

PART 1 ADMINISTRATION

1.1 TITLE

This Bylaw is the Sturgeon County Land Use Bylaw and is referred to throughout as “this Bylaw”.

1.2 PURPOSE

- .1 The purpose of this Bylaw is to regulate and control the *use* and *development* of land and *buildings* within Sturgeon County. This Bylaw:
 - (a) divides Sturgeon County into districts;
 - (b) prescribes in each district the *uses* that are *permitted* and *discretionary*;
 - (c) describes purposes for which land and *buildings* may be *used* within each district;
 - (d) establishes the number of *dwelling units* permitted on a *parcel* of land;
 - (e) establishes the duties of the *Development Authority*;
 - (f) establishes a method of making decisions on applications for *development permits* including the issuance of *development permits*; and
 - (g) identifies the manner in which notice of the issuance of a *development permit* is to be given.
- .2 The Bylaw shall be applied in a manner that serves to implement *statutory plans* which have been adopted by the County, as well as the *Municipal Government Act*, the Subdivision and Development Regulation and provincial land *use* policies.

1.3 COMPLIANCE WITH OTHER LEGISLATION

Nothing contained within this Bylaw and no approval, permit or agreement issued hereunder relieves any person from the requirement to comply with the provisions of any other applicable federal, provincial or municipal law nor the provisions of any caveat, *easement* or other instrument affecting a *building* or land.

1.4 ENACTMENT

- .1 The provisions of this Bylaw come into effect 60 days after receiving third reading by Council and the repeal of Land Use Bylaw 819/96, as amended (hereafter referred to as the “effective date”).
- .2 No provision of any other Bylaw with respect to districting, *development* control, *development* schemes and land *use* classifications shall hereafter apply to any parts of the County described in this Bylaw, except as specifically provided for in this Bylaw.
- .3 Subject only to the provisions in the *Municipal Government Act* regarding *non-conforming uses* and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from the effective date onward.
- .4 Notwithstanding Subsection 1.4.3., any application for development permit deemed complete prior to this Bylaw coming into effect, will be processed and decided upon under the provisions of Land Use Bylaw 819/96 unless the applicant~~developer~~ signs a consent form to have the application processed against the provision of this Bylaw.

1.5 MEASUREMENTS AND INTERPRETATION

- .1 Measurements listed shall adhere and comply to the stated Metric measurements. Imperial measurements are included for reference only. If a discrepancy exists within this Bylaw between the two measurements, the Metric measurements shall be referenced and adhered to.
- .2 Any measurement greater than the exact prescribed regulation shall be considered in excess of the requirement and shall not be rounded down.

- .3 Internal references in this Bylaw shall be interpreted in accordance with the following numbering convention:
 - 1 Part
 - 1.1 Section
 - 1.1.1 Subsection
 - 1.1.1(a) Paragraph
 - 1.1.1(a)(i) Subparagraph
 - 1.1.1(a)(i)(A) Clause
- .4 Notwithstanding the definitions in Section 1.6 and Part 18, the *Municipal Government Act* as amended, takes precedence in the case of a dispute on the meaning of any words or clauses herein.
- .5 The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the *Municipal Government Act* or this Bylaw.
- .6 The word “should” advises compliance or adherence (discretionary).
- .7 The word “may” means “recommended for best practice”.
- .8 Words, phrases and terms not defined in this part may be given their definition in the *Municipal Government Act* or the *Safety Codes Act*. Other words shall be [defined by the Canadian Oxford Dictionary](#) or given their usual and customary meaning.
- .9 The terms “municipality” or “County” in this Bylaw shall refer to the municipal corporation of Sturgeon County in the Province of Alberta, unless otherwise noted.
- .10 The term “Council” in this Bylaw shall refer to the Council of the municipal corporation of Sturgeon County in the Province of Alberta, unless otherwise noted.
- ~~.11~~ In a case where more than one *overlay* applies to a *parcel*, the regulations in the most restrictive *overlay* shall take precedence.
- ~~.11.12~~ If life safety will not be reduced the Development Authority may accept a dimensional tolerance of up to 2% of any dimension within the bylaw without a variance.

1.6 TERMINOLOGY

The following terms are defined for the purposes of interpreting the provisions of this Bylaw. (Definitions for uses are located in Part 18 of this Bylaw):

Abut means immediately contiguous to or physically touching, and when used with respect to a *parcel* or *development* area, means that the *development* area or *parcel* physically touches upon another *development* area or *parcel*, and shares a *parcel* boundary with it. (See Figure 1.1)

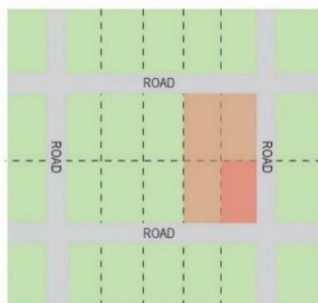


Figure 1.1: Abut

Guest unit means an attached or detached room, cottage, cabin, yurt or *campsite* that is designed to be used as temporary accommodations for one or more people. All guest units provide for sleeping and sanitation, although sanitation may be provided through shared bathrooms. A guest unit may be equipped with a partial kitchen.

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Hard surface means a durable surface which may be constructed of concrete, asphalt, compacted gravel, or other durable rigid materials suitable for all-weather pedestrian or vehicular traffic.

Hauling means the transport of materials *off-site* through the local or provincial *road* network.

Hazardous lands mean lands that are, or may be, inappropriate for *subdivision* or *development* due to inherent or natural environmental hazards, such as susceptibility to flooding, erosion, poor drainage, organic soils, steep slopes or any physical condition or limitation that, if developed, may lead to the deterioration or degradation of the environment, cause property damage or loss of life. Additional hazards may include but are not limited to surface and subsurface features, such as active and abandoned gas/oil well, mines, unstable slopes, areas exhibiting subsidence and other natural or man-made features.

Height see Section 5.12

Highway means land that is authorized by a *highway* authority to be *used* or surveyed for *use* as a public *highway* and includes a bridge forming part of a public *highway* and any structure incidental to the public *highway*.

Industrial Hemp means a crop of a cannabis plants or any part of that plant in which the concentration of tetrahydrocannabinol (THC) is 0.3% or less in the flowering heads or leaves. Industrial hemp is not a type of *Cannabis* as defined in this Bylaw.

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Infill subdivision means the further *subdivision* of an existing subdivided *parcel* within a location where the *subdivision* pattern is already established, for the purposes of increasing *density* or *development* activity.

[Land and Property Rights Tribunal means the Land and Property Rights Tribunal established under the Land and Property Rights Tribunal Act.](#)

Land fragmentation means when a natural or man-made boundary, such as a stream or river, transportation network or registered drainage course, physically divides the landscape. Lands identified as riparian zones or intermittent (unregistered) natural or man-made drainage ways do not constitute grounds for fragmentation.

Landowner means:

- (a) In the case of land owned by the Crown in Right of Alberta or the Crown in Right of Canada, the Minister of the Crown having the administration of the land.
- (b) In the case of any other land:
 - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is subject of a caveat registered against the Certificate of Title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title; or
 - (ii) in the absence of a person described in (i) above, the person registered under the *Land Titles Act*, RSA 2000, c.L-4 as the owner of the fee simple estate in the land.

Landscaping means the added features to a site or *development* through the use of:

- (a) natural elements consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover, and
- (b) hard elements consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt.

Lane means a *road* that is primarily intended to give access to the rear of *buildings* and *parcels*.

Loading space means an *on-site parking stall* reserved for temporary parking for the purpose of loading or unloading goods and materials.

Lot see *Parcel*

Manager means the manager of the County department appointed by the County Commissioner that is responsible for administering this Bylaw, or their delegate(s).

[Memorandum of Agreement means a written document which outlines the objectives of a development between Sturgeon County and the developer. This document shall be registered on title for the duration of the development.](#)

Permeable Surface means a surface that can be penetrated by water and includes, but is not limited to, soil, soft landscaping, permeable pavers, loose granular materials, or other material approved by the Development Authority. Does not include hardscaped asphalt, concrete, traditional pavers, or packed gravel.

Permitted use means a use of land or *building* or structures described in the district regulations of this Bylaw which conform to all applicable regulations of this Bylaw, for which a *development permit* shall be issued by the *Development Authority* with or without conditions.

Planning document means a tool used to provide long-range or current land use planning direction, in accordance with the Municipal Development Plan. It can refer to either a *regional* or *local planning document*.

Planning document, local means, as established by the Municipal Development Plan, a planning tool that provides detailed information on a site-specific *parcel* regarding the current land use, *subdivision* or *development*. The document builds upon and supports the *regional planning document* and provides additional details regarding the implementation of the plan.

Planning document, regional means, in accordance with the Municipal Development Plan, a planning tool that provides general information about land use planning and investment for a large spatial area in the County (or Neighbourhood). Examples include, but are not limited to Intermunicipal Development Plans, Area Structure Plans and Area Redevelopment Plans.

Play structure means a commercially manufactured construction that is designed for children to play on or in.

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Practicing professional includes but is not limited to an engineer, architect, landscape architect, planner, surveyor, biologist or geoscientist who is registered/licensed and in good standing with a professional organization constituted under an Act, practices under the organization's code of ethics and is subject to the organization's disciplinary action.

Principal building means a *building* which constitutes the primary purpose for which the *parcel* is used and is the main *building* among one or more *buildings* on the site. The *principal building* shall be determined by the *Development Authority*.

Principal dwelling means the main *dwelling unit* on a *parcel*, typically the first *dwelling unit* constructed on a *parcel*.

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Principal use means the primary purpose for which a *building*, *development area* or *parcel* is used in the opinion of the *Development Authority*. There shall be no more than one *principal use* on a *parcel*, except where indicated by this Bylaw.

Private property means a property that is not defined as *public property*.

Projection means that portion of a *building* which extends horizontally beyond the *foundation* of a *building*, but is not constructed on the *foundations*, and may include, but is not limited to eaves, balconies, canopies, awnings, and uncovered *decks*. An *accessory building* is not considered a *projection*.

Provincial violation ticket means a "violation ticket" as defined in the *Provincial Offences Procedures Act*, RSA 2000, c.P-34.

Public property means, except for *highways*, any property owned, held or controlled by the County or other public authority.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk, or alley or similar place which is owned or controlled by a governmental entity.

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Quarter section means a parcel of land equaling 64.7 ha (160 ac) more or less.

Rail-Related means any activity, *building* or structure that is related to the operation or maintenance of a railway, railyard and associated infrastructure, or requires access to railway infrastructure for transport.

Reclamation means the restoration of a *parcel* or *development area* in a manner that will accommodate future land use and *development*.

Recreational vehicle means a wheeled structure designed to provide seasonal and/or temporary living quarters for travel or recreational purposes which may or may not be a motor vehicle itself. Typical examples are travel trailers, motor homes, truck campers and tent trailers. A *recreational vehicle* is not a *dwelling*.

Retaining wall means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock or similar materials, but does not include a *foundation* wall.

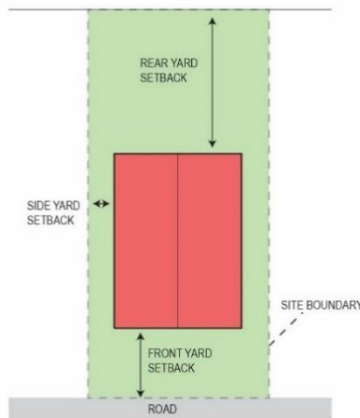


Figure 1.7: Setback

Silica sand means sand that is made up of at least 95% silicon dioxide and less than 0.6% iron oxide.

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Site grading means any work, operation or activity resulting in a disturbance of the earth. This includes but is not limited to the removal of topsoil or borrow, the *stockpiling*, *excavating*, trenching, backfilling, filling, land leveling, recontouring and grading other than for the purpose of an approved *development*. This does not include tree clearing, *dugouts* or the installation or removal of any *landscaping*.

Shelterbelt means an established row(s) of mature trees which are intentionally planted and/or arranged by nature in a manner that has historically protected a property or *development* from the wind.

~~*Solar collector* means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy. A solar collector is not a renewable energy facility or a solar farm.~~

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Statutory plan means a Municipal Development Plan, Intermunicipal Development Plan, Area Structure Plan or Area Redevelopment Plan adopted pursuant to the *Municipal Government Act*.

Stockpiling means a pile of topsoil, subsoil or overburden that is temporarily stored on a *parcel*.

