

**SMOKY LAKE COUNTY**

**AGENDA:**

**County Council: Committee of the Whole Meeting**

for the purpose of **Planning** to be held on

**Friday December 16, 2021**, at 9:00 A.M.

In Council Chambers, and virtually, Online through Zoom:

<https://us02web.zoom.us/j/83768414213?pwd=M1hPNTA2SVJUek0xUndhRTZLUVNPdz09>

Or, by phone: 1-888-475-4499, Meeting ID 837 6841 4213 Password: 495555.

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**1. Meeting:**

Call to Order

**2. Agenda:**

Acceptance of Agenda:  
as presented or  
subject to additions or deletions

**3. Minutes: Nil.**

**4. Request for Discussion:**

1. Five Small Big Ideas: Project Charter for a new Land Use Bylaw (LUB) & Municipal Development Plan (MDP) Bylaw © **Page 2**

*a. Existing Land Use Bylaw (LUB) 1272-14 © **Page 11***

*b. Existing Municipal Development Plan (MDP) Bylaw 1249-12 © **Page 245***

2. Planning & Development Public Hearing Bylaw 1282-15 © **Page 341**

*a. Referral area & direct mail.*

3. Planning & Development Fees & Rates Bylaw 1387-20 © **Page 350**

*a. Review of comparator municipalities:*

*i. Sturgeon County © **Page 355***

*ii. Thorhild County © **Page 366***

*iii. St Paul County © **Page 375***

*iv. Lamont County © **Page 383***

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**5. Issues for Information:**

1. Other Policy Projects (for awareness, only)

**a. Recreational Trails Policy Statement 07-01 © **Page 393****

**b. Flag Half-masting Policy Statement 35-01 © **Page 397****

**c. Surface Lease of Municipal Owned Properties Policy Statement 01-02 © **Page 398****

**6. Correspondance: Nil.**

**7. Delegation: Nil.**

**8. Executive Session: Nil.**

**Adjournment**



## Project Charter: Five Small **'Big Ideas'**

# To Underpin a New Land Use Bylaw (LUB) & Municipal Development Plan (MDP):

- 1) **Modernized of the 'front-end' or administrative matters.**  
re: updates under the *Modernized Municipal Government Act (aka 'The Act', 2017)* and the *Red Tape Reduction Implementation Act, 2021*.
  - Changes to the avenues of appeal (Land and Property Rights Tribunal).
  - Changes to permit processing timelines.
- 2) **Easy-to-understand.**
  - Simplify jargon, terminology, & definitions.
  - New definitions added, dealing with new and developing Uses.
  - Remove of confusing or redundant definitions.
  - Elimination of definitions that are not referenced elsewhere in the Bylaw
- 3) **Updated Maps & Graphics.**
  - GIS has advanced *massively* since 2012, and an image is worth a thousand words.
  - More readable maps and graphics will improve user accessibility and understanding of the Bylaws
- 4) **Indigenous Engagement & Relationship Building.**
  - 2023 Regional Indigenous Framework Study
  - *Alberta Community Partnership (ACP) Grant led by Village of Vilna.*
    - Requirement under the MGA to **notify adjacent** Indigenous communities (First Nations and Metis Settlements) when adopting a new LUB/MPC (S. 636(1)) ...we have *opportunity to go further.*
- 5) **Land Use Districts that are informed by data & sound rational.**
  - North Saskatchewan Watershed Alliance (NSWA) Riparian Setback Calculator.
  - 2020 Regional Stormwater Study.
    - *Alberta Community Partnership (ACP) Grant to be led by the Town of Smoky Lake.*



- 2022 Beaver River and 2012 North Saskatchewan River Integrated Watershed Management Plans (IWMPs)
- 2023 Waskatenau Creek Connectivity Study
  - *Alberta Community Partnership (ACP) Grant to be led by the Village of Waskatenau.*
- 2023 Agricultural Suitability and Environmental Sensitivity Study
  - *Alberta Community Partnership (ACP) Grant to be led by Smoky Lake County.*
  - Possibility for MDP Subdivision Regulations based on soil quality, etc.

**Proposed Timeline:**

- Apply for 2022/23 ACP Grants, which if successful, will aim to be complete by Q4 of 2023.
- Public Engagement during Q2 – Q3 of 2023.
- Return to Committee in Q4 of 2023 (ie. October) with a revised MDP and LUB for First Reading.

**Recommendation#1:** THAT Smoky Lake County Committee of the Whole RECOMMEND approving the proposed Project Charter: ‘five small BIG ideas’ for the Land Use Bylaw and Municipal Development Plan Refresh, as amended.

**Recommendation #2:** THAT Smoky Lake County Committee of the Whole RECOMMEND rescinding the Municipal Planning Commission (MPC).



## Key questions for Committee:



### 1. Should Smoky Lake County continue to have a Municipal Planning Commission (MPC)?

- Several other municipalities (such as Sturgeon County) have moved away from having MPC in recent years.
- Scheduling meetings of MPC within the legislated timelines is done ad hoc which slows down approvals and can be a real challenge.
- Affected parties would continue have an avenue of appeal to the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal (LPRT).
- For shorter timelines/red tape, Council could rescind MPC.

### 2. How are our existing Districts succeeding or failing to meet expectations?

- Should we consider addition of new Districts to the LUB? Possible examples:
  - Crown Lands District (See Thorhild County)
  - Recreation District (Outstanding Motion from November 2021)
  - Tourism Commercial District Overlay?

### 3. What level of public engagement does Smoky Lake County wish to undertake on a new LUB/MDP?

- Open Houses, Direct Mail, Etc.

### 4. Resolving conflicts between the LUB and the MDP. (The MDP must prevail (S.638(1)).

- Presently, there are conflicts between the Land Use Bylaw and



Municipal Development Plan.

- For example, in terms of Recreational Vehicle placement.
- In such cases of conflict, the MDP must prevail.
- As RVs are a temporary use, Administration proposes to entirely remove Recreational Vehicles from Land Use regulations, and instead adopt a stand-alone bylaw. This would be more appropriate and allow for more successful and consistent enforcement.

## 5. Any Other Feedback?



## Key parts of the Act:

### Municipal development plans

632(1) Every council of a municipality must by bylaw adopt a municipal development plan.

(2) Repealed 2016 c24 s98.

(2.1) Within 3 years after the coming into force of this subsection, a council of a municipality that does not have a municipal development plan must by bylaw adopt a municipal development plan.

(3) A municipal development plan

(a) must address

(i) the future land use within the municipality,

(ii) the manner of and the proposals for future development in the municipality,

(iii) the co-ordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those matters in those municipalities,

(iv) the provision of the required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and

(v) the provision of municipal services and facilities either generally or specifically,

(b) may address

(i) proposals for the financing and programming of municipal infrastructure,

(ii) the co-ordination of municipal programs relating to the physical, social and economic development of the municipality,

(iii) environmental matters within the municipality,

(iv) the financial resources of the municipality,



(v) the economic development of the municipality, and

(vi) any other matter relating to the physical, social or economic development of the municipality,

(c) may contain statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies,

(d) must contain policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities,

(e) must contain policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of and allocation of those reserves and the identification of school requirements in consultation with affected school boards,

(f) must contain policies respecting the protection of agricultural operations, and

(g) may contain policies respecting the provision of conservation reserve in accordance with section 664.2(1)(a) to (d).

(4) Repealed 2020 c39 s10(19). RSA 2000 cM-26 s632;RSA 2000 c21(Supp) s4;2008 c37 s11;

**2015 c8 s62;2016 c24 s98;2017 c13 s2(16);2020 c39 s10(19)**

#### **Land use bylaw**

640(1) Every municipality must pass a land use bylaw.

(1.1) A land use bylaw may prohibit or regulate and control the use and development of land and buildings in a municipality, including, without limitation, by

(a) imposing design standards,

(b) determining population density,

(c) regulating the development of buildings,

(d) providing for the protection of agricultural land, and

(e) providing for any other matter council considers necessary to regulate land use within the municipality.



(2) A land use bylaw

(a) must divide the municipality into districts of the number and area the council considers appropriate;

(b) must, unless the district is designated as a direct control district pursuant to section 641, prescribe with respect to each district,

(i) the one or more uses of land or buildings that are permitted in the district, with or without conditions, or

(ii) the one or more uses of land or buildings that may be permitted in the district at the discretion of the development authority, with or without conditions,

or both;

(c) must establish a method of making decisions on applications for development permits and issuing development permits for any development, including provision for

(i) the types of development permit that may be issued,

(ii) applying for a development permit,

(iii) processing an application for, or issuing, cancelling, suspending or refusing to issue, a development permit,

(iv) the conditions that are to be attached, or that the development authority may attach, to a development permit, either generally or with respect to a specific type of permit,

(v) how long any type of development permit remains in effect,

(vi) the discretion that the development authority may exercise with respect to development permits, and

(vii) any other matters necessary to regulate and control the issue of development permits that to the council appear necessary;

(d) must provide for how and to whom notice of the issuance of a development permit is to be given;

(e) must establish the number of dwelling units permitted on a parcel of land.

(3) A land use bylaw may identify additional land as adjacent land for the purpose of





notification under sections 653, 679, 680 and 692.

(4) Repealed 2020 c39 s10(28).

(5) A land use bylaw may provide that when an application for a development permit or change in land use designation is refused another application with respect to the same lot

(a) for a development permit for the same or a similar use, or

(b) for a change in land use designation may not be made by the same or any other applicant until the time stated in the land use bylaw has expired.

(6) A land use bylaw may authorize a development authority to decide on an application for a development permit even though the proposed development does not comply with the land use bylaw or is a non-conforming building if, in the opinion of the development authority,

(a) the proposed development would not

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

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

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

(7) A land use bylaw must be consistent with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises.

(8) Despite this section or any other provision of this Act, the authority to pass a land use bylaw does not include the authority to pass a bylaw in respect of the use of a building or part of a building for residential purposes that has the effect of distinguishing between any individuals on the basis of whether they are related or unrelated to each other.

(9) The Minister may by order direct a municipality to amend its land use bylaw in respect of the use of a building or part of a building for residential purposes if the land use bylaw has the effect of distinguishing between senior citizens on the basis of whether they are related or unrelated to each other.

**RSA 2000 cM-26 s640;2016 c24 s100;2017 c21 s28;**

**2020 c39 s10(28) 640.1 Repealed 2020 c39 s10(29).**

**Statutory plan preparation**



636(1) While preparing a statutory plan, a municipality must notify the following and provide a means for suggestions and representations to be made:

- (a) any members of the public who may be affected by the plan;
- (b) the school boards with jurisdiction in the area to which the plan preparation applies;
- (c) in the case of a municipal development plan,
  - (i) any adjacent municipalities,
  - (ii) the Indian band of any adjacent Indian reserve, and
  - (iii) any adjacent Metis settlement;
- (d) in the case of an area structure plan,
  - (i) where the land that is the subject of the plan is adjacent to another municipality, that municipality,
  - (ii) where the land that is the subject of the plan is within 1.6 kilometres of a provincial highway, the Minister responsible for the Highways Development and Protection Act, and
  - (iii) where the land that is the subject of the plan is adjacent to an Indian reserve or Metis settlement, the Indian band or Metis settlement.

(2) Subsection (1) does not apply to amendments to statutory plans.

**RSA 2000 cM-26 s636;2008 c37 s11;2017 c13 s1(57);**

**2020 c39 s10(22)**

-end of document-



**LAND USE BYLAW 1272-14: Current to August 10, 2020**

**CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<b>Iteration</b>	<b>BYLAW No.</b>	<b>Subject</b>	<b>EFFECTIVE DATE</b>
<b>0.1</b>	<b>1275-15</b>	NE 34-59-13-W4M (Bonnie Lake) Rezoning from AG to R2	January 29, 2015
<b>0.2</b>	<b>1298-16</b>	Metis Crossing Amendments	February 23, 2017
<b>0.3</b>	<b>1322-18</b>	Cannabis Amendments	September 20, 2018
<b>0.4</b>	<b>1323-18</b>	Plan 0325361, Block 1, Lot 1 Rezoning from AG to M1	December 6, 2018
<b>0.5</b>	<b>1327-18</b>	Plan 1821256, Block 6, Lot 1 (Bonnie Lake) Rezone from AG to R1	December 6, 2018
<b>0.6</b>	<b>1341-19</b>	SE 8-60-19-W4M Rezoning from AG C1	March 28, 2019
<b>0.7</b>	<b>1348-19</b>	Telecommunications Amendments	June 27, 2019
<b>0.8</b>	<b>1381-20</b>	Boutique Accommodations & Hotels Amendments	August 10, 2020
<b>0.9</b>	<b>1386-20</b>	Shipping Containers, Recreational Vehicles and Campsites, Tiny Homes Amendments	January 28, 2021
<b>0.10</b>	<b>1415-22</b>	Plan 1423459, Block 1, Lot 1 Rezone from AG to C2	May 26, 2022

# Land Use Bylaw No. 1272-14



Photo Credit: Mary Lou Doshewnek



Adopted: December 4, 2014

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1272-14**

A Bylaw of the Municipality of Smoky Lake County in the Province of Alberta, for the purpose of Repealing Bylaw 1250-12 and Adopting a Land Use Bylaw

\*\*\*\*\*

WHEREAS, a Land Use Bylaw has been prepared for Smoky Lake County;

AND WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, and amendments thereto, authorize the Council of a Municipality to enact a Land Use Bylaw to prohibit or regulate and control the use and development of land and buildings within a Municipality.

NOW THEREFORE under the authority and pursuant to the provisions of the said Municipal Act, and by virtue of all other enabling powers, the Council of Smoky Lake County, duly assembled, enacts as follows:

1. This Bylaw may be cited as the "Land Use Bylaw of Smoky Lake County."
2. That Schedule "A" attached hereto, the document entitled "Smoky Lake County Land Use Bylaw".
3. This bylaw repeals the Smoky Lake County Land Use Bylaw 1250-12 and all amendments thereto.
4. This Bylaw shall come into effect after third and final reading.

READ A FIRST TIME IN COUNCIL THIS 23<sup>RD</sup> DAY OF OCTOBER, AD 2014.



Ron Bobocel  
Reeve


SEAL



Cory Ollikka  
Chief Administrative Officer

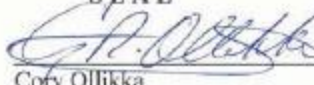
READ A SECOND TIME IN COUNCIL THIS 4<sup>TH</sup> DAY OF DECEMBER, AD 2014.

READ A THIRD AND FINAL TIME IN COUNCIL 4<sup>TH</sup> DAY OF DECEMBER, AD 2014.



Ron Bobocel  
Reeve

SEAL



Cory Ollikka  
Chief Administrative Officer

Smoky Lake County

# Land Use Bylaw

BYLAW 1272-14

Adopted: December 4, 2014



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## **GUIDE TO USING THE SMOKY LAKE COUNTY LAND USE BYLAW**

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The Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used and buildings can be either constructed or moved in) in Smoky Lake County. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the County, Province, or Federal Government also have to be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. Firstly, the Land Use Bylaw maps divide the County into various Land Use District. Secondly, the text of the Land Use Bylaw details the uses that are allowed in each District. Thirdly, the text provides additional regulations that apply to certain uses and/or within certain Districts. The following steps may assist the user:

1. Locate the subject property on the Land Use District maps. These maps divide the County into various Land Use Districts. Each Land Use District has a designation such as “AG” for AGRICULTURE or “R1” for COUNTRY RESIDENTIAL. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations of the land Use Bylaw or impose additional regulations.
2. Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed alphabetically starting in **Section 8**. In each Land Use District you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given Land Use District. There are definitions in **Section 1.7** that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.
3. Review the table of contents to see if there might be any general regulations that apply to the situation or use in question. For example, **Section 5** describes the enforcement procedure. **Section 6.1** contains general regulations about accessory buildings and **Section 7.9** contains general regulations about Home Occupations, just to name a few.
4. Discuss your proposal/concern with Planning and Development staff. Staff are well trained and eager to assist you with your development/subdivision or general inquiry issues and explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

**NOTE: THIS PAGE IS INTENDED ONLY TO ASSIST USERS AND DOES NOT FORM PART OF THIS BYLAW.**

# **LAND USE BYLAW**

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Pursuant to the Municipal Government Act, R.S.A. 2000, as amended, the Council of Smoky Lake County, duly assembled, hereby enacts as follows:

## **1 GENERAL ADMINISTRATIVE PROCEDURES**

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### **1.1 TITLE**

1. The title of this Bylaw shall be the "Land Use Bylaw of Smoky Lake County."

### **1.2 SCOPE**

1. No development shall be permitted within the boundaries of Smoky Lake County except in conformity with the provisions of this Bylaw.

