**Public utility**" means a utility that is owned or operated by some level of government, and "**Private utility**" means the utility is owned or operated by a non-government entity, private company, publicly traded company or utility agency.

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

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

R

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

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

Recreational facilities means buildings or structures associated with accommodating recreational uses used exclusively for those recreational pursuits 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. Play apparatus such as swing sets and slides, sandboxes, poles for nets, unoccupied boats and trailers, picnic tables, benches, barbecue stands, and similar equipment or structures, business operations and non-residential shelter facilities for persons engaged in said activities; for example, trailers housing field offices for rafting companies, may also be included.

Recreational vehicle (RV) means a vehicle built on a single chassis and designed to be self-propelled, mounted on, or towed by another vehicle. A recreational vehicle is not designed or intended for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, vacation or seasonal use. Examples include but are not limited to a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer, or van.

RV park means a lot or parcel of land located in an area dedicated for rural recreational use and occupied or intended for occupancy by recreational vehicles for travel, recreational, seasonal, cottage or vacation usage for periods of stay subject to the municipality's bylaws or an approved conceptual design scheme, area structure plan or conceptual site plan and its provisions. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included. Associated structures in a recreational vehicle park may include laundry facilities, restrooms, showers, sani-dumps, water stations, playgrounds or storage areas intended to serve the needs of the residents of the park.

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

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

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

Retail cannabis store means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

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

Rifle, pistol and archery ranges means an area, building or structure specially designed for the safe discharge and use of archery bows, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm for the purpose of sport shooting, target practice or temporary competitions.

Rodeo grounds means an agricultural-recreation oriented facility where exhibiting horses and cattle and giving exhibitions of the speed, breeding and management of livestock and husbandry is a few of its functions and purposes, and which may also include facilities (arena, chutes, grandstand, corrals, stables, concession booths, etc.) to carry out such purpose, and may be managed by civic, private or non-profit organizations.

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

S

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

Secondary Suite means a development consisting of an ancillary dwelling unit located within, and ancillary to, a structure in which the principal use is a single detached dwelling or in conjunction with an approved detached garage and has cooking facilities, food preparation area, sleeping and sanitary facilities, which are physically separate from those of the principal dwelling within the structure.

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

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

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

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

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

Shipping container (c-container or sea-container) means any container that was used for transport of goods by means of rail, truck or by sea, they may also be referred to as cargo containers, c-containers or sea-containers. These containers are rectangular in shape and are generally made of metal. When used for any purpose other than transporting freight, a shipping container shall be considered a building and subject to the standards and requirements of the Land Use Bylaw.

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

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

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

(a) typically not greater than 4.9 metres (16 ft.) in width; and

(b) permanently fixed to a single chasses; and

(c) not intended to be expanded, telescoped or twinned for additional floorspace.

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

Small Wind Energy System (SWES) means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

Solar collector means a device or structure that is capable of collecting and distributing solar energy for the purpose of transforming it into thermal, chemical or electrical energy.

Solar Collector Farm (Commercial) means a grouping of multiple (more than 5) devices, panels or structures and the substation that are capable of collecting and distributing solar energy at one megawatt or greater for the purpose of transforming it into thermal, chemical or electrical energy, and typically will tie-in and feed or sell power to the provincial electrical grid transmission or distribution system. The use includes any associated solar panels, solar modules, supports or racks, inverters, electrical transformer or substations required for the operation.

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

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

Storey means that portion of a building included between the top of any floor and the top of the floor next above, or of the ceiling if there is no floor above it.

Structure means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, flagpoles, stairs and signs.

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

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

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

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

T

Telecommunication antenna means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio or telecommunications.

Telecommunication facility means an antenna or tower, typically constructed of metal and used to convey telecommunications signals and includes any related ancillary structures. It may also be a shortened tower or antennae on top of a structure.

Temporary development means a use, building and/or structure maintained for a designated time period (i.e. not meant to be permanent) as specified in a temporary development permit and ceased and removed after that time.

Total height (in relation to WECS) means 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.

Tourist accommodation means a building, or part thereof, containing either sleeping or dwelling units, or a combination of both, where accommodations are provided for transient guests, with or without meals, typically for a period of less than 28 days, which may also contain commercial uses and additional services such as restaurants, dining rooms, room service, convenience stores or conference related facilities.

Tower means the structure which supports the rotor above grade.

U

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

Use, discretionary means those uses as prescribed in Schedule 2 of this Bylaw for which a development permit may be issued with or without conditions by the development authority at its discretion upon application having been made to the development authority if the proposed use conforms with this bylaw.

Use, non-conforming, 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 of a land use bylaw or any amendment thereof, affecting the land or building, becomes effective; and

(b) that 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.

Use, permitted means those uses as prescribed in Schedule 2 of this bylaw for which a development permit shall be issued with or without conditions by the development authority upon application having been made to the development authority if the proposed use conforms to this bylaw.

Use, principal means the main purpose or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

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

Utility - see Public or private Utility

V

Vertical axis rotor means a wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

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

Veterinary clinic, large animal means a facility for the medical treatment of primarily livestock or large animals (e.g. typically horse, cows, hogs, etc.) but may treat animals of all sizes and can consist of inside and outside pens and may include associated office space and the supplementary sale of associated products.

Veterinary clinic, small animal means a facility for the medical treatment of small animals (e.g. typically domestic household pets such as dogs, cats, rabbits, etc.) and includes the provision for their overnight accommodation within the building only, and may include associated office space, with no provision for outside pens or cages. This use may include off-site treatment of animals or livestock of any size and the supplementary sale of associated products.

W

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

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

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

Water slide or water parks means a structure or facility which consists of a type of slide or tube designed for outdoor warm-weather or indoor recreational use, typically with water pumped to its top and allowed to flow down its surface, although some may simply be wet. A water slide or water park may be considered as a type of amusement park that features water play areas, such as slides, splash pads, spray grounds (water playgrounds), lazy rivers, or other recreational bathing environments. The facility may be privately or commercially operated and may include associated retail or restaurant uses on the premises.

Wetland means land saturated with water long enough to promote the formation of water altered soils, growth of water tolerant vegetation, and various kinds of biological activity that are adapted to the wet environment.

Wetland, Naturally Occurring means a wetland where water has or does accumulate to the water elevations documented to have occurred under natural conditions.

Wetlands, Retained means wetlands that will not be disturbed during development, which requires that any development be designed to maintain the pre-development wetland classification as set out in a municipal approved Wetland Report.

Wetland Classification means the designation assigned to a wetland pursuant to various methodologies including the Stewart and Kantrud (1971) Wetland Classification Methodology.

Wetland Function means a process or series of processes that take place within a wetland.

Wetland Value means the importance of a wetland from an ecological and human perspective. It is assessed based on the relative abundance on the landscape and other key criteria such as biodiversity, water quality improvement, flood reduction, and human values, such as recreation, education, and cultural significance.

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

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

Y

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

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

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

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

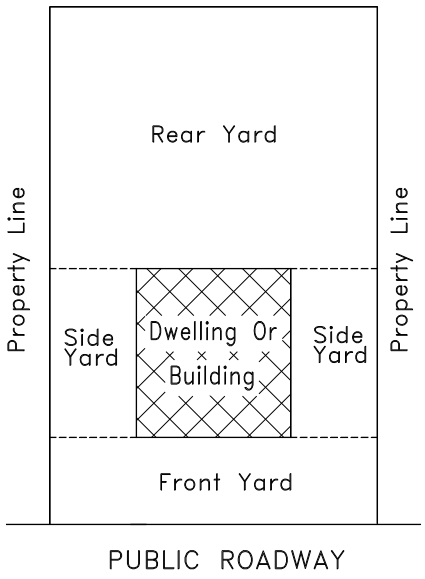


Figure 1

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

Schedule 1

LAND USE DISTRICTS AND MAPS

LAND USE DISTRICTS AND MAPS

1. The municipality is divided into those districts shown on the Land Use District Map in Schedule 1.

2. Each district shown on the map referred to in Section 1 of this schedule shall be known by the following identifying letters and numbers:

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

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

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

DESIGNATED GROUPED COUNTRY RESIDENTIAL DISTRICT MAPS

MAP 1 – SE¼ 1-7-21-W4M

MAP 2 – SW¼ 36-6-21-W4M

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

MAP 4 – NE¼ 27-5-20-W4M

MAP 5 – SE¼ 27-6-21-W4M

MAP 6 – SW¼ 14-6-20-W4M

MAP 7 – SE¼ 3-7-20-W4M

MAP 8 – Portion of Section 5-7-19-W4M

MAP 9 – N½ 6-5-19-W4M

MAP 10 – NE¼ and NW¼ 25-7-17-W4M and SW¼ 36-7-17-W4M

MAP 11 – SE¼ 17-5-20-W4M

MAP 12 – SE¼ 6-7-20-W4M

MAP 13 – NE¼ 11-6-21-W4M

Schedule 2

LAND USE DISTRICT REGULATIONS

EXTENSIVE AGRICULTURE – AG

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Ancillary buildings or uses
Agricultural buildings and structures - see Schedule 3, no permit required
Day homes - Schedule 3, no permit required
Home occupations 1 - Schedule 6
Intensive horticulture
Manufactured homes / Mobile homes - Schedule 6
Modular homes - Schedule 6
Moved-in buildings - Schedule 6
Moved-in dwellings - Schedule 6
Ready-to-move dwellings (new) - Schedule 6
Single detached dwellings
Second residence - in accordance with Section 31(2)
Secondary suites (contained within a single-detached dwelling) - Schedule 6
Secondary suites (detached garage) - Schedule 6
Shipping containers (4 or less, or temporary) - Schedule 6
Small wind energy systems individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6
Signs of 0.9 m^2 (10 sq. ft.) or less - Schedule 7

(2) Discretionary Uses

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

Additions to existing discretionary use buildings
Agricultural services
Airports and airstrips
Alternative or renewable energy or processing (bio-mass, cogeneration)
Anhydrous ammonia storage - Section 5(5) of this district
Autobody repair and paint shops
Automotive dealerships
Automotive repair and service shops
Bed and breakfast - Schedule 6
Bulk fertilizer storage and sales
Campgrounds
Cannabis production facility - Schedule 5
Confined feeding operations - Schedule 3, no municipal permit required, but NRCB provincial approval needed

Cut-off country residential
Farm machinery and industrial vehicle sales and service
Garden suites - Schedule 6
Grain elevators/facilities
Highway commercial
Home occupations 2 - Schedule 6
Isolated single lot commercial
Isolated single lot country residential (for subdivision considerations only)
Isolated single lot industry
Kennels
Private recreation
Public/institutional
Public recreation
Public or private utilities
Recreational vehicle storage
Resource extraction and associated works - Section 3 of this district
Second or more residences - in accordance with Sections 31(3) - 31(5)*
Semi-detached (duplex) dwellings
Shipping containers (5 or more) - Schedule 6
Signs of greater than 0.9 m^2 (10 sq. ft.) - Schedule 7
Small wind energy systems, individual (Type C) - Schedule 6
Solar collectors, commercial facilities
Stockpiles (inside the distances in Section 5 of this district)
Telecommunications towers/facilities - Schedule 6
Temporary uses
Veterinary clinics, large and small animal
Wind energy conversion systems or met/bat monitor towers - Schedule 6

** May also include townhouse, triplex, or fourplex type residential dwellings*

(3) Prohibited Uses

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

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

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3 RESOURCE EXTRACTION USES – Sand and Gravel Pits

(1) Before a development permit is issued for such uses:

(a) a satisfactory plan of reclamation must be filed with the municipality and Alberta Environment; and

(b) a permit under the Sand and Gravel Pit Bylaw, if applicable, must be obtained.

(2) Topsoil must be stockpiled and used to reclaim the worked-out site.

4. MINIMUM PARCEL SIZE

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

(2) At its discretion, the Subdivision and Development Authority may establish greater minimums for specific proposals. The Subdivision and Development Authority may, at its discretion, lessen the required minimum parcel size based on the method of sewage disposal and technology proposed.

5. MINIMUM SETBACK REQUIREMENTS

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

(a) 36.57 metres (120 ft.) of the right-of-way of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the *Public Highways Development Act*;

(b) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;

(c) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;

(d) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines.

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

(3) Veterinary clinics, kennels, livestock sales yards and abattoirs shall be discouraged from establishing closer than 304.8 metres (1,000 ft.) to any neighbouring residential building on a neighbouring property.

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

(5) For a development application for a bulk anhydrous ammonia storage facility or a residential dwelling in proximity to an existing bulk ammonia storage facility the Development Authority:

(a) shall consider the "Guidelines for the Location of Stationary Bulk Ammonia Facilities" prepared by Alberta Environment before the Development Authority makes a decision on a development application concerning a bulk ammonia storage facility; and

(b) in all instances, a development application for a residential dwelling shall not be approved if it is located within 500 metres (1,640 ft.) of an established Anhydrous Ammonia bulk storage facility.

(6) Irrigation pump utility sheds or similar ancillary structures used for irrigation works may be located within the required municipal minimum setbacks as stipulated in the bylaw, provided the structures fully remain within the confines of the property (i.e. no property line encroachments) and authorization or permission from the municipality is granted.

6. SITE COVERAGE

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

7. SUBDIVISION CRITERIA – See Schedule 4.

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

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

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

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

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

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

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

15. **MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 6.

16. **MOVED-IN BUILDINGS / DWELLINGS** – See Schedule 6.

17. **WIND ENERGY CONVERSION SYSTEMS** – See Schedule 6.

GROUPED COUNTRY RESIDENTIAL – GCR

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Ancillary buildings or uses
Day homes - Schedule 3, no permit required
Manufactured homes (year 2000 and newer) - Schedule 6
Modular homes - Schedule 6
Ready-to-move dwellings (new) - Schedule 6
Secondary suites (contained within a single-detached dwelling) - Schedule 6
Shipping containers, temporary - Schedule 6
Single detached dwellings
Small wind energy systems individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Bed and breakfast - Schedule 6
Garden suites - Schedule 6
Home occupations 1 and 2 - Schedule 6
Moved-in buildings - Schedule 6
Moved-in dwellings - Schedule 6
Private recreation
Public recreation
Public or private utilities
Secondary suites (detached garage) - Schedule 6
Shipping containers, permanent - Schedule 6
Small wind energy systems, individual (Type C) - Schedule 6

(3) Prohibited Uses

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

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

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM PARCEL SIZE

The minimum parcel size for any use which is not municipally serviced but which requires a means of sewage disposal shall be:

(a) 0.8 ha (2 acres) in area, or

(b) as indicated in an adopted area structure plan.

4. MINIMUM SETBACK REQUIREMENTS

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

(a) 36.57 metres (120 ft.) of the right-of-way of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the *Public Highways Development Act*;

(b) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;

(c) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;

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

(3) Except where an adopted area structure plan indicates otherwise:

(a) developments shall be setback 36.57 metres (120 ft.) from the of the right-of-way of the statutory road allowance;

(b) the setback distance may be less if approved by Council in an area structure plan, but in no instance will it be less than 15.2 metres (50 ft.) from the property line fronting the road; this lesser distance [15.2 metres (50 ft.)] may be in instances where a parcel or part of a parcel has frontage on an internal (non-through) street system or a service roadway;

(c) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines;

(d) all ancillary structures shall be a minimum of 15.2 metres (50 ft.) from the property line fronting the road, and shall also be setback no closer than the principal dwelling.

5. SITE COVERAGE

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

8. SUBDIVISION CRITERIA – See Schedule 4.

9. LANDSCAPING AND SCREENING – See Schedule 5.

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

11. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.

12. STANDARDS OF DEVELOPMENT – See Schedule 5.

13. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.

14. GARDEN SUITES – See Schedule 6.

15. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES – See Schedule 6.

16. MOVED-IN BUILDINGS / DWELLINGS – See Schedule 6.

GROUPED RURAL INDUSTRIAL / COMMERCIAL – GRI/C

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Agricultural services
Automotive dealerships and sales
Contractor/trade service or shop building
Equipment sales and service
Farm machinery and industrial vehicle sales and service
Garden centre
Grain elevators/facilities
Industrial (non-hazardous or non-noxious)
Intensive horticulture / Greenhouse
Livestock sales yards
Mechanical sales and service
Recreational vehicle sales and storage
Seed cleaning plants
Signs of 0.9 m^2 (10 sq. ft.) or less - Schedule 7
Shipping containers (4 or less, or temporary) - Schedule 6
Small wind energy systems, individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6
Veterinary clinics, small animal
Warehousing and storage

(2) Discretionary Uses

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

Abbatoirs
Alternative or renewable energy or processing (bio-mass, cogeneration)
Ancillary buildings and uses
Autobody repair and paint shops
Automotive repair and service shops
Bulk fertilizer storage and sales
Cannabis production facility - Schedule 5
Hazardous/noxious uses
Highway commercial - as defined in Section 37
Landscaping sales and service
Lumber yard / Building supplies
Manufactured home sales and service
Manufacturing and processing facility
Moved-in buildings - Schedule 6
Offices

Public or private utilities
Resource extraction and associated works - Section 4 of this district
Retail
Signs greater than 0.9 m^2 (10 sq. ft.) - Schedule 7
Shipping containers (5 or more) - Schedule 6
Small wind energy systems, individual (Type C) - Schedule 6
Solar collectors commercial facilities - Schedule 6
Surveillance suites
Telecommunications facilities - Schedule 6
Temporary uses
Veterinary clinics, large animal
Welding and fabrication shops
Wind energy conversion systems or met/bat monitor towers - Schedule 6

(3) Prohibited Uses

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

Country residential
Stripping and sale of topsoil

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. HAZARDOUS OR NOXIOUS USES

Hazardous or noxious uses shall be discouraged from locating within:

(a) 3.2 km (2 miles) or less from a grouped or single parcel country residential development;

(b) 3.2 km (2 miles) or less from a town or village with a population of more than 500;

(c) 3.2 km (2 miles) or less from a town, village or designated hamlet with a population of 500 or less;

(d) 3.2 km (2 miles) from a provincial, regional or municipal park or recreation area;

(e) less than 0.8 km (0.5 mile) from either side of a provincial highway;

(f) within such distance of other roads such as designated scenic, tourist or recreational access roads as established in a municipal bylaw; or

(g) adjacent to water bodies.

4. RESOURCE EXTRACTION USES – Sand and Gravel Pits

(1) Before a development permit is issued for such uses:

(a) a satisfactory plan of reclamation must be filed with the municipality and Alberta Environment; and

(b) a permit under the Sand and Gravel Pit Bylaw, if applicable, must be obtained.

(2) Topsoil must be stockpiled and used to reclaim the worked-out site.

5. MINIMUM PARCEL SIZE

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

6. MINIMUM SETBACK REQUIREMENTS

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

(a) 36.57 metres (120 ft.) of the right-of-way of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the *Public Highways Development Act*;

(b) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;

(c) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;

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

(3) All uses which have frontage on an internal roadway or service roadway require a minimum setback of:

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

7. SITE COVERAGE

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

8. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

9. AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

10. SUBDIVISION CRITERIA – See Schedule 4.

11. LANDSCAPING AND SCREENING – See Schedule 5.

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

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

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

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

16. **MOVED-IN BUILDINGS** – See Schedule 6.

17. **WIND ENERGY CONVERSION SYSTEMS** – See Schedule 6**.**

18. **SIGN REGULATIONS** – See Schedule 7.

URBAN FRINGE – UF

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Ancillary buildings or uses 1,200 sq. ft. or less in size
Day homes - Schedule 3, no permit required
Farm related buildings, structures and developments
Home occupations 1 - Schedule 6
Manufactured homes (year 2000 or newer) - Schedule 6
Modular homes - Schedule 6
Ready-to-move dwellings (new) - Schedule 6
Single detached dwellings
Second residence - in accordance with Section 31(2)
Secondary suites (contained within a single-detached dwelling) - Schedule 6
Shipping containers, temporary - Schedule 6
Signs of 0.9 m^2 (10 sq. ft.) or less - Schedule 7
Small wind energy systems, individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Abattoirs
Agricultural services
Ancillary buildings or uses more than 1,200 sq. ft. in size
Autobody repair and paint shops
Automotive dealerships
Automotive repair and service shops
Bed and breakfast - Schedule 6
Boarding stables
Breeding facilities
Cut-off country residential
Day care - Schedule 6
Farm stands
Garden suites - Schedule 6
Grouped country residential
Highway commercial
Home occupations 2 - Schedule 6
Intensive horticulture
Isolated single lot commercial
Isolated single lot country residential (for subdivision considerations only)

Isolated single lot industrial
Kennels
Minor livestock operations - Schedule 9
Mobile homes - Schedule 6
Moved-in buildings - Schedule 6
Private recreation
Public or private utilities
Public recreation
Public/institutional
Second residence - in accordance with Sections 31(3) - 31(5)
Secondary suites (detached garage) - Schedule 6
Service stations
Signs of greater than 0.9 m^2 (10 sq. ft.) - Schedule 7
Shipping containers, permanent - Schedule 6
Small wind energy systems, individual (Type C) - Schedule 6
Stockpiles (inside the distances in Section 4(a) of this district)
Telecommunications towers/facilities - Schedule 6

(3) Prohibited Uses

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

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

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM PARCEL SIZE

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

4. MINIMUM SETBACK REQUIREMENTS

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

(a) 36.57 metres (120 ft.) of the right-of-way of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the *Public Highways Development Act*;

(b) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;

(c) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;

(d) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines.