Storey means that portion of a *building* which is situated between the top of any floor and the top of the floor above it, or the ceiling if there is no floor above. If the top of the floor directly above a basement is more than 1.8m (5.9ft) above *grade*, the basement shall be considered a *storey*. (See Figure 1.8)

Storey, half means the living space contained under a peaked roof. (See Figure 1.8)

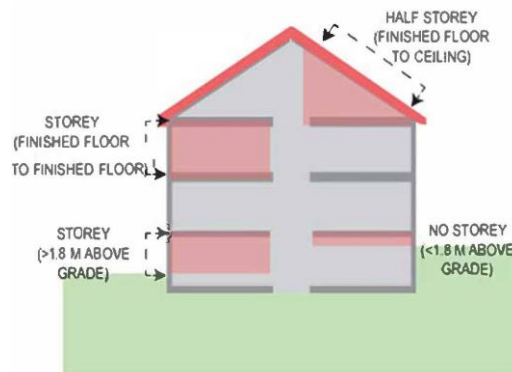


Figure 1.8: Storey and Storey, Half

Street exposure means the elevation, frontage, or façade of a building.

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Stripping means any activity that removes or significantly disturbs vegetated or otherwise stabilized soil surfaces, including clearing and grubbing operations.

PART 2 DEVELOPMENT APPLICATION PROCESS

2.1 CONTROL OF DEVELOPMENT

- .1 Except as otherwise provided in this Bylaw or in the *Municipal Government Act*:
- (a) no *development* shall be undertaken within the County unless a *development permit* has been issued; and
 - (b) no person shall carry out or continue a *development* except in accordance with the terms and conditions of a *development permit*.

2.2 PERMIT FEES

A schedule of the current permit fees shall be established by *Council resolution* and will be applicable to applications contemplated under this Bylaw.

2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- .1 The following *developments* do not require a *development permit* provided that the proposed *development* is in conformance with the applicable regulations of this Bylaw and shall be carried out or performed in accordance with all other applicable legislation, regulations and bylaws:
- (a) the maintenance or repair of a *building* if the work, ~~including interior~~ does not include structural alterations;
 - (b) the completion of a *development* which was under construction in accordance with a lawful *development permit* issued before the effective date of this Bylaw, provided that the *development* is completed within a period of twelve months from the date this Bylaw comes into effect, unless an extension to this period has been granted by the *Development Authority*;
 - (c) *municipal improvements* that have been approved as part of a *Development Agreement*, such as, but not limited to: reservoir, lift station, pump house, entrance feature or gate, sound attenuation wall;
 - (d) trail improvements and *accessory uses* (included but not limited to benches, bike-racks, garbage bins or lighting);
 - (e) a *play structure*;
 - (f) a *temporary building* or structure on a *parcel* where:
 - (i) the *temporary building* or structure is on the same *parcel* as the *principal building* under construction;
 - (ii) the *temporary building* or structure is not located on any *road* or utility *right-of-way*;
 - (iii) the *temporary building* or structure conforms to the *setbacks* of the applicable district; and
 - (iv) the *temporary building* or structure is removed within 30 days of *substantial completion* of the approved *development* and at the discretion of the *Development Authority*.
 - (g) the placement of *shipping containers* in accordance with Section 6.27 of this Bylaw;
 - (h) the erection of a *fence* or other enclosure which is no higher than 1.83m (6ft) in *height*;
 - (i) *extensive agriculture*;
 - (j) *extensive livestock*;
 - (k) *confined feeding operation*;
 - (l) the erection of freestanding flagpoles, lightning rods and other poles not exceeding 4.5m (14.8ft) in *height* from *grade*;

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- (m) the *use* of a *building* or part thereof as a temporary voting station, a candidate's campaign office or any other official *temporary use* in connection with a federal, provincial, municipal or school board election or referendum;
- (n) uncovered *decks* that project into the *rear* and/or *side yard*, and are less than 0.6m (2ft) above *grade*;
- (o) *stripping, site grading, stockpiling* or *excavating* that is part of a *development* for which a *development permit* has been issued [or in accordance with an executed Development Agreement](#);
- (p) in all districts, construction of an *accessory building* that is less than 10m² (107.6ft²) in *floor area*, if the *development* complies with the provisions of this Bylaw;
- (q) *solar collectors* for micro generation mounted on a wall or roof of a *building*;
- (r) those *uses* and *developments* exempted under the *Municipal Government Act* and regulations thereto;
- (s) above and underground petroleum tanks as registered by the [Petroleum Tank Management Association of Alberta](#) [Safety Code Authority](#);
- (t) above-ground swimming pools and above-ground hot tubs subject to meeting the applicable *setbacks* of the district;
- (u) a *telecommunication tower and antenna system*;
- (v) a *sport court*, except for in the R1, R2, R3 and R4 districts in accordance with Section 6.31 of this Bylaw;
- (w) the storage of *recreational vehicles* in accordance with Section 6.20 of this Bylaw,
- (x) *utility, minor*;
- (y) an *accessory, agricultural building* within the AG district; and

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(z) *Industrial Hemp*

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.2 The following *developments* do not require a *development permit* provided that the proposed *development* is in conformance with applicable regulations of this Bylaw but may require a *safety code permit*.

- (a) The repair or replacement of a *building* that is destroyed by a natural disaster or fire providing:
 - (i) the original *building* was not a *non-conforming use*;
 - (ii) the original *building* was *permitted*;
 - (iii) the replacement *building* will be located in the same location as the original;
 - (iv) the replacement *building* will be of the same size and footprint as the original; and
 - (v) the replacement *building* will be *used* for the same purpose(s) as the original.

2.4 APPLICATION FOR DEVELOPMENT PERMIT

.1 An application for a *development permit* shall be made to the *Development Authority* on the proper application form. All *development permit* applications shall adhere to the minimum requirements outlined within the latest version of Sturgeon County's General Municipal Servicing Standards and include the following:

- (a) a completed application form with the signature of the *landowner(s)* or an agent authorized by the *landowner(s)* to make application;
- (b) a statement of the proposed *use* of all parts of the land and *buildings*;
- (c) a copy of the Certificate of Title for the subject property, issued within 30 calendar days prior to the application date;

- (g) erosion and sediment control plan;
- (h) farm verification;
- (i) fiscal impact assessment;
- (j) flood hazard mapping study;
- (k) geotechnical report;
- (l) groundwater report;
- (m) historical resources impact assessment;
- (n) landscape plan;
- (o) noise attenuation study;
- (p) parking assessment;
- (q) real property report;
- (r) reclamation plan;
- (s) risk assessment report;
- (t) site grading or drainage plan;
- (u) site servicing plan;
- (v) slope stability report;
- (w) traffic impact assessment;
- (x) tree preservation plan;
- (y) topographical survey;
- (z) wetland conservation plan; and
- (aa) any other report, study, plan or information.

2.5 COMPLETE APPLICATIONS

- .1 The *Development Authority* shall determine within 20 days after the receipt of a *development permit* application whether it is complete in accordance with the information requirements of this Bylaw.
- .2 The *Development Authority* shall inform the [applicant/developer](#) by electronic or standard mail within 20 days after the receipt of a *development permit* application that the application is considered complete.

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2.6 INCOMPLETE APPLICATIONS

- .1 An application for a *development permit* shall not be considered complete by the County until such time as the requirements of Section 2.4 have been met to the satisfaction of the *Development Authority*.
- .2 If an application for a *development permit* does not contain all the necessary information or does not contain sufficient details to complete an evaluation of the application and to make a proper decision, the *Development Authority* shall deem the application to be incomplete and inform the [applicant/developer](#) by electronic or standard mail within 20 days after the receipt of a *development permit* application that the application is considered incomplete.
- .3 When notifying [an applicant/a developer](#) that their *development permit* application is incomplete, the *Development Authority* must inform the [applicant/developer](#) that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the [applicant/developer](#) and the *Development Authority* in order for the application to be considered complete.
- .4 The *Development Authority* shall inform the [applicant/developer](#) by electronic or standard mail within 20 days after the receipt of the updated application, that the application is considered complete or incomplete.

2.7 REFERRALS

- .1 *Development permit* applications for *discretionary uses* which are located within 1.6km (1mi) of an *adjacent* municipality shall be referred to the said municipality for comments.
- .2 *Development permit* applications ~~for discretionary uses that include developments over 15m(49.2ft) in height; sanitary land fill; food garbage disposal; open water reservoir~~ which are located within ~~1.6km (1mi) of Canadian Forces Base (CFB) Edmonton~~ the Bird Hazard Area of Edmonton Garrison Heliport Zoning Regulations shall be referred to CFB Edmonton for comments.
- .3 All *development permit* applications which are located within 1.6km (1mi) of the boundary of a *parcel* districted AP, shall be referred to the relevant provincial or federal authority managing the license for the *airport* (e.g. Edmonton Airports, Transport Canada) for comments.
- .4 The *Development Authority* shall provide notification of a *development permit* application for *heavy industrial* use to affected *landowners* within a minimum of 1.6km (1mi) of the subject *parcel* to allow opportunities for public consultation prior to the *Development Authority* rendering its decision.

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2.8 DECISION PROCESS

- .1 A complete application for a *development permit* will be considered by the *Development Authority* who:
- (a) shall approve with or without conditions an application for a *permitted use* where the proposed *development* conforms to this Bylaw;
 - (b) may approve with or without conditions an application for a *discretionary use*, where the proposed *development* conforms to this Bylaw;
 - (c) may refuse an application for a *discretionary use*, where the proposed *development* does not conform to this Bylaw; or
 - (d) shall not accept an application for a *use* which is not a listed *permitted use* or *discretionary use* in the applicable district.
- .2 Notwithstanding Paragraph 2.8.1(c), the *Development Authority* may consider an application for a *development* that does not conform with this Bylaw, if in its opinion:
- (a) the proposed *development* conforms with the *use* prescribed for the land or *building* in this Bylaw; and
 - (b) the proposed *development* would not:
 - (i) unduly interfere with the amenities of the neighbourhood; or
 - (ii) materially interfere with or affect the *use*, enjoyment or value of neighbouring properties.
- .3 [REMOVED] 1591/22
- .4 In exercising their discretion under Subsection 2.8.2, the *Development Authority* shall consider the general purpose and intent of the appropriate district and the following requirements:
- (i) except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing *dwelling unit density* or *parcel coverage*;
 - (ii) a variance from the provisions in this Bylaw shall not be granted when the variance will knowingly cause a *building* or *use* to not comply with federal, provincial, or other municipal regulations, including the *Safety Codes Act*; and
 - (iii) variance requests to *height*, *setbacks*, and other regulations that may affect the conformance of a structure with municipal, provincial, or federal regulations shall be circulated to affected departments for review and comment prior to a decision on the application for the *development permit*.
- .5 A variance request shall include justification as to why the regulation cannot be adhered to.
- .6 The *Development Authority* may issue a variance in accordance with Table 2.1:~~and Paragraph 2.8.6(a):~~

Table 2.1: Variances

District	Percentage of variance that may be granted by the Development Authority
AG – Agriculture	0.1 – 50%
AG2 – Agriculture 2	0.1 – 50%
R1 – Country Residential	0.1 – 40%
R2 – Country Estate Residential	0.1 – 40%
R3 – Hamlet Unserviced	0.1 – 40%
R4 – Hamlet Serviced	0.1 – 40%
R5 – Multi-Family	0.1 – 25%
R6 – Modular Dwelling	0.1 – 40%
R7 – Urban Residential	0.1 – 50%
HR – Hamlet Reserve	0.1 – 25%
IND – Integrated Neighbourhood	0.1 – 50%
CMUD – Commercial Mixed-Use	0.1 – 50%
C1 – Highway Commercial	0.1 – 25%
C2 – Local Hamlet Commercial	0.1 – 25%
C3 – Neighbourhood Commercial	0.1 – 25%
I1 – Rural Industry Support	0.1 – 50%
I2 – Local Industrial	0.1 – 50%
I3 – Medium Industrial Unserviced	0.1 – 50%
I4 – Medium Industrial Serviced	0.1 – 50%
IR – Industrial Reserve	0.1 – 50%
AP – Airport Support	0.1 – 50%
EP – Environmental Preservation	0.1 – 25%
INS – Institutional	0.1 – 25%
POS – Public Open Space	0.1 – 25%
PU – Public Utility	0.1 – 25%
REC – Recreational	0.1 – 25%

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[\(a\) The Development Authority may approve a variance in excess of Table 2.1 if any of the following criteria apply:](#)

- [\(ii\) there are practical difficulties in complying with the affected regulation\(s\) due to the use, character, situation or location of land or a building which are generally not common to other sites in the same Land Use District;](#)
- [\(iii\) potential impacts on adjacent properties or roadways and measures to mitigate such impacts have been addressed in the application;](#)

[\(b\) At the discretion of the Development Authority, variances in excess of what is prescribed in Table 2.1 and where circumstances are not supported by paragraph 2.8.6\(a\) shall be refused.](#)

~~[\(b\) Variances for the districts listed above in excess of what is prescribed in the third column of Table 2.1 shall be refused by the Development Authority.](#)~~

2.9 DEVELOPMENT PERMIT CONDITIONS

- .1 In making a decision, the *Development Authority* may impose such conditions as are appropriate and as are specifically required by this Bylaw, permanently or for a limited time period.