### **1.3 PURPOSE**

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, among other things:

1. To divide the municipality into land use districts;
2. To prescribe and regulate the use(s) for each land use district;
3. To establish a method for making decisions on development permit applications and issuing development permits;
4. To prescribe the manner in which notice is to be given of the issuance of a development permit;
5. To implement the policies of the statutory plans of Smoky Lake County;
6. To establish supplementary regulations governing certain specific land uses; and
7. To establish the procedures for making amendments to this Bylaw.

### **1.4 METRIC AND IMPERIAL MEASUREMENT**

1. Whenever measurements are presented in this Bylaw, metric values are used and shall take precedence. Imperial equivalents, provided in parenthesis, are approximate and intended for information only.

### **1.5 COMPLIANCE WITH OTHER LEGISLATION**

1. In addition to the requirements of this Bylaw, an applicant must comply with any Federal, Provincial, or Municipal legislation including requirements of a Development Permit or Agreement.

The applicant/landowner must also comply with the conditions of any easement or covenant which affects the development or subdivision.

## 1.6 REPEAL

1. This Bylaw comes into force on receiving third and final reading by Council and repeals Land Use **Bylaw** 1250-12 and any resolutions made thereunder or amendments thereto, which shall cease to have effect on the day this Bylaw comes into force.

## 1.7 INTERPRETATION/DEFINITIONS

In this Bylaw: the following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as follows:

1. **“Abandoned farmstead”** means a farmyard which was once established and which contains three (3) or more of the following: an abandoned residence, a developed potable water source, an established sewage collection system, an existing shelterbelt or any other features which would indicate a previous developed farmstead;
2. **“Accessory building”** means a building, separate from the main building on the same parcel, the use of which, the Development Authority decides, is subordinate or incidental to that of the main building;
3. **“Accessory use”** means a use of a building or land which the Development Authority decides is subordinate or incidental to the main use of the parcel on which it is located;
4. **“Act”** means the Municipal Government Act, R.S.A. 2000, as amended, and the regulations pursuant thereto;
5. **“Adjacent land”** means land that is contiguous, or would be contiguous if not for a river, stream, railway, road, or utility right-of-way; and any other land identified in this Bylaw as adjacent land for the purpose of notifications (**see Figures 1 and 2**);

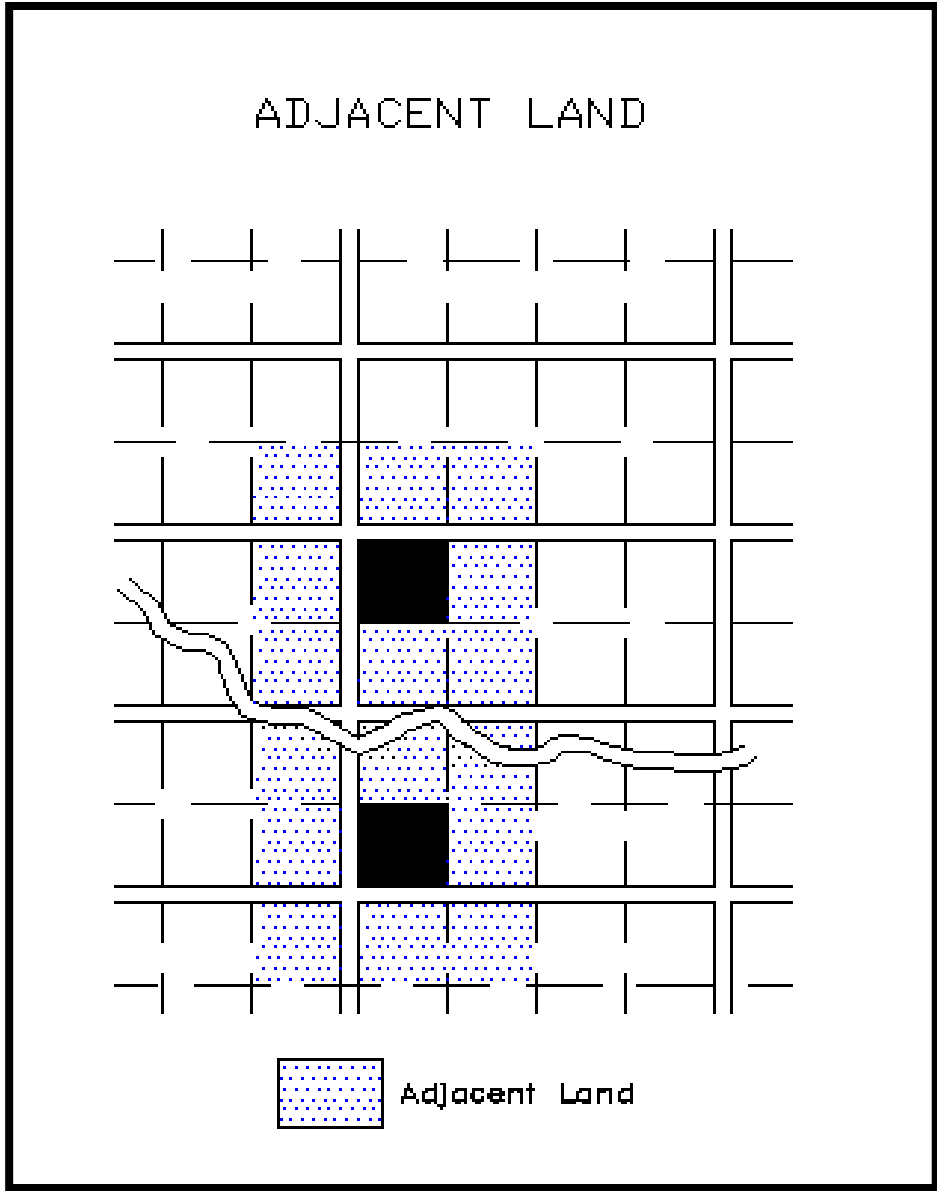
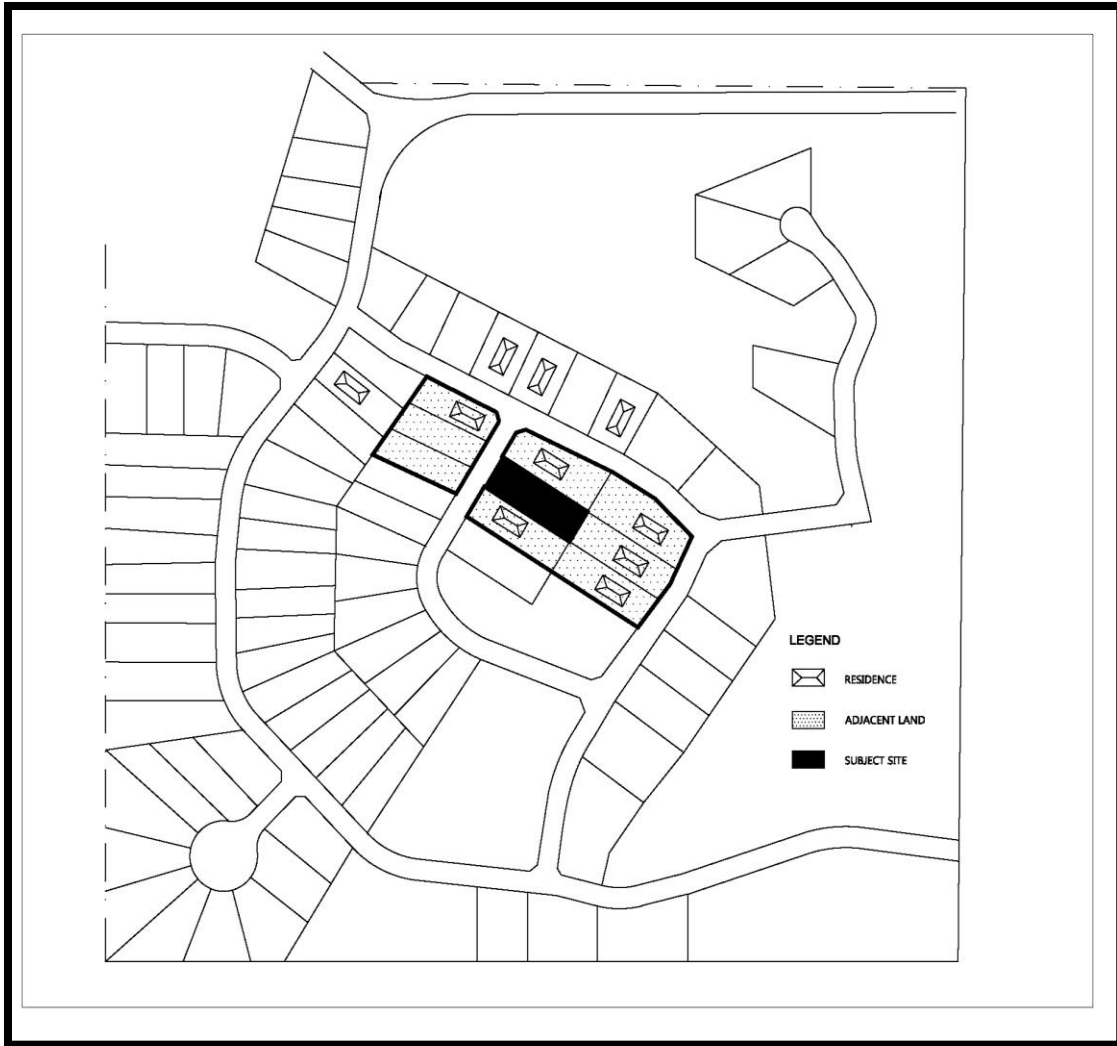


Figure 1: Adjacent Land Rural Area Example





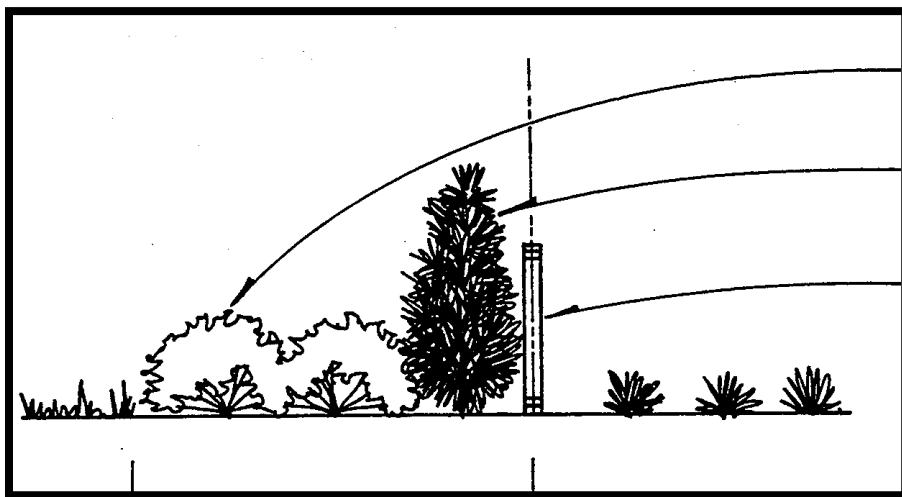
**Figure 2: Adjacent Land Hamlet and Multi-Lot Country Residential Area Example**

6. **"Agricultural operation"** means an agricultural operation as defined in the Agricultural Operations Practices Act;
7. **"Agricultural support services"** means development providing products or services directly related to the agricultural industry. Without restricting the generality of the foregoing, this shall include such facilities as: livestock auction marts, grain elevators, feed mills, bulk fertilizer distribution plants, bulk agricultural chemical distribution plants, bulk fuel plants, farm implement dealerships, and crop spraying. **This use does not include cannabis production and distribution;**
8. **"Agricultural use"** means the non-intense use of lands, buildings, or structures for the production of crops, animal husbandry, or other similar uses normally associated with agriculture, **but does not include cannabis production and distribution;**

9. **“Amenity area”** means an area which shall be provided subject to the regulations of this Bylaw and which must be developed for the active or passive recreation and enjoyment of the occupants of a residential development. Such area may be for either private or communal use and may be under either individual or common ownership;
10. **“Amenity area, Private outdoor”** means an amenity area that shall be provided subject to regulations in this Bylaw that:
  - A. Must be developed for the active or passive recreation and enjoyment of the residents of a specific dwelling unit; and
  - B. Must be directly accessible from the dwelling unit it is intended to serve.
  - C. Private outdoor amenity areas may include: landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include any area occupied at grade by a building’s service areas, parking lots, aisles, or access driveways;
11. **“Amusement establishment, Indoor”** means a development within any building, room or area for entertainment activities where patrons are normally, but not necessarily, participants. Typical uses include bingo, electronic games and gambling, but does not include indoor recreation facilities;
12. **“Amusement establishment, Outdoor”** means a development providing facilities for entertainment and amusement activities which primarily take place outdoors, where patrons are primarily participants. Typical uses include amusement parks, carnivals, go-cart tracks, miniature golf, and motor-cross establishments;
13. **“Animal breeding and/or boarding facility”** means an establishment for the keeping, breeding, housing, exercising, training, and/or raising of 3 or more animals that are not livestock for profit or gain, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment;
14. **“Animal clinic”** means the facility in which animals, birds or livestock are treated primarily on an outpatient basis;
15. **“Animal hospital”** means an establishment providing surgical or medical treatment or examination of domestic pets entirely within a building;
16. **“Animal hospital, Large”** means an establishment providing surgical or medical treatment or examination of livestock. Services may be provided within a building or outdoors;
17. **“Apartment”** means a single building comprised of three or more dwelling units with shared entrance facilities;

18. **“Area of copy”** means the entire area within a single common continuous perimeter enclosing the extreme limits of the advertising message, announcement or decoration on the sign, and shall be for the purpose of area calculation be square or rectangular in shape;
19. **“Area Structure Plan”** means a plan adopted by Council as an Area Structure Plan pursuant to the Act;
20. **“Area Redevelopment Plan”** means a plan adopted by Council as an Area Redevelopment Plan pursuant to the Act;
21. **“Art, Craft, and Photography Studios”** mean a development used for the purpose of small-scale onsite production of goods by simple processes or hand manufacturing, primarily involving the use of hand tools. Typical uses include pottery, ceramic and sculpture studios, custom jewelry manufacturing and artist and photography studios.
22. **“Artisanal Use”** means a development wherein at the discretion or judgment of the Development Authority, a product or service is produced/provided/supplied/generated in limited quantities, and of craft, superior, or gourmet quality.
23. **“Assembly plant”** means a factory where manufactured parts are assembled into a finished product;
24. **“Auctioneering facility”** means a building, structure or lands used for the storage and/or sale of goods and materials or livestock which are to be sold on the premises by public auction;
25. **“Automobile repair shop, Major”** means the general repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers such as collision service, body repair and frame straightening; painting and upholstering; vehicle steam cleaning; and under coating;
26. **“Automobile repair shop, Minor”** means the minor repairs including incidental replacement of parts and motor service to passenger automobiles and trucks not exceeding one and one-half tons’ capacity;
27. **“Automobile sales”** means a development used for the sale, service and rental of motor vehicles, but does not include recreation vehicle sales or automotive body and paint service;
28. **“Bakery”** means a shop where baked goods are produced and offered for sale on the premises only, **but does not include cannabis retail sales**;
29. **“Bakery, large commercial”** means a factory for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns or any other bakery product of which flour or meal is the principal ingredient, **but does not include cannabis retail sales**, restaurants or other premises where any such product is made for consumption on the premise;
30. **“Bank”** means an institution where money is deposited, kept, lent or exchanged;
31. **“Bare Land Condominium”** means a condominium development containing Bare Land Condominium Units, created specifically through subdivision and registered as a condominium plan in accordance with the Condominium Property Act, RSA 2000, as amended;

32. **“Bare Land Condominium Unit”** means a bare land unit as defined in the Condominium Property Act, RSA 2000, as amended, that is land that is situated within a parcel and described as a unit in a condominium plan;
33. **“Basement suite”** refers to a self-contained dwelling unit within the basement of a single detached dwelling;
34. **“Bed and breakfast establishment”** means a development within a private, owner-occupied dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of ten (10) bedrooms, with or without meals, are provided for remuneration to members of the public for a period of fourteen (14) days or less at a time;
35. **“Bed sitting room unit”** means a dwelling unit in which the sleeping and living areas are combined and which in the opinion of the development authority, is not reasonably capable of being developed as a unit containing 1 or more bedrooms;
36. **“Berm”** means a landscaped earthen mound that is utilized to attenuate the noise and visual effects of adjacent land uses and/or direct ground water flows as part of an engineered storm water management system;
37. **“Boarding facility”** means a residence offering sleeping rooms and meals, normally in exchange for a fee, and where private cooking facilities are not available to the tenants;
38. **“Boutique Accommodation”** means a development used for the provision of **“Artisanal Use”** rooms or suites for temporary sleeping accommodation, where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. This Use may include Accessory food and beverage facilities, meeting rooms, and Personal Services Shops.
39. **“Buffer”** means berms, fencing and planting for the purpose of screening noise, views, dust, sprays, and uses between properties where offsite impacts may occur (**see Figure 3**);