(2) For parcels or lots less than 0.8 ha (2 acres) in size that were designated as Urban Fringe Residential under a previous bylaw and where buildings or structures exist with an approved development permit, all

structures (primary and ancillary) may be setback a minimum of 7.62 metres (25 ft.) from the front property line, 6.1 metres (20 ft.) from rear property lines, and 1.52 metres (5 ft.) from all side property lines.

(3) For parcels or lots subject to an Intermunicipal Development Plan that contains specific criteria or policies regarding setbacks as determined though an approved Overlay Plan, Conceptual Design Scheme or Area Structure Plan, the Subdivision and Development Authority may, in relation to those plans, impose special roadway and property line setbacks as a condition of a development permit.

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

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

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

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

(8) Irrigation pump utility sheds or similar ancillary structures used for irrigation works may be located within the required municipal minimum setbacks as stipulated in the bylaw, provided the structures fully remain within the confines of the property (i.e. no property line encroachments) and authorization or permission from the municipality is granted.

5. SITE COVERAGE

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. COMPREHENSIVE DEVELOPMENT PLANS, AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

(a) the Subdivision and Development Authority may, with the approval of the Council, require that future development applications for the area be accompanied by a comprehensive development plan which has been approved by Council; or

(b) the Council may require applicants proposing development in the area to undertake the preparation of an area structure plan or conceptual design scheme.

8. DEVELOPMENT APPLICATION REFERRALS

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

9. SUBDIVISION CRITERIA – See Schedule 4.

10. LANDSCAPING AND SCREENING – See Schedule 5.

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

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

13. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.

14. STANDARDS OF DEVELOPMENT – See Schedule 5.

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

16. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES – See Schedule 6.

17. MOVED-IN BUILDINGS – See Schedule 6.

18. SIGN REGULATIONS – See Schedule 7.

URBAN FRINGE AGRICULTURAL – UFA

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Ancillary buildings or uses
Farm related buildings, structures and developments
Home occupations 1 - Schedule 6
Manufactured homes (year 2000 or newer) - Schedule 6
Modular homes - Schedule 6
Moved-in buildings - Schedule 6
Ready-to-move dwellings (new) - Schedule 6
Second residence - in accordance with Section 31(2)
Secondary suites (contained within a single-detached dwelling) - Schedule 6
Shipping containers, temporary - Schedule 6
Signs of 0.9 m^2 (10 sq. ft.) or less - Schedule 7
Single detached dwellings
Small wind energy systems, individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Agricultural services
Bed and breakfast - Schedule 6
Boarding stables
Breeding facilities
Cut-off country residential
Farm stands
Garden suites - Schedule 6
Grouped country residential
Highway commercial
Home occupations 2 - Schedule 6
Intensive horticulture
Isolated single lot commercial
Isolated single lot country residential (for subdivision considerations only)
Kennels
Mobile homes - Schedule 6
Minor livestock operations - Schedule 9
Private recreation

Public or private utilities
Public recreation
Public/institutional
Second residence - in accordance with Sections 31(3) - 31(5)
Secondary suites (detached garage) - Schedule 6
Signs of greater than 0.9 m^2 (10 sq. ft.) - Schedule 7
Shipping containers, permanent - Schedule 6
Small wind energy systems, individual (Type C) - Schedule 6
Telecommunications towers/facilities - Schedule 6

(3) Prohibited Uses

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

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

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM PARCEL SIZE

(1) The minimum parcel size for any use shall be 4.0 ha (10 acres).

(2) A minimum 2.0 ha (5 acre) parcel size may be considered for any use if the parcel pattern is established in accordance with the historic parcel square-grid and road pattern.

4. MINIMUM SETBACK REQUIREMENTS

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

(a) 36.57 metres (120 ft.) of the right-of-way of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the *Public Highways Development Act*;

(b) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;

(c) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation;

(d) all structures (primary and ancillary) shall be setback a minimum of 6.1 metres (20 ft.) from all side and rear property lines.

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

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

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

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

(6) Irrigation pump utility sheds or similar ancillary structures used for irrigation works may be located within the required municipal minimum setbacks as stipulated in the bylaw, provided the structures fully remain within the confines of the property (i.e. no property line encroachments) and authorization or permission from the municipality is granted.

5. SITE COVERAGE

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. COMPREHENSIVE DEVELOPMENT PLANS, AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

(a) the Subdivision and Development Authority may, with the approval of the Council, require that future development applications for the area be accompanied by a comprehensive development plan which has been approved by Council; or

(b) the Council may require applicants proposing development in the area to undertake the preparation of an area structure plan or conceptual design scheme.

8. DEVELOPMENT APPLICATION REFERRALS

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

9. SUBDIVISION CRITERIA – See Schedule 4.

10. LANDSCAPING AND SCREENING – See Schedule 5.

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

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

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

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

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

16. **MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 6**.**

17. **MOVED-IN BUILDINGS** – See Schedule 6.

18. **SIGN REGULATIONS** – See Schedule 7.

URBAN FRINGE RESIDENTIAL – UFR

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Ancillary buildings or uses
Day homes - Schedule 3, no permit required
Home occupations 1 - Schedule 6
Manufactured homes - Schedule 6
Modular homes - Schedule 6
Ready-to-move dwellings (new) - Schedule 6
Secondary suites (contained within a single-detached dwelling) - Schedule 6
Signs of 0.9 m^2 (10 sq. ft.) or less - Schedule 7
Single detached dwellings
Small wind energy systems, individual (Type A) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Day cares - Schedule 6
Duplex dwellings
Farm related buildings, structures and developments
Garden suites - Schedule 6
Home occupations 2 - Schedule 6
Isolated single lot commercial
Lodging or boarding houses
Multi-unit dwellings
Private recreation
Public recreation
Second residence - in accordance with Sections 31(2) - 31(5)
Secondary suites (detached garage) - Schedule 6
Semi-detached dwellings
Signs of greater than 0.9 m^2 (10 sq. ft.) - Schedule 7
Shipping containers, temporary - Schedule 6
Small wind energy systems, individual (Type B) - Schedule 6

(3) Prohibited Uses

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

Mobile home parks
Mobile homes

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM LOT SIZE

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

(1) Serviced Lots (municipal water supply and sewage disposal systems)

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

(2) Unserviced or Partially Serviced Lots

(a) All unserviced or partially serviced lots intended to be used for single detached, semi-detached, duplex, single-wide and double-wide mobile home dwellings shall be a minimum of 0.8 ha (2 acres) (or greater as may be required by the designated officer or Subdivision and Development Authority, in accordance with Regional Health Authority and Alberta Labour regulations or recommendations).

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

4. MINIMUM SETBACK REQUIREMENTS

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

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

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

5. SITE COVERAGE

(1) Principal and ancillary buildings – 43% total

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

(2) Ancillary buildings

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

6. MINIMUM FLOOR AREA

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

7. MAXIMUM HEIGHT OF ANCILLARY BUILDINGS

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

8. SIDE YARD REQUIREMENTS

(1) Ancillary buildings shall be not less than 1.5 metres (5 ft.) from a side lot line or rear lot line.

(2) A carport is permitted in a side yard but shall be not less than 1.5 metres (5 ft.) from a side lot line.

(3) The side yard requirement for a principal building with an attached garage shall be the same as for a principal building, providing that the overhanging eave shall not be less than 0.6 metres (2 ft.) from the side lot line, and provided that two-thirds of the building be not less than 1.5 metres (5 ft.) from the side lot line.

(4) Ancillary buildings shall be located (separated) a minimum of 1.2 metres (4 ft.) from the principal building.

9. AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

10. FENCES – See Schedule 5.

11. LANDSCAPING AND SCREENING – See Schedule 5.

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

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

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

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

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

17. **MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 6.

18. **MOVED-IN BUILDINGS** – See Schedule 6.

URBAN FRINGE INDUSTRIAL – UFI

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Abattoirs
Additions to existing permitted use buildings
Agricultural services
Ancillary buildings or uses
Autobody repair and paint shops
Automotive dealerships
Automotive repair and service shops
Farm machinery and industrial vehicle sales and service
Grain elevators
Non-noxious manufacturing and processing industries
Railway and railway related uses
Recreational Vehicle storage
Seed cleaning plants
Shipping containers (4 or less, or temporary) - Schedule 6
Small wind energy systems, individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6
Veterinary clinics
Wholesale or storage warehousing

(2) Discretionary Uses

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

Anhydrous ammonia storage
Bulk oil depots
Fertilizer storage
Isolated single-lot country residential
Isolated single-lot industrial
Minor livestock operations - Schedule 9
Moved-in buildings - Schedule 6
Outdoor storage
Public or private utilities
Signs - Schedule 7
Shipping containers (5 or more) - Schedule 6
Small wind energy systems, individual (Type C) - Schedule 6
Surveillance suites
Telecommunications towers/facilities - Schedule 6

(3) Prohibited Uses

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

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

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM LOT SIZE

(1) All uses shall be as required by the Subdivision Authority or Development Authority.

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

(3) On unserviced or partially serviced lots the minimum lot dimensions may be increased by the designated officer in accordance with the Regional Health Authority and Alberta Labour regulations and recommendations.

4. MINIMUM SETBACK REQUIREMENTS

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

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

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

5. SITE COVERAGE

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. LANDSCAPING AND SCREENING

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

8. AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

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

10. STANDARDS OF DEVELOPMENT – See Schedule 5.

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

12. MOVED-IN BUILDINGS – See Schedule 6.

13. SIGN REGULATIONS – See Schedule 7.

RURAL RECREATIONAL – RR

1. PURPOSE

The purpose of this district is to facilitate the development of both public and private/commercial recreational uses at selective locations within the County of Warner. This district may be used to conserve, enhance and expand the county's recreational resources, without compromising agricultural activities or the municipality's natural or environmentally significant attributes.

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Ancillary buildings or uses
Small wind energy systems, individual (Type A) - Schedule 6
Solar collectors individual - Schedule 6
Public day use areas
Public picnic areas

(2) Discretionary Uses

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

Boat launches, marinas and ancillary structures
Club houses associated with recreational use
Commercial uses associated with a recreational use
Driving ranges
Golf courses
Moved-in buildings associated with a recreational use - Schedule 6
Public and private campgrounds
Public and private recreation
Public and private utilities
Public/institutional uses
Recreational facilities
Recreational vehicle and RV parks*
Residential accommodation in conjunction with an approved recreational use
Restaurant as an ancillary recreational use
Riding academies and arenas
Rifle, pistol and archery ranges
Rodeo grounds
Signs
Small wind energy systems, individual (Type B and C) - Schedule 6
Tourist accommodation
Waterslides and water parks
Any other uses determined by the Development Authority to be similar in nature to any permitted or discretionary use

(3) Prohibited Uses

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

Confined feeding operations
Country residential

Noxious industry
Stripping and sale of topsoil

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

* *Individual Recreational vehicle units (motor homes/campers) which are not considered permanent buildings or structures and are located in an approved RV park or campground do not require a development permit (see Schedule 3, Development Not Requiring a Development Permit), but must adhere to the regulations or requirements of any conceptual design scheme, area structure plan, or conceptual site plan that may be approved.*

3. MINIMUM PARCEL SIZE

(1) Minimum parcel sizes shall be at the discretion of the Subdivision and Development Authority based on the type of proposal with the following standards being applied:

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

(b) as indicated in an approved area structure plan or conceptual design scheme.

(2) The Subdivision and Development Authority may, at its discretion, lessen the required minimum parcel size based on the method of sewage disposal and technology proposed.

(3) For municipal or communally serviced parcels or lots, the following minimum lot size is recommended and may be imposed by the Subdivision and Development Authority for various uses in this land use district:

	Width		Area	
	ft	m	ft^2	m^2
Serviced lots	50	15.2	5,000	464.5

(4) At its discretion, the Subdivision and Development Authority may establish greater minimums for specific proposals, based on the type of development.

4. MINIMUM SETBACK REQUIREMENTS

The applicable setbacks will be based on the location of the development in regards to the classification of roadway it is fronting and the type of use. The following sections stipulate the setbacks that are applicable:

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

(a) 45.7 metres (150 ft.) of the centre line of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the *Public Highways Development Act*;

(b) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway;

(c) any stipulated distance as specified by Alberta Transportation for development adjacent to provincial roadways classified as Freeways/Expressways, Multi-lane and Major Two-lane highways. For these highway classifications, development setbacks and accesses will be reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation.

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

(3) For uses which do not front or are adjacent to a provincial highway and have frontage on an internal, service or private roadway will require a minimum property line setback of:

Front Yard	Side Yard	Rear Yard
7.62 m (25 ft.) or such greater as required by the designated officer or as specified in an adopted area structure plan.	interior lot – 1.5 m (5 ft.) corner lot – 1 @ 1.5 m (5 ft.) – 1 @ 4.6 m (15 ft.) or greater, as required by the designated officer or as specified in an adopted area structure plan.	7.62 m (25 ft.) or such greater as required by the designated officer or as specified in an adopted area structure plan.

(4) **In conjunction with the roadway setbacks required, all developments must also meet** the applicable minimum side and rear yard setbacks as stipulated in subsection (c) above, unless required otherwise by the Development Authority.

(5) At the discretion of the Subdivision and Development Authority, the applicable setbacks required may be in conjunction with any approved area structure plan or to reasonably accommodate the proposed use.

(6) Decks attached to any building are to be considered as part of the principle building and the applicable setbacks referenced in subsections (1) through (4) above shall apply.

5. MAXIMUM LOT COVERAGE

As required by the Development Authority, but in all instances the principal building and ancillary buildings combined shall cover no more than 60 percent of the total surface area of the lot.

6. ACCESS

To ensure proper emergency access, all developments shall have direct legal and developed physical access to a public roadway to the satisfaction of the Subdivision and Development Authority in accordance with municipal road standard policy. If the development is within 304.8 m (1,000 ft.) of a provincial highway, direct legal and physical access to a public roadway shall be to the satisfaction of Alberta Transportation.

7. ANCILLARY BUILDINGS, STRUCTURES OR USES

(1) An ancillary building shall be ancillary to a recreational use and not be used as a dwelling, and shall only be constructed after the principal building has been constructed.

(2) An ancillary building shall be setback a minimum 3.0 m (10 ft.) from the principal dwelling and from all other structures on the same lot.

(3) An ancillary building shall not be located in a front yard or on an easement.

(4) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an ancillary building.

(5) For recreational vehicle and RV parks, ancillary buildings shall not exceed 37.2 m^2 (400 sq. ft) in size and 4.57 m (15 ft.) in height.

8. AREA STRUCTURE PLANS AND DESIGN SCHEMES

Pursuant to the criteria outlined in the municipal development plan, Council may require the adoption or approval of an area structure plan or design scheme prior to considering applications for development. The Subdivision and Development Authority may recommend that Council require the adoption of an area structure plan or conceptual design scheme prior to the approval of a development application if, in the Subdivision and Development Authority's opinion, it is warranted.

9. ARCHITECTURAL CONTROLS

As a development standard of the area structure plan, architectural controls are suggested to be supplied by the developer to ensure that all development in the development area is of high quality and is consistent with neighbouring property. These controls may be registered concurrently by a Restrictive Covenant at the time a plan of survey is filed with the Land Titles Office.

10. SPECIAL DEVELOPMENT CONSTRAINTS

When a recreational development is proposed, Council or the Subdivision and Development Authority may consider the potential effect on the following when rendering a decision on the application:

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

(b) potential future resource developments in the vicinity;

(c) access to or development of existing or potential recreation amenities;

(d) surrounding agricultural operations, including confined feeding operations;

(e) critical wildlife habitats;

(f) the visual aesthetics of the surrounding landscape;

(g) the natural amenities provided by the land including, but not limited to, varied topography, sloping land, a scenic view and tree cover;

(h) areas prone to flooding or groundwater inundation;

(i) water supply and sewage disposal;

(j) areas of historical or archaeological significance;

(k) the irrigation functions of the reservoirs;

(l) future growth strategies of urban municipalities or conformity to existing inter-municipal plans or agreements;

(m) any other matter the Subdivision and Development Authority considers relevant.

11. RECREATIONAL VEHICLE AND RV PARKS

Council or the Subdivision and Development Authority may impose special standards and requirements in considering proposals for Recreational vehicle and RV parks, based on the type of proposal and method of water and sewer being provided.

(1) The applicant may be requested to provide a professionally prepared detailed conceptual site layout plan of the RV park and illustrate the location of related and proposed improvements.

(2) Through the application of architectural controls, homeowners association agreements, and the approval of an area structure plan or conceptual design scheme, the number of recreational vehicles (RV;s) and related vehicles, (i.e. campers, boats) may be regulated and limited on individual sites.

(3) RV sites are for the purpose of accommodating landowner's individual RV units for personal recreational use, and are not to be used for RV storage.

(4) In conjunction with the roadway setbacks required, all developments must also meet the applicable minimum side and rear yard setbacks to the property lines as stipulated in Section 4(3) above, unless required otherwise by the Development Authority. The Development Authority may request that individual RV lots are established with development building pockets so that each lot should have a minimum of 6.1 m (20 ft.) clearance between the side doors of the recreational unit any other unit on an adjacent lot.

(5) Back-in lots shall be designed so not to exceed a 60 degree angle to the direction of traffic flows on the RV park roadway or public road.

(6) All Recreational vehicle and RV park developments shall provide adequate potable water and sewage disposal methods (individual or communal) acceptable to the County of Warner and must meet the provincial and public health regulations.

(7) Recreational vehicle and RV parks may consist of individually deeded (titled) lots for RV units if approved by the County of Warner Subdivision and Development Authority in conjunction with an approved plan.

12. CAMPGROUNDS

(1) Campground developments shall be required to be located on one tile or parcel, and individual titles for camp sites shall not be permitted.

(2) For private campground developments, the applicant may be requested to provide a professionally prepared detailed conceptual site plan of the campground site illustrating the camp stalls with size dimensions, landscaping, fencing, internal circulation, site access and egress, public facilities, sani-dump stations, and illustrate the location of public facilities, fire pits, garbage receptacles, and related or proposed improvements.

(3) Minimum camp site (stall) sizes shall be (111.5 m^2) 1200 sq. ft. for each tent and recreational vehicle including car parking areas. Lots with water and sewer shall be a minimum of 186 m^2 (2000 sq. ft.) with a minimum width of 8.5 m^2 (28 ft.).

(4) Individual camp sites shall have a minimum of 6.1 m (20 ft.) clearance between the side doors of the recreational unit any other unit.

(5) Roads leading to the proposed campground may be required as a condition of approval, including the stipulation that the roads are to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed campground. If the proposal is situated adjacent to a provincial highway, the applicant is also responsible for obtaining approval and a permit from Alberta Transportation.

(6) All Campground developments shall provide adequate potable water and sewage disposal methods acceptable to the County of Warner and must meet the provincial and public health regulations.

(7) Noise control measures may also be required and imposed as a condition of permit approval, and may include the use of berms, natural barriers and screens, land use location setbacks, and enforced camp management control (i.e. limiting active hours).

(8) The Subdivision and Development Authority may impose special standards of development and may consider the *Alberta* Tourism *Campground Standards* or other provincial guidelines or similar regulations to be applied as a condition of approval.

13. APPLICATION REFFERALS

Applications to accommodate a Recreational vehicle and RV park, campground, or other recreation use should be referred to the local health region, and any affected provincial agency or regulatory body as needed, including Alberta Environment, Alberta Sustainable Resources, Alberta Transportation, Tourism, Parks and Recreation, and the Historical Resource Administrator, for comment prior to rendering a decision by the approval authority.

14. REFUSE SCREENING AND STORAGE

Refuse and garbage shall be required to be kept in suitably-sized and enclosed containers and it shall be effectively screened until such time as collection or disposal is possible.

15. SUBDIVISION CRITERIA – See Schedule 4.

16. LANDSCAPING AND SCREENING – See Schedule 5.

17. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS – See Schedule 5.

18. PARKING AND LOADING AREA REQUIREMENTS – See Schedule 5.

19. STANDARDS OF DEVELOPMENT – See Schedule 5.

20. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.