- .2 As a condition of a *development permit* approval, the *Development Authority* may require that the [applicant/developer](#) enter into a *Development Agreement* with the municipality to do any or all of the following:
- (a) construct or pay for the construction of:
 - (i) a *road(s)* or upgrades to a *road(s)* required to give access to the *development*;
 - (ii) a pedestrian walkway system to serve the *development* or to give access to an *adjacent development*; or
 - (iii) *on-site* or other *parking facilities* and loading and unloading facilities.
 - (b) to construct, install or pay for any *municipal improvements* and/or utilities which will be needed to serve the *development*;
 - (c) pay an *off-site* levy or redevelopment levy imposed by bylaw; and
 - (d) provide an auto-renewable and irrevocable letter of credit or cash to secure performance of the conditions of the approval.
- .3 To ensure compliance with a *Development Agreement*, the County may register a caveat under the *Land Titles Act* against the Certificate of Title of the property being developed. This caveat shall be discharged when the obligations to be assumed by the [applicant/developer](#) under the agreement have been fulfilled.
- .4 While not limiting the generality of the *Development Authority's* discretion as outlined herein, in making a decision regarding *development permit* applications the *Development Authority* may require the following conditions:
- (a) adherence to additional information as may be required under Subsection 2.4.3;
 - (b) adherence to a groundwater monitoring and groundwater protection program;
 - (c) adherence to a community benefits plan;
 - (d) adherence to community and neighbourhood consultation;
 - (e) adherence to provincial and federal regulatory compliance;
 - (f) adherence to specified hours, days, months or years of operation;
 - (g) limiting the time that a development permit may continue in effect;
 - (h) compliance with applicable *statutory plans*;
 - (i) any such other conditions as may be reasonably required, ~~and~~
 - (j) the payment of deposits as per the County's Fees and Charges Schedule;
 - (k) shall conform to the submitted plans and application and shall not be moved, altered or enlarged except where authorized by the permit; and
 - (~~l~~) adherence to a stormwater management plan.
- .5 Notwithstanding any provision or requirements of this Bylaw, the *Development Authority* may establish a more stringent standard for a *discretionary use* when the *Development Authority* deems it necessary to do so.

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2.10 NOTICE OF DECISION

- .1 The decision of the *Development Authority* on an application for a *development permit* shall be given to the [applicant/developer](#) in the form of a Notice of Decision.
- .2 The Notice of Decision must be in writing, specify the date on which the decision was made and contain any other information required by the regulations of this Bylaw.
- .3 The Notice of Decision must be given or mailed by electronic or standard mail to the [applicant/developer](#) and advertised on the Sturgeon County website on the same day the decision is made.

- .4 Where a *development permit* has been issued for a *discretionary use* and, where applicable, for a *development permit* issued in a DC district or a *development permit* for a variance to a regulation, the *Development Authority* shall mail a notice by electronic or standard mail on the same day the decision is made to *adjacent landowners* and municipalities as per Section 2.7.
- .5 At the discretion of the *Development Authority*, notification may be expanded beyond the *adjacent landowners*, or the criteria identified in Section 2.7.
- .6 The notices referred to in Subsections 2.10.2 and 2.10.3 shall indicate:
- (a) the date the decision was made;
 - (b) the location and *use* of the subject site;
 - (c) the decision of the *Development Authority*;
 - (d) that a *development permit* does not come into effect until after the 21-day appeal period has ended and no appeals have been submitted;
 - (e) that a *development permit* appeal to the *Subdivision and Development Appeal Board* may be made by any person affected by the issuance of a *development permit* for *discretionary use* or the granting of a variance, or the refusal of a *development permit*, pursuant to the provisions of the *Municipal Government Act*; ~~and~~
 - (f) that the Land and Property Rights Tribunal will hear appeals of the Development Authority decisions where the land is the subject of an application is:
 - (i) the subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission; or
 - ~~(i)~~(ii) the subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas and;
 - ~~(e)~~(g) the address where a copy of the *development permit* may be viewed or obtained.
- .7 Where an appeal has been made on a *development permit*, the *development permit* shall not come into effect until a decision allowing the *development* has been made by the *Subdivision and Development Appeal Board* or the Land and Property Rights Tribunal.
- .8 When the *Development Authority* refuses an application for a *development permit*, the decision shall outline the specific reasons for the refusal and the time periods during which the applicant/developer can make an appeal and to whom.
- .9 The *Development Authority* shall provide notification of a *development permit decision* for a *natural resource extraction* or *secondary processing* use to all *landowners* within a minimum of 1.6km of the subject *parcel*.

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2.11 ISSUANCE OF DEVELOPMENT PERMIT

- .1 The *Development Authority* shall issue a *development permit* after completion of the following:
- (a) approval or conditional approval of the application;
 - (b) the delivery of an irrevocable letter of guarantee or letter of credit, if required;
 - (c) the execution and delivery of a *Development Agreement* pursuant to Subsection 2.9.2 if applicable;
 - (d) the payment of the *development permit* fee,
 - (e) the payment of any costs associated with a third-party review of the application, and
 - (f) the payment of any applicable securities or deposits.
- .2 The date of approval of a *development permit* shall be:

- (a) the date upon which the *Development Authority* approves the *development permit* application;
 - (b) in case of an appeal to the *Subdivision and Development Appeal Board*, the date upon which the *Subdivision and Development Appeal Board* [or the Land and Property Rights Tribunal](#) renders a written decision approving the *development permit*; or
 - (c) in the case of an appeal or leave to appeal to the Court of Appeal, the date that the Alberta Court issues its decision and any appeal to the Supreme Court of Canada from the determination of the Alberta Court of Appeal has been finally determined.
- .3 If the *development* authorized by a permit is not commenced within 12 months from the date of its issuance, or is not carried out with reasonable diligence, the *development permit* approval ceases and the *development permit* is deemed to be void, unless an extension to this period has previously been granted by the *Development Authority*.
- .4 Where a *development permit* is issued for a site where any other *development permit* has been approved, all previous *development permits* shall be invalid if the physical aspects of the *development* conflict with each other, or both could not occur simultaneously on the site in conformity with the regulations of this Bylaw.
- .5 Where a Development Permit is requested to be revised, a new application shall be submitted with the following taken into consideration:
- (a) [If a revision is requested within 12 months from the date the Notice of Decision, and it does not change the nature of the use, expiry, or approval, it may be considered a revision and an application for only the changes may be considered.](#)
 - (a)(b) [The Development Authority may approve a change to supporting documents included in Section 2.4 within 12 months of the Notice of Decision if the changes meet the intent of the original approval.](#)

2.12 CANCELLATION OF A DEVELOPMENT PERMIT

- .1 The *Development Authority* may cancel or suspend a *development permit*, by written notice in accordance with Part 4 of this Bylaw to the *development permit* holder, in the case of the following:
- (a) the application for the *development permit* contains a misrepresentation;
 - (b) the application for *development permit* was incomplete, in that relevant facts were omitted;
 - (c) the conditions of the *development permit* are not fulfilled or are not in the process of being fulfilled;
 - (d) the proposed *development* has deviated from the approved drawings;
 - (e) the [applicant/developer](#) fails to comply with a Stop Order as per the *Municipal Government Act*; or
 - (f) the *development permit* was issued in error.
- .2 Notwithstanding Subsection 2.12.1, the *Development Authority* shall not cancel a *development permit* that has been approved by the *Subdivision and Development Appeal Board*, [the Land and Property Rights Tribunal](#), the Alberta Court of Queen's Bench or the Alberta Court of Appeal. 1432/19
- .3 Notice of the *Development Authority's* decision to cancel or suspend the *development permit* shall be provided in writing by ordinary mail to the *landowner*, to the [applicant/developer](#) of the *development permit* and adjacent landowners and such notice shall state the reasons for the cancellation of the *development permit*. 1432/19
- .4 Any person who undertakes *development* or causes or allows any *development* after a *development permit* has been cancelled, shall discontinue such *development* immediately and shall not resume such *development* until a new *development permit* has been approved by the *Development Authority* and is valid pursuant to Section 2.11 of this Bylaw.

2.13 DEVELOPMENT PERMIT DEEMED REFUSED

An application for a *development permit* is, at the option of the [applicant/developer](#), deemed to be refused if the decision of the *Development Authority* is not made within 40 days after the application has been deemed complete, unless the [applicant/developer](#) has entered into an agreement with the *Development Authority* to extend the 40 day period.

2.14 RE-APPLICATION

Where an application for a *development permit* has been refused, another application for a *development permit* on the same site for the same or similar *use* of land may not be submitted by the same or any other [applicant/developer](#) until at least six months after the date of the refusal or such lesser time period as determined by the *Development Authority*.

2.15 APPEAL

- .1 An appeal may be made to the *Subdivision and Development Appeal Board* where the *Development Authority*:
 - (a) refuses an application for a *development permit*;
 - (b) fails to issue a decision in accordance with Section 2.13 of this Bylaw and the *development permit* is deemed refused;
 - (c) issues a *development permit* subject to conditions;
 - (d) grants or refuses to grant a variance; or
 - (e) issues an order under Part 4 of this Bylaw.
- .2 In addition to Subsection 2.15.1, any person affected by an order, decision, or development permit made or issued by a Development Authority may appeal to the *Subdivision and Development Appeal Board*. 1432/19
- .3 [An appeal may be made to the *Land and Property Rights Tribunal* where is the land is:](#)
 - (a) [The subject of a license, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission; or](#)
 - (b) [The subject or a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas.](#)

2.16 SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

- .1 Pursuant to Section 686(2) of the *Municipal Government Act*, the *Subdivision and Development Appeal Board* must hold an appeal hearing within 30 days of the receipt of a notice of appeal.
- .2 The *Subdivision and Development Appeal Board* must give at least five days' notice in writing of the hearing:
 - (a) to the appellant;
 - (b) to the *Development Authority* whose order, decision or *development permit* is the subject of the appeal; and
 - (c) to those required to be notified pursuant to Subsection 2.10.3 of this Bylaw and any other person that the *Subdivision and Development Appeal Board* considers to be affected by the appeal and should be notified.
- .3 The *Subdivision and Development Appeal Board* must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including:
 - (a) the application for the *development permit*, the decision and the notice of appeal; or
 - (b) the order under Part 4 of this Bylaw.

2.17 PERSONS TO BE HEARD AT THE HEARING

- .1 At the hearing, the *Subdivision and Development Appeal Board* must hear:
- (a) the appellant or any person acting on behalf of the appellant;
 - (b) a municipality or any of those to whom the application was referred under Section 2.7;
 - (c) the *Development Authority* from whose order, decision or *development permit* the appeal is made, or the person acting on his/her behalf, and
 - (d) any other person who claims to be affected and that the *Subdivision and Development Appeal Board* agrees to hear or someone acting on that person's behalf.

2.18 DECISION OF THE BOARD

- .1 In determining an appeal, the *Subdivision and Development Appeal Board*:
- (a) shall comply with the provincial land use policies;
 - (b) must have regard for but is not bound by *statutory plans* and the Subdivision and Development Regulations;
 - (c) may confirm, revoke or vary the order, decision or *development permit* or any condition attached to it or may make or substitute an order, decision or *development permit* of its own;
 - (d) may make an order or decision or issue or confirm the issuance of a *development permit* even though the proposed *development* does not comply with this Bylaw if, in its opinion, the proposed *development* conforms with the prescribed *use* for the land or *building* as defined in this Bylaw, and would not:
 - (i) unduly interfere with or affect the *use*, enjoyment or value of neighbouring properties; and
 - (ii) materially interfere with or affect the *use*, enjoyment or value of neighbouring properties.
- .2 The *Subdivision and Development Appeal Board* must give its decision in writing together with reasons for the decision within fifteen days of concluding the hearing.