**Figure 3: Minimum Buffering Requirements**

40. **“Building”** means anything constructed or placed on, in, over or under land, but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;
41. **“Building supply and lumber outlet”** means a building or structure in which building or construction and home improvement materials area offered or kept for sale or rental and may include the fabrication of certain materials related to home improvement;
42. **“Bulk fuel storage and sales”** means lands, buildings and structures for the storage, distribution of fuels and oils including retails sales and key lock operations;
43. **“Business office”** means a building or part of a building in which 1 or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment and may include the administrative offices of a non-profit or charitable organization;
44. **“Campground, minor”** means an area which has been planned and improved for the seasonal short-term occupancy of up to a maximum of six (6) holiday trailers, motor homes, tents, campers or similar recreational vehicles, and is not used as a year-round storage, or accommodation for residential use. Typical uses include tourist recreational vehicle parks, campsites and tenting grounds and recreational activities, such as picnic grounds, boating facilities and playgrounds.
45. **“Campground, intermediate”** means an area which has been planned and improved for the seasonal short-term occupancy of up to a maximum of nineteen (19) holiday trailers, motor homes, tents, campers or similar recreational vehicles, and is not used as a year round storage, or accommodation for residential use. Typical uses include tourist recreational vehicle parks, campsites and tenting grounds and recreational activities, such as picnic grounds, boating facilities and playgrounds.
46. **“Campground, major”** means an area which has been planned and improved for the seasonal short term occupancy of more than twenty (20) holiday trailers, motor homes, tents, campers or similar recreational vehicles, and is not used as a year round storage, or accommodation for residential use. Typical uses include tourist recreational vehicle parks, campsites and tenting grounds and recreational activities, such as picnic grounds, boating facilities and playgrounds.
47. **“Campground - recreational vehicle”** means a development consisting of sites for the location of four (4) or more recreational vehicles, to be used for overnight accommodation and may also include a development consisting of two (2) or more camp sites used for tenting, including accessory facilities that support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of manufactured homes, trailers or other forms of moveable shelter on a permanent year-round basis;
48. **“Cannabis”** means cannabis as defined in the Cannabis Act, S.C. 2018, c. 16, as amended, or replaced.
  - a. Cannabis includes:

- i. Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
      - ii. Any substance or mixture of substances that contains or has on it any part of such a plant;
      - iii. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
    - b. B. Cannabis does not include:
      - i. a non-viable seed of a cannabis plant;
      - ii. a mature stalk (without leaves, flowers, seeds, or branches) of a cannabis plant;
      - iii. fibre derived from a mature cannabis stalk as referred to in subsection (ii), above;
      - iv. the root or any part of the root of a cannabis plant;
      - v. industrial hemp
49. **“Cannabis accessory”** means a thing that is commonly used in the consumption or production of cannabis. A cannabis accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers;
50. **“Cannabis accessory retail sales”** means a retail outlet which specializes in the sale of cannabis accessories, drug paraphernalia related to consumption of cannabis, other recreational drugs, and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales or cannabis production and distribution;
51. **“Cannabis lounge”** means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution;
52. **“Cannabis, medical”** means cannabis that is obtained for medical purposes in accordance with applicable federal law;
53. **“Cannabis production and distribution”** means a development used principally for one or more of the following activities relating to cannabis:
- a. The licenced production, cultivation, and growth of cannabis;
  - b. The licenced processing of raw materials;
  - c. The licenced making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
  - d. The licenced storage or shipping of materials, goods, or products, or;
  - e. The licenced distribution and wholesale of materials, goods, and products to cannabis retail sales stores;
54. **“Cannabis retail sales”** means a licenced development used for the retail sales of cannabis that is authorized by provincial or federal legislation. This use may include retail sales of cannabis accessories, as defined in the Cannabis Act, S.C. 2018, c. 16, as amended or replaced. This use does not include cannabis production and distribution;
55. **“Canopy”** means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;

56. **“Car wash establishment”** means a building used for the purpose of washing motor vehicles;
57. **“Carport”** means a roofed structure used for storing or parking of motor vehicles and which has not less than 40% of its perimeter open and unobstructed;
58. **“Cemetery”** means land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. A cemetery may also include a structure for the purposes of cremation of human remains and may include facilities for storing ashes or human remains that have been cremated or the interment of the dead in sealed crypts or compartments;
59. **“Child care facility”** means an establishment licensed by the regional Child and Family Services Authority intended to provide care, educational services and supervision for 7 or more children for a period less than 24 hours at a time. This use includes group day care centres, out-of-school centres, nursery or play schools, drop-in centres, and out-of-school care, but excludes day homes;
60. **“Clinic”** means a building or part of a building used for the medical, dental, surgical or therapeutically treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in his/her residence;
61. **“Club or lodge”** means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. Club shall also mean, where the context requires, premises owned or occupied by members or staff of such association within which the activities of the club are conducted, **but does not include a cannabis lounge**;
62. **“Commercial use”** means an outlet through which products or services are available to consumers but does not include, highway commercial uses, the manufacturing of products, convenience retail services, liquor sales/distribution services, auctioneering facilities or eating establishments, **but does not include cannabis retail sales**;
63. **“Communication Antenna System”** means a tower/antenna and/or supporting structure for the transmission and/or receiving of radio communication, including but not limited to radio and television transmission, two-way radio, land-mobile systems, fixed-point microwave and amateur radio systems. Communication towers are governed under **Smoky Lake County Policy Statement 61.22: Schedule A – Telecommunication Antenna System Siting Protocols.**
64. **“Community hall”** means a building or part of a building used for community activities without purpose of gain;
65. **“Confined feeding operation”** means a confined feeding operation as defined in the Agricultural Operation Practices Act;
66. **“Convenience retail service”** means development used for the retail sale of those goods required by area residents or employees on a day to day basis, from business premises which do not exceed 275.0 sq. m (2,960.0 sq. ft.) in gross floor area. Typical uses include: small food stores, gas bars, drug stores and variety stores selling, confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter. **This use does**

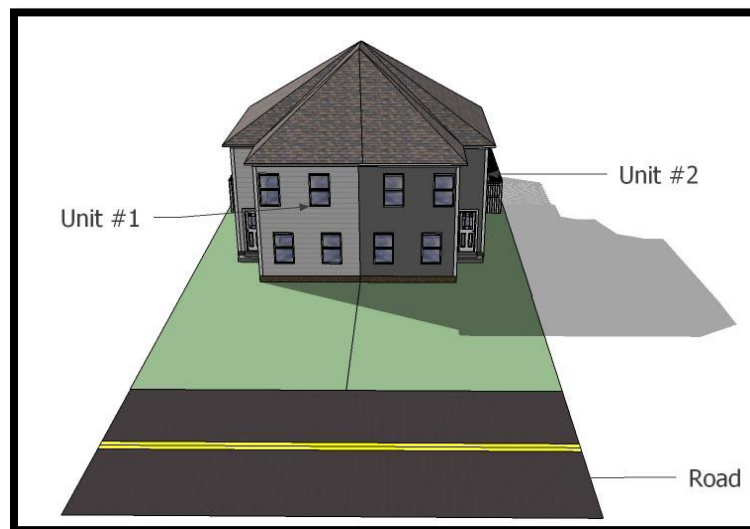
**not include wholesale or retail liquor sales/distribution outlets or facilities, or cannabis retail sales;**

67. **“Corner”** means the intersection of any two property lines of a parcel;
68. **“Cottage”** means a small usually one (1) story house at a lake, or located in a recreation community, owned or rented as a seasonal vacation home;
69. **“Council”** means the Council of the Smoky Lake County;
70. **“Country residence”** means any development located in a rural area which is situated on a lot used solely for private residential purposes and accessory uses and is not connected to municipal sewer and water services. The dwelling unit may be occupied permanently or seasonally;
71. **“Cultural Facility”** means development for display, storage, restoration or events related to art, literature, music, education, history or science, and may incorporate restaurants, retail, convention and recreational facilities as accessory uses. This term refers to uses such as art galleries, libraries, auditoriums, museums, archives and interpretive centers.
72. **“Curb cut”** means the lowering of a curb, sidewalk or boulevard to provide vehicular access to a parcel;
73. **“Day care facility”** means child care facility, licensed and regulated by applicable provincial agencies, operated from a building other than a residence, excepting where a one family dwelling has been converted to a day care in which a dwelling unit or a basement suite might be located on a separate level of the dwelling;
74. **“Day home”** means a provincially licensed child care facility operated from a residence supplying supervision of a maximum of six (6) children under the age of (11) years including any resident children. A day home shall supply an outside play space that is both fenced and gated, and shall meet all fire and health regulations;
75. **“Deck”** means any open structure attached to a building having a height greater than 0.6 m (2 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have walls higher than 1.25 m (4.1 ft.);
76. **“Density”** means a measure of the average number of persons or dwelling units per unit of area;
77. **“Developer”** means the owner of lands on which development is proposed, or any other person applying for a development permit;
78. **“Development”** means development as defined in the Act, and includes the following:
  - A. The carrying out of any construction or excavation, or other operations, in, on, over or under land;
  - B. The making of any change in the use or the intensity of use of any land, buildings or premises, and, without restricting the generality of the foregoing, includes the removal and/or placement of topsoil;



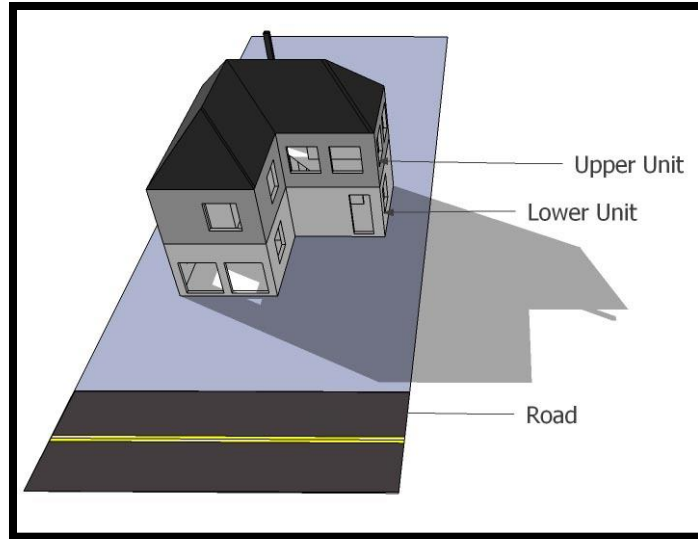
- C. In a building or on a parcel used for dwelling purposes, any increase in the number of families occupying and living in the building or on the parcel; and any alteration or additions which provide for an increase in the number of dwelling units within the building or on the parcel;
  - D. The placing of refuse or waste material on any land;
  - E. An excavation or stockpile and the creation of either of them;
  - F. A building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
  - G. The resumption of the use for which land or buildings had previously been utilized;
  - H. The use of the land for the storage or repair of motor vehicles or other machinery or equipment;
  - I. The continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect;
  - J. The more frequent or intensive use of land for the parking of trailers, bunkhouses, portable dwellings, skid shacks or any other type of portable building whatsoever whether or not the same has been placed or affixed to the land in any way;
  - K. The placement of an already constructed or a partially constructed building on a parcel of land; and
  - L. The erection of signs;
79. **“Development agreement”** is a negotiated agreement between the municipality and the owner/developer entered into at the time of subdivision or development permit approval which identifies the development responsibilities of each party;
80. **“Development Authority”** means the Development Authority established by the municipality’s Development Authority Bylaw and appointed by Council;
81. **“Development Authority Officer”** means that person or persons defined by the municipality’s Development Authority Bylaw and appointed by Council to act as Development Authority Officer;
82. **“Development permit”** means a permit issued by Smoky Lake County that authorizes a specified development and includes, where applicable, plans, drawings, specifications or other documents. This permit is separate and distinct from a building permit;
83. **“Discontinued”** means the time at which, in the opinion of the Development Authority, substantial construction activity or use of land or a building has ceased;
84. **“Discretionary use”** means a use of land or buildings within a specific land use district, for which a development permit may be issued;

85. **“Domestic pet (or pet)”** means a domesticated animal, such as a dog, cat, bird, rodent (including a rabbit), fish, or turtle that is traditionally kept in the home for pleasure rather than for commercial purposes. Domestic pets do not include reptiles (except turtles). This definition shall not include animals that are used to assist persons with disabilities;
86. **“Drinking establishment”** means a development possessing a liquor license, pursuant to provincial regulations, where the sale and consumption of liquor on site are open to the public and where liquor is the primary source of business. **This does not include a cannabis lounge or cannabis retail sales;**
87. **“Drive-in business”** means an establishment which normally provides service to customers travelling in motor vehicles driven onto the site;
88. **“Duplex, side-by-side”** or **“Dwelling, semi-detached”** means a building containing two dwelling units sharing one common wall regardless of the number of storeys, and in no case being located above or below each other;



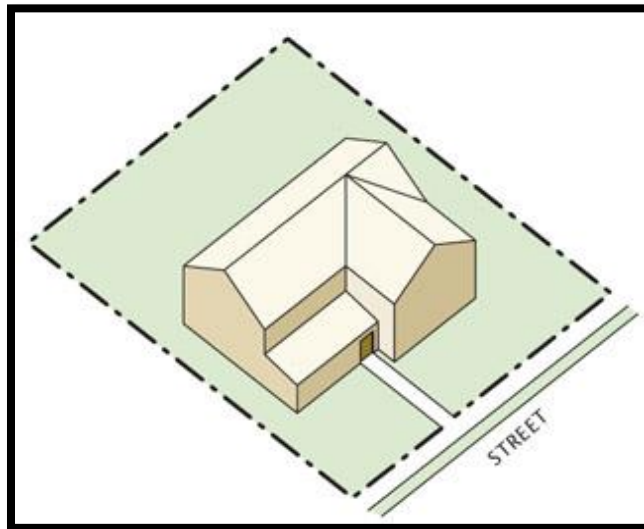
**Figure 4: Side-by-Side Duplex or Semi-detached Dwelling**

89. **“Duplex, vertical”** means a building containing two dwelling units, the dwelling area of one being located above the dwelling area of the other, either in whole or in part, each with a separate private entry;



**Figure 5: Vertical Duplex**

- 90. **“Dwelling”** means any building used exclusively for human habitation, whether or not it is supported on a permanent foundation or base extending below ground level. This definition shall include all single detached dwellings, including all site built homes, modular homes, and manufactured homes, duplexes, and multi-unit dwellings;
- 91. **“Dwelling, semi-detached”** refer to 75. **“Duplex, side-by-side;”**
- 92. **“Dwelling, single detached”** means a freestanding dwelling that does not abut any other dwelling on an adjoining lot and where all sides of the dwelling are surrounded by yards or open areas within the lot;



**Figure 6: Single Detached Dwelling**

93. **“Dwelling, Tiny”** means a permanent residential building containing one (1) dwelling unit, less than 600.0 square feet in ground floor area, which can be constructed either on site or be pre-built and assembled at the residential site. The dwelling shall be supported on a permanent foundation or piling system and physically separated from any other dwelling units. The dwelling shall include cooking, eating, living, sleeping and sanitary facilities, but does not include Manufactured Homes, Recreational Vehicles, Cabins, park-model trailers or construction site trailers.
94. **“Dwelling unit”** means a room or suite of rooms used or intended to be used as a domicile by one (1) household and usually containing cooking, eating, living, sleeping and sanitary facilities, and which is not separated from direct access to the outside by another separate dwelling unit. A dwelling unit does not contain more than one room, which, due to its design, plumbing, equipment, and/or furnishings, may be used as a kitchen;
95. **“Easement”** means a right to use land, generally for access to other property or as a right-of-way for a public utility;
96. **“Eating and drinking establishment”** means a development, whether indoors or outdoors, where patrons may purchase and consume food and/or alcoholic beverages on site where food, rather than alcohol, is the predominant item consumed. An eating and drinking establishment **does not include an entertainment establishment or a cannabis lounge**;
97. **“Eco-Cabin/Star-gazing Units”** means a development used for the provision of self-contained **“Artisanal Use”** units for temporary sleeping accommodation wherein the judgement of the Development Authority, the unit(s) are designed and intended to facilitate stargazing, and the rooms are not equipped with individual kitchen facilities.
98. **“Entertainment establishment”** means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit;
99. **“Environmental Reserve”** means Environmental Reserve as defined in Section 664(1) of the Act. Specifically, the Act defines Environmental Reserve as follows:
- 664(1) Subject to section 663, a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land as environmental reserve if it consists of:
- A. a swamp, gully, ravine, coulee or natural drainage course,
  - B. land that is subject to flooding or is, in the opinion of the subdivision authority, unstable, or
  - C. a strip of land, not less than 6.0 m (19.7 ft.) in width, abutting the bed and shore of any lake, river, stream or other body of water for the purpose of:
    - i. preventing pollution, or
    - ii. providing public access to and beside the bed and shore;

100. **“Environmental Reserve Easement”** means Environmental Reserve Easement as defined in Sections 664(2) and (3) of the Act. Specifically, the Act defines Environmental Reserve as follows:

664(2) If the owner of a parcel of land that is the subject of a proposed subdivision and the municipality agree that any or all of the land that is to be taken as environmental reserve is instead to be the subject of an environmental reserve easement for the protection and enhancement of the environment, an easement may be registered against the land in favour of the municipality at a land titles office.