21. MOVED-IN BUILDINGS – See Schedule 6.

22. SIGN REGULATIONS – See Schedule 7.

HAMLET RESIDENTIAL – HR

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Ancillary buildings or uses
Day homes - Schedule 3, no permit required
Home occupations 1 - Schedule 6
Manufactured homes (year 2000 or newer) - Schedule 6
Modular homes - Schedule 6
Ready-to-move dwellings (new) - Schedule 6
Secondary suites (contained within a single-detached dwelling) - Schedule 6
Shipping containers, temporary - Schedule 6
Single detached dwellings
Small wind energy systems, individual (Type A) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Bed and breakfast - Schedule 6
Day cares - Schedule 6
Duplex dwellings
Garden suites - Schedule 6
Home occupations 2
Lodging or boarding houses
Moved-in buildings - Schedule 6
Multi-unit dwellings
Public recreation
Secondary suites (detached garage) - Schedule 6
Semi-detached dwellings
Shipping containers, permanent - Schedule 6

(3) Prohibited Uses

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

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

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM LOT SIZE

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

(1) Serviced Lots (municipal water supply and sewage disposal systems)

Use	Width m	Width ft.	Length m	Length ft.	Area m²	Area sq. ft.
Single detached dwelling	15.2	50	30.5	100	464.5	5000
Duplex and semi-detached dwelling	21.3	70	30.5	100	650.3	7000
Multiple family dwelling	24.4	80	30.5	100	743.2	8000
All other uses	As required by the Subdivision and Development Authority.					

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

(2) Unserviced or Partially Serviced Lots

(a) All unserviced or partially serviced lots intended to be used for single detached, semi-detached, duplex, single-wide and double-wide mobile home dwellings shall be developed in accordance with the following (or greater as may be required by the Designated Officer or Subdivision and Development Authority, in accordance with Regional Health Authority and Alberta Labour regulations or recommendations).

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

Use	Area m²	Area sq. ft.	Min. Width m	Min. Width ft.	Min. Length m	Min. Length ft.
Municipal sewer only	929	10,000	30.5	100	30.5	100
Municipal water only	1,858	20,000	30.5	100	30.5	100
No municipal water and no municipal sewer	1,858	20,000	30.5	100	30.5	100

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

4. MINIMUM SETBACK REQUIREMENTS

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

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

5. SITE COVERAGE

(1) Principal and ancillary buildings – 43% total

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

(2) Ancillary buildings

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

6. MINIMUM FLOOR AREA

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

7. MAXIMUM HEIGHT OF ANCILLARY BUILDINGS

Ancillary buildings shall not exceed 4.6 metres (15 ft.) in height except at the discretion of the Subdivision and Development Authority. Ancillary buildings in conjunction with a secondary suite (garage) shall not exceed 7.5 metres (25 ft.) in height.

8. SIDE YARD REQUIREMENTS

(1) Ancillary buildings shall be not less than 1.5 metres (5 ft.) from a side lot line or rear lot line.

(2) A carport is permitted in a side yard but shall be not less than 1.5 metres (5 ft.) from a side lot line.

(3) The side yard requirement for a principal building with an attached garage shall be the same as for a principal building, providing that the overhanging eave shall not be less than 0.6 metres (2 ft.) from the side lot line, and provided that two-thirds of the building be not less than 1.5 metres (5 ft.) from the side lot line.

9. AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

10. FENCES – See Schedule 5.

11. LANDSCAPING AND SCREENING – See Schedule 5.

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

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

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

15. **DEVELOPMENT STANDARDS FOR MOBILE HOMES WITHIN HAMLETS** – See Schedule 6.

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

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

18. **MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES** – See Schedule 6.

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

HAMLET COMMERCIAL – HC

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Coffee shops
Financial institutions
Hotels and motels
Offices
Personal service establishments
Public/institutional
Restaurants
Retail
Service stations
Signs - Schedule 7
Small wind energy systems, individual (Type A) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Ancillary buildings or uses
Day cares - Schedule 6
Moved-in buildings - Schedule 6
Public or private utilities
Retail cannabis store
Shipping containers, temporary - Schedule 6
Small wind energy systems, individual (Type B and C) - Schedule 6
Surveillance suites

(3) Prohibited Uses

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM LOT SIZE

	Width		Length		Area	
Use	**m**	**ft.**	**m**	**ft.**	**m^2**	**sq. ft.**
All uses	7.6	25	30.5	100	232.3	2,500

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

4. MINIMUM SETBACK REQUIREMENTS

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

5. SITE COVERAGE

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

8. LANDSCAPING AND SCREENING – See Schedule 5.

9. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS – See Schedule 5.

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

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

12. STANDARDS OF DEVELOPMENT – See Schedule 5.

13. MOVED-IN BUILDINGS – See Schedule 6.

14. SIGN REGULATIONS – See Schedule 7.

HAMLET INDUSTRIAL – HI

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Contractor/trade sales, service or shop building
Equipment sales and service
Farm machinery and industrial vehicle sales and service
Fertilizer storage
Garden centres
Grain elevators
Mini-storage
Non-noxious manufacturing and processing industries
Office/business administration buildings
Outdoor storage
Railway and railway related uses
RV storage sales and service
Shipping containers (4 or less, or temporary) - Schedule 6
Small wind energy systems, individual (Type A and B) - Schedule 6
Solar collectors, individual - Schedule 6
Veterinary clinics, small animal
Wholesale or storage warehousing

(2) Discretionary Uses

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

Ancillary buildings or uses
Autobody repair and paint shops
Automotive dealerships
Automotive repair and service shops
Building supply centre
Bulk fuel stations
Bulk oil depots
Cardlock fuel station
Lumber yard / Building supplies
Moved-in buildings - Schedule 6
Public or private utilities
Recycling facility
Seed cleaning plants
Shipping containers (5 or more) - Schedule 6
Signs - Schedule 7
Small wind energy systems, individual (Type C) - Schedule 6

Solar collectors, commercial - Schedule 6
Surveillance suites
Telecommunications towers/facilities - Schedule 6
Veterinary clinics, large animal
Welding and metal fabrication

(3) Prohibited Uses

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

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

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM LOT SIZE

(1) All uses shall be as required by the designated officer.

(2) On unserviced or partially serviced lots in the minimum lot dimensions may be increased by the designated officer in accordance with the Regional Health Authority and Alberta Labour regulations and recommendations.

4. MINIMUM SETBACK REQUIREMENTS

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

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

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

5. SITE COVERAGE

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. LANDSCAPING AND SCREENING

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

8. AREA STRUCTURE PLANS AND DESIGN SCHEMES

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

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

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

11. STANDARDS OF DEVELOPMENT – See Schedule 5.

12. MOVED-IN BUILDINGS – See Schedule 6.

13. SIGN REGULATIONS – See Schedule 7.

HAMLET PUBLIC / INSTITUTIONAL – HP/I

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Churches
Civic halls and clubs
Day care facilities - Schedule 6
Firehalls
Government offices
Libraries
Public recreation
Public and private health care facilities
Schools
Small wind energy systems, individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Ancillary buildings or uses
Moved-in buildings - Schedule 6
Private recreation
Public or private utilities
Shipping containers, temporary - Schedule 6
Signs - Schedule 7
Small wind energy systems, individual (Type C) - Schedule 6
Telecommunications towers/facilities - Schedule 6

(3) Prohibited Uses

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM LOT SIZE

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

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

4. MINIMUM SETBACK REQUIREMENTS

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

5. SITE COVERAGE

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. LANDSCAPING AND SCREENING – See Schedule 5.

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

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

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

11. STANDARDS OF DEVELOPMENT – See Schedule 5.

12. MOVED-IN BUILDINGS – See Schedule 6.

13. SIGN REGULATIONS – See Schedule 7.

HAMLET TRANSITIONAL / AGRICULTURAL – HT/A

1. PURPOSE

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

2. PERMITTED, DISCRETIONARY AND PROHIBITED USES

(1) Permitted Uses

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

Additions to existing permitted use buildings
Ancillary buildings or uses
Cultivation of land and non-intensive grazing of livestock
Home occupations 1 - Schedule 6
Manufactured homes (year 2000 or newer) - Schedule 6
Modular homes - Schedule 6
Ready-to-move dwellings (new) - Schedule 6
Single detached dwellings
Shipping containers, temporary - Schedule 6
Small wind energy systems, individual (Type A and B) - Schedule 6
Solar collectors individual - Schedule 6

(2) Discretionary Uses

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

Garden suites - Schedule 6
Bed and breakfast - Schedule 6
Home occupations 2 - Schedule 6
Moved-in buildings - Schedule 6
Public or private utilities
Shipping containers - Schedule 6
Small wind energy systems, individual (Type C) - Schedule 6
Telecommunications towers/facilities - Schedule 6

(3) Prohibited Uses

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

Confined feeding operations
Mobile homes
Resource extraction uses and associated works

- *Any use which is not listed as either a Permitted or Discretionary Use, or is not ruled to be Similar to a Permitted or Discretionary Use in accordance with Section 29, is a Prohibited Use.*

3. MINIMUM PARCEL SIZE

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

4. MINIMUM SETBACK REQUIREMENTS

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

5. DEVELOPMENT REQUIREMENTS

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

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

6. ANCILLARY BUILDINGS, STRUCTURES OR USES

At the discretion of the Development Authority, it may restrict the size, height or specify the required setbacks for development of ancillary buildings, structures or uses on a lot.

7. RURAL SERVICING STANDARDS AND SOIL SUITABILITY – See Schedule 5.

8. STANDARDS OF DEVELOPMENT – See Schedule 5.

9. GARDEN SUITES – See Schedule 6.

10. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE HOMES – See Schedule 6.

11. MOVED-IN BUILDINGS – See Schedule 6.

DIRECT CONTROL – DC

1. PURPOSE

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

2. PERMITTED USES

Any use Council considers suitable.

3. MINIMUM PARCEL SIZE

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

4. MINIMUM SETBACK REQUIREMENTS

As Council considers necessary.

5. STANDARDS OF DEVELOPMENT

As Council considers necessary having regard to Schedule 5.

6. SIGNS

As Council considers necessary having regard to Schedule 7.

7. OTHER STANDARDS

As Council requires.

8. SUBDIVISION STANDARDS

Parcel sizes and number of subdivisions permitted to be as Council determines applicable, with direction given to the Subdivision Authority who is authorized to make decisions on subdivision applications.

9. APPROVAL PROCEDURE

(1) Before Council considers an application for a use in the Direct Control district, they shall:

(a) cause notice to be issued by the designated officer in accordance with Sections 17(1) and 17(2) of this bylaw;

(b) hear any persons who claim to be affected by a decision on the application.

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

LINEAR PARCEL DIRECT CONTROL – LPDC

1. PURPOSE

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

2. PERMITTED USES

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

Railway and railway related uses
Any use Council considers appropriate

3. LOT SIZE REQUIREMENTS

At the discretion of Council.

4. SETBACK, YARD AND ACCESS REQUIREMENTS

At the discretion of Council.

5. GENERAL STANDARDS OF DEVELOPMENT

At the discretion of Council having regard to Schedule 5.

6. OTHER STANDARDS

As required by Council.

7. DELEGATION OF AUTHORITY

Applications for railway and railway related uses will be acted upon by the designated officer accepting an application in accordance with Section 9 of this bylaw.

8. APPROVAL PROCEDURE

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

(a) cause a notice to be issued by the designated officer in accordance with Section 17 of this bylaw;

(b) hear any persons that claim to be affected by the decision on the application;

(c) the notice should contain the date and time that Council will hear the application.

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

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

9. 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.

Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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

1. AGRICULTURAL DEVELOPMENT

(1) Exempt uses:

(a) extensive cultivation or grazing of land,

(b) non-residential farm buildings and structures associated with farming/agricultural use,

(c) fencing and shelter belts,

(d) stockpiles.

(2) A dugout or pond is exempt from a development permit if:

(a) the parcel is designated as *Extensive Agriculture - AG*,

(b) the parcel is designated as Urban Fringe and the dugout is to be used for agricultural purposes or country residential use, or

(c) it is an ornamental pond less than 0.6 metres (2 ft.) in depth.

(3) Agricultural developments listed above that are not closer than the following distances:

(a) 36.57 metres (120 ft.) of the right-of-way of any developed or undeveloped public roadway which is not designated as a provincial highway by the Minister or under the *Public Highways Development Act*;

(b) 50 metres (164 ft.) from the centre line or 30 metres (98.4 ft.) from the property line, whichever distance is greater, of a provincial Minor Two-lane Highway.

(4) Confined Feeding Operations that fall under the jurisdiction and requirements of AOPA do not require a municipal development permit but must obtain a provincial NRCB authorization or approval.

2. OTHER DEVELOPMENT

(1) The carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major works of renovation. This includes changing the exterior finish or roofing of a building unless it is required as a condition of an authorized development permit.

(2) The completion of a building which was lawfully under construction at the date of the first publication of the official bylaw adoption notice, provided that:

(a) the building is complete in accordance with the terms of any permit granted by the designated officer or the Subdivision and Development Authority in respect of it and subject to the conditions to which that permit was granted; and

(b) 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.

(3) 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.

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

(5) The maintenance and repair of public works, services, and utilities carried out by or on behalf of municipal or public authorities on land which is publicly owned or controlled.

(6) The extraction and processing of sand, gravel, or other earth materials and including asphalt or concrete mixtures exclusively by the County of Warner, its authorized agents or Alberta Transportation, for any County purpose within the County.

(7) The use of any building referred to in this section for the purpose for which construction was commenced.

(8) The demolition or removal of any building or structure 9.29 m^2 (100 sq. ft.) or less in size in Hamlet Residential land use districts, or any agricultural building or structure located in any land use district, is exempt from obtaining a development permit, but the landowner shall be responsible for contacting utility agencies and properly disposing of waste material.

(9) Portable signs locating for a period of less than 45 days do not require a permit, and any other signs not requiring a development permit as outlined in Schedule 7, Sign Regulations.

(10) County (municipal) signs on public rights-of-way.

(11) Ancillary buildings, structures or uses in any land use district that are 100 sq. ft. or less in size provided the required municipal roadway and property line setbacks are complied with.

(12) The erection or construction of any fence in all land use districts is exempt from a development permit provided the applicable setbacks to all roadways are met in accordance with the bylaw, and the fence height restrictions are met in hamlet residential land use district.

(13) The installation of asphalt, concrete, brick, stone, wood or aggregate driveways, sidewalks, patios or steps, and landscaping, if it was not specially required as part of the original development permit, provided any specific landscaping (e.g. tree and shelter belts) meets the applicable setbacks to all roadways in accordance with the bylaw.

(14) Uncovered decks or patios do not require a development permit provided they meet the applicable setbacks and standards of the land use bylaw, but may require a building permit (the landowner is responsible for obtaining any required Safety Code approvals).

(15) The placement of a construction trailer during the construction, alteration, or maintenance of a building for a term not to exceed one (1) year providing the trailer is removed upon occupancy or issuance of an occupancy permit, whichever occurs first and there shall be no residential occupancy of the construction trailer at any time.

(16) The placement of storage, shipping, or c-containers (sea-containers):

(a) that are temporary during the construction, alteration, or maintenance of a building or moving by the occupants, for a term not to exceed six (6) months providing the storage, shipping or c-container is removed upon completion of the construction, renovations or move by the occupants;

(b) that are located in the *Extensive Agriculture - AG* or *Urban Fringe - UF* land use districts provided they do not exceed four containers on a parcel at any given time (see Schedule 6, Section 10 for

specific regulations and standards). For all other circumstances or land use districts a development permit is required.

(17) Within the *Extensive Agriculture – AG* district the following do not require a development permit provided they meet the applicable setbacks and standards of the land use bylaw:

(a) single power generators providing power only to the property on which it is located,

(b) individual solar energy collectors (roof-mount, wall mount or freestanding type), provided they do not exceed 3.0 kW per parcel,

(c) roof mount small wind energy conversion systems (WECS), or up to one tower mount less than 12.2 m (40 ft.) in height provided all setbacks are met (more than one tower mount type small WECS on a parcel shall require a development permit).

(18) Within any land use district, other than the *Extensive Agriculture – AG* district which is specified in (17), individual solar energy collectors and roof mount small wind energy conversion systems do not require a development permit provided they comply with the standards of the bylaw. All tower mount small wind energy conversion systems (individual) and other power generator proposals may require a permit in accordance with Schedule 6 of the bylaw.

(19) The use of a building or part thereof as a temporary polling station, returning officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;

(20) Day Homes provided they do not provide care service to more than 6 children on site at one time.

(21) Home occupation uses (Home Occupation 1) that involve a residential home office use only and do not involve regular client visits or other non-resident employees working in the residence. If there is any doubt as to whether a development permit is required, the Designated Officer shall make the determination.

(22) Individual recreational vehicle units (motor homes/campers) which are not considered permanent buildings or structures and are located in an approved RV park or campground or the *Rural Recreational – RR* land use district do not require a development permit, but must adhere to the regulations or requirements of any conceptual design scheme, area structure plan or conceptual site plan that may be approved.

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

Although the municipality may exempt any person or development from the requirements of obtaining a municipal development permit, this does not negate or remove the responsibility of an individual from needing to obtain any required provincial Safety Codes approvals.

Schedule 4

SUBDIVISION CRITERIA

SUBDIVISION CRITERIA

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

1. EXTENSIVE AGRICULTURE

(1) A proposed subdivision of agricultural land for an extensive agricultural use should be approved only if:

(a) the area of the proposed parcel and the resulting residual parcel will contain at least 32.4 ha (80 acres) each; or

(b) a registered exception is indicated on a land title to a maximum of 4.0 ha (10 acres); and the resulting residual parcel will contain at least 28.3 ha (70 acres).

(2) A proposed subdivision of agricultural land may be approved by virtue of:

(a) a part of the parcel being described in the existing title if the boundaries of the part are described in the existing title other than by reference to a legal subdivision;

(b) a part of the parcel described in the existing title if the boundaries of the part are described in the existing title by reference to a plan of subdivision.

(3) If a subdivision referred to (b) above is available in a title, the approval authority should consider the effects prior to other potential approvals. For example, an approval for a 32.4 ha (80 acre) subdivision under (a) above should not be considered for approval if a possible (b) subdivision is available.

2. CONFINED FEEDING OPERATIONS

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

(a) the proposed parcel is the site of an existing confined feeding operation and the subdivision will result in a residual lot of at least 32.4 ha (80 acres); or

(b) the proposed parcel is the site of a physically defined farmstead which does not exceed 4.0 ha (10 acres) and will result in a residual lot of at least 28.3 ha (70 acres); or

(c) the proposed site is a cut-off parcel.

3. HORTICULTURAL USES

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

(a) the use will be compatible with other uses in the vicinity; and

(b) the area of the proposed lot will not exceed that which is required to contain the existing operation, its access road, any ancillary development, and will result in a residual agricultural parcel of at least 28.3 ha (70 acres); or

(c) the area is a cut-off parcel.

4. RURAL ISOLATED LOT RESIDENTIAL USES

(1) A proposed subdivision for a developed residence or a developed farmstead area without a dwelling should be approved provided that:

(a) the area of the proposed lot shall be:

(i) as small as possible in order to conserve agricultural land; and

(ii) limited by the location and extent of physical characteristics and vegetation and such other land as is required for physical access to the proposed lot; and

(iii) will result in a residual agricultural parcel of at least 28.3 ha (70 acres);

(b) the proposed lot and the proposed residual lot both have direct legal and physical access to a public roadway;

(c) the access is satisfactory to the transportation approving authority; and

(d) the size and location of the proposed lot will not significantly affect any irrigation system in the area;

(e) the minimum distance separation calculation to a neighbouring CFO shall be met.

(2) A proposed subdivision for a single residential site that contains no dwelling should be approved provided that:

(a) the proposed parcel does not exceed 4.0 ha (10 acres) in size and will result in a residual agricultural parcel of at least 28.3 ha (70 acres);

(b) the proposed parcel contains a buildable site, which is not on hazard lands as may be determined by an engineering report if requested by the county;

(c) the access is satisfactory to the transportation approving authority; and

(d) the proposed parcel will not significantly affect any irrigation system in the area;

(e) the minimum distance separation calculation to a neighbouring CFO shall be met;

(f) if adjacent to a CPR right-of-way, the proposed parcel contains a buildable site which is a minimum of 75 metres (246 ft.) from the CPR property line.

(3) For rural isolated lot residential uses, the area separated by a permanent cut-off may be considered for approval.

(4) At the discretion of the Subdivision Authority, an existing cut-off country residential use may be considered for subdivision approval with the original cut-off parcel being divided into two titles, without the parcel being redesignated to grouped country residential use or the requirement of a residual agricultural parcel of 28.3 ha (70 acres).

(5) Except in the fringe districts or where lands have been redesignated to Grouped Country Residential, the subdivision authority shall not approve any application for subdivision approval which would create more than four parcels per quarter section.

(6) The minimum lot size for any proposed rural isolated lot residential subdivision shall be as defined in the applicable land use district, unless stipulated otherwise in an approved area structure plan.

5. URBAN FRINGE DISTRICTS

(1) Within the urban fringe districts, grouped country residential subdivisions may be considered for approval without redesignation with a minimum parcel size of 0.81 ha (2 acres).

(2) Isolated country residential subdivision in the urban fringe districts may be considered for approval, with a minimum parcel size of 0.81 ha (2 acres), unless stipulated otherwise in an area structure plan.