2.19 COURT OF APPEAL

- .1 Pursuant to Section 688 of the *Municipal Government Act*, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:
- (a) a decision of the *Subdivision and Development Appeal Board*; or
 - (b) the ~~Municipal Government Board~~ [Land and Property Rights Tribunal](#) on a decision of an appeal under Section 619 of the *Municipal Government Act*, an intermunicipal dispute under Division 11 of the *Municipal Government Act* or a *subdivision* appeal.
- .2 An application for permission to appeal pursuant to Subsection 2.19.1 must be filed and served within 30 days after the issuance of the decision sought to be appealed, and notice of the application must be given to:
- (a) the County;
 - (b) the ~~Municipal Government Board~~ [Land and Property Rights Tribunal](#) or the *Subdivision and Development Appeal Board*; and
 - (c) any other person(s) that the judge directs.

- .3 The *Development Authority*, in considering an application, may impose conditions requiring the retention of trees, or additional plantings, or other *screening* of such a type and extent that is considered necessary.
- .4 In exercising the discretion of a *variance*, the Development Authority shall have regard to sightlines and safety on a road or abutting driveway.

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5.9 FUNCTIONAL PLANNING STUDIES FOR ROADS

Notwithstanding the *setback* provisions identified in any particular district, the *Development Authority* and any Appeal Board shall require a minimum *front, flanking front, side or rear yard setback* be increased to protect the *right-of-way* identified for *roads* for which the County has prepared and accepted a Functional Planning Study or which have been incorporated into the County's Transportation Master Plan.

5.10 GRADING, STRIPPING AND STOCKPILING

- .1 ~~The Development Authority shall consider applications for grading, stripping and/or stockpiling as a discretionary use within the relevant land use district of this Bylaw unless otherwise exempted under paragraph 2.3.1(o).~~
- 1.2 A *development permit* application is required to strip, excavate, *stockpile* or *grade* land ~~as a permitted use~~ within a district if the project involves any of the following:
 - (a) the infill of a *dugout*;
 - (b) the *parcel* is located within a flood risk area;
 - ~~(b)(c)~~ (c) the area to be disturbed is within a natural wetland or drainage course;
 - ~~(e)(d)~~ the proposed recontouring of land changes the *grade* by more than 0.75m (2.5ft), including *stockpiling* or removal of soil;
 - ~~(d)(e)~~ the project may impede or interfere with the natural flow of surface water onto *adjacent* lands or in public ditches; or
 - ~~(e)(f)~~ the *excavation* or infill of land is located within 20m (65.6ft) of a *parcel line* or *road* allowance.
- 2.3 In addition to the application requirements for a *development permit*, ~~an applicant~~ a developer may also be required to provide additional information including but not limited to:
 - (a) a pre-*development* site survey;
 - (b) site plan showing the dimensions of the disturbed area with setbacks to *parcel* lines;
 - (c) the source and amount of fill to be removed from or brought onto the site;
 - (d) a fill *stockpile* location plan; and
 - (e) a detailed description of the operation or *development* with proposed start and end date of the project.
- 3.4 If topsoil is to be removed from the site, a separate permit may be required.
- ~~.4~~ ~~The Development Authority shall consider every application to strip, excavate, stockpile or grade land as a permitted use within the designated district of this Bylaw provided said stripping, excavation, stockpiling or grading is compliant with Section 5.9 or is required in addition to a development permit for which a development permit has been issued.~~
- .5 Drainage measures undertaken as part of a *development* shall not negatively impact *adjacent parcels* by way of flooding or inundation through the redirection of surface water. In the event that the drainage of a *development* is found to affect *adjacent parcels*, all mitigating measures required to remedy the problem including drainage structures, drainage *easements* and *retaining walls* shall be at the sole expense of the *landowner* of the *parcel* where the mitigating measures are required.

5.11 HAZARDOUS LANDS

- .1 Where a *parcel abuts* or contains a natural slope, coulee, ravine or valley of 3m or more of valley depth, with or without a waterbody present, the *setbacks* from the top of bank ~~of the natural slope, coulee, ravine or valley~~ shall be determined by a slope stability report in accordance with Section 4.3 of the Municipal Development Plan.
- .2 For the purpose of determining the *setback* required under Subsection 5.11.1, the valley depth is the vertical distance measured between the top of bank and the toe of the slope. For valleys that are composed of one or more benches, the valley depth is the vertical distance measured between the top of bank of the bench on which the *development* is to be located and the top of bank of the lower bench, as illustrated in Figure 5.2.
- .3 Notwithstanding any district regulation to the contrary, no development shall be allowed within 15m (49.2ft) of ~~the toe or crest of~~ any slope of 15% or greater, unless a lesser or greater amount is identified as acceptable in a slope stability report prepared by a *practicing professional engineer*.

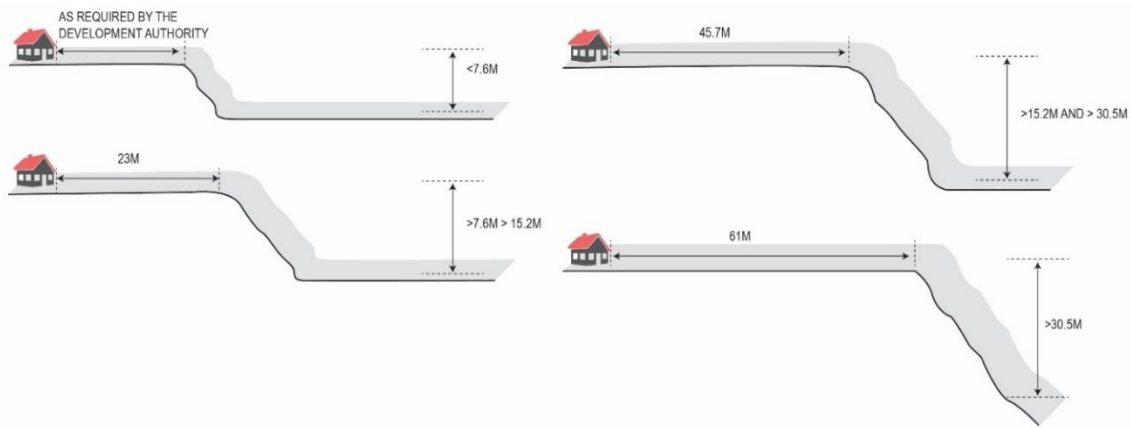


Figure 5.2: Setback Measurement

- .4 The *Development Authority* may require that the top of bank or toe of slope be identified by survey completed by an Alberta Land Surveyor.
- .5 Notwithstanding that a proposed *development* conforms in all respects with this Bylaw, where the application is for *development* on *parcels* that are or may be subject to flooding or subsidence, the *Development Authority* shall refuse a *development permit* application unless confirmation is provided from a *practicing professional engineer* demonstrating that the *development* can be made suitable for the *building area*.

5.12 HEIGHT

- .1 The *height* of a *building* shall be determined by calculating the vertical distance between the *grade* at the exterior wall (or design *grade* for *development* that is not built) and the highest point of the *building*.
- .2 On sloping ground, *height* shall be considered the average of the *height* at the highest and lowest *grade*.
- .3 In determining the highest point of a *building*, elements that are not essential to the structure of the *building* shall not be considered (see Figure 5.3), including but not limited to the following:
 - (a) elevator housing;
 - (b) mechanical housing;
 - (c) roof entrances;
 - (d) ventilation fans;
 - (e) skylights;
 - (f) *solar collectors*;

- .2 An *accessory building* or an *accessory agricultural building* shall not be *used* as a *dwelling* unless approved as an *accessory dwelling unit* under Section 6.1A or a *surveillance suite* under Section 6.32. ^{1432/19; 1587/22}
- .3 Where an *accessory building* is attached to a *principal building* by a roof, an open or enclosed structure above *grade* or a floor or *foundation* which is above *grade*, it is to be considered part of the *principal building* and not as an *accessory building* and shall adhere to the appropriate *principal building setback* regulations.
- .4 Except as otherwise provided for in this Section, for any district, an *accessory building* or *use* is not *permitted* on a *parcel* without a *principal building* or *use* being previously developed on the *parcel*.
- .5 Notwithstanding Subsection 6.1.4 and on a vacant parcel, the *Development Authority* may accept a *development permit* application for an *accessory building* concurrent with a *development permit* application for a *principal building*, subject to both *buildings* being constructed within the specified time frame approved by the *development permit*. ^{1407/18}
- .6 An *accessory agricultural building* shall comply with the prescribed setbacks for an *accessory building* in the applicable district.
- .7 An *accessory building* or *accessory agricultural building* shall be set back a minimum of 1.9m (6.2ft) from the *principal building*.
- .8 [REMOVED] ^{1560/21}

6.1A ACCESSORY DWELLING UNIT ^{1587/22}

- .1 General Regulations
- (a) A maximum of one *accessory dwelling unit* shall be considered per *principal dwelling* and shall be subordinate to the *principal dwelling* in all districts except AG-Major and AG-Minor parcels within the Agriculture District, and within the IND-Integrated Neighbourhood District, which may allow up to two *accessory dwelling units*. ^{1609/23}
- (b) An *accessory dwelling unit* located within or attached to a *principal dwelling* as a *secondary suite* shall be a *permitted use* in the AG and R1 Districts.
- (c) Shall be constructed on a ~~permanent~~ *foundation* which may or may not include a *basement*.
- (d) Shall not be separated from the *principal dwelling* by condominium conversion or subdivision.
- (e) Shall be designed and finished to match or compliment the exterior finish of the *principal dwelling*.
- (f) *Accessory dwelling units* should connect to municipal water and sanitary services where available.
- (g) An application for an *accessory dwelling unit* shall verify that the development meets the current Alberta Private Sewage Systems Standard of Practice.
- (h) Provision for on-site parking shall be in accordance with Part 9 of this Bylaw.
- (i) Shall not be permitted on the same parcel containing a group home (major or minor), farm help accommodation, bed and breakfast, visitor accommodation ~~or home-based business (level 3)~~. ^{1609/23}
- (j) Shall have an entrance separate from any vehicle entrance and be either from a common indoor landing or directly from the exterior of the structure.
- (k) The minimum distance between an *accessory dwelling unit* and *principal dwelling* shall be 4.8m (15.7ft) or as per the Alberta Building Code.
- (l) *Accessory dwelling units* developed as *garden* or *garage suites* shall meet the *development* regulations for *accessory buildings* of the applicable district.

- .2 Accessory Dwelling Unit floor area
- (a) Maximum *floor area* of *Accessory Dwelling Units* shall be: 115m² (1,237ft²) in the R1 district and on AG-Residential parcels within the AG [and AG2 Districts](#), and 80m² (861sqft) in all other residential districts. There shall be no maximum floor area regulations on AG-Major and AG-Minor parcels within the AG [and AG2 Districts](#), or within the IND-Integrated Neighbourhood District and CMUD-Commercial Mixed-Use District.
- 1609/23
- (b) Notwithstanding the above, an *accessory dwelling unit* located entirely within a *basement* may have a maximum *floor area* up to the gross *floor area* of the main floor of the *principal dwelling*.
- (c) Specifically for *accessory dwelling units* developed within an *accessory building* such as a detached garage, the combined *floor area* shall not exceed the maximum *floor area* regulations for an *accessory building* of the applicable district.
- (d) Specifically in determining maximum *floor area* for *accessory dwelling units* shared mechanical rooms, stairways and attached garages shall be excluded from the *floor area* calculations.

6.2 BED & BREAKFAST 1560/21

- .1 *Bed and breakfast developments* shall:
- (a) be an accessory *use* in the *dwelling*;
- (b) have a maximum of four guest rooms in the AG district and two guest rooms in all residential districts;
- (c) not alter the external appearance of the *dwelling* in any manner which, in the opinion of the *Development Authority*, is inconsistent with the existing character of the neighbourhood; and
- (d) not include a kitchen or food preparation facilities within the guest rooms.
- .2 [REMOVED] 1560/21
- .3 A parcel containing a bed and breakfast use shall not contain an accessory dwelling unit.

