

BYLAW 1570/22
2022 DATA PROCESSING FACILITY REGULATIONS AMENDMENT TO LAND USE BYLAW 1385/17
STURGEON COUNTY, MORINVILLE, ALBERTA

A BYLAW OF STURGEON COUNTY, MORINVILLE, ALBERTA FOR THE PURPOSE OF AMENDING THE LAND USE BYLAW 1385/17.

WHEREAS, the *Municipal Government Act*, RSA 2000 c M-26, any regulations thereunder, and any amendments or successor legislation thereto, authorize Council to establish and amend the Land Use Bylaw 1385/17;

AND WHEREAS, the Council of Sturgeon County has deemed it desirable to amend Land Use Bylaw 1385/17,

NOW THEREFORE, the Council of Sturgeon County, in the Province of Alberta, duly assembled, enacts as follows:

1. Title

- 1.1. This Bylaw may be referred to as the “2022 Data Processing Facility Regulations Amendment to Land Use Bylaw 1385/17”.

2. Purpose

- 2.1. The purpose of this Bylaw is to add Data Processing Facility as a use to the Land Use Bylaw.

3. Application

- 3.1. Land Use Bylaw 1385/17 is amended as follows:
 - a. The following is added as subsection 6.6A DATA PROCESSING FACILITY:
 - .1 The period for a development permit for the operation of a Data Processing Facility shall be at the discretion of the Development Authority based on the scope of the project. Within the AG, PU, RE, IR, and I1 districts, the period for a development permit is a maximum of five years.
 - .2 The quality of the exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority and shall be compatible with other buildings in the vicinity.
 - .3 The Development Authority may require additional landscaping in addition to the regulations described in Part 8 of this Bylaw.
 - .4 A noise impact assessment may be required by the Development Authority. If deemed necessary, a noise mitigation plan that may include a noise monitoring system may also be required.
 - .5 A Data Processing Facility that includes a power plant shall have a minimum setback of 1500m from a wall of an existing dwelling unit.

- (a) Notwithstanding the above, the setback distance may be reduced with no variance required if a noise impact assessment and noise mitigation plan is deemed sufficient to the satisfaction of the Development Authority.
- .6 Any development shall be designed to mitigate all off-site nuisance factors including excessive noise, odour, traffic, dust, and other impacts to the satisfaction of the Development Authority. A mitigation plan shall be provided at the time of development permit application to demonstrate that these nuisance factors have been mitigated.
- b. In subsection 11.1.2, add “Data Processing Facility” as a Discretionary Use.
- c. In subsection 11.2.2, add “Data Processing Facility” as a Discretionary Use.
- d. In subsection 14.1.2, add “Data Processing Facility” as a Discretionary Use.
- e. In subsection 14.2.2, add “Data Processing Facility” as a Discretionary Use.
- f. In subsection 14.3.2, add “Data Processing Facility” as a Discretionary Use.
- g. In subsection 14.4.2, add “Data Processing Facility” as a Discretionary Use.
- h. In subsection 14.5.2, add “Data Processing Facility” as a Discretionary Use.
- i. In subsection 14.6.2, add “Data Processing Facility” as a Discretionary Use.
- j. In subsection 15.6.2, add “Data Processing Facility” as a Discretionary Use.
- k. Add in Part 18 the following definition:

Data Processing Facility means a building, dedicated space within a building, or a group of buildings used to house computer systems and associated infrastructure and components for the digital transactions required for processing data. This includes, but is not limited to, digital currency processing, non-fungible tokens, and blockchain transactions.

4. Severability

- 4.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

5. Effective Date

5.1. This Bylaw shall come into force upon being passed.

Read a first time this 25th day of January, 2022.

Read a second time this ____ day of _____ 20____.

Read a third time this ____ day of _____ 20____.

Alanna Hnatiw
MAYOR

Reegan McCullough
COUNTY COMMISSIONER

DATE SIGNED