(3) In the Stirling Urban Fringe Agricultural district, a proposed subdivision for a single residential or isolated commercial site may be approved provided that:

(a) the proposed parcel is a minimum 4.0 ha (10 acres) square in size and will conform to the National Historic Site Plans parcel shape;

(b) the proposed parcel configuration respects and does not compromise the historic grid pattern roadway layout;

(c) the access is satisfactory to the transportation approving authority;

(d) a plan or design scheme is prepared and accepted by the county which indicates the parcel size and configuration, the road pattern, topographic and drainage features and illustrates how the parcel configuration conforms to the National Historic Site Plan;

(e) the County of Warner shall require that a certified report be prepared for any application for subdivision approval which proposes to create six or more parcels of land in a quarter section if the proposed subdivisions do not obtain water from a licensed water source; and

(f) the County of Warner may allow on a discretionary basis, a 4.0 ha (10 acre) square parcel to be subdivided into two 2.0 ha (5 acre) parcels, provided that it maintains the historic grid and road pattern.

(4) Residential subdivisions may be considered for approval in the Stirling Urban Fringe Residential districts with the minimum parcel size being determined by the type of water and sewer servicing to be provided, or unless stipulated otherwise in an area structure plan.

(5) Country residential subdivisions may be considered for approval in the Urban Fringe district of the Town of Raymond with the density and minimum parcel size being determined by the County of Warner and Town of Raymond Intermunicipal Development Plan (IDP) in regard to the area, and with the following considerations:

(a) multi-lot subdivision in the Urban Fringe district will be evaluated with respect to conformity to the density and minimum parcel size as outlined through the IDP and the required detailed planning process (i.e. Overlay Plan (shadow Plan), Conceptual Design Scheme, or Area Structure Plan).

(b) lands in the Urban Fringe district that have been identified as “Potential Agricultural Reserve” in the Land Use Concept of the IDP will be limited to the County of Warner’s agricultural subdivision policies, which restricts density to four parcels per quarter section (e.g. potentially two country residential acreages and two agricultural parcels), provided the proposal is consistent with the intent of the Transportation Concept of the IDP.

(6) The applicant may be required to undertake a professional soil test/analysis to determine site suitability for any subdivision proposal involving private sewage septic systems located within 0.8 km (0.5 miles) of an urban boundary, where the existing or proposed parcels are less than 2.0 ha (5 acres) in size and there are six or more subdivisions within a quarter section, or where it is stipulated in any applicable IDP.

6. GROUPED COUNTRY RESIDENTIAL

(1) Except in the Urban Fringe districts, grouped country residential subdivision will only be considered after a redesignation to the Grouped Country Residential district.

(2) Design schemes or area structure plans may be required.

(3) Subdivisions for all grouped country residential uses may be required to provide information as outlined in Section 9 of this schedule.

(4) Subdivisions for grouped country residential use should take into consideration the applicable minimum distance separation calculation (MDS) to neighbouring confined feeding operations. This distance may be relaxed or waived at the subdivision stage if it was addressed by County Council at the redesignation stage to grouped country residential.

7. RURAL INDUSTRIAL AND COMMERCIAL USES

(1) A subdivision application for an isolated industrial or commercial use may be approved if:

(a) the site will not exceed 4.0 ha (10 acres) and will result in a residual agricultural parcel of at least 28.3 ha (70 acres); or

(b) the proposed parcel is on land which is defined as "cut-off"; and

(c) it is determined to the satisfaction of the Subdivision Authority the use will not negatively affect neighbouring land uses, especially residential uses; and

(d) servicing is determined to be adequate in relation to the use proposed.

(2) A subdivision application for a grouped industrial site may be approved if:

(a) the land is not better agricultural land or hazard land;

(b) the site is specifically designated for that use in the land use bylaw prior to approval;

(c) the proposed site uses only the minimum amount of land required;

(d) development on the proposed site will not significantly affect any irrigation system in the area; and

(e) servicing is determined to be adequate in relation to the use or uses proposed.

8. PUBLIC/INSTITUTIONAL USES

(1) For public/institutional uses, the maximum parcel size shall be as determined by the Subdivision Authority with consideration for the proposed use and the land area required to accommodate it.

(2) An existing subdivision or certificate of title for a public use may be exempted from the maximum four titles per quarter section policy as per Section 4(5) of this schedule.

9. PROPERTY REALIGNMENT AND SUBDIVISION OF EXISTING SMALL TITLES

(1) The subdivision of existing separate titles (parcels) to accommodate a property or boundary realignment (enlargement, reduction or realignment) may be approved subject to the following:

(a) the additional lands required are to accommodate existing or related improvements, or to rectify encroachment or access issues; or

(b) the proposal is to rectify or rationalize existing titles, occupancy, cultivation or settlement patterns; and

(c) no additional parcels are created over and above those presently in existence; and

(d) the proposed new lot and the proposed residual lot will continue to have direct legal access to a public roadway, adequate development setbacks, and a suitable building site; and

(e) the size, location and configuration of the proposed lot will not significantly affect any irrigation or transportation system in the area nor the urban expansion strategies of neighbouring municipalities; and

(f) the subdivision application includes a tentative subdivision plan as prepared by a certified Alberta Land Surveyor which illustrates the location, area and dimensions of the parcel to be subdivided.

(2) On land designated as Extensive Agriculture (AG), the subdivision (resplit) of an existing county residential title or parcel considered by the Subdivision Authority to be poor quality agricultural land comprised of 8.1 ha (20 acres) or less may be divided into two parcels at the discretion of the Subdivision Authority subject to the following:

(a) the parent title to be subdivided must contain a minimum 2.43 ha (6 acres) and shall not exceed a maximum of 8.1 ha (20 acres) in size to be considered eligible; and

(b) the minimum parcel size of each of the resulting subdivided individual lots shall not be less than 1.21 ha (3.0 acres); and

(c) both resulting subdivided parcels must contain a minimum 0.4 ha (1.0 acres) of land area determined to have an appropriate buildable site area as outlined by the Land Use Bylaw; and

(d) both subdivided parcels have direct physical and legal access to a public road; and

(e) the access is satisfactory to Alberta Transportation where the access is onto or in close proximity to a provincial highway; and

(f) the required minimum distance separation (MDS) distance to any neighbouring confined feeding operation (CFO) is met; and

(g) servicing is determined to be adequate in relation to the proposed use; and

(h) that the applicant has a professional soils tests/analysis done at their expense to ensure that the soil characteristics are capable of supporting an additional or multiple private septic treatment systems. Analyses of the test must be performed and approved by an engineer or approved agency under Alberta Labour, with a copy of the report submitted to the Subdivision Authority in conjunction with the subdivision application; and

(i) the site being subdivided is determined suitable in terms of topography, soil characteristics, slope stability, and is not known or determined to be subject to flooding; and

(j) the subdivision does not result in the creation of more than the maximum six (6) titles per quarter section as per Section 4(5) of this schedule, or result in the creation of three adjacent (contiguous) country residential lots (thereby creating a grouped country residential subdivision as defined by the bylaw); and

(k) the subdivision application includes a tentative subdivision plan as prepared by a certified Alberta Land Surveyor which illustrates the location, improvements present, area and dimensions of the parcel to be subdivided.

(l) Any proposal that would create more than six (6) titles per quarter section or would result in creating three (3) adjacent (contiguous) country residential lots (including existing adjacent lots under separate title) would be required to provide any applicable conceptual design scheme or area structure plan and must apply for a redesignation of the land, prior to a subdivision application being considered. Any redesignation application would be considered at the discretion of Council having regard to the Municipal Development Plan, Land Use Bylaw, and both provincial and municipal planning policies.

10. INFORMATION REQUIREMENTS FOR ALL MAJOR DEVELOPMENT

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

(a) site plans and drawings,

(b) soils analysis,

(c) identification of other hazards, environmentally sensitive areas or wetlands,

(d) sewer system,

(e) domestic water,

(f) roadways and access points,

(g) other utilities and services,

(h) contour and surface drainage control,

(i) development concept,

(j) applicant's interest,

(k) subdivision considerations,

(l) disposal of municipal and/or environmental reserve,

(m) staging of development,

(n) development specifications,

(o) landscaping and appearance,

(p) architectural controls,

(q) public input,

(r) identification of sour gas pipelines or wells and abandoned gas wells,

(s) identification of historical, cultural, palaeontological or archaeological resources,

(t) any other information the Subdivision and Development Authority may consider necessary.

11. STATUTORY PLANS

In some areas of the county, statutory plans may be adopted and certain standards that shall be complied with. If a conceptual design plan or scheme is requested to be provided in support of a subdivision application, the Subdivision and Development Authority has the discretion to apply the information or standards as outlined and approved in the plan, and may impose such conditions it determines as necessary on the subdivision approval to ensure compliance with the plan.

Schedule 5

STANDARDS OF DEVELOPMENT

STANDARDS OF DEVELOPMENT

1. QUALITY OF DEVELOPMENT

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

2. REDUCED LOT AREA AND DIMENSION

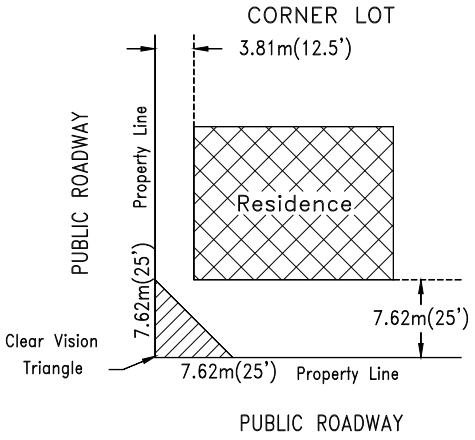
With the approval of the designated officer or the Subdivision and Development Authority or in the case of existing registered lots, the width, length or area of a lot may be reduced.

3. CORNER LOT RESTRICTIONS

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

(1) Urban Areas

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



(2) Rural Areas

(a) NEW SHELTER BELTS

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

(b) SOLID FENCES

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

4. RETAINING WALLS

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

5. MULTIPLE FRONT YARD PROVISION

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

6. REFUSE COLLECTION AND STORAGE

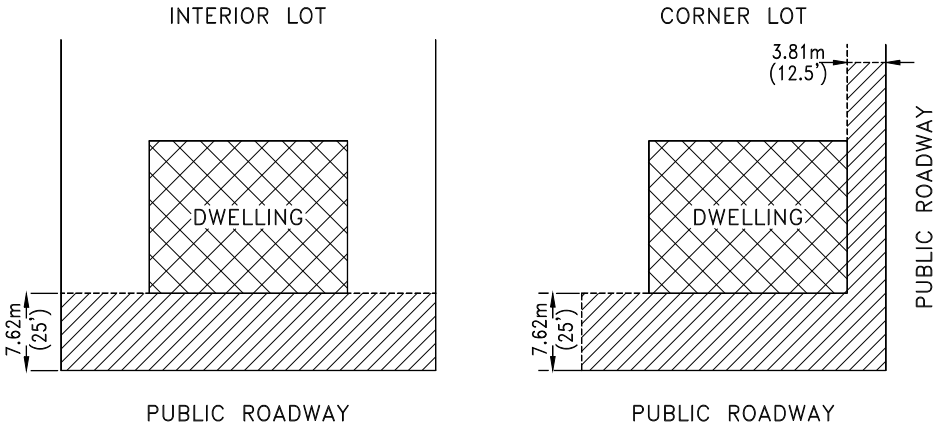
(1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

(2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

(3) For construction projects, a municipally approved type of waste receptacle is required on site.

7. FENCES IN URBAN RESIDENTIAL AREAS

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



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

8. BUILDING SETBACKS IN URBAN AREAS

(1) The Subdivision and Development Authority may waive the building setback requirement in a well-established residential area if, in their opinion, the setback blends in with the prevailing yard pattern.

(2) The Subdivision and Development Authority may require increased building setbacks other than those listed in (a) if, in their opinion, such setbacks would be necessary.

9. MINIMUM SETBACK REQUIREMENTS FROM RAILWAYS

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

(1) Residential

(a) A residential or country residential subdivision should not be approved, unless the parcel size is sufficient to allow the dwelling to be setback a minimum of 75 metres (246 ft.) of the CPR property line.

(b) Except for in designated hamlets, a development application for a new residential dwelling on a previously undeveloped parcel, should not be approved if the structure is located within 75 metres (246 ft.) of the CPR property line.

(c) Should a 75 metres (246 ft.) separation from the CPR property line not be achievable, the Development Authority may allow a dwelling no closer than 30 metres (98.4 ft.), subject to a berm being erected on the property, parallel to the railway right-of-way, with construction according to the following specifications: berm minimum height to be 2.5 metres (8.2 ft.) and side slopes not steeper than 2.5 to 1.

(d) An unoccupied ancillary building, such as a garage, storage shed, etc., may be permitted closer than 30 metres (98.4 ft.), with the applicable districts' minimum side yard setbacks to apply.

(e) The Development Authority, at its discretion, may allow a pre-existing dwelling within the 75 metres (246 ft.) distance to be repaired or rebuilt, if the structure has been damaged by flood or fire and is to be placed on the original permanent foundation.

(f) In a designated hamlet, a development application for a new residential dwelling to be located within 75 metres (246 ft.) of the CPR property line may be approved at the discretion of the Development Authority, subject to the owner entering into and signing an indemnity or Save Harmless Agreement with the County of Warner No. 5, that shall be registered on the land title by caveat prior to the development permit being issued.

(2) Commercial and Non-Industrial

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

(a) 4.6 metres (15 ft.) for a non-main track,

(b) 15.2 metres (50 ft.) for a main track with a speed more than 65 km per hour (40 mph),

(c) 12.2 metres (40 ft.) for a main track with a speed of 65 km per hour (40 mph) or less.

(3) Conditions of Approval

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

10. DEVELOPMENT AGREEMENTS

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

(a) construct or pay for the construction of public roadways or parking areas;

(b) install or pay for the installation of utilities, and/or any municipal service mutually agreed upon;

(c) pay for an off-site levy or redevelopment levy imposed by bylaw.

11. EXPOSED FOUNDATIONS

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

12. PRE-PLANNED DEVELOPMENT

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

(a) it is completed in one continuous operation; and

(b) this is done on the basis of a comprehensive development plan approved by Council.

13. NON-AGRICUTURAL USE LANDSCAPING STANDARDS AND GUIDELINES

(1) The designated officer or Subdivision and Development Authority may impose landscaping or screening requirements on development applications for permitted and discretionary uses if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.

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

(3) The front yard shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the designated officer or Subdivision and Development Authority.

(4) In the case of corner lots, the minor street frontage shall also be landscaped to the satisfaction of the designated officer or Subdivision and Development Authority.

(5) Landscaping may consist of any or all of the following:

- (a) trees, shrubs, lawn, flowers;
- (b) large feature rocks, bark chips, field stone (limit of 25 percent of total landscaped area);
- (c) berming, terracing;
- (d) other innovative landscaping features.

(6) Where screen planting is required, evergreen trees and flowering trees should be used.

14. COMMERCIAL / INDUSTRIAL USE DEVELOPMENT STANDARDS

(1) No use shall be approved which may generate traffic problems within the district.

(2) Any proposed commercial or industrial development shall meet all the required and appropriate regulations of the Alberta Building Code.

(3) In urban fringe districts, no offensive noise, vibration, smoke, dust, odours, heat or glare shall be produced by the use.

(4) A permit for a use shall be revocable at any time by the Subdivision and Development Authority if, in their opinion, the use is or has become detrimental to adjacent land uses within this land use district or adjacent municipalities.

(5) In hamlets, urban fringe districts or on parcels located adjacent to provincial highways, any storage of goods, products, raw materials, etc. shall be effectively screened from view by buildings, solid fences, landscaped features, or combinations thereof and be maintained in good repair.

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

(7) Wrecked or damaged motor vehicles which might be located or stockpiled on the property must be screened from all adjacent parcels and roadways in the vicinity.

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

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

15. OFF-STREET PARKING

(1) General Requirements

(a) Parking areas shall be laid out and delineated in a manner which will provide for orderly parking (see diagram on following page).

(b) The designated officer may require that driveways and parking areas or portions thereof be properly gravelled or hard surfaced (e.g. asphalt, concrete).

(c) All parking space shall be provided on the same lot as the building or use, except where the designated officer may permit parking space to be on a lot within 152.4 metres (500 ft.) of the building or use if, in his opinion, it is impractical to provide parking on the same lot as the building or use. Where such other parking space is provided, a caveat, to the approval of the designated officer, shall be registered against the lot.

(d) The provision of barrier free parking may be required to the satisfaction of the Development Authority and in consideration of any provincial Safety Code requirements.

(2) Specific Requirements

Use	Number of Parking Stalls Required
Dwellings:	
Single family detached dwellings	2 per dwelling
Duplex and semi-detached dwellings	2 per unit
Multiple family dwellings	1.5 per unit
Single- and double-wide mobile homes	2 per unit
Bed and breakfast	1 off-street parking space for each guest room plus the parking requirements for the dwelling

Retail and service commercial uses	1 per 55.7 m^2 (600 sq. ft.) of floor area and 1 per employee
Governmental (e.g. civic offices, government offices, library)	1 per employee with a minimum of 5 stalls
Hotel and motor hotels	1 per guest room
Licensed premises	1 per each 2 seating places
Public assembly (e.g. private or public halls, clubs, auditoriums)	1 per 6 seating places
Public or private utilities	As required by the designated officer
Service stations	1 per employee and 2 per service bay
Restaurants, cafes	1 per employee and 1 for each 4 seats
Industrial	1 per employee or more as required by the designated officer
Schools	1 per employee or more as required by the designated officer
Churches	1 per 6 seating places
Hospitals	1 per 3 beds
Banks and offices	1 per employee, with a minimum of 5
All other	As required by the designated officer or Development Authority

16. LOADING AREA REQUIREMENTS

(1) For commercial, industrial and other uses determined by the designated officer, there shall be a minimum of one off-street loading area, or more as required by the designated officer.

(2) Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.

17. ADDITIONAL INFORMATION TO SUPPORT AN APPLICATION

(1) The designated officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of development on said land.

(2) It is the responsibility of the applicant or developer to ensure the site is suitable for development. The designated officer may require an applicant to provide studies to indicate that the area proposed to be developed is not hazard land. This may include soils stability studies or flood plain analysis.

18. RURAL SERVICING STANDARDS AND SOIL SUITABILITY

(1) The municipality or relevant Approval Authority may ask for a professional soil test/analysis at any time it is of the opinion it is warranted, to determine the suitability of the land for private sewage septic systems in relation to the development or subdivision proposal.

(2) The applicant is responsible for undertaking any professional soil test/analysis required to determine the suitability of the site and its soil texture (test down to minimum 8 ft. depth), and any costs associated with

this shall be at their own expense. All required distances the sewage treatment system must be setback from the various attributes and property lines of the site shall be as per stipulated in the current Alberta Private Sewage Systems Standard of Practice.

(3) Sewage holding tanks are a method of private sewage disposal for residential subdivisions that may be considered acceptable by the municipality if no other reasonable alternative is available.

(4) The County may, as a condition on a Development Permit for a dwelling or building that requires a private septic sewage system, require that the applicant be responsible for having the private septic sewage system installed to meet all provincial regulations or standards including the Alberta Private Sewage Systems Standard of Practice 2015 or any subsequent standard updates.

(5) For the Urban Fringe districts, a professional soil test/analysis may be required in conjunction with consideration for policy 5(6) of Schedule 4, Subdivision Criteria, of the Land Use Bylaw.

19. HAZARD LANDS

(1) The Subdivision Authority may refuse to approve an application for subdivision or the Development Authority may refuse to approve an application for a development if the proposed development is located in potential hazard land areas (e.g. floodplains, steep or unstable slopes, permanent wetlands) or on other areas where hazard lands are identified, such as coal mining areas, gas wells, abandoned wells, former landfills, or former industrial lands, unless the relevant Approval authority is satisfied the subdivision development can proceed safely.