1560/21; 1587/22

6.3 CAMPGROUND

- .1 A *concept plan* satisfactory to the *Development Authority* shall be submitted with the *development permit* application. The *concept plan* shall:
- (a) identify and address public safety concerns, incompatible land *use* issues, *environmentally significant lands*, *development* constraints and the topography of the site;
- (b) include a plan for the *development* area, including the number of stalls and sequence of the *development* proposed, including the preliminary layout of *campsites* and the general location of the transportation networks, land *use*, *public utilities* and reserve land. *Road* widths, *parcel* access and egress, emergency access, parking areas, storage areas, washroom and laundry areas and recreational areas shall also be addressed;
- .2 *Roads* leading to a proposed *campground* may be required, as a condition of *development* approval, to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed *campground* in accordance with Sturgeon County's General Municipal Servicing Standards.
- .3 *Campsite* Requirements:
- (a) Minimum stall size:
- (i) width - 6m (19.7ft);
- (ii) length - 16m (52.5ft).
- (b) Minimum natural or *landscaped buffer* between stalls: 4.6m (15ft).

- ~~3.4~~ [For an Event Venue the operator must reside in an onsite dwelling and be in attendance onsite for every event.](#)

6.12 EXPLOSIVES STORAGE, DISTRIBUTION, DETONATION AND DISPOSAL

- .1 All storage, handling and distribution of explosive materials shall be in accordance with federal legislation and regulations, including the *Explosives Act*, RSC 1985, c.E-17.
- .2 All explosives storage sites shall be *fenced* with security type *fencing* to the satisfaction of the *Development Authority* and so designed as to restrict entrance by unauthorized persons.
- .3 All *setbacks* from *adjacent uses* shall be in accordance with federal legislation and regulations, including the *Explosives Act*.
- .4 The *Development Authority* may require any or all of the following with a *development permit* application for storage, handling, distribution, detonation and/or disposal of explosives:
 - (a) an environmental impact assessment;
 - (b) a copy of any federal applications and evidence of federal approvals;
 - (c) an emergency response plan and risk assessment;
 - (d) identification of truck haul routes;
 - (e) details of security measures to be undertaken; and
 - (f) any other information required by the *Development Authority*.

6.13 FAMILY DAY HOME

- .1 A *family day home*:
 - (a) shall not be located in a *dwelling* containing a *home-based business* level 2 or level 3, and
 - (b) may require *privacy screening* for outdoor play areas;
- .2 In evaluating an application for a *family day home development*, the *Development Authority* shall consider:
 - (a) on-site staff parking and drop-off requirements associated with the proposed *development* pursuant to Part 9 of this Bylaw;
 - (b) existing land *uses* in the area; and
 - (c) techniques proposed by the [applicant/developer](#) to *buffer* the impact on existing *adjacent uses*, if required.

6.13A FARM HELP ACCOMMODATION ^{1432/19}

- .1 Proof of operations as *intensive agriculture*, *extensive agriculture*, or *extensive livestock* or *equestrian facility* use of the same *parcel* shall be provided to the satisfaction of the *Development Authority*.
- .2 *Farm help accommodation* shall not exceed a maximum of four *buildings*, grouped together on a *parcel*, with each building containing a maximum of eight sleeping units, bathroom facilities, and a common kitchen, dining, and living area.
- .3 ~~A parcel containing farm help accommodation shall not contain an accessory dwelling unit. Accessory dwelling units shall be included in the maximum number of farm help accommodation buildings on a parcel.~~

1560/21; 1587/22

6.14 GROUP HOME MAJOR AND MINOR

A *parcel* containing a *group home*, *major* or *minor* shall not contain an accessory dwelling unit.

1432/19; 1587/22

6.15 HANGARS

- .1 A *development permit* application is required to construct a *hangar* as a *permitted use* in any district.

- .2 In evaluating an application for a hangar development, the *Development Authority* shall only consider the setback requirements in the applicable district.
- .3 All hangars are subject to the *Safety Codes Act*.

6.16 HOME-BASED BUSINESS

- .1 All *home-based businesses* shall require a *development permit*.
- .2 Where a new *dwelling* is being constructed, a *home-based business development permit* application will not be accepted by the *Development Authority* until verification that the *dwelling* is suitable for occupancy has been obtained.
- .3 A *development permit* application for a *home-based business* shall include a description of the proposed business, an estimate of the anticipated number of business visits daily and per week during 'average' and 'peak' seasons, location, and area of equipment and/or material storage associated with the proposed business and details respecting the provision of parking and deliveries.
- .4 No more than one level 2 or 3 *home-based businesses* shall be allowed on one *parcel*.
- .5 *Home-based businesses* shall comply with the requirements provided in Table 6.1:

Table 6.1: Home-Based Business Requirements

	Level 1	Level 2	Level 3
Business Size (maximum)	<ul style="list-style-type: none"> 10% of the gross floor area of the dwelling 	<ul style="list-style-type: none"> 30% of the gross floor area of the dwelling Area of accessory building(s) at the discretion of the <i>Development Authority</i> 	<ul style="list-style-type: none"> 30% of the gross floor area of the dwelling 100% of the gross floor area of accessory building(s) at the discretion of the <i>Development Authority</i>
Equipment and/or material storage	<ul style="list-style-type: none"> Shall be located within the dwelling 	<ul style="list-style-type: none"> No exterior storage. Any storage shall be located within the dwelling or accessory building(s). 	<ul style="list-style-type: none"> Exterior storage shall not exceed 1% of the parcel size in accordance with Section 5.7
Client traffic generation (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Eight vehicle visits per 24-hour period in the AG district Four vehicle visits per 24-hour period in all other districts 	<ul style="list-style-type: none"> Ten vehicle visits per 24-hour period
Non-resident employees on site (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> Two 	<ul style="list-style-type: none"> Four
Commercial vehicles (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One (not exceeding 4,800kg if located in a residential district) 	<ul style="list-style-type: none"> Three
Commercial trailers (maximum)	<ul style="list-style-type: none"> None permitted 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Three
Passenger vehicles (maximum)	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> One 	<ul style="list-style-type: none"> Two
Hours of operation	<ul style="list-style-type: none"> No limit 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m. 	<ul style="list-style-type: none"> 7:00a.m. to 8:00p.m.
Additional on-site	In accordance with Part 9		

	Level 1	Level 2	Level 3
parking stall requirements			
Signage	In accordance with Part 7		

- .6 An application for a *home-based business* level 2 or 3 shall include measures to mitigate impacts to *adjacent parcels*.
- .7 The *home-based business* shall not generate noise, smoke, steam, odour, dust, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the *Development Authority*. At all times, the privacy of the *adjacent residential dwelling(s)* shall be preserved and shall not, in the opinion of the *Development Authority*, unduly interfere with or affect the use, enjoyment or value of neighbouring or *adjacent parcels*.
- .8 A development permit issued to the [applicant/developer](#) is non-transferable. Should the [applicant/developer](#) move or sell the business, the permit will become void.
- .9 [A parcel containing a home-based business Level 3 shall not contain an accessory dwelling unit.](#)

1560/21; 1587/22

6.17 KENNEL AND ANIMAL BOARDING

- .1 *Kenel and animal boarding* shall not be located within 300m (984.3ft) of a *dwelling* on an *adjacent parcel*.
- .2 The maximum number of animals to be kept *on-site* shall be at the discretion of the *Development Authority*.
- .3 *Kenel and animal boarding* facilities shall:
- (a) be adequately designed and located to reduce impact of noise on *adjacent parcels*;
 - (b) not allow animals to be outdoors between the hours of 10:00p.m. and 7:00a.m.; and
 - (c) require any outside enclosures, pens, runs or exercise areas to be *fenced* and which shall:
 - (i) not be located within a *front* or *flanking front yard*;
 - (ii) be visually and acoustically *screened* to the satisfaction of the *Development Authority*; and
 - (iii) not be allowed if, in the opinion of the *Development Authority*, the existence of outdoor pens, runs or exercise areas is incompatible with the use of *adjacent parcels*.

6.17A LANDSCAPING CONTRACTOR SERVICE 1407/18; 1432/19

- .1 The business shall not generate noise, smoke, steam, dust, odour, fumes exhaust, vibration, heat, glare or refuse matter considered offensive or excessive by the *Development Authority*. At all times the privacy of the adjacent residential dwelling(s) shall be preserved and shall not, in the opinion of the *Development Authority*, unduly interfere with or affect the use, enjoyment or value of neighbouring or adjacent parcels.
- .2 *Landscaping contractor service* shall not be allowed on a parcel containing a *home-based business* level 2 or 3.
- .3 An application for a *landscaping contractor service* shall include measures to mitigate impacts to adjacent parcels.
- .4 All hard landscaping materials related to the business shall be kept within a screened storage area and shall not be located within the yard setbacks.
- .5 Vehicles, equipment, trailers, and machinery associated with the business shall be parked indoors or outdoors in a location that is not visible from a roadway or adjacent properties.
- .6 The number of vehicles and equipment allowed on the parcel shall be at the discretion of the *Development Authority*.
- .7 The number of non-resident employees on site shall not exceed ten (10).

- .8 Hours of operation shall be determined by the *Development Authority* having regard for both the operations and activities of the proposed *landscaping contractor service* and adjacent parcels.

6.18 MIXED USE DEVELOPMENT

- .1 In *mixed use developments*:
- residential entrances shall be designed separate from commercial or institutional entrances; and
 - buildings* shall be designed and oriented to face all public *roads*, other than a *lane*.

6.19 OUTDOOR STORAGE

The following additional regulations shall apply:

- yard* and storage areas shall be *hard surfaced*;
- all storage shall be *screened*; and
- encroachment* of storage areas into *setbacks* shall be at the discretion of the *Development Authority*.

6.20 RECREATIONAL VEHICLES

- .1 The storage of *recreational vehicles* ~~does not require a development permit if this storage shall~~ complies with the provisions in Table 6.2 and the provisions of this Section:

Table 6.2: Maximum Number of *Recreational Vehicles* Allowed on a Parcel

District	Maximum number of recreational vehicles allowed on a parcel without a development permit
AG – Major	5
AG – Minor	5
AG – Residential	3
<u>AG2</u>	<u>5</u>
RE – Resource Extraction	0
R1 – Country Residential	3
R2 – Country Estate Residential	1
R3 – Hamlet Unserviced	1
R4 – Hamlet Serviced	1
R5 – Multi-Family	1
R6 – Modular Dwelling	1
R7 – Urban Residential	1
HR – Hamlet Reserve	0
IND – Integrated Neighbourhood	0
CMUD – Commercial Mixed-Use	0
C1 – Highway Commercial	0
C2 – Local Commercial	0
C3 – Neighbourhood Commercial	0
I1 – Rural Industry Support	0
I2 – Local Industrial	0
I3 – Medium Industrial Unserviced	0
I4 – Medium Industrial Serviced	0
I5 – Heavy Industrial	0
IR – Industrial Reserve	0

6.22 RENEWABLE ENERGY FACILITY

- .1 The [applicant/developer](#) shall obtain and demonstrate compliance with all relevant Alberta Utility Commission and other provincial and federal permits, approvals and licenses.
- .2 An environmental impact assessment and/or noise impact assessment may be required by the *Development Authority*.
- .3 The *Development Authority* may require additional *landscaping* in addition to the regulations described in Part 8 of this Bylaw.
- .4 The *Development Authority* may require the *development permit* application to include a proposal for the reclamation of the *parcel*, prepared by a *practicing professional*.

6.23 SALES CENTRE

- .1 *Parcels* containing residential *sales centres* shall be located and developed such that their impacts on surrounding *roads* and residential *development* are minimized. In deciding upon an application, the *Development Authority* shall take into consideration the scale of the *sales centre* and its proximity to existing *development*.
- .2 The [applicant/developer](#) shall demonstrate that sufficient parking is available on or *adjacent* to the *parcel*.
- .3 The siting and *development* of *sales centre buildings* shall comply with the regulations of the district applicable to the *parcel*.
- .4 A *sales centre* shall not operate for a period greater than twenty-four months unless a new *development permit* is obtained and shall be removed from the *parcel* to the satisfaction of the *Development Authority* once this period lapses.
- .5 A *sales centre* shall have *hard surface* access for pedestrians.