664(3) The environmental reserve easement:

- A. must identify which part of the parcel of land the easement applies to,
- B. must require that land that is subject to the easement remain in a natural state as if it were owned by the municipality, whether or not the municipality has an interest in land that would be benefitted by the easement,
- C. runs with the land on any disposition of the land,
- D. constitutes an interest in land in the municipality, and
- E. may be enforced by the municipality.”

101. **“Excavation”** means the space created by the removal of soil, rock or fill for the purposes of construction;

102. **“Extensive agriculture”** means the use of land or buildings, including the first dwelling or manufactured home, an agricultural operation which require large tracts of land (usually in the order of 80 ac. (32.4 ha.) or more). **This use may include the outdoor cultivation of industrial hemp, but does not include intensive agriculture, cannabis production and distribution, or a confined feeding operation** which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act, R.S.A. 2000, c. A-7, as amended or replaced;

103. **“Family care facility”** means a facility which provides resident service in a dwelling to 6 or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes boarding homes for children, group homes and family homes;

104. **“Farmstead”** means the currently inhabited or formerly inhabited dwelling or other improvements connected with an agricultural operation and located on a lot used in connection with such use

105. **“Fence”** means a vertical physical barrier constructed for visual screening, sound abatement or security;

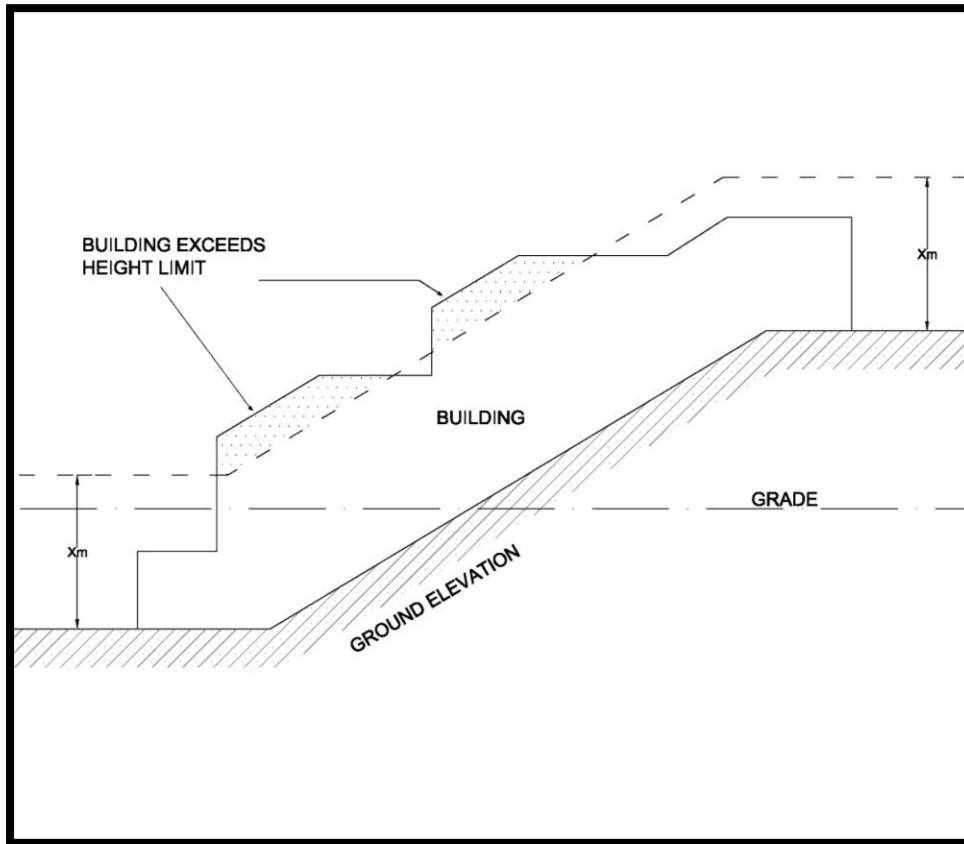
106. **“FireSmart Landscapes”** means the philosophy that seeks to mitigate both the likelihood of large, high intensity, high severity fires and the risk associated with the use of prescribed fire. FireSmart landscapes are designed to recognize the interaction between ecological, economic and social impacts, hence maximize the positive ecological impacts and minimize the negative economic and social impacts;

107. **“Flood plain”** means the area of land adjacent to a water body that is potentially at risk of flooding from a 1-100 year flood event;
108. **“Floor area”** means the space on any storey of a building between exterior walls and required firewalls, including space occupied by interior walls and partitions, but not including exits and vertical spaces that pierce the storey or the area of the basement floor, except that all basement suites and all dwelling units in apartment buildings shall be included in the calculation of floor area;
109. **“Floor area, gross leasable”** means that portion of the floor area leased to a tenant for his exclusive use and does not include any common areas such as an internal mall, stairs, washrooms, etc. to be used by the complex as a whole;
110. **“Floor area, ground”** means the total area of a lot including accessory buildings which is covered by any building or structure;
111. **“Floor area ratio, gross”** means the ratio or decimal resulting from dividing the gross floor area of all buildings by the total site area of the parcel of land on which the buildings are located;
112. **“Foundation”** means a system or arrangement of foundation units through which the loads from a building are transferred to the supporting soil or rock;
113. **“Fragmented parcel”** means a parcel of land that is separated from the balance of the remainder of the parcel of land by a natural barrier such as a river, a permanent naturally-occurring water body, a railroad, the Iron Horse Trail, or a road, but not an undeveloped road on a Road Plan, or a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gully or small, possibly intermittent, watercourse. The determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the sole discretion of the Subdivision Authority;
114. **“Frontage”** means the length of a front line and, if on a double fronting lot or a corner lot, the sum of all lines abutting all roads;
115. **“Funeral home”** means a building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of deceased human bodies for interment or cremation;
116. **“Garage”** means a fully enclosed accessory building or part of the main building, erected on a permanent foundation, which is designed and/or used primarily for the storage of motor vehicles;
117. **“Garage shelter”** means an accessory building, commonly consisting of a metal frame covered by canvas and erected on a temporary foundation, which is used primarily for the storage of motor vehicles, which is not a garage;
118. **“Garage suite”** means a self-contained dwelling located above a rear detached garage which is accessory to a single detached house. Garage suites have a separate entrance from the vehicle entrance to the rear detached garage, either from a common indoor landing or directly from the exterior of the structure. Garage suites do not include secondary suites or garden suites;

119. **“Garden suite”** means a single-storey accessory building which contains a dwelling unit and is located in a building on a site that is separate from a main building in which the main use is a single detached dwelling. A garden suite has cooking, food preparation, sleeping, and sanitary facilities which are separate from those of the single family dwelling located on the site. This use does not include secondary suites or garage suites;
120. **“Gas bar”** means a development where gasoline, lubricating oils, and other automotive fluids and automobile accessories are bought and sold. Gas bars do not include facilities for the servicing or repairing of motor vehicles and do not include service stations;
121. **“Grade”** means the average level of finished ground adjoining each exterior wall of a building, but does not include localized depressions such as for vehicle or pedestrian entrances;
122. **“Grid road”** includes all Government Road Allowances in the County, and also includes all forced roads, other than those identified as highways and service roads;
123. **“Ground floor area”** see **“Floor area, ground”**;
124. **“Group care facility”** means a residence which is licensed or funded under an Act of the Government of Canada or the Province of Alberta to provide accommodation for a small group of persons living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being;
125. **“Greenhouse”** means a building or the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail. **A greenhouse does not include cannabis production and distribution;**
126. **“Guest house”** means a building in which persons are accommodated on a temporary basis as guests of the residents of the main building located on the property without compensation;
127. **“Guest ranch”** means a development of a private owner-occupied ranch house which includes sleeping facilities, which are rented on a daily basis to registered guests and meals are prepared in a certified residential kitchen;
128. **“Hamlet”** means an unincorporated community designated as a Hamlet by Council pursuant to the Act, and includes the Hamlets of Warspite, Bellis, Edward and Spedden;
129. **“Health services”** means establishments primarily engaged in furnishing medical, surgical or other services to individuals, including the offices of physicians, dentists, and other health practitioners, medical and dental laboratories, out-patient care facilities, blood banks, oxygen and miscellaneous types of medical supplies and services, counselling services, clinics, and medical cannabis clinics;
130. **“Heavy equipment sales, service, repair or storage”** means a building or part of a building or structure in which:

- A. heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, and/or
- B. heavy machinery and equipment are serviced or repaired;
- C. heavy machinery and equipment is stored;

131. **“Height”** means the vertical distance between the average finished grade and the highest point of a building; excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar device not structurally essential to the building (see Figure 7);



**Figure 7: Building Height**

132. **“Higher capability agricultural land”** means a quarter section consisting of at least 50 ac. (20.23 ha.) of land having a farmland assessment productivity rating equal to or greater than 41%; or, if no rating is available, at least 60% of its land area rated as Canada Land Inventory (C.L.I.) classes 1-3 soil capability for agriculture;

133. **“Highway”** means a highway or proposed highway that is designated as a highway pursuant to the Public Highways Development Act;



134. **“Highway commercial** “means a use intended primarily to provide commercial services for recreational, industrial and commercial travelers **This use does not include cannabis retail sales;**
135. **“Historical Resources Impact Assessment (HRIA)”** the process by which archaeological, historical, and palaeontological resources are located, studied, and managed in the Province of Alberta. Before industrial, private, and government organizations undertake development in the Province, they may be required to do HRIA work to assist in the protection and understanding of historical resources on affected lands;
136. **“Home occupation, major”** means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, and which increases traffic circulation in the neighbourhood in which it is located. A major home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than one (1) small sign as provided for in this Bylaw. A major home occupation **does not include: adult entertainment services, day homes, bed and breakfast establishments, animal breeding and/or boarding facilities, cannabis production and distribution, cannabis retail sales, or a cannabis lounge.** Any home occupation which utilizes an accessory building shall be deemed a Major Home Occupation;
137. **“Home occupation, minor”** Home occupation, minor” means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the neighbourhood in which it is located. A minor home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than one (1) small sign as provided for in this Bylaw. A minor home occupation **does not include adult entertainment services, or dating or escort services, cannabis retail sales, or cannabis production and distribution;**
138. **“Hotel”** means rooms or suites in a commercial development for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. Hotels may include accessory food services, neighborhood pubs, nightclubs, meeting rooms, and personal service establishments.
139. **“Household”** means:
- A. a person; or
  - B. two (2) or more persons related by blood, marriage or adoption; or
  - C. a group of not more than three (3) persons who are not related by blood, marriage, or adoption;
- all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants;
140. **“Indoor eating establishment”** means an establishment where food and drink are intended to be consumed within the confines of the establishment, but **does not include a cannabis lounge;**

141. **“Industrial, heavy”** means a development which would be considered to be a medium industrial use except that, in the opinion of the Development Authority, the development would not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the heavy industrial use; the potential for significant toxic or noxious by-products such as air or water-born emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants, alfalfa processing plants, **large scale cannabis production and distribution, large scale industrial hemp production facilities**, or large-scale outdoor storage that is unsightly or visually offensive. Heavy industrial uses do not include heavy petro-chemical industry;
142. **“Industrial, heavy petrochemical”** means a use or development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the sole opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use. **This use does not include cannabis production and distribution or industrial hemp production and distribution facilities;**
143. **“Industrial hemp”** means a cannabis plant – or any part of that plant – in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves, as defined in *Industrial Hemp Regulations*, SOR/2018-145, as amended or replaced;
144. **“Industrial hemp production and distribution facility”** means the use of land, buildings or structures licensed and/or authorized to process, sell, provide, ship, deliver, transport, destroy, export and/or import industrial hemp, including indoor production and related research, under the *Industrial Hemp Regulations*, SOR/2018-145, as amended or replaced. This use does not include: cannabis retail sales establishments, cannabis production and distribution, or the outdoor cultivation of industrial hemp;
145. **“Industrial, medium”** means a development which may include indoor or outdoor storage and in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for on-site adverse environmental impacts; the potential for significant toxic or noxious by-products which may be offensive or hazardous to human health, safety or well-being; the storage of toxic, flammable or explosive products in small quantities; or large-scale outdoor storage that is unsightly or visually offensive. Medium industrial uses **may include manufacturing, transportation, warehousing; distribution, medium scale cannabis production and distribution, and medium scale industrial hemp production and distribution facilities, and utilities;**
146. **“Industrial, light”** means development for the purpose of: the processing of raw materials; the manufacturing or assembly of goods or equipment; or the storage or transshipment of materials, goods, and equipment; which will not result in the emission of odours, dust, smoky, gas, noise, or vibration outside the building in which the light industrial activity is carried on, and which is carried on entirely indoors, except for storage which may be located outdoors provided it is entirely

screened from all adjacent uses, except for other industrial uses, and from all roads. **This use includes small scale cannabis production and distribution and small scale industrial hemp production and distribution facilities.** Notwithstanding the above, light industrial uses shall not include the outdoor storage of used goods or materials for any purpose;

**147. “Industrial, rural”** means any industrial use involved in:

- a. the processing, fabrication, storage, transportation, distribution, or wholesaling of goods which require a relatively large lot; and
- b. activities which would not be appropriate or should not locate within an urban area because they are potentially hazardous or may emit a high level of noise, dust, odour, vibration, or require a large parcel of land;
- c. agricultural based industries such as seed cleaning plants, fertilizer plants, the storage or sale of fertilizer and/or bulk fuel and, at the discretion of the development authority some resource based industries including: saw mills or pulp and paper industries, and sphagnum industries or small and medium scale industrial hemp production and distribution facilities.