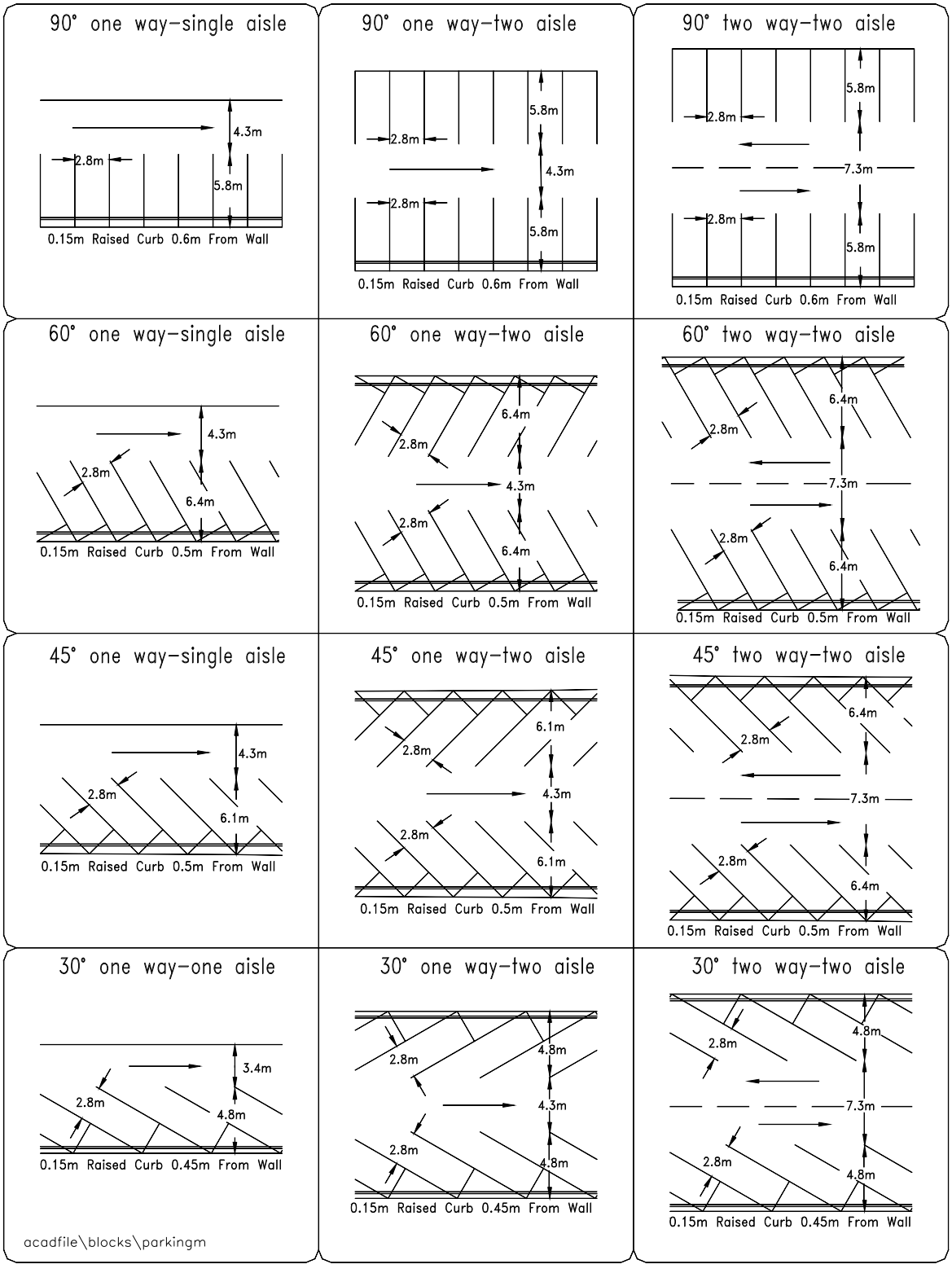
(2) Prior to making a decision on a subdivision or development application, the Subdivision or Development Authority may:

(a) request that a professionally prepared geotechnical analysis, be submitted at the applicant's expense;

(b) circulate the application proposal and corresponding geotechnical report to any relevant government departments for comment; and,

(c) depending on the nature of the hazard, request that an Environmental Impact Assessment (EIA) as prepared by a certified engineer be submitted at the applicant's expense.

PARKING LAYOUT ALTERNATIVES-METRES



Schedule 6

SPECIFIC USE STANDARDS

SPECIFIC USE STANDARDS

1. BED AND BREAKFASTS

(1) **Bed and breakfast** means a use ancillary to a single-detached dwelling which involves a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation, generally not exceeding 14 days, and a breakfast meal is provided for registered guests.

(2) Bed and breakfast accommodation shall be an incidental and subordinate use to the principal use and restricted to the dwelling unit, and:

(a) advertising may only be permitted in compliance with Section 5(11) of this schedule, the same as a Home Occupation 1 use;

(b) alterations to the principal building may be permitted but shall not change the principal character or external appearance of the principal building;

(c) an approved development permit will remain in effect, provided the intensity of use does not increase and all requirements of the development permit have been satisfied;

(d) a development permit does not exempt compliance with health regulations or any other provincial and municipal requirements;

(e) employees working in the business shall be limited to the residents of the dwelling unit;

(f) the accommodation shall be limited to a maximum of two guest rooms and a maximum of four guests in addition to the permanent residents;

(g) a development permit is based solely on the location of use. If a permit holder relocates within the municipality, the person must apply for a development permit to continue the use from the new location;

(h) accommodation for each group of guests shall be for a maximum of 14 consecutive days;

(i) guest rooms shall not be permitted to contain cooking or kitchen facilities;

(j) meals may be provided to registered guests only and meals for guests shall be prepared in the common kitchen of the principal residence;

(k) one off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling;

(l) the applicant shall be responsible for compliance with the Alberta Health "Bed and Breakfast" Health Standards and Guidelines and the Alberta Building Code requirements for Bed and Breakfast accommodations;

(m) the issuance of a development permit in no way exempts the applicant from obtaining any other Provincial approvals that may be required.

2. DAY CARE (BOTH CHILD AND ADULT CARE FACILITIES)

All day care (child or adult) facilities may be approved subject to the following conditions and requirements:

(1) If determined necessary by the Development Authority, the applicant for a day care (child or adult) facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.

(2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.

(3) Signage for day/child or adult care facilities must comply with the following:

(a) a maximum of one sign;

(b) sign must be no greater than 0.74 m^2 (8 sq. ft.) in size; and

(c) sign must be located in the buildings window in a residential land use district.

(d) In a residential land use district a request for more than one sign or a sign greater than 0.74 m^2 (8 sq. ft.) requires a separate development permit application. In a commercial or industrial land use district, one exterior building sign may be permitted in addition to a window sign.

(4) The use shall not generate traffic problems within the district.

(5) The use requires a minimum of one on-site pick-up and drop-off space for every 15 children/clients and the location of passenger loading zones for day care facilities may be specified by a condition of a development permit.

(6) On-site parking for employees is as required at the discretion of the Development Authority. On-site parking should be separated from pedestrian traffic and outdoor areas for children.

(7) All applications for day care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies. All child care facilities must be licensed and operate in accordance with the provincial *Child Care Licensing Act*.

(8) In considering the suitability of a building or site for a discretionary child care use, the Development Authority may consider the appropriateness of location for child/adult care with regard for the proximity to required services, parks, neighbourhood characteristics, traffic issues or congestion in the neighbourhood, and if the size is adequate to meet program requirements, including outdoor space, parking, and the drop-off zone.

3. DAY HOME

(1) The operation of a day home does not require a development permit - see Schedule 3, Development Not requiring a Development Permit.

(2) A day home shall have no more than six clients a day.

(3) A day home shall not be located within a dwelling containing another Home Occupation.

(4) Signage for day home facilities must comply with the following:

(a) a maximum of one sign;

(b) sign must be no greater than 0.74 m^2 (8 sq. ft.) in size; and

(c) sign must be located in the buildings window.

(5) Notwithstanding that a development permit may not be required; all day homes must comply with provincial requirements and regulations.

4. GARDEN SUITES

The Development Authority may issue, in accordance with Section 31(5), a development permit for a garden suite for temporary or permanent accommodation. Garden suites shall:

(a) be a portable, self-contained, manufactured housing unit;

(b) not be placed on a permanent foundation, unless approved as a permanent type development;

(c) not be located in a front yard;

(d) not exceed one (1) storey in height;

(e) have a maximum separation space of 15 metres (49.2 ft.) from the principal building;

(f) not exceed 92.9 m^2 (1,000 sq. ft.) in size;

(g) only be permitted on parcels with a minimum area of at least 3,716 metres (40,000 sq. ft.), if there is no municipal or treated sewage system provided.

(h) A temporary permit for a garden suite may be approved on condition that the permit is renewed on an annual basis.

5. HOME OCCUPATIONS

Home occupations may be considered and approved under the following classifications:

Home Occupation 1 – a home-based occupation that involves the establishment of a small-scale business incidental to the primary use of the residence and which does not involve:

(a) outdoor storage and/or display of goods;

(b) more than one non-resident employees; and/or

(c) regular customer/client visits to the residence.

Note: The provision of music lessons, or private home sales consulting such as Avon, Amway, Tupperware, or similar type home based sales/services, are deemed exempt from the requirements of Home Occupations and the need to obtain a Development Permit.

Home Occupation 2 – a home-based occupation involving the establishment of a small-scale business incidental to the primary use of the residence that does not meet the criteria for a Home Occupation 1 and which may involve:

(a) the use of an ancillary building;

(b) outdoor storage and/or display of goods within the residence or ancillary building;

(c) up to three non-resident employees; and/or

(d) customer visits; and/or

(e) limited commercially classified vehicles stored on the premises.

Note: Day Homes and Bed and breakfast operations are deemed to be separate uses.

General Standards

The following standards apply to Home Occupations 1 and 2:

(1) The business operator must be a full-time resident of the home.

(2) No variation in the residential character and appearance of the dwelling, ancillary building, or land shall be permitted.

(3) The use shall not generate traffic problems or generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.

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

(5) A development permit for a home occupation shall be applicable only for the period of time the property is occupied by the applicant for such approved use.

(6) All permits issued for home occupations shall be subject to the condition that the permit may be revoked if, in the opinion of the Subdivision and Development Authority, the use is or has become detrimental to the amenities or residential character of the neighbourhood.

(7) A permit for a home occupation which has been suspended may be reinstated if any detrimental effects are overcome or any additional requirements are complied with.

(8) Any home occupation involving food or personal services shall be subject to and obtain an applicable approval of the Regional Health Authority.

(9) Home occupations shall not include:

(a) activities that use or store hazardous materials;

(b) any use that would, in the opinion of the Subdivision and Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;

(c) any use declared by resolution of Council to be undesirable as a home occupation.

(10) Only one home occupation shall be permitted per dwelling.

(11) In Hamlets, signage advertising a Home Occupation 1 is limited to one sign located in the structure window up to a maximum of 0.4 m^2 (4 sq. ft.) in size. Signage advertising a Home Occupation 2 shall be as approved by the Subdivision and Development Authority.

Home Occupation 2 Standards

In addition to the general standards, the following standards shall also apply to Home Occupation 2 permits:

(12) Up to a maximum of three non-resident employees are allowed. For the purposes of this provision, a non-resident employee is someone who does not live at the home.

(13) Outdoor storage may be required to be screened from adjacent properties and the public view to the satisfaction of the Subdivision and Development Authority.

(14) Customer and employee parking, in addition to the parking requirements for residential use, may be required.

(15) The number of customer visits and hours of operation may be limited by the Subdivision and Development Authority, to minimize impacts on surrounding residential uses.

(16) The home occupation shall not be permitted if, in the opinion of the Subdivision and Development Authority, the use is determined to be beyond the parameters or standards of a home occupation and would be more appropriately located within a rural or hamlet commercial or industrial land use district.

(17) The operator may keep a limited number of commercially classified vehicles and trailers stored on the premises, with the permitted maximum number to be determined at the discretion of the Subdivision and Development Authority with consideration for the parcel size, location, access and road conditions, and neighbouring land uses in the area.

6. MANUFACTURED, MOBILE, MODULAR AND READY-TO-MOVE (RTM) HOMES

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

A. MANUFACTURED AND MOBILE HOMES

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

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

Standards and Requirements Applicable to Manufactured and Mobile Homes

(1) Standards of Development – Schedule 5.

(2) Any special mobile home development standards adopted by Council.

(3) Except where noted, all standards, requirements and guidelines shall apply to both single-wide and double-wide units located in conventional subdivisions or mobile home parks.

Eligible Manufactured or Mobile Homes

(4) New factory-built units.

(5) Used factory-built units in a good state of repair (to the satisfaction of the Subdivision and Development Authority).

(6) Canadian Standards Association (CSA) certified units or units bearing the Alberta Building Label (CSA A277 or Z240 building labels).

(7) Manufactured or mobile homes bearing the original modular home certification.

Additional Information for Manufactured or Mobile Home Units

(8) Any application for a development permit to locate a used mobile home shall include recent colour photographs of all elevations (i.e. front, side, and rear views) including additions; **and**

(9) may require a personal inspection by the designated officer or Subdivision and Development Authority to determine the suitability of the unit.

Mobile Home Foundations, Basements, Rooflines and Additions

(10) All double-wide units shall be placed on continuous concrete, or concrete block foundations capable of supporting the maximum anticipated load, in conformity with the provincial building requirements and CMHC regulations.

(11) All single-wide mobile homes not placed on permanent foundations of continuous concrete or concrete block shall be skirted with compatible materials (this does not include straw bales as skirting) to the satisfaction of the designated officer.

(12) The wheels, hitches and other running gear should be suitably enclosed or removed as soon as practical after placement of the unit on its foundation.

(13) Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with a Subdivision and Development Authority approved material.

(14) The maximum height of the exposed portion of a continuous concrete or concrete block foundation shall be not more than 0.6 metre (2 ft.) above the average finished grade level of the surrounding ground.

(15) A basement for a mobile home may be permitted, provided access to the basement is housed within an enclosure approved by the designated officer.

(16) Mobile home units not provided with a basement shall be within 0.3 to 0.6 metre (1 to 2 ft.) of the average finished grade of the surrounding ground.

(17) All mobile home additions shall be of a design and finish which will complement the unit.

(18) The yard area of each lot shall be developed and landscaped.

Manufactured Housing

(19) The following standards shall apply to manufactured housing units as a condition of development approval by the designated officer or Development Authority. The approval Authority shall issue a development permit for a manufactured housing unit provided that:

(a) The dwelling is a factory built unit that meets the year 2000 manufactured housing industry standards;

(b) The dwelling is securely fastened and placed on a permanent foundation;

(c) Units not on a basement shall be placed not less than 1 foot and not more than 2 feet higher than the average finish grade;

(d) The minimum roof pitch shall not be less than a 4/12 pitch;

(e) The minimum square footage of the dwelling should not be less than 83.61 m^2 (900 sq. ft.);

(f) The dwelling should be a minimum 20 feet in width;

(g) The unit is CSA certified and will meet all safety code requirements;

(h) At the discretion of the designated officer or Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval;

(i) The designated officer or Development Authority may request colour photographs be submitted of the entire structure and, in addition, may stipulate that the developer provide a security or performance bond of a minimum $5,000 to ensure the conditions are met to the satisfaction of the municipality.

(j) Any costs incurred to meet any of the conditions or for building inspections shall be at the expense of the applicant.

(20) As a condition of approval the designated officer or Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.

B. MODULAR AND READY-TO-MOVE (RTM) HOMES

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

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

Modular Home Standards

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

(a) the dwelling is a factory-built unit that meets the manufactured housing industry and CSA standards and the building code;

(b) the dwelling is securely fastened and must be placed on a permanent foundation;

(c) the minimum roof pitch shall not be less than a 4/12 pitch;

(d) the minimum floor area of the principal dwelling not including a attached garage shall not be less than 83.61 m^2 (900 sq. ft);

(e) the dwelling shall be a minimum 6.1 metres (20 ft.) in width;

(f) the unit is CSA certified (meet Can/CSA - A277-90 standards) and will meet all safety code requirements;

(g) the design, character, and appearance (including roof lines/material and exterior finish) of the home shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity;

(h) at the discretion of the Development Officer or the Subdivision and Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval;

(i) the dwelling shall conform to any architectural controls that may apply;

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

Other Modular and Ready-to-Move (RTM) Home Standards

(2) As a condition of approval the Development Officer or the Subdivision and Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.

(3) The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in the Land Use Bylaw.

(4) The building, when completed, shall meet or exceed provincial building requirements.

(5) The applicant/developer must submit professional building plans illustrating the exterior design, floor plan, elevations and setbacks.

(6) The quality of the completed building shall be at least equal to the quality of the other buildings in the area.

(7) Ready-to-move homes will typically be treated to the same bylaw requirements and standards as conventional single-detached residential uses. The approval authority shall issue a development permit for a Ready-to-move home provided that the provisions of the bylaw are met.

7. MOVED-IN BUILDINGS

(1) This section applies to moved-in buildings in designated hamlets and urban fringe districts, and may be applied in all other land use districts at the discretion of the Subdivision and Development Authority or designated officer:

(2) Any application for a "moved-in building" considered by the Subdivision and Development Authority shall:

(a) be accompanied by recent colour photographs of the structure;

(b) meet all other requirements or conditions as required by the Subdivision and Development Authority, which may include physical exterior improvements such as painting, re-siding, replacement of windows, and new roof materials.

(c) The Development Authority may request that a Safety Code inspection report be completed and submitted to the County office as part of the development application.

(3) The design, character, and appearance (including roof lines/material and exterior finish) of the home shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity.

(4) At the discretion of the Development Officer or the Subdivision and Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval.

(5) The Subdivision and Development Authority or Development Officer may request that the developer provide a security or performance bond of a minimum $2,000 to ensure the conditions are met to the satisfaction of the municipality.

8. CANNABIS PRODUCTION FACILITIES

The requirements of this section apply to any and all cannabis production facilities, as defined by the Land Use Bylaw and are in addition to the federal regulations required by the Government of Canada and the federal *Cannabis Act* and Access to Cannabis for Medical Purposes Regulations (ACMPR).

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

(2) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required 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 and particulates from the air where it is discharged from the building as part of a ventilation system.

(7) A cannabis production facility shall not be located on a parcel of land that is adjacent to or within 450 metres of a parcel used for a school, daycare or similar use associated with the caring or congregation of children or minors.

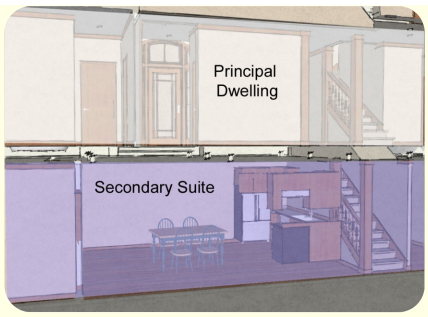
(8) The Development Authority may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional that includes detail on:

(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.

9. SECONDARY SUITES



Example of basement suite

Secondary Suite means a development consisting of an ancillary dwelling unit located within, and ancillary to, a structure in which the principal use is a single detached dwelling or in conjunction with an approved detached garage.

Secondary Suite General Standards

(1) A secondary suite shall have cooking facilities, food preparation area, sleeping and sanitary facilities, which are physically separate from those of the principal dwelling within the structure.

(2) A secondary suite shall be restricted to a lot occupied by a single-detached dwelling. A secondary suite is prohibited from being constructed within or in conjunction with a duplex, semi-detached dwelling, multi-attached dwelling or apartment housing.

(3) All secondary suites developed after December 31, 2006, shall comply with all Alberta Building Code requirements, including separate heating/ventilation systems for each dwelling unit. Pre-existing suites developed prior to December 31, 2006, must meet the requirements of the Alberta Fire Code.

Secondary Suites (Contained Within a Single-Detached Dwelling) Standards

(4) The maximum floor area of the secondary suite shall be as follows:

(a) in the case of secondary suite located completely below the first storey of a single detached dwelling (other than stairways or a common landing), the floor area (excluding the area covered by stairways) shall not exceed the floor area of the first storey of the associated principal dwelling;

(b) in the case of a secondary suite developed completely or partially above grade, the floor area (excluding the area covered by stairways) shall not exceed 40 percent of the total floor area above grade of the building containing the associated principal dwelling.

(5) A secondary suite (contained with a single-detached dwelling) shall remain ancillary to and subordinate to the single-detached dwelling and shall not exceed the floor area of the principal dwelling and shall have a minimum floor area not less than 30 m^2 (322.93 sq. ft.).

(6) A secondary suite within a dwelling shall also have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.

(7) A secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling.

(8) In Hamlet Residential land use districts, only one secondary suite may be developed in conjunction with a principal dwelling. A secondary suite (contained with a single-detached dwelling) shall not be approved if there is a secondary suite (detached garage) approved on the lot.

(9) A secondary suite shall not be developed within the same principal dwelling containing a Home Occupation, unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available without adversely affecting the neighbourhood.

(10) The secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

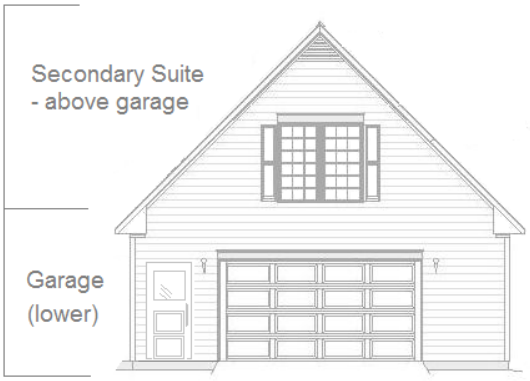
(11) The secondary suite shall have full utility services through service connections from the principal dwelling unit.

(12) Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

(13) Parking must be able to be adequately provided on site for the additional suite in consideration of bylaw requirements. In Hamlet Residential land use districts requirements: one (1) off-street parking stall per secondary suite (in addition to regular residential requirements).