6.24 SECONDARY DWELLING [REMOVED] ^{1587/22}**6.25 SUITES [REMOVED]** ^{1587/22}**6.26 SEMI-DETACHED DWELLING**

- .1 A *parcel* for a proposed *semi-detached dwelling* shall have, and be connected to, *full municipal servicing*.
 - .2 REMOVED ^{1609/23}
 - .3 A *semi-detached dwelling* shall not contain a *home-based business* or level 3. ^{1432/19; 1587/22}
- ^{1609/23}

6.27 SHIPPING CONTAINER

- .1 The maximum number of *shipping containers* without a *development permit* shall comply with the provisions in Table 6.3 and the provisions of this Section:

^{1560/21}Table 6.3: Number of *Shipping Containers* allowed on a *Parcel* without a *development permit* ^{1560/21}

District	Maximum number of shipping containers allowed on a parcel without a development permit
AG – Major	5
AG – Minor	3
AG – Residential	1
AG2	<u>5</u>
RE – Resource Extraction	5
R1 – Country Residential	1
R2 – Country Estate Residential	0
R3 – Hamlet Unserviced	0

6.35 TOPSOIL SCREENING

- .1 A development permit application shall include but is not limited to the following:
- (a) A detailed description of the operation with proposed start and end date of the project, anticipated number of visitors daily and per week during 'average' and 'peak' season, hours of operation, the source and amount of material to be removed or brought onto the *parcel* and techniques proposed to mitigate any noise or dust generated from the *use* that may impact *adjacent* land uses;
 - (b) a site plan of the *development* area which shall include:
 - (i) access and egress designed to accommodate two-way traffic to control entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow in accordance with Sturgeon County's General Municipal Servicing Standards;
 - (ii) location of internal roads;
 - (iii) the proposed location of the screening equipment;
 - (iv) the proposed location and dimensions of any *stockpile* or berm; and
 - (v) any existing *buildings* and their *uses*; and
 - (c) A *grading plan* shall be required if the *development* impedes or interferes with the natural flow of surface water onto *adjacent* lands or public *road rights-of-ways*.
- .2 All *setbacks* shall be at the discretion of the *Development Authority*.
- .3 Any lighting shall be provided in accordance with Section 5.14.
- .4 The hours of operation for *topsoil screening* shall take place only within the hours specified by the *Development Authority*. The *Development Authority* shall have regard to but is not bound by the following guidelines:
- (a) 8:00a.m. to 6:00p.m. Monday to Friday; and
 - (b) 8:00a.m. to 8:00p.m. Saturday to Sunday and Statutory Holidays.

6.36 TOWN HOUSE

The maximum number of *dwelling units* that can be consecutively attached is six.

6.37 VETERINARY CLINIC

- .1 A *veterinary clinic* shall comply with the following regulations:
- (a) all animals being kept overnight shall be within a *building*; and
 - (b) any enclosures, runs or outdoor pens shall be located on the *parcel* in such a manner that the keeping of animals does not interfere with the *use* and enjoyment of *adjacent* properties.

6.37A VISITOR ACCOMMODATION ^{1560/21}

- .1 The number of guest units shall not exceed 10 units in the AG [and AG2](#) land use districts. Any proposal containing 11 or more guest units shall apply for a redistricting.
- .2 A guest unit shall not exceed 55m² (600ft²) in floor area.
- .3 Washroom facilities shall be provided.
- .4 Public roads leading to a proposed visitor accommodation may be required, to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed visitor accommodation in accordance with Sturgeon County's General Municipal Servicing Standards.
- .5 Adequate garbage receptacles shall be provided, utilized and maintained.
- .6 [REMOVED] ^{1597/22}

Table 13.1: Variance Assessment Criteria

Regulations									
Assessment Criterion	Parcel Width	Block Length	Mid Block Crossing	Primary and Secondary Frontage Setback	Side Setback	Rear Setback	Building Height	Secondary Frontage Setback	Parcel Coverage
Accessibility	X	X	X						
Community Character	X	X	X	X	X	X	X	X	X
Building Dominance	X			X	X	X	X	X	X
Invasion of Privacy	X			X	X	X	X	X	X
Shadowing	X					X	X		X
Sight Lines		X	X	X					
Safety		X	X	X	X				
Functionality		X	X						
Infrastructure	X			X	X	X	X	X	X
Stormwater Management	X				X	X			X
Interface with Public Realm	X	X	X	X	X		X	X	X

X = this indicates the items that Development Authority shall consider in assessing an application for a variance relating to a specific regulation where applicable.

- .3 In relation to the assessments, the following is what would be considered under each item including how the change could undermine policy contained within the approved Sturgeon Valley South Area Structure Plan and any applicable Neighbourhood Area Structure Plan, and/or deviate from the approved Outline Plan. Any application could incorporate design methods to demonstrate how it would mitigate any potential impacts, e.g., landscaping and/or approach to design elements.

(a) **Accessibility**

The assessment would look at one or all of the following to determine if requirements are compromised by the change in the regulation or applicable to the site-specific amendment being sought:

- (i) Active transportation;
- (ii) Vehicular movement; and/or
- (iii) Universal accessibility

This should be assessed based on the immediate local environment and in context to the larger transportation network.

(b) Community Character

The intent of the IND - Integrated Neighbourhood District and CMUD – Commercial Mixed-Use District is to create unique communities that will be driven by the Architecture and Urban Design Standards as part of an approved Outline Plan. Any variance sought would be assessed on whether the amendment would undermine the design intent of the community or be contrary to the intent of the Sturgeon Valley South Area Structure Plan, applicable Neighbourhood Area Structure Plan, and approved Outline Plan.

(c) Building Dominance

The variance will be assessed in context to the scale of the built form being developed within the community and whether the infringement to the regulation would result in the building becoming a dominant feature when viewed from the public realm, neighbouring property or in overall context of the community.

(d) Invasion of Privacy

The variance would be assessed on whether the change in the regulation results in the building or layout of the land creating space where a neighbouring property is unduly affected by an increase, or greater increase, in the occupant's ability to view into neighbouring properties outdoor or indoor living space, including bedrooms, bathrooms and living rooms.

(e) Shadowing

If the variance results in an increase to the scale of the building, the application will be assessed to determine the impact of shadowing on neighbouring properties or outdoor public gathering spaces such as parks. The shadowing study shall be completed based on the summer and winter solstice, at 9:00 am, 12:00 pm, 3:00 pm and 6:00 pm.

(f) Sight Lines

The variance will be assessed on whether there is an impact on sight lines in context to safety for traffic or pedestrian movement and considering an assessment based on Crime Prevention Through Environmental Design (CPTED) principles.

(g) Safety

The variance will be assessed based on potential safety risks that may not be covered through the Alberta Building Code or the County's General Municipal Servicing Standards.

(h) Functionality

The assessment will identify the intent of the regulation and determine whether the variance undermines the intent of the policies contained within the Sturgeon Valley South Area Structure Plan and adopted Neighbourhood Area Structure Plan, principles of universal accessibility, connectivity and in relation to the safe movement of all forms of transportation at key crossing points.

(i) Infrastructure

The assessment will identify whether the proposed variance will impact existing infrastructure in relation to utilities, transportation and/or parks.

(j) Stormwater Management

The assessment will determine whether the change has an impact on the existing stormwater model and whether it will adversely impact the existing stormwater system. This could involve carrying out stormwater modeling to confirm the system can accommodate the increase in stormwater runoff.

(k) Interface with the Public Realm

~~The assessment will demonstrate that the interface between the private and public realm is not adversely affected. This will involve assessing the variance in context to the Sturgeon Valley South Area Structure Plan, adopted Neighbourhood Area Structure Plan, and the applicable approved Architectural and Urban Design Standards. The assessment will determine whether the change has an impact on the existing stormwater model and whether it will adversely impact the existing stormwater system. This could involve carrying out stormwater modeling to confirm the system can accommodate the increase in stormwater runoff.~~

13.4 ENFORCEMENT

- .1 Enforcement for lands districted as IND – Integrated Neighbourhood District and CMUD – Commercial Mixed-Use District shall be in accordance with Section 4: Enforcement of the Sturgeon County Land Use Bylaw.
- .2 Enforcement measures may be undertaken for development not in compliance with the regulations, including those identified in the approved Outline Plan including the Architecture and Urban Design Standards, in alignment with the authority provided to the Development Authority in this Bylaw, and through the Municipal Government Act.

13.5 LANDSCAPING AND SCREENING STANDARDS

- .1 Landscaping elements are important for the transition and interface between the public right-of-way and the private realm, contributing to a sense of place. Landscaping components are intended to establish or reinforce the character and scale of the IND – Integrated Neighbourhood District and CMUD - Commercial Mixed-Use District.
 - (a) Developers shall be responsible for embedding landscaping and screening standards into the Architecture and Urban Design Standards submitted as part of an Outline Plan. The standards as identified in Table 13.2: Landscaping and Screening Standards are minimum requirements for what would be considered to form part of the Architecture and Urban Design Standards that the County shall use to assess applications.
 - (b) Additional landscaping and screening standards can be presented when the development permit is submitted that demonstrate meeting the intent of the IND - Integrated Neighbourhood District and CMUD - Commercial Mixed-Use District.
 - (c) All landscaping standards should include Low Impact Design elements, in accordance with Sturgeon County's Low Impact Development Design Guidelines.

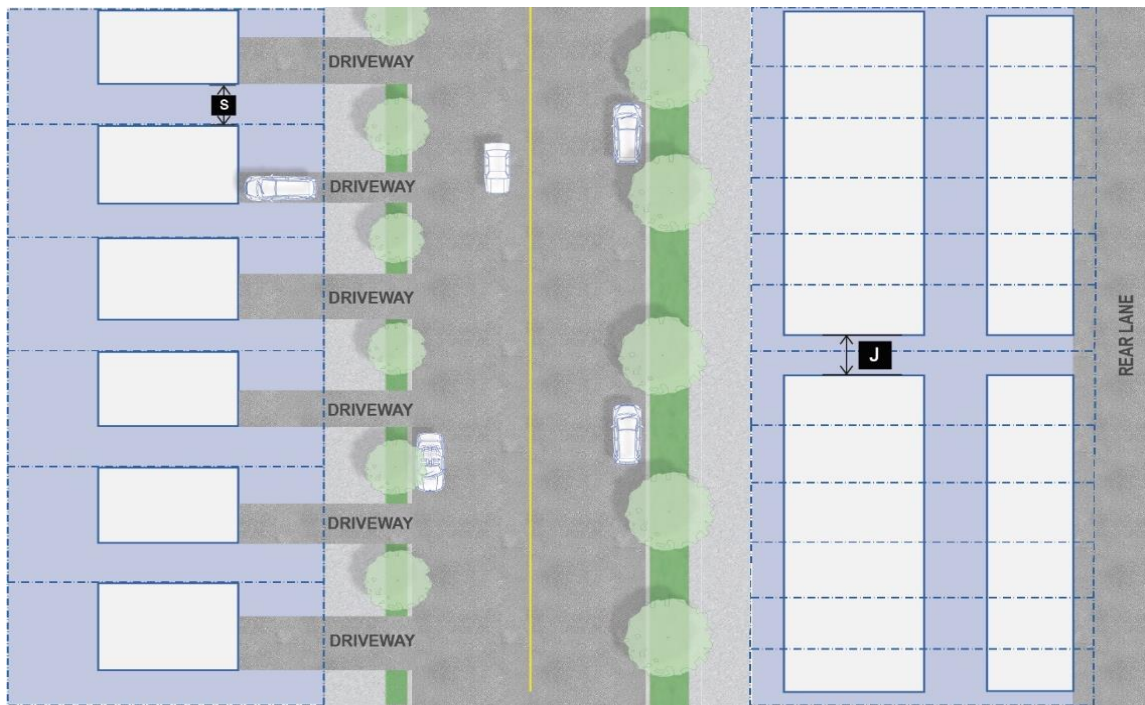


Figure 13.3: Townhouse Separation Distance

.7 Building Profile Standards

Building Profile Standards	
Building Height	
Principal Building	<ul style="list-style-type: none"> ▪ A 12m maximum within the lands designated 35 du/nrha and 40 du/nrha in the Sturgeon Valley South ASP, measured from the average grade along the building frontage. Maximum height excludes pitched roofs and mechanical equipment. ▪ B Apartment – 16m maximum within the lands designated 35 du/nrha in the Sturgeon Valley South ASP, measured from the average grade along the building frontage. Maximum height excludes pitched roofs, mechanical equipment, and non-enclosed amenity space structures. ▪ C Apartment – 24m maximum within the lands designated 40 du/nrha in the Sturgeon Valley South ASP, measured from the average grade along the building frontage. Maximum height excludes pitched roofs, mechanical equipment, and non-enclosed amenity space structures.
Accessory Building	<ul style="list-style-type: none"> ▪ D 8m maximum, measured from the average grade along the building frontage. Maximum height excludes pitched roofs, mechanical equipment, and non-enclosed amenity space structures.
Building Footprint	
Parcel Coverage	<ul style="list-style-type: none"> ▪ Z 75% maximum total parcel coverage, inclusive of a 20% maximum coverage for Accessory Buildings.- ▪ <u>A minimum of 15% of the total parcel area must be a permeable surface.</u>
Design Standards	
Mechanical Equipment	<ul style="list-style-type: none"> ▪ Shall be screened or incorporated into the roof envelope, where appropriate.