Rural industrial uses do not include heavy petrochemical uses or uses that would be considered heavy industrial uses;

**148. “Intensive agriculture”** means an agricultural operation which raises crops on a land-intensive basis. Intensive agriculture includes, greenhouses, silviculture and sod farms, but **does not include confined feeding operations cannabis production and distribution or industrial hemp production and distribution facilities;**

**149. “In-law suite”** means an additional dwelling unit intended for the sole occupancy of one (1) or two (2) adult persons, which has access to the adjoining dwelling unit. The floor area of the in-law suite shall not exceed 30 percent of the existing living area of the primary dwelling unit or 80.0 sq. m (861.1 sq. ft.) in floor area on a residential lot, whichever is the lesser;

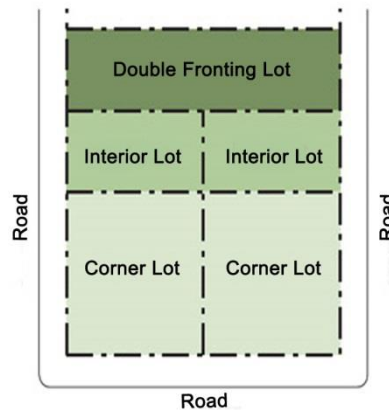
**150. “Institutional”** means a use or development which includes but is not limited to hospitals, public offices, educational facilities, places of worship, libraries and senior citizen housing;

**151. “Landfill”** means a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards. A landfill shall be owned by either a municipal corporation or by a municipally-owned corporation;

**152. “Landscaping”** means to preserve or change the natural features of a parcel by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways or other structures and materials as used in modern landscape architecture;

**153. “Lane”** means a public thoroughfare for vehicles, the right-of-way of which is not less than 8.0 m (26.25 ft.) and does not exceed 10.0 m (32.8 ft.) in width, providing a secondary means of access to a parcel, or as defined as an alley in the Traffic Safety Act, R.S.A. 2000, as amended;

154. **“Line, front”** means the boundary line of a lot lying adjacent to a road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the road shall be considered the front line;
155. **“Line, rear”** means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a road;
156. **“Line, side”** the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the road shall be considered a side line;
157. **“Liquor sales/distribution service”** means development used principally for the wholesale or retail sale or distribution to the public of any and all types of alcoholic spirits or beverages as defined by the *Gaming, Liquor and Cannabis Act*, R.S.A. 2000, c. G-01, as amended. **This use does not include cannabis retail sales.**
158. **“Livestock”** means livestock as defined in the *Agricultural Operations and Practices Act*, R.S.A. 2000, as amended;
159. **“Loading space”** means a space entirely on the same parcel as a building or group of buildings, intended for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded;
160. **“Lot”** means:
- A. a quarter section, or
  - B. a river lot or a settlement lot shown on an official plan referred to in the *Surveys Act* that is filed or lodged in a land titles office, or
  - C. a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
  - D. a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
161. **“Lot, corner or flanking”** means a lot with a side line abutting a road;
162. **“Lot coverage”** means the combined area of all buildings on a lot excluding specific features allowed under this Bylaw as projections into required yards;
163. **“Lot depth”** means the combined area of all buildings on a lot excluding specific features allowed under this Bylaw as projections into required yards;
164. **“Lot, double fronting”** means a lot which abuts two roads (except alleys as defined in the *Traffic Safety Act*, R.S.A. 2000, as amended), which are parallel or nearly parallel where abutting the lot, but does not include a corner lot (**see Figure 5**);



**Figure 8: Diagram illustrating different lot definitions**

165. **“Lot, interior”** means a lot which has a road only on the front line;
166. **“Lot, lake front”** means a lot which is either adjacent to a water body or, except for a Reserve Lot, is adjacent to a water body;
167. **“Lot width”** means the distance between the side lines of a lot at the minimum allowable front yard, measured perpendicular to the line joining the midpoint of the front line to the midpoint of the rear line on a curved road;
168. **“Lower capability agricultural land”** means a quarter section consisting of less than 20.23 ha. (50 ac.) of land having a farmland assessment productivity rating equal to or less than 41%; or, if no rating is available, less than 60% of its land area rated as Canada Land Inventory (C.L.I.) classes 1-3 soil capability for agriculture;
169. **“Main building”** means a building that in the opinion of the Development Authority:
- A. Occupies the major or central portion of a lot,
  - B. Is the main building on the lot, and/or
  - C. Constitutes the primary use for the lot;
170. **“Main use”** means the primary purpose, in the opinion of the Development Authority, of a building or lot. There shall be only one main use on a lot unless otherwise allowed in this Bylaw;
171. **“Maintenance”** means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building;
172. **“Manufactured home – single family”** means a single detached dwelling comprised of one or more large factory-built sections that is designed and manufactured to be moved from one point to another by being towed or carried on its own wheels or by other means, and upon arriving at

the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as dwelling accommodation for one or more persons. A manufactured home must be manufactured and maintained in full compliance with applicable national and provincial regulations;

173. **“Manufactured home – multi-family”** means a building containing more than one (1) dwelling unit comprised of one (1) or more large factory-built sections. It is manufactured and maintained in full compliance with applicable national and provincial regulations;
174. **“Manufactured home park”** means any lot on which three (3) or more occupied manufactured home units are harboured or are allowed to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park, which complies with relevant government regulations governing manufactured home parks;
175. **“Manufactured home subdivision”** means an area which has been separated by legal subdivision into parcels designated for manufactured homes;
176. **“Manufacturing”** means the use of land, buildings or structure for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale any goods, substances, article, thing or service;
177. **“May”** is an operative word meaning a choice is available, with no particular direction or guidance intended;
178. **“Medical cannabis clinic”** means a health provider that provides patients with education on the therapeutic use of cannabis and may prescribe medical cannabis to patients on an out-patient basis;
179. **“Modular home”** means a dwelling conforming to national and provincial certified standards in place at the time of manufacture, that is designed to be transported to the building site in a single piece or in pieces and assembled on-site on top of a site-constructed basement or foundation but does not include a dwelling that would be considered to be a manufactured home, a recreational travel trailer, a recreational vehicle or a park model unit;
180. **“Motel (or motor inn)”** means a development divided into self-contained sleeping or dwelling units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include food services and personal service establishments.
181. **“Multi-use development”** means a development with planned integration of some combination of retail, office, residential, hotel, recreation or other functions. It is pedestrian-oriented and contains elements of a live-work-play environment. It maximizes space usage, has amenities and architectural expression and tends to mitigate traffic and sprawl;
182. **“Multi-unit dwelling”** means a dwelling containing three or more dwelling units;
183. **“Municipal Development Plan”** means the Municipal Development Plan of Smoky Lake County, adopted in accordance with the Act;

184. **“Municipal Planning Commission”** means the Municipal Planning Commission of Smoky Lake County, established in accordance with the County’s Municipal Planning Commission Bylaw and appointed by Council pursuant to that Bylaw;
185. **“Municipality”** means the Smoky Lake County, in the Province of Alberta;
186. **“Natural area”** means an area of land and/or water especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means. Areas such as groomed parks, recreational areas for sports, and schoolyards are not included in this definition;
187. **“Natural resource extraction/processing facility”** means an industry engaged in the extraction and/or processing of natural resources such as clay, sand, gravel, lumber and natural gas, through primary treatment into a raw marketable form and includes asphalt paving plants and concrete producing plants where applicable;
188. **“Neighbourhood commercial development”** means a development where goods and services required by area residents or employees on a day to day basis are provided, bought or sold. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 sq. m (2,960.0 sq. ft). Neighbourhood commercial developments include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, and/or printed matter as well as small personal service shops.
189. **“Neighbourhood convenience (or retail) store”** means a retail store where those goods required by area residents or employees on a day to day basis are the predominant product offered for sale. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 m<sup>2</sup> (2,960.0 ft.<sup>2</sup>). Typical uses include small food stores, drug stores, and variety stores selling confections, tobacco, groceries, beverages, pharmaceutical and personal care items, and/or printed matter. The design and scale of the building must be compatible in scale and design with the surrounding residential neighbourhood. **This use does not include cannabis retail sales;**
190. **“Neighbourhood park”** includes physical characteristics appropriate for both active and passive recreation uses in a park setting with opportunities for interaction with nature such as trees and plantings. A Neighborhood Park has pedestrian access, and is accessible by bicycle and public transit;
191. **“Neighbourhood shopping centre”** means a group of commercial uses that have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants and distinguished from a business area comprising unrelated individual uses that provide commercial services to residents and visitors of the neighbourhood. The design and scale of the shopping centre must be compatible in scale and design with the surrounding residential neighbourhood;
192. **“Non-conforming building”** means a building that is lawfully constructed or lawfully under construction at the date this Bylaw or any amendment thereof affecting the building or land on

which the building is situated becomes effective does not, or when constructed will not, comply with the Land Use Bylaw;

193. **“Non-conforming use”** means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction, at the date this Bylaw or any amendment thereof affecting the land or building becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw;
194. **“Occupancy”** means the use or intended use of a building or part thereof for the shelter or support of persons or property;
195. **“Off-street parking”** means an off-street facility for the parking of three or more vehicles;
196. **“Outdoor eating establishment”** means an establishment where food and drink are normally consumed primarily outside but may also be consumed inside the confines of the establishment. **This use does not include cannabis lounges;**
197. **“Parapet wall”** means that part of an exterior, party wall or fire wall extending above the roof line or a wall which serves as a guard at the edge of a balcony or roof;
198. **“Parking facility”** means the area set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility;
199. **“Parking space”** means a portion of a lot set aside for the parking of one vehicle;
200. **“Patio”** means any developed surface adjacent to a building which is less than 0.6 m (2.0 ft.) above grade;
201. **“Permitted use”** means the use of land or a building within a specific land use district, for which a development permit shall be issued, with or without conditions, provided the development conforms to the Land Use Bylaw;
202. **“Personal service shop”** means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barber shops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments and laundry establishments. This does not include health services;
203. **“Place of worship”** means a facility for people to assemble in order to conduct religious services and related educational, philanthropic, or social activities and may include rectories, manses, classrooms, dormitories and accessory buildings;
204. **“Private club or lodge”** means a building or part of a building used exclusively by the members and guests of a club for social, recreational or athletic activities **This use does not include cannabis lounges;**
205. **“Protective and emergency services”** means development wherein those persons or agencies who provide public protection of persons and property from injury, harm, or damage are



accommodated, together with the incidental storage of emergency equipment which is necessary for the local distribution of the services. Typical uses include gas equipment and vehicle storage, police stations, fire stations, and ancillary training facilities;

- 206. “Public or quasi-public services”** means a building used by the public for the purposes of assembly, instruction, or culture, or providing government services directly to the public. It includes government buildings, places of worship, community halls, and recreation facilities. Buildings containing public or quasi-public services may also contain facilities for eating and drinking establishments as an accessory use and, from time to time, part of a building containing public or quasi-public services may be used as an entertainment establishment;
- 207. “Public park”** means any public outdoor land specifically for passive or active recreation including tot-lots, playgrounds, walkways, trails, environmentally significant areas, band shells, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land uses. It includes all natural and man-made landscaping, facilities, sports fields, accesses, trails, buildings and structures consistent with the general purpose of public park land whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. This includes a broad range of accessory uses, including commercial, which serve park users and are compatible with park objectives;
- 208. “Public utility”** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:
- a) water or stream;
  - b) sewage disposal;
  - c) public transportation operated by or on behalf of the municipality;
  - d) irrigation;
  - e) drainage;
  - f) fuel;
  - g) electric power;
  - h) heat;
  - i) waste management;
  - j) telecommunications;

and includes the service, product or commodity that is provided for public consumption, benefit, convenience or use, or as otherwise defined under Part 17 of the Act.

- 209. “Public utility building”** means a building in which the proprietor or a Public Utility maintains its office or offices and/or maintains or stores any equipment used in conjunction with the Public Utility;
- 210. “Real Property Report”** means a legal document that clearly illustrates permanent above ground buildings and registered easements in relation to property boundaries. The document consists of a plan showing the physical improvements with a written report outlining the details of the property, and is signed by a registered Alberta Land Surveyor;

211. **“Recreation, active”** means a mix of uses in a neighborhood park that includes the following facilities or facility types: athletic fields, building or structures for activities, concession, community garden, courses or courts, children's play area, dog play area, or a bike path;
212. **“Recreation, passive”** means a mix of uses in a neighborhood park, undeveloped land or minimally improved lands which includes the following: landscaped area, natural area, ornamental garden, non-landscaped green space, stairway, decorative fountain, picnic area, water body, or trail without recreational staffing;
213. **“Recreational use”** means a development providing for commercial or non-commercial leisure activities located to take advantage of the natural setting. Without restricting the generality of the foregoing, this shall include:
- A. Non facility oriented recreational activities such as hiking, cross country skiing, rustic camping, and other similar uses; and
  - B. Facility oriented recreational activities such as picnic grounds, swimming beaches, boat launches, parks, and other similar uses;

Recreational uses may include, at the discretion of the Development Authority, active and passive recreation;

214. **“Recreation Vehicle”** means a vehicle primarily designed as temporary living quarters for recreational camping or travelling, which either has its own motor power or is mounted onto or drawn by another vehicle.
215. **“Recreational Vehicle – Motorized or Towable”** means a recreational vehicle either built on or as an integral part of a self-propelled motor vehicle chassis combining transportation and living quarters in one unit or designed to be towed by a motorized vehicle (car, van or pickup truck). These recreational vehicles are designed to provide temporary living accommodation for travel, vacation or recreational use, which may include sleeping, kitchen, bathroom and systems for fresh and wastewater, electricity, propane, heating, air conditioning and entertainment. They shall have an overall width not exceeding 2.6 m (8 ft. 6 in.), where the width is the sum of the distance from the vehicle centre-line to the outmost projections on each side (including door handles, water connections, etc.) when the vehicle is folded or stowed away for transit. Such units include motorhomes, travel trailers, fifth-wheel trailers, folding camping trailers and truck campers.
216. **“Recreational Vehicle Park”** means the planned development used for the seasonal short-term use of recreational vehicles with a higher level of service provided than in a campground. The recreational vehicle park shall not be used as year-round storage, or accommodation for residential use. A Recreational Vehicle Park may be developed in association with related recreational activities; such as hiking or riding trails, picnic grounds, boating facilities and playgrounds.
217. **Recreational Vehicle – Park Model Recreational Unit (Also Referred To As A “Cottage Model”)** means a recreational vehicle built on a single chassis mounted on wheels which may be removed. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use and must be connected to those utilities necessary for the

operation of installed fixtures and appliances. This type of recreation vehicle has a width greater than 2.6 m (8 ft. 6 in.) in the transit mode. Park Model

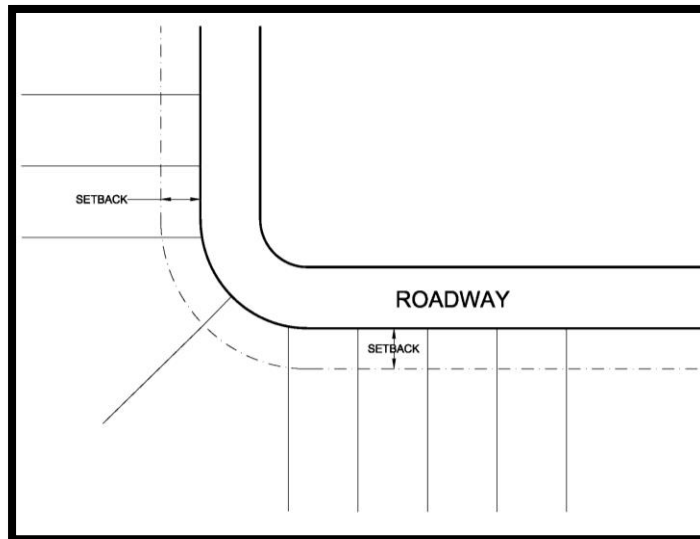
Recreational Units require a special tow vehicle and a special permit to move on the road. They conform to the CSA Z-241 Standard for Park Model Recreational Units or another similar CSA standard to be approved by the Development Authority at its sole discretion.