Secondary Suites (Detached Garage) Standards

(14) In Hamlet Residential land use districts for a suite above a detached garage, the maximum height to roof peak of the garage shall be 7.5 metres (25 ft.). In all other districts, the maximum height to roof peak of the garage shall not exceed 9.1 metres (30 ft.)



(15) A secondary suite (detached garage) shall have an entrance separate from the entrance to the garage, either from a common indoor landing or from the exterior of the structure.

(16) In Hamlet Residential land use districts, in no instance shall two separate ancillary buildings be developed on a single site where one is a detached garage and the other contains a secondary suite above another detached garage.

(17) In Hamlet Residential land use districts, a secondary suite shall not be located within a garage unless a single-detached dwelling is already erected on the site. In all other districts, it may be permitted based on the specific standards of the applicable district.

(18) One on-site parking space shall be provided for each secondary suite.

(19) A secondary suite (detached garage) shall remain ancillary to and subordinate to the single-detached dwelling and shall:

(a) not exceed 72.8 m^2 (784 sq. ft.) in Hamlet Residential land use districts, and have a minimum floor area of 29.73 m^2 (320 sq. ft.); and,

(b) not exceed 112 m^2 (1205 sq. ft.) in all other land use districts.

Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.

(20) The maximum lot coverage of a secondary suite (detached garage) shall be limited to the area as stipulated for an ancillary building for the applicable land use district.

(21) A secondary suite in conjunction with a detached garage shall be located a minimum of 3.05 metres (10 ft.) from the principal dwelling unit and:

(a) 1.5 metres (5 ft.) from a side or rear property line in Hamlet Residential land use districts; and,

(b) 6.1 metres (20 ft.) from a side or rear property line in all other land use districts.

(22) In Hamlet Residential land use districts, a secondary suite (detached garage) shall be located on the upper floor of the garage and the main (grade) floor shall be restricted for garage/ancillary use. The building must be utilized as a functional garage/ancillary building for purposes incidental to the single unit dwelling with a functional overhead garage door installed and cannot be used for additional living space. In all other land use districts, the applicable district and whether secondary dwellings are permitted or not shall regulate the type of secondary suite (detached garage) building that may be built and whether the functional garage component is required.

(23) On lots or parcels where sewage treatment is managed individually on-site, the soils and private septic treatment system must be designed and sized to manage the additional effluent produced for the additional dwelling suite on the parcel of land.

(24) An applicant is responsible to ensure that a secondary suite (detached garage) must be able to be constructed on a foundation in accordance with the Alberta Building Code.

(25) In Hamlet Residential land use districts, only one secondary suite may be developed in conjunction with a principal dwelling. A secondary suite (detached garage) may not be approved if there is a secondary suite (contained within a single detached dwelling) on the same lot.

(26) An applicant is responsible for obtaining all required building permits and the development of a secondary suite (detached garage) shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

10. SHIPPING CONTAINERS (or C-Containers, Sea-Containers)



(1) Shipping containers shall only be allowed in land use districts where listed as a permitted or discretionary use in the applicable land use district. Shipping containers are prohibited in all other districts.

(2) Any shipping container shall be subject to the following general standards:

(a) an application for a development permit for a proposed shipping container must be completed and submitted to the Development Officer accompanied by the applicable application fee and a minimum of two recent colour photographs of each container (one end view and one side view);

(b) there shall be a legal primary use on the property where the shipping container is proposed;

(c) shipping containers are permitted to be used for storage only and shall not be used as a building or a construction material, (unless approved in consideration of subsection (5));

(d) the maximum number of shipping containers allowed is specified in some land use districts. For other districts or where the Development Authority determines the maximum that may be allowed is not suitable for the lot, the Development Authority may regulate the maximum number of shipping containers permitted on a lot;

(e) the Development Authority may regulate the maximum height of shipping containers;

(f) the Development Authority may require as a condition of approval that a shipping container(s) be screened from view or landscaped to make it aesthetically pleasing;

(g) the Development Authority may require as a condition of approval that any permanent shipping container be sandblasted and/or painted a neutral or complementary colour to match the existing building(s) on the property. This shall be required in the Hamlet Residential (HR) district;

(h) the Development Authority may require as a condition of approval that the exterior of the shipping container be kept clean, maintained (e.g., not rusted), and regularly painted in a neutral or complementary colour to match the existing building(s) on the property. This shall be required in the Hamlet Residential (HR) district;

(i) the Development Authority may regulate the time period for which a development permit for a shipping container(s) is valid through the issuance of a temporary permit;

(j) removal of the shipping container(s) at the expiration of the permit shall be at the expense of the applicant and/or landowner. The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing the removal of the container and/or compliance with the conditions of the permit;

(k) in the Hamlet Residential (HR) district, a maximum of one permanent shipping container shall be allowed on a residential lot. This does not preclude the potential to also have a temporary container placed on the lot in accordance with subsection (4).

(3) A permanent shipping container is subject to the following additional provisions:

(a) the maximum lot coverage and setback requirements for ancillary structures in the applicable land use district;

(b) the shipping container may only be permitted in the secondary front, rear, or side yard;

(c) the shipping container shall not display advertising, company logos, names or other marketing without an approved sign permit.

(4) A shipping container may be placed temporarily on a construction site for the period of construction, or in conjunction with renovation work being done to a building, in any land use district where listed as a permitted or discretionary use, subject to the following provisions:

(a) temporary shipping containers may be subject to the standards in subsection (2) above if the Development Authority determines they are warranted;

(b) the shipping container is needed in connection with construction of a development for which a development permit has been issued or is to temporary accommodate the storage of goods where a building has been damaged in a fire or flood;

(c) 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 prohibited;

(d) setbacks for a temporary shipping container shall be as required by the Development Authority;

(e) a temporary shipping container is permitted on a lot but shall not exceed a maximum of 6-months unless otherwise authorized by the Development Authority through a development permit; and

(f) the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority.

(g) In most instances, a development permit is not required for a temporary container used for moving, construction or renovations of a building if it is located on the lot for less than 6-months and for the purposes as stipulated in Schedule 3, Development Not Requiring a Development Permit, subsection (16).

(5) 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 Authority 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 Authority 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 Authority 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.

11. SOLAR ENERGY COLLECTORS – INDIVIDUAL

(1) A solar energy collector attached to a wall or roof of a building may be allowed in any land use district as an ancillary structure, as stipulated a permitted or discretionary use, subject to the following:

(a) A solar energy collector mounted on a roof:

(i) may project a maximum of 1.2 metres (4 ft.) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and

(ii) must not extend beyond the outermost edge of the roof.

(b) A solar collector mounted to a wall:

(i) must be located such that it does not create undue glare on neighbouring property or public roadways;

(ii) must be located a minimum of 2.3 metres (7.5 ft.) above grade;

(iii) may project a maximum of 1.5 metres (5 ft.). from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable land use district; and

(iv) may project a maximum of 0.6 metre (2 ft.) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district.

(2) A free-standing solar energy collector or a solar energy collector mounted to any structure other than a roof or wall of a building shall be classified as an ancillary use and processed subject to the applicable land use district and the following additional standards:

(a) must be located such that it does not create undue glare on neighbouring property or public roadways; and

(b) must not exceed 4.57 metres (15 ft.) in height above existing grade; and

(c) must not be located in the front yard of a lot that is designated as Hamlet Residential.

(3) See Schedule 3, Development Not Requiring a Development Permit, for the land use districts where a permit requirement may be exempted.

12. SOLAR FARMS (COMMERCIAL)

(1) Solar farms or facilities that are to be classified as commercial are those that feed power back into the general provincial power grid, are distributing to other properties or are selling power for a profit.

(2) Development permit applications for commercial solar energy installation shall be accompanied by the following additional information:

(a) a site suitability analysis including but not limited to, topography; soils characteristics; storm water collection; accessibility to a road; availability of water supply, sewage disposal system and solid waste disposal if applicable; compatibility with surrounding land uses; potential impacts to agricultural land and operations; potential visual impacts, and consistency with the policies of the Municipal Development Plan;

(b) information regarding setbacks from public roads, property lines and the proximity to structures or uses on the site and adjacent parcels of land;

(c) detailed information about the system type, number of structures, height of structures, and the energy process and rated output;

(d) any information regarding general public safety and security measures;

(e) preliminary grading/drainage plan;

(f) any potential imp acts to public roads;

(g) the location of overhead utilities on or abutting the subject parcel and identification of any sensitive, environmental or topographical features which may be present on the parcel;

(h) decommissioning plan;

(i) if required by the Development Authority, an Environmental Assessment Review prepared by a qualified professional or other studies and reports to demonstrate site suitability and impact mitigation.

(3) In the Extensive Agriculture "AG" land use district, the Development Authority will consider the following as preferable sites:

(a) use of the poor quality lowest productive land and dry corners is preferred;

(b) use of cut-off, fragmented, irregular shaped parcels is preferred;

(c) to the extent possible, use of irrigated agricultural land should be avoided/minimized; and

(d) the use of an unsubdivded quarter section of high quality agricultural land that has or could contain irrigation system infrastructure shall not be considered as suitable, unless the Development Authority determines special or unique circumstances may warrant its inclusion. Consideration of the proximity to electrical sub-stations and feeder distribution infrastructure in relation to the location of the development may be considered as part of the special circumstances present.

13. TELECOMMUNICATION ANTENNA SITING PROTOCOLS

Telecommunication, radio communication and broadcast antenna systems are regulated by Industry Canada. An applicant proposing to locate a telecommunication, radio communication or broadcast antenna system within the County, which does not meet the exclusion criteria in Appendix A shall be subject to the Siting Protocol process as stipulated in Appendix A. The Telecommunication Antenna Siting Protocol Application form and applicable fee must be submitted by the proponent to the Development Authority who will determine if the municipality will grant a letter of concurrence or non-concurrence.

See Appendix A – Telecommunication, Radiocommunication and Broadcasting Antenna Systems and Supporting Structures (Antenna Systems) Siting Protocol.

14. SMALL WIND ENERGY SYSTEMS – INDIVIDUAL

Definitions

The following definitions apply to this section:

Blade means an element of a wind energy system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

Blade clearance means, in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

Rotor's arc means the largest circumferential path travelled by a blade.

Small Wind Energy System (SWES) means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

Total height means the height from grade to the highest vertical extension of a SWES. In the case of a SWES 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 means the structure which supports the rotor above grade.

Permit Requirements

Small Wind Energy Systems shall require a development permit depending on their location, as provided in the regulations for the land use districts in which they are allowed, unless exempted as per Schedule 3, Development Not Requiring a Development Permit.

Type A Small Wind Energy System: This use is defined as a Small Wind Energy System that is roof mounted any may include a turbine or blade system.

Type B Small Wind Energy System: This use is defined as a Small Wind Energy System that is either roof mounted or has a tower which does not exceed 12.2 metres (40 ft.) in height.

Type C Small Wind Energy System: This use is defined as a Small Wind Energy System that has a tower which is greater than 12.2 metres (40 ft.) in height but does not exceed 24.4 metres (80 ft.) in height.

Information Requirements

(1) Applications for Small Wind Energy Systems shall include the following information where applicable:

(a) all proposed Small Wind Energy Systems shall be commercially manufactured and applications shall include the manufacturers make and model number.

(b) the manufacturer's specifications indicating:

(i) the SWES rated output in kilowatts,

(ii) safety features and sound characteristics,

(iii) type of material used in tower, blade, and/or rotor construction;

(c) potential for electromagnetic interference;

(d) nature and function of over speed controls which are provided;

(e) specifications on the foundations and/or anchor design, including location and anchoring of any guide wires;

(f) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity; and

(g) location of existing buildings or improvements.

Referrals

(2) Prior to making a decision on a development application for a Small Wind Energy System, the Municipal Subdivision and Development Authority may refer and consider the input of the following agencies and departments:

(a) Alberta Utilities Board,

(b) Transport Canada,

(c) NavCanada,

(d) any other federal or provincial agencies or departments deemed necessary.

Setbacks

(3) A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located.

(4) No part of the wind system structure, including guy wire anchors, may extend closer than 3.0 metres (10 ft.). to the property boundaries of the installation site.

Development Standards

(5) There shall be a limit of one Small Wind Energy System per parcel, other than the Extensive Agriculture "AG" land use district where on parcels 32.37 ha (80 acres) or greater, up to a maximum of 3 may be permitted to be located.

(6) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 metres (10 ft.) from any other structure on the parcel on which the system is located. On parcels 4.0 ha (10 acres) or more, the parcel line setback may be reduced if the applicant demonstrates that:

(a) because of topography, strict adherence to the setback requirement would result in greater visibility of the system's tower than a reduced setback; and

(b) the system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels.

(7) The system's tower shall not exceed a maximum height of 12.2 metres (40 ft.) on a parcel of less than 0.4 ha (1 acre), a maximum of 19.8 metres (65 ft.) on a parcel of 0.4 ha (1 acre) to less than 2.0 ha (5 acres), and maximum height of 24.4 metres (80 ft.) on a parcel 2.0 ha (5 acres) or more.

(8) The system's tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas.

(9) The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.

(10) The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer.

(11) The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 metres (15 ft.) from ground level unless the system is enclosed by a 1.8-metre (6-ft.) high fence.

(12) The system's utility lines shall be underground where economically practical.

(13) The system shall be operated such that no electro-magnetic interference is caused.

(14) The system's maximum power shall not exceed 3 kW.

(15) The system shall be located in the rear or side yard.

(16) Small wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise at the property line, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms.

(17) Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.

(18) Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.

Review of Permits

(19) County Council may review the impacts of issuance of permits for Small Wind Energy Systems after the issuance of 20 total SWES development permits, or 10 Type B & C towers, for this specific use within the municipality. Approval of any such uses after this threshold must consider cumulative and aesthetic impacts, and applications may be denied where it is considered to negatively impact neighbouring properties.

15. WIND ENERGY CONVERSION SYSTEMS (WECS)

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

Definitions

The following definitions apply to this part:

Blade – An element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

Blade Clearance – In reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

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

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.

Towers – 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.

Wind Energy Conversion System (WECS) – A wind energy conversion system is one or more structures designed to convert wind energy into mechanical or electrical energy.

Information Requirements

(1) All development applications for a WECS shall be accompanied by:

(a) an accurate site plan showing and labeling the information including the location of overhead utilities on or abutting the subject lot or parcel, and contours of the land and access roads;

(b) a visual representation including scale elevations, photographs and/or digital information of the proposed WECS showing total height, tower height, rotor diameter, colour and the landscape;

(c) the manufacturer's specifications indicating:
    (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;

(d) an analysis of the potential for noise at:
    (i) the site of the installation,
    (ii) the boundary of the parcel containing development,
    (iii) at any habitable residence within a 2 km (1.2 miles) distance;

(e) a report regarding any public information meetings or other process conducted by the developer;

(f) any impacts to the local road system including required approaches from public roads having regard to County of Warner standard;

(g) preliminary reclamation/decommissioning plans.

(2) As a condition of approval on a development application for a WECS, the developer:

(a) shall be responsible for providing the appropriate reports and/or obtaining the approvals from the following:
    (i) Alberta Energy and Utilities Board,
    (ii) Transport Canada,
    (iii) Navigation Canada,
    (iv) Alberta Community Development;

(b) may be required to obtain approval from Alberta Environment if the proposal is on crown land or located on or in close proximity to lands identified as environmentally sensitive areas.

Referrals

(3) Prior to making a decision on a development application for a WECS, the Development Authority shall refer and consider the input from the following:

(a) an adjacent jurisdiction if its boundaries are located within 2 km (1.2 miles) of the proposed WECS,

(b) county landowners within a 2-km (1.2-mile) radius.

Decommissioning

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

Setbacks

(5) A WECS shall comply with all the setbacks related to roadways that govern the principal use in the district in which it is located.

(6) Where, in the opinion of the Development Authority, the setbacks referred to in Section 5 (above) are not sufficient to reduce the impact of a WECS from a public roadway or a primary highway, the Development Authority may increase the required setback.

(7) A WECS should not be located less than twice the height of the WECS, as measured from the ground to the highest point of the rotor's arc, from a residential dwelling unit; but in all instances, the minimum setback applied shall be in accordance with AEUB (Alberta Energy and Utilities Board) stipulations or standards.

(8) A WECS shall be located so that the horizontal distance measured at grade from the outside of the rotor arc to any property boundary, other than roadways, is at least 7.5 metres (24.6 ft.).

Minimum Blade Clearance

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

Tower Access And Safety

(10) To ensure public safety, the Development Authority may require that:

(a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 metres (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;

(b) no ladder or permanent tower access device shall be located less than 3.7 metres (12.1 ft.) from grade;

(c) a locked device shall be installed on the tower to preclude access to the top of the tower;

(d) all of the above be provided or such additional safety mechanisms or procedures be provided as the Development Authority considers reasonable and appropriate;

(e) the use of tubular towers, with locked door access, will preclude the above requirements.

Distribution Lines

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

Colour And Finish

(12) Unless otherwise required by the Development Authority, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Development Authority.

(13) No lettering or advertising shall appear on the towers or blades. In other parts of the WECS, the only lettering will be the manufacturer's and/or owner's identification or municipal symbol upon approval by the Development Authority.

WECS Applications

(14) The Development Authority may approve WECS on a case-by-case basis having regard for:

(a) information provided in the application,

(b) proximity to other land uses in the immediate area,

(c) consideration of the cumulative effect of all WECS approved or proposed in the immediate area,

(d) underlying utilities,

(e) information received from the circulation of the application and the public.

(15) Prior to a decision being made, the Development Authority may hold a public meeting in order to solicit the views of the public in regard to the application, as WECS are categorized as a discretionary use.

(16) The Development Authority may apply any standards that are provided for in the Extensive Agriculture or Grouped Rural Industrial / Commercial districts.

16. RETAIL CANNABIS STORE

Application requirements:

(1) In addition to the development application requirements as stipulated in Section 9 of the 'Administration' schedule of the Land Use Bylaw, the following additional requirements for an application for a development permit for a Retail Cannabis Store must also be provided when requested by the Development Authority:

(a) prior to applying for a municipal development permit for a Retail Cannabis Store, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a licence, and submit verification of the AGLC eligibility as part of the development application;

(b) details of the proposed store location and a detailed listing and site plan of surrounding business and uses, both on adjacent (contiguous) parcels and those identified as sensitive sites (as outlined in sub-section 3 below) within 200 m (drawn on a high quality and clearly legible site plan with text descriptions).

(2) The Development Authority may also require neighbourhood consultation to be conducted by the applicant. If a public consultation process is requested, the applicant must then provide to the Development Authority a description of when and what type of consultation was carried-out by the proponent and a general summary of the public input provided on the proposal (and a description of any objections or concerns raised).

Criteria and standards:

(3) All Retail Cannabis Stores approved for a development permit must obtain a Retail Cannabis Store license from the AGLC and failure to secure an AGLC license will make the local development permit approval null and void. Proof of provincial license (for a Retail Cannabis Store) shall be required as a condition of a development permit approval.

(4) A Retail Cannabis Store must be a separate use from any other business activities (i.e. non-Cannabis store) unless it is an activity or use expressly authorized by the AGLC.

(5) A Retail Cannabis Store shall not be approved for a development permit if the premises is located within a 100 metre separation distance of:

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

(b) the boundary of a parcel of land containing a school (public or private) facility; or

(c) the boundary of a parcel of land containing an approved child or daycare facility; or

(d) the boundary of a parcel of land that is designated as a school reserve or municipal and school reserve under the Municipal Government Act; or

(e) the boundary of a parcel of land containing a municipal park or playground facility, if the land is not designated as a school reserve or municipal and school reserve under the Municipal Government Act; or

(f) the boundary of the parcel of land of which contains a church, community centre, library or recreation facility where persons under 18 years of age may attend or congregate.

(6) The specified separation distances applicable to Retail Cannabis Stores are not eligible to be varied or waived by the Development Authority, or on an appeal by the Subdivision and Development Appeal Board.

(7) Maximum hours of operation, applicable to all approved Retail Cannabis Store operations, shall be limited between 11:00 a.m. and 10:00 p.m. which will be placed as a condition on a development permit approval. The hours of operation are not eligible to be varied or waived by the Development Authority, or on an appeal by the Subdivision and Development Appeal Board.

(8) All signage, including the contents, must comply with the land use bylaw Schedule 7, Sign Regulations, and municipal development permit approval is required. The applicant/developer is also responsible to ensure any signage and its message contents comply with all federal and provincial requirements, including AGLC policies.

(9) All parking requirements shall be provided in accordance with Schedule 5, Standards of Development, section 15 of the bylaw, and shall be deemed to be similar to other 'retail and service commercial' uses for determining the number and size of the required parking spaces.