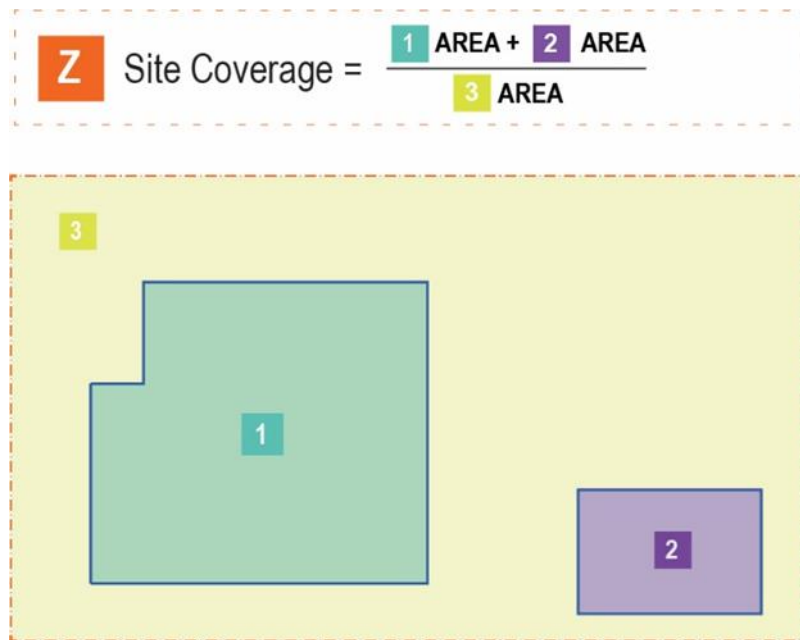


Figure 13.5: Building Profile Standards – Building Footprint

.8 Frontage Type Standards

- (a) The purpose of this section is to identify frontage types that are appropriate to use within the IND - Integrated Neighbourhood District. Frontages are the components of a building that provide an important transition and interface between the public right-of-way and the private realm. They are intended to ensure development establishes or reinforces the character and scale of the IND - Integrated Neighbourhood District.
- (b) Developers shall be responsible for embedding frontage type standards into the Architecture and Urban Design Standards submitted as part of an Outline Plan and is further described in Section 13.1 Administration.
- (c) The following frontage types are considered to be appropriate within the IND – Integrated Neighbourhood District:
 - (i) Common Yard
 - (ii) Front Attached Garage
 - (iii) Porch and Fence
 - (iv) Forecourt
 - (v) Shopfront

.9 Sign Standards

Signs shall only be permitted as part of a Neighbourhood Mixed-Use Development or Live-work use where required for a commercial use. For all regulations pertaining to signs, refer to subsection 13.8.9 Sign Standards of the CMUD - Commercial Mixed-Use District and Part 7 Sign Regulations.

.10 Parking and Loading

One (1) parking stall per dwelling unit shall be provided for all residential uses. For all other uses there shall be no parking or loading minimums. Refer to Sturgeon County Land Use Bylaw Section 9.4 Parking Stall Requirements for parking stall and parcel design standards.

.11 Development Permits

Development Permits application shall be assessed by the Development Authority against the approved Outline Plan including the approved Architecture and Urban Design Standards.

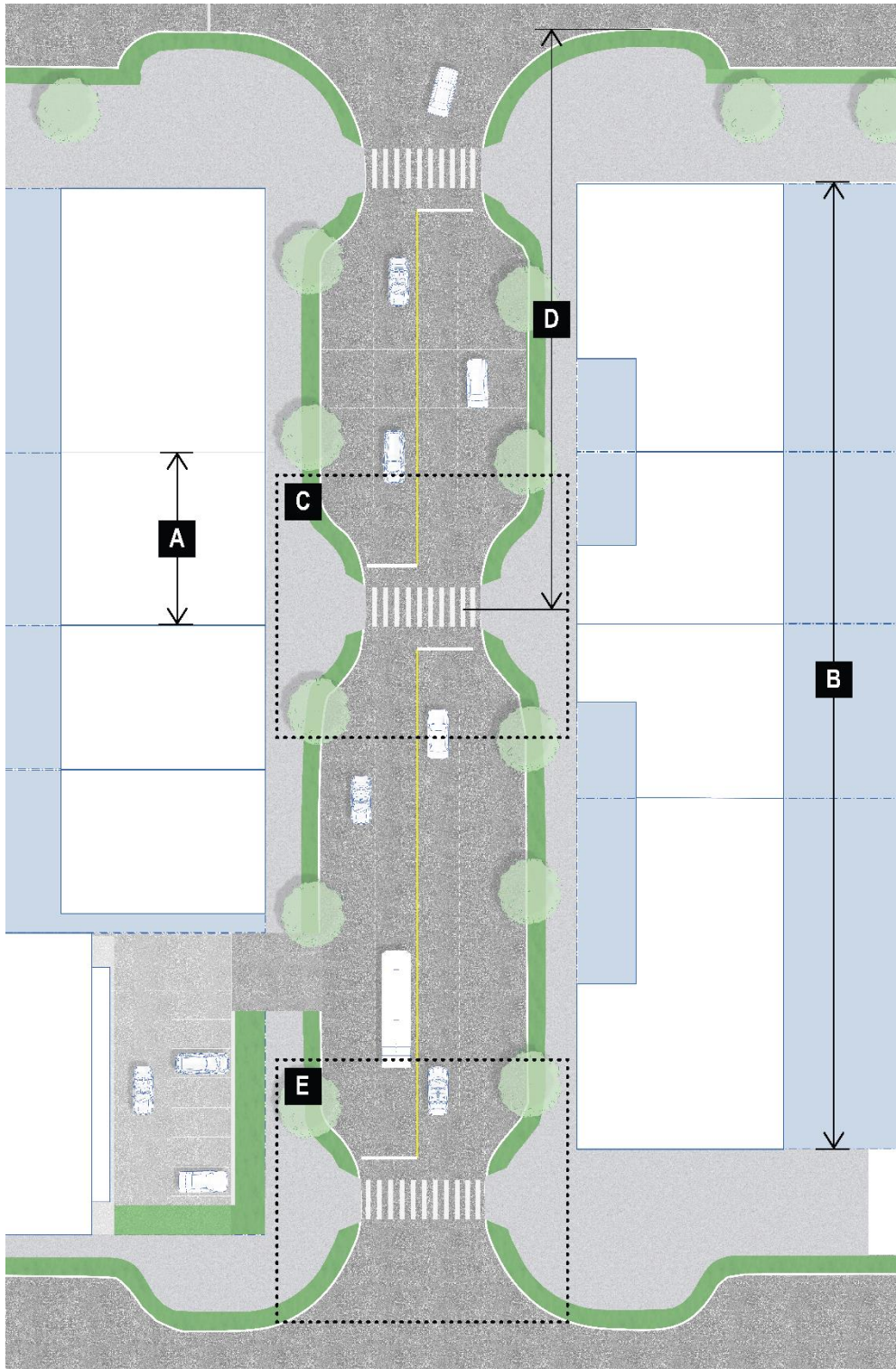


Figure 13.6: Block and Subdivision Standards

.4 Building Placement Standards

Building Placement Standards	
Principal Buildings	
	<ul style="list-style-type: none"> ▪ A 0.0 m maximum-minimum.

Primary and secondary* frontage setback (no front parking)	<ul style="list-style-type: none"> ▪ B 3.0 m minimum-<u>maximum</u>.
Primary and secondary* frontage setback (with front parking)	<ul style="list-style-type: none"> ▪ X 10.0 m minimum - 25.0 m maximum.
	<ul style="list-style-type: none"> ▪ Y A minimum of 3.0 m landscape or screening buffer between the front parking and the public right-of-way is required.
	<ul style="list-style-type: none"> ▪ Z A minimum of a 1.8 m sidewalk is required between the front parking and the building facade.
Side setback	<ul style="list-style-type: none"> ▪ C 0.0 m maximum or D greater than 3.0 m when adjoining the CMUD - Commercial Mixed-Use District.
	<ul style="list-style-type: none"> ▪ E 3.0 m minimum when adjoining any other district. The 3.0 m setback shall be landscaped.
Rear setback	<ul style="list-style-type: none"> ▪ F 3.0 m minimum when adjoining any other district and shall be landscaped. Exceptions may be given when adjoining any other district through a rear lane.
Accessory Buildings	
Primary and secondary** frontage setback	<ul style="list-style-type: none"> ▪ G 10.0 m minimum.
Side and rear setback	<ul style="list-style-type: none"> ▪ H 3.0 m minimum.

* Secondary frontage may be increased to accommodate outdoor seating or retail space integrated with the public right-of-way.

** Secondary frontage is only applicable when the development is located on a corner parcel.

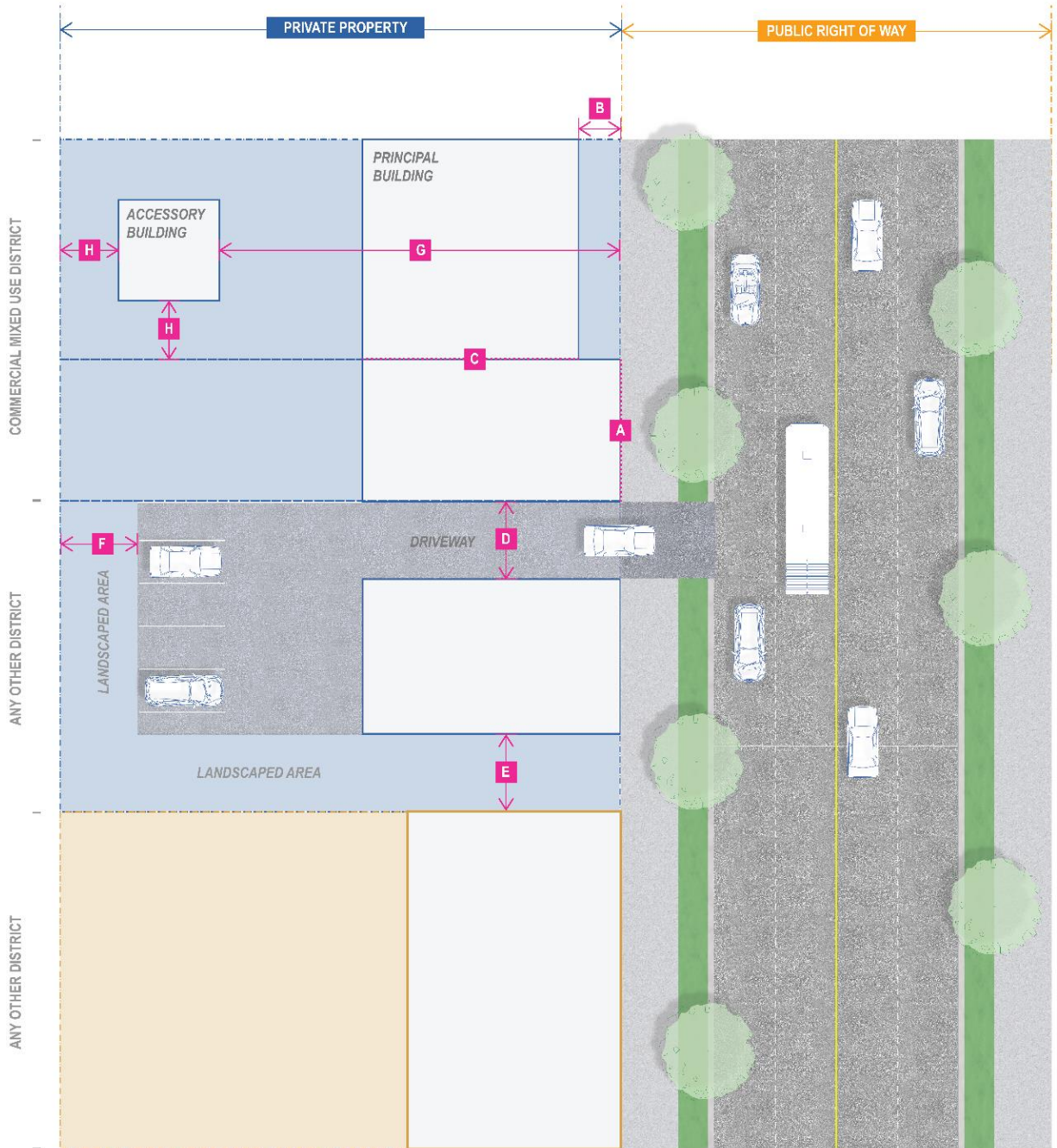


Figure 13.7: Building Placement Standards

15.5 15 - HEAVY INDUSTRIAL DISTRICT



.1 General Purpose

This district provides opportunity for major industrial *uses*, as identified within the Sturgeon County Municipal Development Plan and the Alberta's Industrial Heartland Area Structure Plan. The *uses* have significant impact on other non-industrial *uses* and, due to their appearance, noise, odour, risk of toxic emissions or fire and explosion hazards, are incompatible with residential and other land *uses*. No future residential *development* is contemplated within this district.