- 218. “Recreational Vehicle – Park Model Trailer”** means a recreational vehicle designed to be towed by a heavy-duty tow vehicle but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8 ft. 6 in.). This type of recreational vehicle is designed for infrequent towing and is not fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode, it must be connected to local utilities. The Park Model Trailer is built on a single chassis mounted on wheels and has one or more slide-outs and conforms to the CSA Z-240 Standard for Recreational Vehicles or another similar CSA standard to be approved by the Development Authority at its sole discretion.
- 219. “Recreational Vehicle Sales And Services”** means development used for the rental, lease, sale, storage, service, restoration and/or mechanical repair of recreation vehicles, snowmobiles, and all terrain vehicles, and boats.
- 220. “Recycling depot”** means a building in which used material is separated and processed prior to shipment to others who will use the materials to manufacture new products;
- 221. “Renovation”** means an addition to, deletion from, or change to any building which does not require a permit pursuant to the Safety Codes Act other than a plumbing permit or an electrical permit;
- 222. “Retail store”** means a development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confections, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and/or similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots, are allowed within retail stores. **This does not include developments used for the sale of alcoholic beverages, cannabis, gasoline, heavy agricultural or industrial equipment; vehicle and equipment sales/rentals; or warehouse development;**
- 223. “Road”** means a road as defined in the Act which is not a lane as defined in this Bylaw;
- 224. “Rodeo grounds or riding arena”** means a development providing facilities intended for sporting events which are held primarily for public entertainment. Typical events may include but not be limited to bronco riding, calf roping, horse riding, and steer wrestling;
- 225. “Row house”** means one of a series of houses, often of similar or identical design, situated side by side and joined by common walls;
- 226. “Rural commercial”** means a business establishment located in a rural setting to retail or service goods destined for the immediately surrounding rural area. Notwithstanding the generality of the forgoing, rural commercial uses may include: convenience retail services, minor agricultural

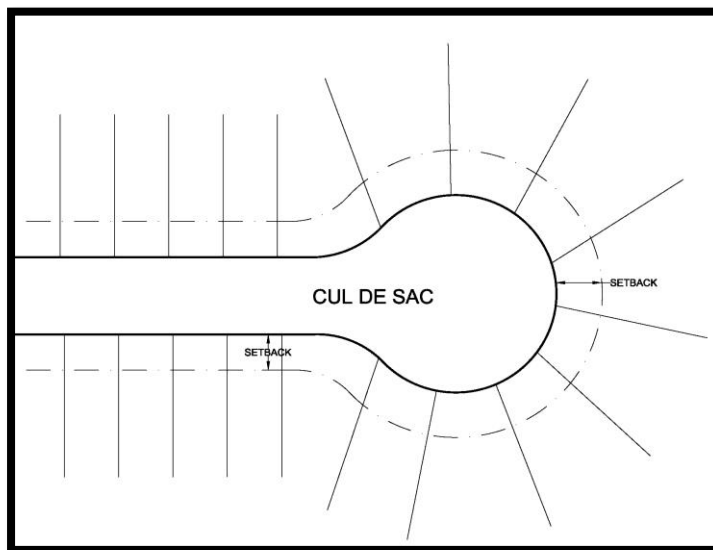
sales and services, as well as bulk fuel, chemical and fertilizer sales. **This use does not include cannabis retail sales or liquor sales/distribution service;**

227. **“Schools, public and private”** means development where educational, training, or instruction occurs under the auspices of a School Authority or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Authority. Public and private schools include the administration offices, storage, and maintenance operations of the School Authority. Public and private schools include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or “charter schools” (and similar schools), and their administrative offices and maintenance facilities;
228. **“Secondary commercial”** means a commercial use that is secondary or subordinate to the primary use on the site;
229. **“Senior citizens home”** means any home for senior citizens sponsored and administered by any public agency or any service club, church, or other organization, either of which obtains its financing from federal, provincial or municipal governments or agencies, or by public subscription or donation, or by any combination thereof, and many includes accessory uses such as club and lounge facilities, usually associated with senior citizens developments;
230. **“Secondary suite”** means an additional separate dwelling unit on a property that would normally accommodate only one dwelling unit. A secondary suite is considered "secondary" or "accessory" to the primary residence on the parcel. It normally has its own entrance, kitchen, bathroom and living area;
231. **“Servicing establishment”** means a development used or intended to be used for any of the following: the servicing or repairing of motor vehicles, the sale of gasoline, the sale of lubricating oils and other automotive fluids, accessories for motor vehicles, and a towing service dispatch point;

232. **“Setback”** means the minimum perpendicular distance that a development must be set back from the front, side, or rear property lines and the nearest point on the exterior wall of a building on the lot (see **Figures 9 and 10**);



**Figure 9: Setback Definition Diagram A**



**Figure 10: Setback Definition Diagram B**

233. **“Shipping container”** means a container which is used as a storage vault and includes sea/land/rail containers;
234. **“Shopping centre”** means a group of commercial uses that have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants and distinguished

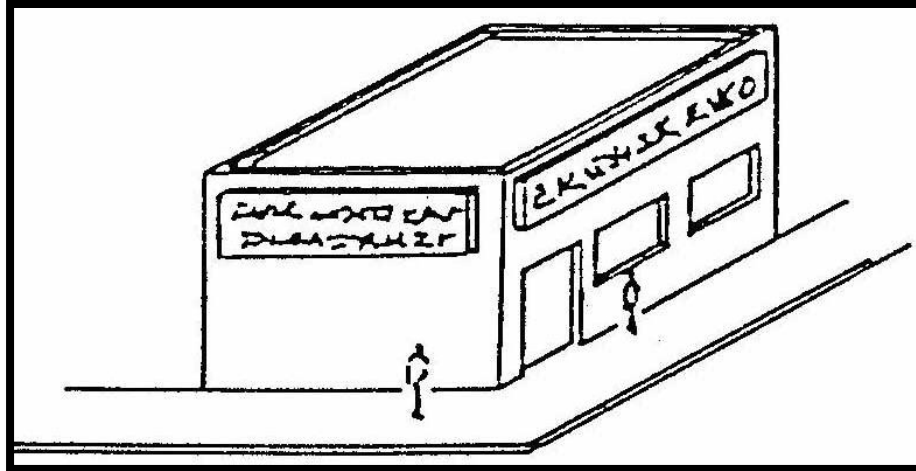
from a business area comprising unrelated individual uses, that provides commercial services to residents and visitors;

- 235. **“Shall”** is an operative word which means the action is obligatory;
- 236. **“Should”** is an operative word which means that in order to achieve local goals and objectives, it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances;
- 237. **“Sign”** means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event;
- 238. **“Sign, canopy”** means a sign which is part of or attached to the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy (see **Figure 11**);



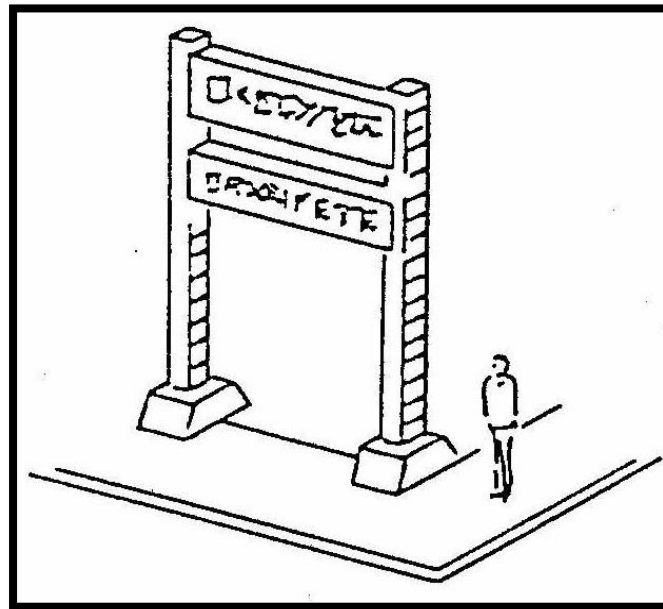
**Figure 11: Canopy Sign**

- 239. **“Sign, fascia”** means a sign attached to or placed flat against an exterior vertical surface of a building, and projects no more than 0.1 m (0.33 ft.) from the surface of the building, and does not project above the roof or parapet (see **Figure 12**);



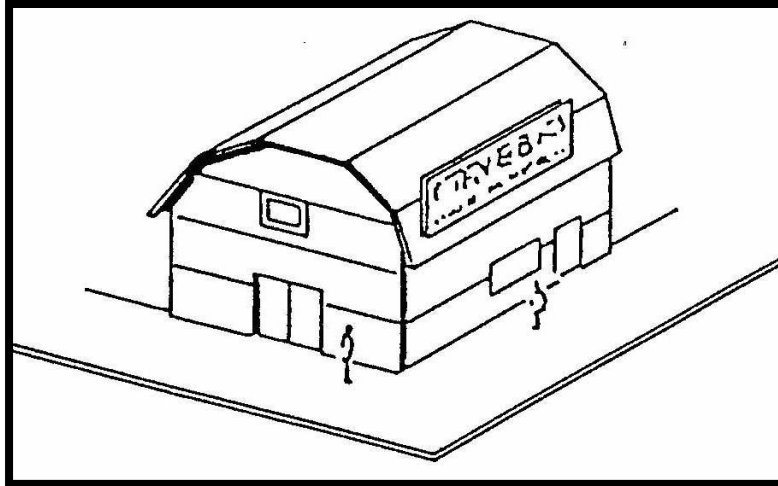
**Figure 12: Fascia Sign**

240. **“Sign, freestanding”** means a sign supported by one or more uprights, braces or pylons, and stands independently of another structure (see **Figure 13**);



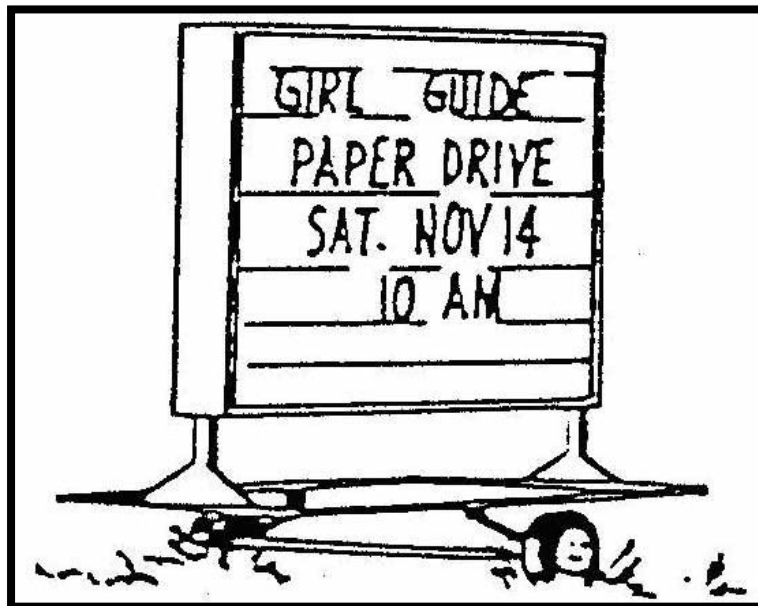
**Figure 13: Freestanding Sign**

241. **“Sign, offsite”** means a sign that advertises goods, products, services or facilities not available on the site where the sign is located, and which may also direct persons to another location;
242. **“Sign, projecting”** means a sign affixed to a building or part thereof and extending beyond the building by more than 0.3 m (1 foot). This does not include a sign attached to the ground;
243. **“Sign, roof”** means a sign erected upon, against or directly above the roof of a building or the top of a parapet wall (see **Figure 14**);



**Figure 14: Roof Sign**

244. “Sign, temporary or portable” means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually (see **Figure 15**);



**Figure 15: Temporary/Portable Sign**

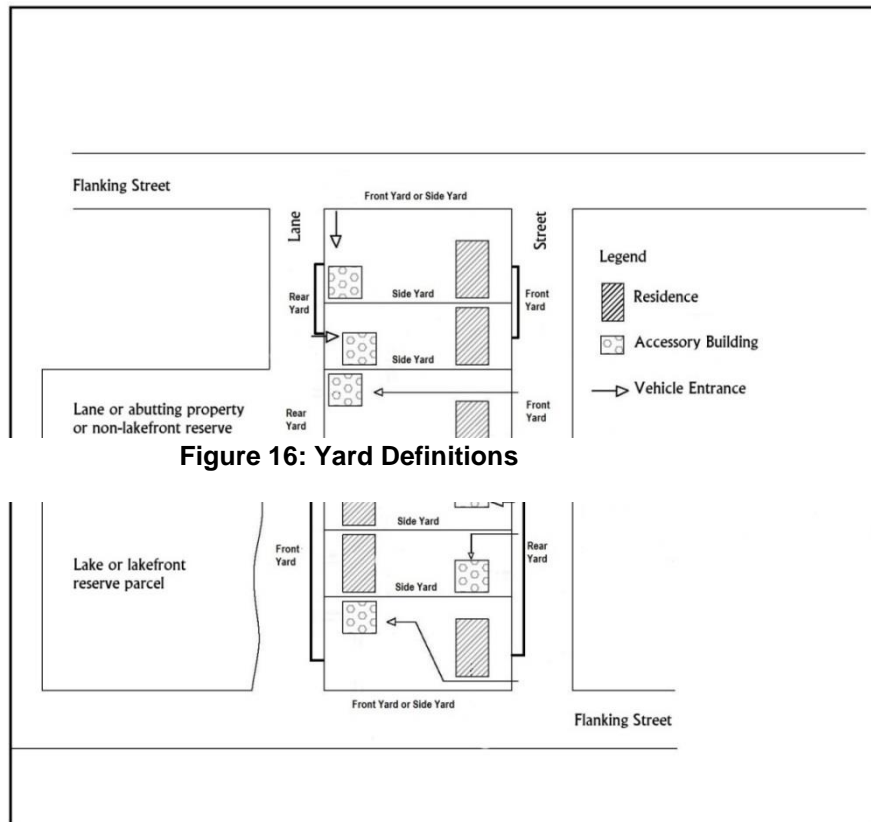
245. “Sign, under canopy” means a sign which is attached to the bottom surface or edge of a canopy;
246. “Similar use” means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment;
247. “Solar array” means multiple solar panels use in conjunction to produce electricity;



248. **“Solar energy conversion system”** means a system comprising of solar panels and associated control or conversion electronics, which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and which may or may not be intended or used to produce power for resale.
249. **“Solar panel, free standing”** means a device which is used to convert energy contained within the sun’s rays into electricity, which is not mounted or attached to any other structure for support;
250. **“Solar panel, roof mounted”** means a device which is used to convert energy contained within the sun’s rays into electricity, which is located, mounted, or attached to the roof of a structure;
251. **“Site built”** means a building that is constructed primarily on its site. Although some components may be prefabricated off-site, the building is erected, framed, and finished by workers on location using stock materials;
252. **“Stall”** means a portion of a manufactured home park on which a manufactured home may be placed;
253. **“Storage use”** means the primary use of a building or other structure for the storing of goods or materials;
254. **“Storey”** means the habitable space between the upper face of one floor and the ceiling or next floor above it. A basement or cellar shall be considered a storey if the upper face of the floor above it is more than 1.8 m (5.9 ft.) above grade;
255. **“Subdivision Authority”** means a Subdivision Authority established pursuant to the Act;
256. **“Subdivision and Development Appeal Board”** means a Subdivision and Development Appeal Board established and appointed for Smoky Lake County pursuant to the Act;
257. **“Substandard lot”** means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the land use district in which the lot is located;
258. **“Surveillance suite”** means a single detached dwelling used solely to accommodate a person or persons related as a family, or employee, whose official function is to provide surveillance, maintenance and/or security for a development provided for in the land use districts in which surveillance suites are listed either as a permitted or discretionary use. The single detached dwelling shall form part of the development with which it is associated and clearly be a subordinate use of the parcel on which it is located;
259. **“Temporary building”** means a building that has been approved for a limited time only;
260. **“Temporary use”** means a use that has been approved for a limited time only;
261. **“Transfer station”** means a development where waste is temporarily stored in bins or other facilities for trans-shipment to other locations;
262. **“Turbine”** refers to the parts of a WECS system including the rotor, generator, and tail;

263. **"Unsubdivided quarter section"** means a quarter section which has had no lands removed from it other than for road, the Iron Horse Trail or railroad purposes;
264. **"Urban municipality"** refers to the Town of Smoky Lake, the Village of Vilna, and the Village of Waskatenau, either solely or collectively;
265. **"Use"** means a use of land or a building as determined by the Development Authority;
266. **"Utility building"** means a building which contains the offices or any equipment used in connection with a public utility;
267. **"Vacant parcel"** means a parcel either subdivided or to be subdivided for residential purposes which is currently is not developed for residential use or has never been developed for residential use;
268. **"Value added agriculture"** means an agricultural industry which economically adds value to a product by changing it from its current state to a more valuable state;
269. **"Vehicle, heavy"** means any vehicle, with or without a load, that exceeds a maximum gross vehicle weight rating of Class 3 or higher as designated by the Canadian Transportation Equipment Association (4537 kg or 10,000 lbs.), or a bus with a designated seating capacity of more than ten (10). Heavy vehicles do not include recreational vehicles;
270. **"Walkways and trails"** mean an area used for non-vehicular multi-modal transportation and/or recreational travel;
271. **"Warehouse"** means the use of a building or part of a building for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, but shall not include facilities for a truck or transport terminal or yard;
272. **"Wind energy conservation system, large"** means one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity equal to or greater than 300 kW and may:
- A. be over 125.0 ft. total height; and/or
  - B. produce electrical power for re-sale;
273. **"Wind energy conservation system, micro"** means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure;
274. **"Wind energy conservation system, small"** means a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale;
275. **"Wind turbine tower"** refers to the guyed or freestanding structure that supports a wind turbine generator;

276. **“Wind turbine tower height”** means the height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and rotor;
277. **“Workcamp”** means a temporary residential complex used to house camp workers for a contracting firm or project on a temporary basis of more than four (4) months and less than one (1) year. The camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities;
278. **“Workcamp, short term”** means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. For the purposes of this definition, temporary means for a period of up to four (4) months in total duration either consecutively or non-consecutively;
279. **“Yard”** means a required open area unoccupied and unobstructed by any building or portion of a building above the general ground level of a lot, unless otherwise allowed in this Bylaw (see **Figure 16**);



280. **“Yard, front”** means that portion of a lot extending across the full width of the lot from the front line to the exterior wall of the specified building (see **Figure 16**);

- 281. “Yard, lake front lot” means the yard extending across the full width of a lake-front lot and situated between the lot line closest to the lake and the front wall of the main building (see **Figure 16**);
- 282. “Yard, rear” means that portion of a lot extending across the full width of the lot from the rear line to the exterior wall of the specified building (see **Figure 16**);
- 283. “Yard, side” means that portion of a lot extending from the front yard to the rear yard and lying between the side line and the exterior wall of the specified building (see **Figure 16**);

and all other words and expressions have the meanings respectively assigned to them in the Act.