(10) The Development Authority may take into account the following factors when making a decision respecting a development application for a Retail Cannabis Store:

(a) the extent and nature of opposition from community members or groups to establishment of a Retail Cannabis Store in a particular location; and

(b) the suitability of the site in relation to adjacent land uses or other uses in proximity (100 m or less) to the proposed Retail Cannabis Store site.

(11) If an approved Retail Cannabis Stores' existing AGLC license expires, the business must provide verification to the municipality that a new license has been obtained within 12-months of the expiry date, otherwise, the use will be deemed to have been discontinued and any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

(12) The Development Authority may, as a condition of approval on a development permit, specify a time limit on the development permit in regards to its validity, which may be considered a temporary use. At the time of expiry, the applicant/developer must reapply to the municipality for a development permit approval to continue the use.

(13) A developer/operator of a Retail Cannabis Store is responsible for meeting and adhering to all provincial requirements for the physical security for the premises.

(14) The design and construction of a Retail Cannabis Store must meet all provincial building code requirements.

Schedule 7

SIGN REGULATIONS

SIGN REGULATIONS

1. PURPOSE OF REGULATIONS

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

(a) the appearance and character of any building or locality frequented by the public; and

(b) the concentration of the motoring public and its ability to define authorized traffic signs.

2. DEFINITIONS

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

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

Changeable Content means sign content which changes automatically through electronic and/or mechanical means and may include typical features such as an electronic message centre or time and temperature unit.

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

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

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

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

Illuminated sign means any sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

3. REGULATIONS

(1) Advertising signs may only be allowed to be located within the county boundaries in order to advertise the principal use of the premises or the principal products offered for sale on the premises for businesses and services located within the County of Warner No. 5 and urban municipalities located in the county.

(2) Lawn, fascia, and freestanding signs only may be permitted, provided that the location of any such sign does not become a visual obstruction to traffic.

(3) Directional and informational signs may be permitted if warranted by the merits of each case.

(4) All signs shall be maintained in a safe and tidy manner to the satisfaction of the designated officer or Subdivision and Development Authority. If, in the opinion of the Subdivision and Development Authority, a sign has fallen into disrepair the owner of the land may be required to remove the sign.

(5) All signs, except county signs, will be located on private land.

(6) No sign shall be placed in a public road or laneway or be located or placed in such a manner that, in the opinion of the designated officer or Subdivision and Development Authority, will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility, and will not create a traffic hazard or obstruct the public's view of any other signage.

(7) Unless otherwise specified, a Development Permit application is required for all signs, unless specifically exempt under Schedule 3, Development Not Requiring a Development Permit or Schedule 7, Sign Regulations, Section 4, Signs Not Requiring a Permit.

(8) Any sign containing animation, electronic/digital changeable content or movement shall be at the discretion of the Development Authority. The Development Authority may apply standards and regulate such sign as it determines is necessary.

(9) When a sign cannot be clearly categorized as one of the sign types as defined in this Bylaw, the Development Authority shall determine the sign type and any and all applicable controls.

(10) Specific signage regulations and criteria may also be found in Schedule 6, Specific Use Standards, for certain types of land uses, such as bed and breakfasts, day homes and day cares, home occupations, etc., which shall also apply.

4. SIGNS NOT REQUIRING A PERMIT

No Development Permit is required for the following types of signs:

(a) construction company signs, provided such signs are removed within 14 days of the completion of construction; and

(b) signs of public buildings; and

(c) political posters, provided all such signage is removed within 14 days after the completion of the relevant election or plebiscite; and

(d) real estate signs, provided all such signage is removed within 30 days after the sale or lease of the premises upon which the sign is located; and

(e) residency identification signs, provided the sign is no greater than 0.2 m^2 (2 sq. ft.) in area; and

(f) garage sale signs, provided the owner of the property upon which the sign is located has approved its placement and that the sign is removed immediately upon the conclusion of the sale; and

(g) on-premises directional and informational signage and incidental signs, 0.2 m^2 (2 sq. ft.) or less in area; and

(h) any traffic or directional and informational signage erected by the County of Warner or the Provincial Government or the Federal Government; and

(i) any community service bulletin board erected by the County of Warner and any notices posted on the bulletin board; and

(j) any window sign posted on the interior of the premises;

provided all such signage is suitably maintained to the satisfaction of the designated officer or Subdivision and Development Authority.

Schedule 8

PROVINCIAL COMPLIANCE POLICIES

PROVINCIAL COMPLIANCE POLICIES

1. WATER ACT POLICIES

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

OBJECTIVE

To meet the legislative requirements of section 23 of the *Water Act* regarding Subdivision and Development.

POLICIES

(1) Prior to the preparation of a water management plan (WMP), the County of Warner shall require that a certified report be prepared for any application for subdivision approval or a proposed land use redesignation which proposes to create six or more parcels of land in a quarter section.

(2) All certified reports shall be prepared in accordance with the "Report Requirements under section 23 of the *Water Act* for Subdivision Development" as produced by Alberta Environment, September 1999.

(3) The certified report shall be forwarded to the Regional Director for the *Water Act* for interpretation, evaluation and comment.

(4) All costs associated with the preparation, evaluation, interpretation and/or distribution of the said report shall be borne by the registered owner or the agent authorized to act on behalf of the registered owner.

(5) At its sole discretion, the County of Warner may charge additional fees to ensure that any certified report is referred to the appropriate authorities for evaluation and interpretation pursuant to section 61 of the *Municipal Government Act*.

(6) Upon the preparation and subsequent adoption of a water management plan within the County of Warner, these policies shall be reviewed, re-evaluated and modified if necessary.

2. WETLAND POLICIES

Alberta's Wetland Policy provides strategic direction required to make informed management decisions in the long term to minimize the loss and degradation of wetlands, while allowing for continued growth and economic development in the province. The goal of the Alberta Wetland Policy is to conserve, restore, protect and manage Alberta's wetlands to sustain the benefits they provide to the environment, society and economy. Municipalities must make land use decisions, and consideration of subdivision and development decisions in respect of the provincial policies.

OBJECTIVE

To meet the requirements of the Alberta Wetland Policy regarding Subdivision and Development.

POLICIES

Applicability

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.

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

(2) Where applicable, all development proponents are to submit wetland-related *Water Act* and *Public Lands Act* applications in accordance with the Alberta Wetland Policy.

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

(4) 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.

(5) Land areas identified as permanent wetlands or have wetland status as identified by Alberta Environment and Parks are considered generally unsuitable for the majority of developments and may be denied a development permit at the discretion of the Development Authority.

Process

(6) Where an activity is proposed that will impact a wetland, and prior to receiving an Area Structure Plan or redesignation of land approval, the developer shall consult with Alberta Environment and Parks to determine whether the Crown intends to claim the wetlands on the site in accordance with the provisions of the *Public Lands Act*, R.S.A. 2000, c. P-40. Crown claimed wetlands shall be retained in accordance with the directions from Alberta Environment and Parks.

(7) Where practical to retain wetlands, the Development Authority may not approve development that disturbs a wetland. Where it can be demonstrated to the satisfaction of the Development Authority that it is not practical to avoid impacting a wetland, for example, due to inherent site constraints or the requirements for the proper functioning of a wetland, the Development Authority may approve development that disturbs a wetland with conditions designed to mitigate the impact of the development on the wetland.

(8) The developer is solely responsible for any costs associated with retaining a Qualified Wetland Science Practitioner (QWSP) to prepare a Wetland Report, or for wetlands that will be impacted by the proposed development, the developer shall submit a Wetland Mitigation Report as prepared by a Qualified Professional (QP) whom is registered with the province as a wetland specialist.

(9) The onus is on the developer to ensure compliance with all applicable regulatory documents.

Standards and Setbacks

(10) For those wetlands to be retained, the developer shall provide a strip of land, not less than 6 metres in width, abutting the bed and shore.

(11) Minimum building setbacks beyond the 6 metre buffer of a naturally occurring wetland shall be proposed through a Wetland Report as submitted by the developer and approved by the Development Authority.

(12) The 6 metres or more in width of land to be provided may be dedicated at the time of subdivision as Environmental Reserve (ER) if the municipality determines it is necessary.

3. ACTIVE AND ABANDONED GAS WELLS AND FACILITIES

OBJECTIVE

To meet the requirements of the Subdivision and Development Regulation and Alberta Energy Resources Conservation Board (ERCB) directives regarding Subdivision and Development.

POLICIES

Setbacks From Sour Gas Facilities

(1) A residence, rural public facility or country residential subdivision shall be set back such distance from a sour gas facility as the Subdivision or Development Authority considers reasonable and appropriate, having regard to:

(a) the comments of the Energy Resources Conservation Board (ERCB) and the owner of the sour gas facility; and

(b) the minimum separation distances contained in the districts of this bylaw.

(2) The Development Authority shall solicit and consider the comments of the Energy Resources Conservation Board (ERCB) and the owner of the sour gas facility if a development application:

(a) proposes to locate a residence or a rural public facility within 100 metres (328 ft.) of a level 1 sour gas facility, unless the facility is a pipeline;

(b) proposes to locate a residence within 100 metres (328 ft.) of a level 2 sour gas facility;

(c) proposes to locate a rural public facility within 500 metres (1,640 ft.) of a level 2 sour gas facility;

(d) proposes to locate a residence within 100 metres (328 ft.) of a level 3 or 4 sour gas facility;

(e) would result in unrestricted country development, namely, more than eight dwellings per quarter section within 500 metres (1,640 ft.) of a level 3 or a level 4 sour gas facility; or

(f) proposes to locate a rural public facility within 1.5 kilometres (0.9 miles) of a level 3 or a level 4 sour gas facility.

Setbacks From Abandoned Wells

The Subdivision and Development Regulation (Alberta Regulation 160/2012) requires municipalities to ensure that applicants include abandoned well information from the Energy Resources Conservation Board (ERCB) in applications for both subdivisions and development permits. The County of Warner shall meet the legislative requirements of Alberta Regulation 160/2012 regarding subdivision and development by applying the following policies:

(3) It the responsibility of the applicant of the proposed subdivision and/or development to take measures to identify any abandoned wells within that property and to apply the required setback.

(4) The Subdivision or Development Authority shall not deem a subdivision or development permit application complete until the applicant has provided the required abandoned well information from the ERCB.

(5) The applicant shall be required to provide the following information:

(a) the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and

(b) if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 [a minimum 5 metre (16.4 ft.) radius around the well] in relation to existing or proposed building sites.

(6) If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

(7) Notwithstanding a use may be a permitted use or discretionary use, surface structures on top of an abandoned well are not permitted and a minimum 5 metre (16.4 ft.) setback radius around the well shall be maintained.

Schedule 9

MINOR LIVESTOCK OPERATION REQUIREMENTS

MINOR LIVESTOCK OPERATION REQUIREMENTS

1. PURPOSE

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

2. LIVESTOCK DENSITIES

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

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

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

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

3. APPLICABILITY AND STANDARDS

(1) Any proposed minor livestock operation or expansions to existing operations that will exceed the numbers listed in column 1 above shall require a development permit. For numbers that both exceed the threshold number in column 2 and reach the low-end threshold of the NRCB's legislation, the operation shall be considered a confined feeding operation and will come under the authority of the province, and the jurisdiction of the NRCB.

(2) The Development Authority may limit densities or deny permits to any operator where land use problems have been experienced in the past.

(3) For all minor livestock operations, all corrals, feeders, shelters or other structures for feeding shall not be located closer than 91.5 metres (300 ft.) to a neighbouring established residence. New residences are also encouraged to be located a minimum of 91.5 metres (300 ft.) from any established corrals, feeders, shelters or other structures for feeding of a neighbouring minor livestock operation.

4. OTHER STANDARDS

(1) The Development Authority may impose other standards for the keeping of livestock or for minor livestock operations permit approvals, and may also make as conditions or take into account:

(a) all aspects of the current *Agricultural Operations Practices Amendment Act, 2001, Standards and Regulations*;

(b) comments from the Regional Health Authority, Alberta Environment, Alberta Agriculture, Food and Rural Development, and the NRCB;

(c) a minimum distance separation of 61 metres (200 ft.) will be maintained between any irrigation canals or drain and a minor livestock operation's corrals, feeders, shelters or manure storage site. In all instances, the canal shall be protected from contaminated runoff;

(d) manure must be contained on the premises, stored in a safe manner, and shall not run-off or contaminate other lands or water sources;

(e) a suitable manure storage site or sites shall be provided that will accommodate storage for the entire minor livestock operation, and regulations as described in the *Agricultural Operations Practices Amendment Act, 2001, Standards and Regulations*, may be applied;

(f) any short term solid manure storage site must be located at least one metre above the water table and must be located not less than 150 metres (492 ft.) from the nearest neighbouring residence;

(g) dead animals must be properly disposed of within 48 hours to minimize odours, flies, and transmission of disease to other animals.

(2) In all cases, the establishment of a new minor livestock operation and expansions to an existing minor livestock operation should be located as far away as possible from dwellings that are not part of the operation (refer to 3(c) above).

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

5. MINOR LIVESTOCK OPERATION MANAGEMENT PLAN

(1) At the time of a permit application for either a new minor livestock operation or an expansion to an existing operation, the applicant may be requested to provide to the designated officer a Minor Livestock Operation Management Plan.

(2) The Development Authority and/or Subdivision and Development Appeal Board may place conditions on the existing portion of the minor livestock operation in order to address existing inadequacies and improve the existing situation, thereby making the entire operation more suitable.

(3) The Development Authority and/or the Subdivision and Development Appeal Board may ensure implementation of the Minor Livestock Operation Management Plan by placing important aspects of the plan on development permits as conditions of approval.

(4) A copy of the Minor Livestock Operation Management Plan, if requested by the Development Authority, shall be available for public viewing at the County of Warner office during normal office hours, any time after a permit is applied for.

Appendix A

TELECOMMUNICATION, RADIOCOMMUNICATION AND BROADCAST ANTENNA SYSTEMS AND SUPPORTING STRUCTURES (ANTENNA SYSTEMS) SITING PROTOCOL

TELECOMMUNICATION, RADIOCOMMUNICATION AND BROADCAST ANTENNA SYSTEMS AND SUPPORTING STRUCTURES (ANTENNA SYSTEMS)

SITING PROTOCOL

1. PURPOSE

This Appendix serves as the protocol for the installation and modification of telecommunication, radiocommunication and broadcasting antenna systems and supporting structures (antenna systems) in the County of Warner. The protocol establishes the procedural standard for public participation and consultation that applies to proponents of antennas systems and identifies the County of Warner's preferred development and design standards.

2. APPLICABILITY

The federal Minister of Industry is the approval authority for the development and operation of antenna systems, pursuant to the *Radiocommunication Act*. Industry Canada recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages Land Use Authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions and preferences to the proponent of an antenna system and Industry Canada.

The local protocol established in this Appendix applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system and supporting structures within the County of Warner which is not excluded from the consultation requirements established by Industry Canada in Client Procedures Circular CPC-2-03 [or subsequent/amended publications]. Proponents of excluded antenna systems are nevertheless encouraged to contact the County of Warner to discuss the proposal and identify any potential issues or concerns and give consideration to the development and design standards in section 5 of this Appendix.

(1) Antenna Systems Siting Protocol Exclusion List:

Industry Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. Industry Canada's publication, *Radiocommunication and Broadcast Antenna Systems CPC-2-0-03* lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-03 are therefore excluded from the County of Warner Land Use Bylaw, Appendix A, Telecommunication, Radiocommunication and Broadcast Antenna Systems and Supporting Structures Siting Protocol, which currently include:

(a) maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;

(b) addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or

modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;

(c) maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;

(d) installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, as is removed within 3 months after the emergency or special event; and

(e) new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

Proponents, who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the County of Warner or Industry Canada for guidance.

3. MUNICIPAL REVIEW AND ISSUANCE OF CONCURRENCE OR NON-CONCURRENCE

(1) The County of Warner's Development Authority (MPC) shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna system proposals within the County of Warner which are not excluded under section 2 of this Appendix.

(2) Concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna system is proposed, the development and design standards in section 5 of this Appendix, applicable policies of the County of Warner Municipal Development Plan, and consideration of comment received during the public consultation process (section 7 of this Appendix) and any other matter deemed relevant by the Development Authority:

(a) when a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Development Authority documenting its decision and any conditions;

(b) when a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Development Authority describing the reasons for the decision.

(3) Municipal concurrence does not constitute approval of uses, buildings and structures which require issuance of a development permit under the land use bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw.

4. MUNICIPAL REVIEW PROCESSING PERIOD

(1) Except as provided in subsection 4(2), the Development Authority will issue a decision of either concurrence or non-concurrence within 60 days of receiving a complete application package.

(2) The 60 day processing time period may be extended by the proponent or the County of Warner, through mutual consent.

5. DEVELOPMENT AND DESIGN STANDARDS

Co-utilization of existing antenna systems is the preferred option within the County of Warner. However, if co-utilization is not possible, the County of Warner requests that the following development and design standards be adhered to:

(1) Public Roadway Setbacks

An antenna system (including any support structures) proposed within a hamlet should be placed no closer than 7.62 m (25 feet) from the property line abutting the public road or 36.57 metres (120 ft.) of the right-of-way of any developed or undeveloped municipal public roadway outside of hamlets. A lesser setback may be considered at the discretion of the Development on a site-specific basis.

(2) Lighting and Signage

(a) Proponents for antenna structures which are visible from higher density residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.

(b) The placement of signage on antenna systems is not permitted, except where required by applicable federal agencies.

6. APPLICATION SUBMITTAL REQUIREMENTS

(1) Proponents are encouraged to contact the County of Warner in advance of making their submission to obtain information about the Town's Antenna Systems Siting Protocol and identify any preliminary issues or concerns.

(2) The following application package shall be submitted to the County of Warner for consideration of a proposed antenna system:

(a) a completed Telecommunication Antenna Siting Protocol application, including site plan;

(b) the prescribed fee, as set in the County of Warner Appendix or Development Permit Fees;

(c) a description of the type and height of the proposed antenna system and any supporting structures;

(d) the proposed lighting and aeronautical identification markings for the antenna and any supporting structures;

(e) documentation regarding potential co-utilization of existing towers within 800 metres (0.5 miles) of the subject proposal; and

(f) any other additional information or material the Development Authority determines to be necessary and appropriate to properly evaluate the proposed submission.

(3) Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit unless buildings or structures are also proposed in addition to the antenna system and supporting structures**.** For such proposals, the following shall be submitted in addition to the requirements of 6(2):

(a) a completed development permit application;

(b) the prescribed fee, as set in the County of Warner Schedule of Development Fees.

7. NOTIFICATION AND PUBLIC CONSULTATION PROCESS

(1) Upon receipt of an application package, the Development Authority shall review the application for completeness and, if deemed complete, will:

(a) schedule a date for a development public meeting to be held by the Development Authority, at which the proposal will be reviewed and comment received regarding the proposal;

(b) notify the proponent and/or representative of the antenna system of the development public meeting date;

(c) post a notice of the development meeting in a newspaper in accordance with section 17(c) of the land use bylaw, if deemed necessary; and

(d) notify by mail persons likely to be affected by the proposal of the development hearing date in accordance with section 17(a) of the land use bylaw, including:

(i) landowners within 1.61 km (1 mile) of the proposed antenna system;

(ii) any review agencies deemed affected, as determined by the Development Authority;

(iii) any other persons deemed affected, as determined by the Development Authority.

(iv) The notifications must be sent 19 days prior to the public meeting date.

(2) The proponent or a representative of the antenna system(s) proposal should attend the development hearing and be prepared to explain all aspects of the proposal including the siting, technology, and appearance of the proposed antenna system.

County of Warner
Box 90
Warner, AB T0K 2L0
403-642-3635

TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

For Office Use Only:	Date application received:	Date deemed complete:	Land Use District (zoning):	Development permit application also required:
				❑ Yes ❑ No Application No:

PART 1 – APPLICANT INFORMATION

Name of Applicant (please print): _____

Mailing Address: _____

_____

_____

Postal Code: _____

Phone (primary): _____

Phone (alternate): _____

Fax: _____

Email: _____

❑ Check this box if you would like to receive documents through email.

As applicant, are you the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____

_____

Mailing Address: _____

_____

_____

Postal Code: _____

Phone (primary): _____

Phone (alternate): _____

Applicant's interest in the property:

- ❑ Agent
- ❑ Antenna proponent/developer
- ❑ Contractor
- ❑ Tenant
- ❑ Other _____

PART 2 – PROPERTY INFORMATION

Municipal Address: _____

Legal Description: All/Part _____ ¼ Section _____ Twp _____ Range _____ W4M

Lot(s) _____ Block _____ Plan _____

Parcel size / area: _____

What is the existing use on the parcel? _____

County of Warner
Box 90
Warner, AB T0K 2L0
403-642-3635

TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

PART 3 – DETAILS OF THE PROPOSED DEVELOPMENT

What currently exists on the parcel? (i.e. buildings, structures, improvements)_____

_____

What will the antenna / tower be used for? _____

_____

Are there any roads or approaches on the parcel? (THIS DOES NOT INCLUDE OIL/GAS FACILITY ACCESSES) _____

_____

Are there any other antenna towers located within 800 metres of the subject proposal? (If yes, describe what the tower is used for and who the operator is along with providing a map identifying the location.) _____

_____

Is Co-utilization with existing antenna systems proposed? _____

_____

Describe the proposed finish/color and if lighting or any markings are proposed for the antenna. _____

_____

TOWER SIZE

Overall tower height _____ ❑ m ❑ ft Commencement Date: _____

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT REGISTERED OWNER (if not the same as applicant)

Please note that all information that you provide will be treated as public information in the course of the municipality's consideration of the development application pursuant to the MGA RSA 2000 Chapter M-26 and the Land Use Bylaw. By providing this information, you are deemed to consent to its public release. Information you provide will only be used for purposes related to the evaluation and consideration of the development application. Questions about information can be directed to the FOIPPA Coordinator: County of Warner, Box 90, Warner, AB T0K 2L0, 403-642-3635.