.2 Uses

Permitted Uses	Discretionary Uses
<i>Accessory, building*</i>	<i>Accessory, building*</i>
<i>Accessory, use*</i>	<i>Accessory, use*</i>
<i>Administrative building</i>	<i>Agriculture support service</i>
<i>Bulk fuel sale</i>	<i>Auctioneering establishment</i>
<i>Cannabis production and distribution facility, micro</i>	<i>Commercial school</i>
<i>Cannabis production and distribution facility, standard</i>	<i>Contractor service, major</i>
<i>Dugout</i>	<i>Data Processing Facility</i>
<i>Gas processing plant</i>	<i>Dwelling, single detached – subject to Paragraph 14.5.5(b)</i>
<i>General industrial</i>	<i>Equipment sale, service and rental, major</i>
<i>Heavy industrial</i>	<i>Farm help accommodation**</i>
<i>Home-based business, level 1 (office) – subject to Paragraph 14.5.5(b)</i>	<i>Home-based business, level 3 – subject to Paragraph 14.5.5(b)</i>
<i>Home-based business, level 2 – subject to Paragraph 14.5.5(b)</i>	<i>Natural resource extraction</i>
<i>Intensive agriculture</i>	<i>Secondary processing</i>
<i>Outdoor storage</i>	<i>Solar farm</i>
<i>Rail spur</i>	<i>Recreational vehicle storage facility</i>
<i>Rail yard</i>	<i>Renewable energy facility</i>
<i>Temporary asphalt plant</i>	
<i>Temporary concrete batch plant</i>	
<i>Topsoil screening</i>	
<i>Transloading facility</i>	
<i>Utility, major</i>	
<i>Warehousing</i>	

* Refer to Section 6.1 for further clarification.

** Only on parcels utilized for *extensive agricultural* or *intensive agricultural* purposes.

1436/19; 1560/21; 1570/22

.3 Subdivision Regulations

At the discretion of the *Subdivision Authority*.

.4 Development Regulations

At the discretion of the *Development Authority*.

.5 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Where a *single detached dwelling* existed prior to the passing of Bylaw 1118/07 (June 26, 2007), it may be upgraded, expanded or rebuilt. If such a *building* is to be rebuilt and when necessary,

the location of the proposed replacement *building* will be subject to the approval of the *Development Authority*.

- 1591/22
- (c) Where a *development* or *use* is to occur on two or more *parcels* of land, the *Development Authority* may require as a condition of *development permit* that all *parcels* be consolidated.
 - (d) The *Development Authority* may require an emergency response plan to be submitted as part of a *development permit* to ensure that emergency services requirements for fire, rescue, and ambulance are met.
 - (e) [REMOVED] 1560/21
 - (f) All *development permit* applications for *heavy industrial uses* may include proposed measures to mitigate impacts on surrounding non-industrial properties to the satisfaction of the *Development Authority*. Such measures include solid *fencing*, *berming*, *landscaping*, retention of natural vegetation *buffers*, or a combination thereof.
 - (g) Notwithstanding Part 8 of this Bylaw, vacant, undeveloped, or unused portions of a site shall be maintained in grass, crop, *landscaping* materials or such other ground cover as deemed appropriate by the *Development Authority*.
 - (h) *On-site* parking areas shall be *hard surfaced*.
 - (i) *Natural resource extraction* or *secondary processing* in this district shall follow the regulations provided in Section 11.2 or Section 11.3 (in alignment with the corresponding setback from dwellings).

17.2 DC2 – DIRECT CONTROL DISTRICT 2 – PT. SE 25-56-26-W4M ^{1560/21} 

.1 General Purpose

To establish a DC district to accommodate an Environmental Collection and Storage Facility for used oil as defined and regulated by the Alberta *Public Health Act*, RSA 2000, c.P-37, [Petroleum Tank Management Association of Alberta](#) [Safety Code Authority](#) and Alberta Environment and Parks guidelines.

.2 District Boundaries

This district applies to that portion of the Southeast Quarter of Section 25, Township 56, Range 26, and West of the Fourth Meridian described as follows:

The northerly 122.5m (402ft) in perpendicular width of the westerly 161.1m (528.6ft) in perpendicular width, containing 4.87 acres (1.97 ha) more or less.

.3 Decision-Making Authority

In this district, the Decision-Making Authority is Council.

.4 Uses

<i>Accessory, building</i>
<i>Accessory, use</i>
Oil Recycling and Storage Facility as defined in the <i>Public Health Act</i> , (Alberta Regulation 250/85) Waste Management Regulation and Alberta <i>Environmental Protection and Enhancement Act</i> , RSA 2000, c.E-12, and as governed by Petroleum Tank Management Association the Alberta Safety Code Authority .

.5 Development Regulations

- (a) All *development* shall comply with the requirements of Alberta Environment and the [Petroleum Tank Management Association](#) [Alberta Safety Code Authority](#).
- (b) More than 100,000 litres of used oil storage and/or filters on site shall be the responsibility of the *landowner* or [applicant/developer](#) to provide maintenance and dust control for municipal *roads* as required by the County.
- (c) No permanent *buildings* shall be constructed in this district unless the structure can be utilized for agricultural purposes.
- (d) The district applicable to the lands described in Subsection 17.2.2 should be redistricted to an appropriate district if and once the oil recycling and/or storage facility stops operating.

17.3 DC3 – DIRECT CONTROL DISTRICT 3 – PLAN 042 6533, BLOCK 1, LOT 5; PLAN 782 3089, BLOCK A & PT. NW 25-55-25-W4M ^{1560/21}



.1 General Purpose

To establish a DC district that allows for the continued operation of a provincially-approved regional *waste management facility* within the County as defined and regulated by the *Environmental Protection and Enhancement Act*, RSA 2000 c.E-12(EPEA) and the applicable regulations under that Act.

.2 District Boundaries

This district applies to the following properties:

- Lot 5, Block 1, Plan 042 6533
- Block A, Plan 782 3089
- Lot 1, Plan 002 2509
- Northern half of NW 25-55-25-W4

^{1495/20}

.3 [REMOVED] ^{1591/22}

.4 Uses

<i>Accessory, building</i>
<i>Accessory, use</i>
<i>Class II landfill</i>
<i>Closure or transitional use</i>
<i>Compost facility</i>
<i>Hazardous waste collection centre</i>
<i>Incineration</i>
<i>Recycling collection centre</i>
<i>Recycling processing centre</i>
<i>Soil treatment</i>
<i>Utility, major</i>

^{1560/21}

.5 Development Regulations

- (a) [REMOVED] ^{1591/22}
- (b) All *development* shall comply with the requirements of applicable provincial legislation and regulations.
- (c) All *uses* shall adhere to the standards set out in the latest editions of the Alberta Code of Practice for Landfills, Standards for Landfills in Alberta, the Alberta Code of Practice for Compost Facilities, and the Alberta Code of Practice for the Land Treatment and Disposal of Soil Containing Hydrocarbons, as amended or replaced from time to time.
- (d) All site structures and *buildings* are to adhere to the *Safety Codes Act*.
- (e) All above-ground and underground storage tanks, along with associated piping, are to adhere to the *Safety Codes Act* and the [Petroleum Tank Management Association of Alberta Safety Code Authority](#).
- (f) None of the listed *uses* shall be approved without prior evidence of site suitability to the satisfaction of the *Development Authority*.
- (g) Any other standards and design requirements specified by the *Development Authority*.

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.6 Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 5 through 9 of this Bylaw.
- (b) Processing, storage, and disposal of any waste not provided for under an approval or license issued by Alberta Environment is prohibited within the DC3 district.
- (c) No application for a *development permit* under the DC3 district shall be considered complete unless the [applicant/developer](#) has provided the following minimum information in support of the application:
 - (i) confirmation of conformity with the existing EPEA approval or license;
 - (ii) limitations and environmental concerns of the proposed *development*;
 - (iii) detailed site plan including *setback* or *buffer* distances between *on-site* and *off-site developments*;
 - (iv) availability or provisions of necessary site servicing and utilities;
 - (v) additional provincial regulatory approvals required;
 - (vi) anticipated traffic/*road* implications; and
 - (vii) any other matters that the *Development Authority* deems necessary.
- (d) The *Development Authority* may require that additional application information be submitted with any *development permit* application for the purpose of assessing the suitability of the proposed *development* and considering the compatibility with the County's planning objectives, the site-specific conditions and the surrounding land *use*.

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17.15 DC15 – DIRECT CONTROL DISTRICT 15 – S½ OF SW 32-57-23-W4M ^{1537/21}



.1 General Purpose

To establish a Direct Control District that provides for the limited industrial uses provided for herein, and the existing salvage and resale of automobile parts that are currently existing on the property.

.2 District Boundaries

All that land contained within the legal boundaries of the parcel identified as the S½ of SW-32-57-23-W4M.

~~.3 Decision-Making Authority~~

~~In this district, the decision-making authority is the Municipal Planning Commission.~~

~~.4.3~~ Uses

<i>Accessory, building</i>
<i>Accessory, use</i>
<i>Surveillance Suite</i>
<i>Salvage Yard</i>

~~.5.4~~ Subdivision Regulations

No further subdivision shall be allowed.

~~.6.5~~ Development Regulations

Minimum <i>front yard setback</i>	35m (114.8ft) where the <i>front parcel line</i> forms the boundary of a <i>highway</i> or other public road.
Minimum <i>side yard setback</i>	6m (19.7ft)
Minimum <i>rear yard setback</i>	6m (19.7ft)
Maximum <i>height of accessory buildings</i>	12m (39.4ft)
Maximum <i>parcel coverage</i>	15%

~~.7.6~~ Additional Development Regulations

- (a) All *development* in this district is subject to the regulations stated in Parts 4 through 9 of this Bylaw.
- (b) *Development* shall be in accordance with the requirements of a Roadside Development Permit, which will be required to be issued by Alberta Transportation prior to a *development permit* being issued by the County.
- (c) Prior to any further *development* taking place on the parcel, a wetland assessment needs to be provided to the satisfaction of the *Development Authority*.
- (d) The number and location of shipping containers shall be at the discretion of the *Development Authority*.

18.5 UR – URBAN RESERVE OVERLAY

.1 General Purpose

The purpose of this overlay is intended to allow for interim development without comprising the intent of the Sturgeon Valley South Area Structure Plan (SVS ASP) and any subsequent *local planning documents* formed under the SVS ASP.

.2 Application

The Urban Reserve Overlay applies to the boundaries of the SVS ASP, as shown on Schedule 6₁ and any future road alignments subject to Section 5.9 of this Bylaw.

.3 Development Regulations

Development of lands subject to this overlay shall be conducted in a manner that does not conflict with the general purpose of this overlay, subject to the following regulations:

- (a) Proposed development identified as a permitted use within the corresponding land use district shall be considered discretionary.
- (b) Development permits may be issued in areas with an approved *local planning document* formed under the SVS ASP for a maximum 5-year period, at which time the [applicant/developer](#) will need to re-apply.
- (c) Development permits may be issued in areas outside an approved *local planning document(s)* for up to a 10-year period, at which time the [applicant/developer](#) will need to re-apply.
- (d) Notwithstanding Paragraphs 18.5.3(b & c), development permits for residential uses and uses accessory to residential development will not be time limited.

.4 Subdivision Regulation:

Subdivision of lands subject to this overlay:

- (a) may only be considered if the subdivision application is consistent with the SVS ASP and any subsequent *local planning documents* formed under the SVS ASP; and
- (b) must be accompanied by a redistricting application for the corresponding lands.
- (c) Notwithstanding Subsection 18.5.4, applications received for the subdivision of lands designated as AG – Agriculture within this Bylaw will be subject to the subdivision regulations of that district.