Examples listed in a use definition are not intended to be exclusive or restrictive.

### **1.8 DEFINITIONS NOT PROVIDED**

- 1. In instances where specific lands uses:
  - A. Do not conform to the wording of any land use; or
  - B. Generally conform to the wording of two or more land uses;

The Development Authority Officer shall use his/her discretion to include these land uses in a land use category that is most appropriate in character and purpose.

### **1.9 DEVELOPMENT AUTHORITY**

- 1. The Development Authority of Smoky Lake County shall be as established by the municipality’s Development Authority Bylaw.
- 2. The Development Authority shall perform such duties that are specified in this Bylaw, and shall also, among other things:
  - A. Keep and maintain for the inspection of the public during all regular hours, a copy of the Bylaw and all amendments thereto; and
  - B. Keep a register of all applications for development including the decisions thereon and the reasons therefore.
- 3. For the purpose of the Act, the Development Authority or their designate(s) is/are hereby declared to be a Designated Officer of Council.

### **1.10 DEVELOPMENT AUTHORITY OFFICER**

- 1. The Development Authority Officer shall be appointed by resolution of Council.
- 2. The Development Authority Officer shall perform such duties as specified in this Bylaw.

3. The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by the Development Authority or by the Development Authority Officer.
4. The Development Authority Officer shall keep and maintain for the inspection of the public during all regular hours, a copy of the Bylaw and all amendments thereto, and keep a register of all applications for development, including decisions.
5. In addition, the Development Authority Officer may have other duties as directed by Council.

#### **1.11 MUNICIPAL PLANNING COMMISSION**

1. The Municipal Planning Commission shall be established by the municipality's Municipal Planning Commission Bylaw.
2. Members of the Municipal Planning Commission shall be appointed by resolution of Council.
3. The Municipal Planning Commission shall decide upon all development permit applications referred to it by the Development Authority Officer.
4. The Municipal Planning Commission may:
  - A. Provide recommendations for subdivision proposals to the Subdivision Authority; and
  - B. Perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

#### **1.12 SUBDIVISION AUTHORITY**

1. The Subdivision Authority established by the municipality's Subdivision Authority Bylaw shall perform such duties as are specified in this Bylaw and by the Act. The Subdivision Authority shall be appointed by resolution of Council.

#### **1.13 SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

1. The Subdivision and Development Appeal Board established by the municipality's Subdivision and Development Appeal Board Bylaw shall perform such duties as are specified in this Bylaw.

#### **1.14 COUNCIL**

1. The Council of Smoky Lake County shall perform such duties as are specified for it in this Bylaw.

## **2 DEVELOPMENT PERMITS, RULES, AND PROCEDURES**

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### **2.1 CONTROL OF DEVELOPMENT**

1. No development other than that designated in **Section 2.2** of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

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

1. All development undertaken in Smoky Lake County requires an approved development permit prior to commencement, except the following developments which shall not require a development permit provided that they conform to all other provisions of this Bylaw:
  - A. works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
  - B. the completion of development lawfully commenced before passage of this Bylaw, or amendments thereto, provided that:
    - i. the development is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and
    - ii. the development is completed within the time limit requirements of such a permit or within 12 months from the date of issuance;
  - C. the use of a development referred to in **subsection (B)** for the purpose for which development was commenced;
  - D. the erection or placement of a temporary building or sign, the sole purpose of which is incidental to the erection of a building for which a development permit has been granted, provided the temporary building is removed within thirty (30) days of substantial completion or as determined by the development authority;
  - E. the installation, maintenance, or repair of public works, services and utilities carried out by or on behalf of the Crown, federal, provincial and municipal public authorities on land that is publicly owned or controlled. This excludes private development on Crown land or on land that is publicly owned or controlled;
  - F. advertisement or signs in relation to the function of Local Authorities, Utility Boards or other public or quasi-public bodies;
  - G. an accessory building or structure with a gross floor area of under 18.0 sq. m (193.8 sq. ft.) that meets the minimum required yard and setback requirements indicated in this Bylaw, but not including a wind energy conversion system unless the system is specifically related to only one (1) dugout;
  - H. signs posted or exhibited in a building;

- I. signs posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
- J. a statutory or official notice of a function of Smoky Lake County;
- K. traffic signs authorized by Smoky Lake County and/or Alberta provincial authorities;
- L. a sign exhibited solely to identify the land or building on which it is displayed, or to direct visitors to a specific occupant of a building, if the sign does not exceed 0.19 sq. m (2.0 sq. ft.) in area and conforms with all other orders, bylaws and regulations affecting such signs;
- M. temporary advertisement relating to the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character not exceeding 2.97 sq. m (32.0 sq. ft.) provide that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisement relates;
- N. a maximum of two (2) signs relating to the sale, lease or rental of the building or parcel on which they are located provided that, in the opinion of the Development Authority, they do not constitute a hazard to persons using the public road or reduce the amenity of an adjacent parcel and provided that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisements relate;
- O. the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
  - i. such signs are removed within seven (7) days after the election date;
  - ii. the consent of the property owner is obtained;
  - iii. such signs do not obstruct or impair vision or traffic; and
  - iv. such signs are not attached to fences, trees, or utility poles; and such signs indicate the name and address of the sponsor and the person responsible for removal;
- P. signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character or to a residential hotel, apartment block, club or similar institution, not exceeding 1.1 sq. m (12.0 sq. ft.) which are:
  - i. not illuminated; and
  - ii. limited to one (1) sign per parcel;
- Q. the erection or placement of a satellite dish less than 1.0 m (3.3 ft.) in diameter;
- R. the parking or storage, or both, of up to two (2) recreational vehicles on any lot;
- S. the construction of a private driveway;

- T. subdivision entrance signs which were identified within a development agreement and developed as part of the approval of a subdivision application;
- U. fences in the Agriculture District(s), provided the requirements of **Section 7.7** are satisfied;
- V. the erection or construction of gates, fences, walls or other means of enclosure less than 1.0 m (3.3 ft.) in height in front yard and less than 2.0 m (6.6 ft.) on side and rear yard does not require a development permit. This includes the erection or construction of gates, fences, walls or other enclosures less than 1.0 m (3.3 ft.) within 6.0 m (20.0 ft.) of the intersection of lanes, streets or a street and lane. The erection of any enclosures (fences, gates, walls) greater in height than figures alluded to in this section shall not be permitted unless a development permit is applied for and issued;
- W. landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the hard-surfacing of part of a lot for the purposes of providing vehicular access from a road to an attached or detached garage or carport, provided that such hard-surfacing does not exceed 7.5 m (24.6 ft.) in width, on parcels of land under 4,645.2 sq. m (50,000 sq. ft.);
- X. an unenclosed patio that meets the minimum distance requirements outlined in **Section 6.14** of this Bylaw;
- Y. development within a basement which does not change or add to the uses within a dwelling;
- Z. trappers' cabins on Crown Land;
- AA. the erection or placement of a Communication Antenna Facility.
- BB. the repair or replacement of a building that is destroyed by an act of God or fire providing:
  - i. the original building was not a non-conforming use;
  - ii. the original building was a permitted use; and
  - iii. the replacement building will be located in the same location, same size and foot print, used for the same purposes as the original.
- CC. on parcels of land exceeding 32.38 ha (80.0 ac.), used for extensive agricultural purposes:
  - i. the carrying out of construction, excavation or other operations requisite for the continued use of that land for extensive agricultural purposes including:
    - a. the planting of shelter belts or trees;
    - b. the construction of water wells; and
 the construction of farm buildings provided that the landowner certifies, in a form acceptable to the Development Authority, that the development shall be used for extensive agricultural purposes. However, the foregoing shall not apply to any building or other structure, other than a fence, to be erected within 38.1 m (125.0 ft.) of the centre line of any surveyed municipal road right-of-way or closer than the



setback requirements established in **Section 6.18** of this Bylaw, nor to the development of any dwelling or garage; nor within 121.9 m (400.0 ft.) of a river, stream, creek, or lake;

- ii. a minor home occupation;
- iii. the development of land for a confined feeding operation or a manure storage facility within the meaning of the Agricultural Operation Practices Act if the confined feeding operation or the manure storage facility is the subject of an approval, registration or authorization under the Agricultural Operation Practices Act;
- iv. personal use of tennis courts and above ground swimming pools or hot tubs, where there is an existing permanent dwelling;
- v. activities and uses associated with temporary oil and gas exploration as per the Act; or
- vi. the demolition or removal of any building or structure.

DD. on parcels larger than 0.8 ha (2.0 ac) in area in the Agriculture (AG) District and the Victoria Agriculture (A1) District, the placement of up to a maximum of two (2) shipping containers.

### **2.3 NON-CONFORMING BUILDINGS AND USES**

1. A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the regulations of the Land Use Bylaw then in effect.
2. The non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein unless specifically authorized by the Development Authority pursuant to the Act, and in accordance with the variance provisions set forth in this Bylaw.
3. A non-conforming use of part of a parcel shall not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings shall be erected upon the parcel while the non-conforming use continues.
4. A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
  - A. as may be necessary to make it a conforming building; or
  - B. as the Development Authority considers necessary for the routine maintenance and ongoing use of the building;
  - C. as specifically authorized by the Development Authority pursuant to the Act, and in accordance with the variance provisions set forth in this Bylaw.
5. Pursuant to the Act, when:

- A. on or before the day on which this Bylaw or any Bylaw for the amendment thereof comes into force, a development permit has been issued; and
  - B. the enactment of the Bylaw would render the development in respect of which the permit was issued a non-conforming use or non-conforming building; the development permit continues in effect.
6. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the Land Use Bylaw.
7. The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

## **2.4 GENERAL DEVELOPMENT PERMIT APPLICATION REQUIREMENTS**

1. An application for a development permit shall be made to the Development Authority in writing, on the application form provided by the municipality and shall be accompanied by:
- A. a site plan, to scale, showing the legal description; north arrow; location and dimensions of property lines; existing utility rights-of-way and easements; fences; driveways; paved areas; proposed front, rear, and side yard setbacks, if any; any provisions for off-street loading and vehicle parking; access and egress points to the site; and any encumbrance such as rights-of-way;
  - B. existing and proposed building dimensions;
  - C. the location of abandoned wells (if applicable), location of water bodies (if applicable), and the location of developed and undeveloped roads (if applicable);
  - D. the type and location of water supply and sewage and waste water disposal facilities;
  - E. a statement of uses;
  - F. a statement of ownership of the land and the interest of the applicant therein;
  - G. the signatures of at least one of the registered landowners listed on the Certificate of Title;
  - H. the estimated commencement and completion dates;
  - I. the estimated cost of the project or contract price;
  - J. an application fee as established by resolution of Council;
  - K. a letter from the registered owner authorizing the right-of-entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed development;

- L. in the case of an application for a development permit on Crown Land Provincial authorization for the development; and
  - M. any other information as required by the Development Authority.
2. The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
- A. floor plans;
  - B. elevations and sections of any proposed buildings;
  - C. a Real Property Report, or other documentation indicating the exact location of all structures on the property (prepared within the last five (5) years), in a form that is acceptable to the Development Authority;
  - D. drainage, grading and landscaping plans which provide pre- and post-construction site elevations;
  - E. a storm water management plan approved by Alberta Environment and Sustainable Resource Development (or other appropriate provincial authority);
  - F. a geotechnical report prepared, stamped and signed by a qualified professional registered in the Province of Alberta in potentially hazardous or unstable areas;
  - G. a biophysical assessment prepared, stamped and signed by a qualified professional, registered in the Province of Alberta, on the impacts of the proposed development on wildlife habitat or natural environments;
  - H. a reclamation plan for aggregate extraction or site grading and excavation;
  - I. an environmental assessment to determine potential contamination and mitigation;
  - J. in the case of the placement of on already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located;
  - K. a hydro-geological assessment, prepared, stamped and signed by a registered professional engineer or hydro-geologist, registered in the Province of Alberta, of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site;
  - L. a site plan detailing how vegetation, topography disturbance or erosion is to be minimized;
  - M. an environmental impact assessment describing a development's potential environmental effects;
  - N. within the Garner Lake Area Structure Plan area, a landscaping plan;

- O. a Cumulative Effects Assessment;
- P. the identification of all right-of-ways and easements within or abutting the subject property; and/or

and any additional information as the Development Authority deems necessary.

3. When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. An incomplete application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
4. The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.
5. All applications for development permits on sites adjacent to another municipality shall be submitted to the other municipality for comments prior to rendering a decision. The Development Authority shall not be bound by the recommendation of the other municipality.
6. In the case of an application for a Development Permit on Crown Land, the County will require Provincial authorization prior to the issuance of a Development Permit.

## **2.5 INDUSTRIAL DEVELOPMENT PERMIT APPLICATION REQUIREMENTS**

1. In addition to the information requirements indicated in **Section 2.4**, each application for industrial development shall be accompanied by the following information:
  - A. type of industry;
  - B. estimated number of employees;
  - C. estimated water demand and anticipated source;
  - D. estimated increase of noise;
  - E. estimated air emissions;
  - F. type of effluent and method of treatment;
  - G. transportation routes to be used (rail and road);
  - H. reason for specific location;
  - I. means of solid waste disposal;
  - J. any accessory works required (pipeline, railway spurs, power lines, etc.);
  - K. anticipated residence location of employees;

- L. municipal servicing costs associated with the development;
- M. physical suitability of site with respect to soils, slopes and drainage;
- N. if a subdivision is involved, the size and number of parcels and proposed phasing (if any);
- O. servicing requirements and provisions for meeting them;
- P. costs associated with providing new or upgraded municipal services associated with the development;
- Q. Heritage Resources Impact Assessment or a letter from the appropriate provincial authority indicating that a Heritage Resources Impact Assessment is not required.

and/or any other information as may be reasonably required by the Development Authority.

2. In addition to the information requirements indicated in **Section 2.4** of this Bylaw, the Development Authority may require, for a proposed industrial use, the provision of environmental assessment information, risk assessment and a cumulative effects assessment to assist the County in assessing the effect of the proposed development in relation to the working and cultural landscapes within the County and indicate both if and how any negative matters can be mitigated.
3. In addition to the information requirements indicated in **Section 2.4** and **2.5**, the Development Authority may require an applicant for a subdivision or development permit for **Cannabis Production and Distribution** to submit any or all of the following information, prepared by a qualified professional, with the application:
  - A. Waste Management Plan;
  - B. Environmental Assessment;
  - C. Traffic Impact Assessment;
  - D. Water/Wastewater Report;
  - E. Storm Water Management Plan; and/or
  - F. Any additional study or assessment necessary to address specific concerns at the discretion of the Subdivision or Development Authority.
4. In addition to the information requirements indicated in **Section 2.4** and **2.5**, the Development Authority or Subdivision Authority may require an applicant for subdivision or a development permit for the development of an **Industrial Hemp Production and Distribution Facility** to provide the following information, prepared by a qualified professional, with the application:
  - A. Waste Management Plan;
  - B. Environmental Assessment;
  - C. Traffic Impact Assessment;
  - D. Water/Wastewater Report;
  - E. Storm Water Management Plan; and
  - F. Any additional study or assessment necessary to address specific concerns identified by the Development Authority and/or Subdivision Authority in the course of their review of the application.

## 2.6 COMMERCIAL & RECREATION DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. In addition to the information requirements indicated in **Section 2.4** of this Bylaw, the Development Authority shall require each application for a commercial or recreational development to be accompanied by the following information:
  - A. physical suitability of site with respect to soils, slopes and drainage;
  - B. the size and number of parcels and proposed phasing (if any);
  - C. infrastructure and utility servicing requirements and provisions for meeting them;
  - D. potential long term costs of proposed costs associated with providing new or upgraded municipal services associated with the development;
  - E. the requirements and provisions for employee and customer parking and for site access;
  - F. a landscaping plan;
  - G. cross-sections and elevations for each building; and
  - H. a list of proposed uses.
  