I, hereby consent to the public release and disclosure of all information contained within the application and supporting documentation as part of the approval process.

Applicant's Signature: _____ Date Signed: _____

County of Warner
Box 90
Warner, AB T0K 2L0
403-642-3635

TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

TELECOMMUNICATION SITING PROTOCOL CHECKLIST

A COMPLETED APPLICATION REQUIRES:

1. A completed Telecommunication Siting Protocol application filled out, with the site plan attached.
2. A completed checklist.
3. Non-refundable application fee.
4. Signature of ALL landowners.
5. Any additional information requested by the Development Authority.
6. For any proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain a development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw. A separate development permit application must be filled out and submitted.

CHECKLIST INFORMATION:

- Failure to complete the Application or supply the required information, plans or fees may cause delays in application processing.
- The Development Authority may refuse to accept your application if the required information has not been supplied or if the quality of the information is inadequate to properly evaluate the application.
- Once the information has been reviewed and any required public hearing held, the County of Warner will either:
    - Issue a municipal concurrence letter to the applicant, or
    - Issue a letter of non-concurrence which outlines the municipality's concerns and/or conditions to the applicant and Industry Canada
- Safety code permits may be required for construction of buildings/tower foundations, plumbing, private sewage systems, and gas or electrical installations (as may be applicable to individual installations).

FEES		
A. Copying and distribution (mailing) of required notification letters	$2.00/letter	Payment required for distribution of letters and notice of development public meeting before Development Authority
B. Distribution (mailing) only of required notification letters	$1.00/letter	
C. Newspaper advertisement for public meeting if required outside regularly scheduled Development Authority meeting day	$300.00	
D. Telecommunication Siting Protocol Application Fee	$200.00	
If the applicant can prove to the satisfaction of the County that notification to all required adjacent landowners has been done, then the A or B fee is not required.		
For fees not listed here, please see County of Warner current **Fee Bylaw**. * Fees are provided for convenience purposes. If there is a discrepancy between these fees listed and the official County of Warner Fee Bylaw, the Fee Bylaw shall apply.		

County of Warner
Box 90
Warner, AB T0K 2L0
403-642-3635

TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

Telecommunication Siting Protocol **CHECKLIST**

Please attach a description of the project summarizing the information required in the following table.

REQUIREMENT	YES OR NO	SUBMITTED? YES, NO OR N/A
CO-UTILIZATION (CO-LOCATION) – RURAL Are there any other such structures within a radius of 0.5 miles (800 m) of the proposed location?		
If YES, please provide a site plan showing the locations of these and provide documentary evidence that co-utilization of the existing structure(s) is not a viable alternative to a second structure.		
CO-UTILIZATION (CO-LOCATION) – HAMLET, GROUPED COUNTRY RESIDENTIAL OR RESORT RESIDENTIAL Are there any other such structures within a radius of 1 mile (1.61 Km) of the proposed location?		
If YES, please provide a site plan showing the locations of these and provide documentary evidence that co-utilization of the existing structure(s) is not a viable alternative to a second structure.		
STEALTH STRUCTURE OPTIONS/SCREENING Will this structure be visible from residential areas?		
If YES, stealth structure options may be required and a description of the stealth structure options must be submitted to the satisfaction of the County when requested.		
LIGHTING & SIGNAGE Is there additional lighting planned in addition to what is required by federal agencies? Please provide a description of all lighting, required and not required.		
Will signage be used? If yes, please describe. (Note: No advertising signage shall be permitted.)		
Will the antenna contain any markings? If yes, please describe.		
NOTIFICATION & PUBLIC CONSULTATION PROCESS All landowners within 1 mile (1.61 Km) from the proposed structure must be notified. Please provide a letter that the County can circulate on your behalf.		
Was an open house completed (by the applicant) prior to any application submitted? Are the minutes/submissions from the open house provided?		
The fee for copying and distributing these letters is $2.00/letter. _____ x $2.00/letter = _____ TOTAL COST The fee for only distributing these letters is $1.00/letter _____ x $1.00/letter = _____ TOTAL COST The fee for the newspaper advertisement for the public meeting ___1___ x $300.00/ad = _____ TOTAL COST *(NOTE: It should be noted that a general administrative fee, if applicable, may be added to the cost of facilitating this process in line with the County's approved Fee Bylaw.)*		

Appendix B

FORMS AND APPLICATIONS

COUNTY OF WARNER NO. 5

APPLICATION FOR A DEVELOPMENT PERMIT

APPENDIX B

FORM A

LAND USE BYLAW NO. 930-17

DEVELOPMENT APPLICATION NO. _____

DATE OF APPLICATION _____

GENERAL INFORMATION

APPLICANT'S NAME: _____

ADDRESS: _____ PHONE: _____

REGISTERED OWNER'S NAME: _____

ADDRESS: _____ PHONE: _____

APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER: _____
(Option - Lease - Other)

LEGAL DESCRIPTION OF LAND: LOT(s) _____ BLOCK _____ PLAN _____

QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____

STREET ADDRESS (if applicable) _____

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

SPECIFIC INFORMATION

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

1. Details of DEVELOPMENT SITE:

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

2. Details of EXISTING DEVELOPMENT:

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

_____

_____

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

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

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

_____

_____

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

4. Details of POTENTIAL HAZARDS:

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

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

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

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

_____

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

_____

5. Details of LANDSCAPING and FENCING:

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

_____

6. Details of VEHICLE PARKING and ACCESS:

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

_____

7. Details of EXTERIOR BUILDING FINISH:

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

_____

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

8. Details of SERVICES:

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

Estimated **Commencement** Date: _____ Estimated **Completion** Date: _____

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

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

_____ _____

Signature of **Applicant** Signature of **Registered Owner** (if not applicant)

TERMS:

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

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

COUNTY OF WARNER NO. 5

NOTICE OF DEVELOPMENT HEARING

APPENDIX B **LAND USE BYLAW NO. 930-17**

FORM B **DEVELOPMENT APPLICATION NO. _____**

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

TYPE OF DEVELOPMENT:

LEGAL DESCRIPTION OF SITE:

PLACE OF HEARING: _____

TIME OF HEARING: _____

DATE OF HEARING: _____

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

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

_____ (a.m./p.m.) on _____

DATE: _____ **SIGNED: _____**

Designated Officer

COUNTY OF WARNER NO. 5

NOTICE OF DECISION

APPENDIX B **LAND USE BYLAW NO. 930-17**

FORM C **DEVELOPMENT APPLICATION NO. _____**

NAME: _____

ADDRESS: _____

In the matter of development of property located at _____

_____

The development as specified in Application No. _____ has been:

❑ APPROVED

❑ APPROVED subject to the following conditions:

❑ REFUSED for the following reasons:

❑ Development Permit to be issued on the _____ day of _____, _____ .

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

DATE: _____ **SIGNED: _____**

Designated Officer

THIS DOES NOT CONSTITUTE A DEVELOPMENT PERMIT

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

COUNTY OF WARNER NO. 5

DEVELOPMENT PERMIT

APPENDIX B

FORM D

LAND USE BYLAW NO. 930-17

DEVELOPMENT APPLICATION NO. _____

DEVELOPMENT PERMIT NO. _____

This development permit is hereby issued to:

NAME: _____

ADDRESS: _____

In respect of works consisting of: _____

_____

On land located at: _____

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. _____ and is subject to the conditions contained herein:

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

DATE: _____ **SIGNED: _____**

Designated Officer

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

THIS IS NOT A BUILDING PERMIT

IMPORTANT: (see over)

IMPORTANT:

The development outlined above is subject to the following conditions:

(a) This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaw, laws, orders and/or regulations affecting such development.

(b) This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.

(c) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit.

(d) The designated officer may, in accordance with section 645 of the *Municipal Government Act*, take such action as is necessary to ensure that the provisions of this bylaw are complied with.

(e) Construction undertaken in accordance with this development may be regulated by the **provincial building requirements**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by **Alberta Labour**.

COUNTY OF WARNER NO. 5

NOTICE OF APPEAL HEARING

APPENDIX B **LAND USE BYLAW NO. 930-17**

FORM E **DEVELOPMENT APPLICATION NO. _____**

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

Development was:

- ❑ APPROVED
- ❑ APPROVED WITH CONDITIONS (as follows):

- ❑ REFUSED for the following reasons:

PLACE OF HEARING: _____

TIME OF HEARING: _____

DATE OF HEARING: _____

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

_____ (a.m./p.m.) on _____

DATE: _____ **SIGNED: _____**

Secretary of the
Subdivision and Development Appeal Board

COUNTY OF WARNER NO. 5

APPLICATION FOR A LAND USE BYLAW AMENDMENT

APPENDIX B **LAND USE BYLAW NO. 930-17**

FORM F **DEVELOPMENT APPLICATION NO. _____**

GENERAL INFORMATION

APPLICANT'S NAME: _____

ADDRESS:

REGISTERED OWNER'S NAME: _____

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) _____

Check applicable box:

☐ **LAND USE REDESIGNATION (REZONING) REQUEST**

☐ **BYLAW TEXT OR DEVELOPMENT STANDARD AMENDMENT REQUEST**

NATURE AND REASONS FOR AMENDMENT REQUEST: _____

_____

_____

_____

_____

_____

SPECIFIC INFORMATION

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

_____

_____

_____

_____

_____

_____

Describe the lot/parcel dimensions and acreage:_____

_____

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

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

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

_____ _____

Signature of **Applicant** Signature of **Registered Owner** (if not applicant)

TERMS:

1. Subject to the provisions of the Land Use Bylaw No. 930-17 of the County of Warner No. 5, the term "development" includes the making of any change in the use of buildings or land.
2. Although the designated officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a development permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. **A decision shall be made by Council within 90 days** from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing.
5. A **refusal** is not appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 6 months after the date of refusal.
6. An **approval** shall be finalized by amending the land use bylaw in accordance with section 692 of the *Municipal Government Act*.

Appendix C

FEES

FEES

Fees are established by resolution of Council from time to time, and are administrated through a separate municipal bylaw. For convenience purposes, Appendix C contains the fee schedule as of the date of printing of this bylaw.

Changes may occur over time, applicants are requested to contact the County office or designated officer for the current fees.

SCHEDULE OF FEES

1. Every request for a Land Use Bylaw Amendment, the adoption of an Area Structure Plan, Area Redevelopment Plan or any other Statutory Plan shall be accompanied by a Five Hundred Dollar ($500.00) application fee.

2. Every application for a Development Permit shall be accompanied by the following, non-refundable fee(s):

(a) **Development for Residential Uses**

Home Occupations	$ 100.00
Residential Dwellings	100.00
All Multi Dwellings (per unit)	100.00
Additions to Dwellings	50.00
Ancillary Buildings in Residential Districts	50.00
All other dwelling types (garden suite, secondary suites)	100.00

*plus the advertising fee described in section 3 if applicable.

(b) **Development for Commercial and Industrial Uses**

Change of Use or Additional Use	$ 100.00
New Buildings or additions with an area:	
less than 500 m^2 (5,382 sq. ft.)	150.00
500 to 2,000 m^2 (5,382 to 21,528 sq. ft.)	250.00
2,001 to 5,000 m^2 (21,529 to 53,821 sq. ft.)	450.00
more than 5,000 m^2 (53,821 sq. ft.)	1,000.00
Ancillary Buildings up to 90 m^2 (969 sq. ft.) in non-residential Districts	100.00
Meteorological or Bat Monitoring Towers	150.00
Wind Energy Conversion Systems (WECS)	
1 to 10 towers	200.00
more than 10 towers (additional $20 per tower)	
*plus the advertising fee described in section 3 if applicable	
Small Wind Energy Systems (Individual)	as per fee bylaw
*plus the advertising fee described in section 3 if applicable	
Solar Energy Farms (Commercial)	as per fee bylaw
*plus the advertising fee described in section 3 if applicable	
Solar Energy Collector (Individual)	as per fee bylaw
*plus the advertising fee described in section 3 if applicable	

(c) **Development for Minor Livestock Operations** $ 100.00

(d) **Signs:**

Permitted use sign	$ 50.00
Discretionary use sign or sign requiring waiver	100.00

(e) **All other uses:**

Whenever an application is received for a development or use not listed in this schedule, the amount of the fee shall be determined by the Designated Officer or the Municipal Planning Commission and shall be consistent with those fees listed herein.

(f) **Administrative:**

- If any use is discretionary in a land use district, an additional $100.00 for the cost of advertising the application is required.
- Recirculation fee: 50% of the original application fee
- Request to convene a special meeting of the Municipal Planning Commission: $300.00
- When a development has been commenced prior to a development application being made, and the applicant subsequently submits an application, a fee will be charged that is double the normal permit fee.
- Every appeal for either a subdivision application or development application shall be accompanied by a $300.00 appeal fee.

Appendix D

SUBDIVISION AND DEVELOPMENT AUTHORITY BYLAW NO. 776

COUNTY OF WARNER NO. 5

BYLAW NO. 776

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

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

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

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

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

2. DEFINITIONS:

a. **Act** means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.

b. **Municipality** means the County of Warner No. 5 in the Province of Alberta.

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

d. **Subdivision and Development Authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:

i. in the Act; or
ii. in the County of Warner No.5 Land Use Bylaw; or
iii. in this bylaw; or
iv. by resolution of council.

e. **Municipal Planning Commission** means the Municipal Planning Commission of the County of Warner No. 5 as established by bylaw.

f. **Designated Officer** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.

g. **Members** means the members of the Subdivision and Development Authority.

h. **Secretary** means the person or persons appointed by council to act as as secretary for the Subdivision and Development Authority.

i. **Authorized persons** means a person or organization authorized by the council to which the municipality may delegate any of its Subdivision and Development Authority powers, duties or functions.

j. **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal government Act, as amended from time to time.**

3. For the purpose of this bylaw, the Subdivision and Development Authority for the municipality shall be the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority in accordance with the land use bylaw.

4. The Subdivision and Development Authority shall be composed of not more than five (5) persons who are elected officials and adult residents of the County of Warner No. 5.

5. Appointments to the Subdivision and Development Authority shall be made by resolution of council.

6. Appointments to the Subdivision and Development Authority shall be made for a term of one year.

7. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his term, council shall appoint another person for the unexpired portion of that term within 60 days of receiving notice of the vacancy.

8. The members of the Subdivision and Development Authority shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year from the date of election.

9. Each member of the Subdivision and Development Authority shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by council; and the remuneration, travelling and living expenses shall be paid by the County of Warner No. 5.

10. The Council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Authority, but shall not vote on any matter before the Subdivision and Development Authority.

11. The Subdivision and Development Authority shall hold regular meetings as required on a date to be determined by the Subdivision and Development Authority, and it may also hold special meetings at any time at the call of the chairman.

12. Three (3) of the members of the Subdivision and Development Authority shall constitute a quorum.

13. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Authority.

14. The Subdivision and Development Authority may make its orders, decisions, development permits and approvals; and may issue notices with or without conditions.

15. The Subdivision and Development Authority may make rules to govern its hearings.

16. Members of the Subdivision and Development Authority shall not be members of the Subdivision and Development Appeal Board.

17. The secretary of the Subdivision and Development Authority shall attend all meetings of the Subdivision and Development Authority and shall keep the following records with respect thereto:

    a. the minutes of all meetings
    b. all applications;
    c. records of all notices of meetings and of persons to whom they were sent;
    d. copies of all written representations to the Subdivision and Development Authority;
    e. notes as to each representation;
    f. the names and addresses of those making representations at the meeting;
    g. the decision of the Subdivision and Development Authority;
    h. the reasons for the decision of the Subdivision and Development Authority;
    i. the vote of the members of the Subdivision and Development Authority on the decision;
    j. records of all notices of decision and of persons to whom they were sent;
    k. all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Authority;
    l. such other matters as the Subdivision and Development Authority may direct.

18. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his/her term, the council may, by resolution, appoint another person for the unexpired portion of that term.

19. The Council of the County of Warner hereby delegates the following subdivision powers, duties or functions to the Oldman River Regional Planning Commission:

    a. the providing of advice to applicants for subdivision approval;
    b. the processing of applications for subdivision;
    c. the collecting of all pertinent subdivision approval fees;
    d. the requirements for notification of applicants, pertinent agencies, government departments and adjacent land owners;
    e. the preparation of draft resolutions for consideration by the Subdivision Authority;
    f. the appearance at meetings of the Subdivision Authority as requested to do so from time to time;
    g. the compilation and documentation of all pertinent comments of those persons and local authorities to which the notice of applicaiton was given;
    h. the conduction of a site inspection (where feasible to do so) at the location of the proposed application for subdivision approval;
    i. the finalization and required endorsement of plans of survey or other instruments for registration purposes at Land Titles Office;
    j. the conveyance of notification of final subdivision approval to the registered owner and/or the authorized agent;
    k. the maintenance of a control registry and corresponding archival information relating to the application for subdivision approval on behalf of the municipality;

l. the providing of all pertinent information for consideration at a hearing of the appropriate subdivision appeal board;
m. the appearance, for the purpose of providing pertinent information, at a hearing of a subdivision appeal board;
n. the performance of any other duties or functions as requested, by resolution of council, as agreed to by the Oldman River Regional Planning Commission.

20. Upon the establishment of the Oldman River Intermunicipal Service Agency, the Service Agency will assume the subdivision powers, duties and functions included in section 19.

21. This bylaw comes into effect upon the third and final reading thereof.

READ a first time this 19 day of September 1995

Reeve _____ Administrator _____

READ a second time this 19 day of September 1995

Reeve _____ Administrator _____

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

Reeve _____ Administrator _____

Appendix E

SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 777

COUNTY OF WARNER NO. 5

BYLAW NO. 777

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

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

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

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

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

2. DEFINITIONS:

a. Act means the Municipal Government Act, Chapter M-26.1, 1994 as amended from time to time.

b. **Municipality** means the County of Warner No. 5 in the Province of Alberta.

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

d. **Subdivision and Development Appeal Board** means the tribunal established to act as the municipal appeal body.

e. **Member** mean a member of the Subdivision and Development Appeal Board.

f. **Secretary** means the person or persons authorized to act as secretary for the Subdivision and Development Appeal Board.

g. **All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.**

3. For the purpose of this bylaw, the Subdivision and Development Appeal Board for the County of Warner No. 5 shall be composed of not more than five(5) persons who are adult residents of the County of Warner No. 5.

4. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of council.

5. Appointments to the Subdivision and Development Appeal Board shall be made for a term of one year.

6. The members of the Subdivision and Development Appeal Board shall elect one of themselves as chairman and one of themselves as vice-chairman to hold office for a term of one year from the date of election.

7. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, travelling and living expenses as may be fixed from time to time by council; and the remuneration, travelling and living expenses shall be paid by the County of Warner No. 5.

8. The Council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.

9. The Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date to be determined by the Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of the chairman.

10. Three (3) of the members of the Subdivision and Development Appeal Board constitute a quorum.

11. There shall not be a majority of municipal councillors sitting to hear any individual appeal.

12. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.

13. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.

14. The Subdivision and Development Appeal Board may make rules to govern its hearings.

15. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.

16. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term, the council may, be resolution, appoint another person for the unexpired portion of that term within 60 days of receiving notice of the vacancy.

17. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:

    a. the minutes of all meetings;
    b. all applications;
    c. records of all notices of meetings and of persons to whom they were sent;
    d. copies of all written representations to the Subdivision and Development Appeal Board;
    e. notes as to each representation;
    f. the names and addresses of those making representations at the meeting;
    g. the decision of the Subdivision and Development Appeal Board;
    h. the reasons for the decision of the Subdivision and Development Appeal Board;
    i. the vote of the members of the Subdivision and Development Appeal Board on the decision;
    j. records of all notices of decision and of persons to whom they were sent;
    k. all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
    l. such other matters as the Subdivision and Development Appeal Board may direct.

18. This bylaw comes into effect upon third and final reading thereof.

READ a first time this 19 day of September 1995.

Reeve _____ Administrator _____

READ a second time this 19 day of September 1995.

Reeve _____ Administrator _____

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

Reeve _____ Administrator _____