2. In addition to the information requirements indicated in Section 2.4, the Development Authority or Subdivision Authority shall require an applicant for subdivision or a development permit for **Cannabis Retail Sales**, to include with the application the following information:
  - a. A. a map identifying the distance from the proposed development to all property boundaries of:
    - i. buildings containing a school or a boundary of a parcel of land on which a school is located;
    - ii. parcels of land that are designated as School Reserve or Municipal and School Reserve under the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended;
    - iii. provincial health care facilities or the boundary of a parcel of land on which the facilities are located; and
    - iv. any other development or land use required by the Alberta Gaming, Liquor, and Cannabis Commission;

## 2.7 NATURAL RESOURCE EXTRACTION DEVELOPMENT PERMIT REQUIREMENTS

1. In addition to the information requirements indicated in **Section 2.4** and **Section 7.16** of this Bylaw, the Development Authority shall require, where not required to do so by the Province, that each application be accompanied by the following information:

- A. a reclamation plan and a statement indicating the projected final use of the site. In those cases where the proponent is required to do so by the Province, the proponent shall submit a copy of the reclamation plan to the County;
- B. for Class I Pits on Private Land (5 ha. (12.5 ac.) or greater in area): proof of approval from Environment and Sustainable Resource Development;
- C. for Class II Pits on Private Land (under 5 ha. (12.5 ac.) in area): a reclamation deposit in the amount of \$2,000 per acre for each acre of land within the working pit;
- D. the developer shall be responsible to ensure compliance with all applicable federal and provincial legislation and regulations.
- E. all natural resource extraction development permits shall be considered temporary developments as specified by the Development Authority.
- F. statement indicating the number of years the pit is proposed to be in operation;
- G. anticipated generation of motor vehicle traffic estimated on a daily, weekly or monthly basis;
- H. number of vehicles that will be used in the hauling of materials and the proposed hauling route to and from the site;
- I. type and number of equipment to be used for each activity to be carried out on the site;
- J. access locations to and from the site, including roads and highways, and anticipated traffic generation on each of the roads and highways resulting from the development;
- K. dust control measures to be implemented, including the suppressant materials or methods to be used either on the pit floor and on stockpiles as well as the proposed frequency of application;
- L. projected impacts of dust or emissions (asphalt, gravel crushing, concrete or other) and the methods to be used for controlling such dust or emission;
- M. proposed frequency for cleaning settled dust from, in and around gravel crushing plants;
- N. provisions for loading and parking;
- O. descriptions of any noxious, toxic, radioactive, flammable or explosive materials to be stored or used on the site;
- P. location of garbage and storage areas and proposed fencing and screening for the same, as well as the proposed method for disposing of garbage;
- Q. provision of a written security plan that identifies potential dangerous situations, area and typical procedures to be used for monitoring the site during periods of activity and also when activity on the site is suspended;

- R. proposed methods to be used to restrict public access, protect wildlife, neighbouring livestock and domestic animals;
  - S. quality and quantity of well water and soil tests for the water systems that may be used in conjunction with the proposed development;
  - T. amount of water required for the proposed development on a daily, weekly or monthly basis and the proposed water source;
  - U. engineering studies which demonstrate the suitability of the proposed method of water supply;
  - V. engineering studies which demonstrate the suitability of the proposed method of effluent disposal;
  - W. engineering studies which demonstrate the suitability of the proposed method of surface water management;
  - X. method proposed for controlling noise, dust and drainage from the site both during and after completion of the operation;
  - Y. profiles and cross sections showing the original ground level, the proposed depth of any excavation, the finished grade elevation, the depth of the over-burden and water table elevations;
  - Z. the method intended to be used for excavation of the materials contained within the land, backfilling, terracing, compacting, leveling, reclaiming the site and equipment to be used in connection therewith;
  - AA. the method to be used for supporting pit walls;
  - BB. size, number and location of stockpiles of topsoil, overburden and gravel;
  - CC. proposed days and hours of operation for each activity and any known or regularly anticipated periods of inactivity;
  - DD. if the proposal is located within the heritage overlay area, then a Historic Resource Impact Assessment and/or clearance from the Alberta Culture and Community Spirit; and
  - EE. where an asphalt paving plant or concrete producing plant is proposed, a signed statement indicating that the proposed development conforms to the current Code of Practice for asphalt paving plants or concrete producing plants.
2. Without limiting the requirements of the Development Authority, the proponent will also be required to enter into:
- A. a haul road agreement with the County; and
  - B. a development agreement with the County.



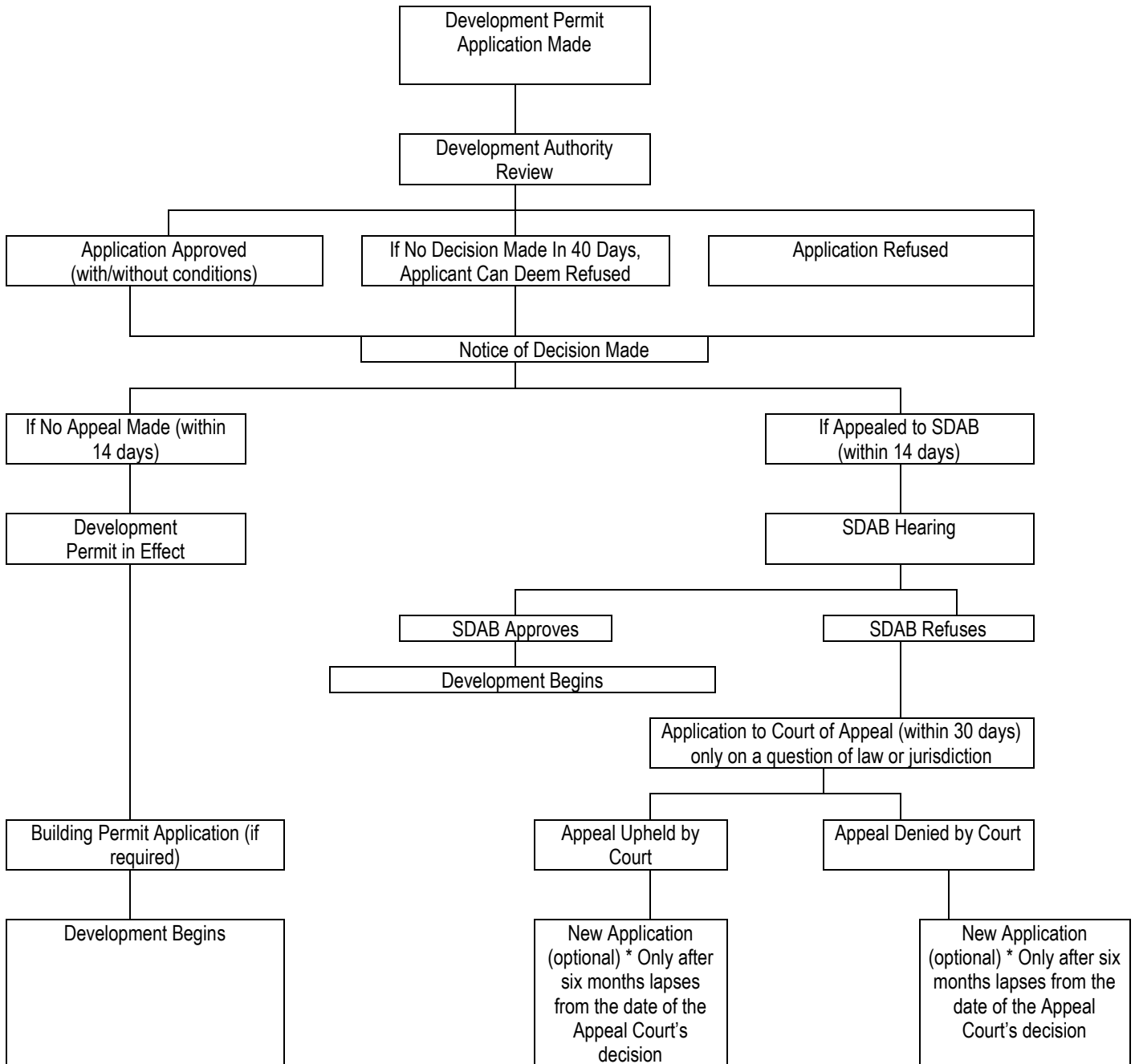
## **2.8 EXCAVATION AND STRIPPING OF LAND DEVELOPMENT PERMIT REQUIREMENTS**

1. In addition to the information requirements indicated in **Section 2.4** of this Bylaw, the Development Authority shall require each application for the excavation, stripping or grading of land proposed without any other development on the same land, to be accompanied by the following information:
  - A. location and area of the site where the excavation is to take place;
  - B. the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;
  - C. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
  - D. identification of potential for outdoor noise and the discharge of substances into the air;
  - E. a reclamation plan – including information regarding the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site; and
  - F. potential long term costs of new or upgraded municipal services associated with the development.

## **2.9 WIND ENERGY CONVERSION SYSTEM DEVELOPMENT PERMIT REQUIREMENTS**

1. In addition to the information requirements indicated in **Section 2.4** of this Bylaw, the Development Authority shall require each application for a wind energy conversion system to be accompanied by the following information:
  - A. a fully dimensioned, scaled site plan showing and labeling the information including the location of overhead utilities on or abutting the subject site, contours of the land, and access roads;
  - B. a visual representation including scale elevations, photographs and/or digital information of the proposed wind energy conversion system showing total height, tower height, rotor diameter, colour, and the landscape;
  - C. the manufacturer's specifications for the wind energy conversion system, including:
    - i. the system's rated output in kilowatts,
    - ii. safety features and sound characteristics, and
    - iii. type of material used in tower, blade, and/or rotor construction;
  - D. an analysis of the potential for noise at:
    - i. the site of the installation,
    - ii. the boundary of the lot containing the development, and
    - iii. any habitable dwelling within 2.0 km (1.2 miles) of the subject site;

- E. a report regarding any public information meetings or other processes conducted by the developer;
- F. any impacts to the local road system including required approaches from public roads having regard to County standards;
- G a preliminary reclamation/decommissioning plan; and
- H. appropriate reports and/or approvals from:
  - i. Alberta Energy and Utilities Board,
  - ii. Transport Canada,
  - iii. NavCanada,
  - iv. Alberta Community Development, and
  - v. Alberta Environment and Alberta Sustainable Resource Development.



**Figure 14: Development Permit Process**

**Note: This diagram is not adopted as part of this Bylaw.**

## **2.10 REFERRAL OF APPLICATION**

1. Historical or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with Provincial legislation and regulations.
2. In addition to any sites identified in (1) above, an application for a development permit which may, in the opinion of the Development Authority, impact on any historical or archaeological site identified pursuant to (1) above within the County will be submitted to the Smoky Lake County Regional Heritage Board and Alberta Culture and Community Spirit for comment.
3. All subdivision proposals and all applications for discretionary development permits or where a variance is provided within the Heritage Overlay shall be forwarded to the Smoky Lake County Regional Heritage Board for comment.
4. All subdivision proposals and all applications for discretionary development permits or where a variance is provided within the Heritage Overlay shall be forwarded to the Victoria Home Guard Historic Society.
5. Development permit applications within 800.0 m (2640.0 ft.) of the right-of-way of a provincial highway may, at the discretion of the Development Authority, be referred to Alberta Transportation for comment.
6. Development permit applications for uses within 3.2 km (2.0 miles) of a confined feeding operation may be referred to the County Agricultural Fieldman for comments and for assistance in calculating any necessary development setback distance.
7. All subdivision proposals and all applications for significant discretionary development permits within 3.2 km (2.0 miles) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved.
8. The Development Authority may refer any application for a development permit prior to making a decision on the application to any other person, agency, or organization as deemed necessary or suitable by the Development Authority.

## **2.11 DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS**

1. The Development Authority Officer shall:
  - A. receive and review all applications for development permits;
  - B. refer their recommendations to the Municipal Planning Commission for its consideration and decision regarding all applications for a discretionary use;
  - C. refer with his/her recommendations to the Municipal Planning Commission for its consideration and decision all applications for a development permit for a permitted use which do not comply with all of the regulations of this Bylaw;
  - D. refer to the Council for its consideration and decision all applications for a discretionary use or any development permit application within a Direct Control (DC District); and

- E. consider and decide on all other applications for development permits;
  - F. shall issue decisions for development applications for those uses listed in Direct Control Districts when directed to do so by Council.
2. In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions he/she considers appropriate, approve the application permanently or for a limited period of time, or refuse the application.
5. The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.
6. In approving an application for a development permit, the Development Authority may impose the condition that the approved development be allowed to operate for a limited period of time, which shall be specified on the permit, and that upon the expiry of such time the use allowed shall be discontinued and any buildings that were erected as a result of the development permit shall be removed, and the site restored to its original condition prior to the issuance of the development permit.
7. The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
- A. the proposed development would not:
    - i. unduly interfere with the amenities of the neighbourhood; or
    - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
  - B. the proposed development conforms with the use prescribed for that land or building in this Bylaw.
8. When a development permit application is refused, the Development Authority shall not accept the submission of another application for a permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal unless the reason(s) for the refusal have been rectified to the satisfaction of the Development Authority. However, when an application has been deemed refused as per **subsection (7)** below the Development Authority may accept a new application without waiting six (6) months after the date of the refusal.

9. An application for a development permit shall be deemed to be refused when a decision is not made by the Development Authority within forty (40) days after receipt and acceptance of the completed application by the Development Authority unless an agreement to extend the forty (40) day period is established between the applicant(s) and the Development Authority.
8. When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal, the time period within which an appeal can be made, and to whom the applicant may appeal, if so desired.
9. Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has received a level of approval satisfactory to both the Subdivision Authority and the Development Authority.
10. The Development Authority may suspend or revoke a development permit:
  - A. at any time, where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant;
  - B. if the conditions of the approval of the development permit have not been complied with or cease to be complied with;
  - C. if requested to do so by the applicant; or
  - D. within 14 days of issue of the permit, where the permit was issued in error.

## 2.12 POWERS OF VARIANCE

1. In addition to the requirements of **Section 2.4**, when an application for a Development Permit application is submitted for a Permitted or Discretionary Use which does not comply with the provisions of the Bylaw, the Development Authority may request a statement from the applicant identifying the following:
  - A. that the applicant is aware that the proposed development requires a variance of this Land Use Bylaw; and
  - B. why the proposed development cannot satisfy the provisions of this Bylaw and therefore requires the proposed variance.
2. The Development Authority may approve or conditionally approve a permitted or discretionary use that does not conform to this Land Use Bylaw if, in the opinion of the Development Authority the proposed development would not:
  - A. unduly interfere with the amenities of the neighbourhood;
  - B. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and

- C. the proposed development conforms with the use prescribed for that land or building in this land use bylaw.
3. Development Permit applications that propose a variance from the provisions of this land use bylaw in excess of 25% will be referred by the Development Authority Officer to the Municipal Planning Commission.

Note: Use and density provisions cannot be varied by the Development Authority. If a proposed development does not conform to the use and density requirements within the applicable district then a Land Use Bylaw amendment will be required prior to development approval.

## 2.13 VALIDITY OF DEVELOPMENT PERMITS

1. When a development permit has been granted by the Development Authority, it shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been fulfilled and no notice of appeal has been served on the Subdivision and Development Appeal Board within the appeal period.
2. When the Subdivision and Development Appeal Board has approved a development permit, the permit shall not be valid until the decision of the Board is issued in writing.
3. If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall suspend the development permit, except where approval has been granted for a permitted use or, where a license, permit, approval or other authorization is granted by the Natural Resource Conservation Board, Energy Resources Conservation Board or Alberta Energy and Utilities Board to the extent that the application complies with the license, permit, approval or other authorization granted. The final determination of an appeal, except for those applications approved as a permitted use and/or, by the Natural Resource Conservation Board, Energy Resources Conservation Board and Alberta Energy and Utilities Board, shall validate, amend or revoke, as the case may be, a suspended development permit.

## 2.14 NOTICE OF DECISION

1. Within five (5) working days after a decision on a development permit application, the Development Authority Officer shall send a notice by regular mail of the decision to the applicant and post information about the development permit including the location of the effected site, to the County's public webmap. Mailing the notice shall not be required when an applicant picks up a copy of the decision.
2. In addition to **Subsection (1)**, within five (5) working days after a decision on a development permit application for a discretionary use or after a variance has been granted, the Development Authority Officer shall:
  - A. send notice by regular mail to adjacent land owners, as identified on the Smoky Lake County Assessment Roll, to provide notice of the decision and right of appeal;

- B. publish a notice of the decision in a newspaper circulating in the municipality stating the legal description of the property, municipal address of the application, nature of the approved development and right of appeal;
3. When the Development Authority refuses a development permit application, the decision shall contain reasons for the refusal.

## **2.15 COMMENCEMENT AND COMPLETION**

1. If the development authorized by a development permit is not commenced within 12 months from the date of its issuance and carried out with reasonable diligence within five (5) years of the date of issuance the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
2. Upon application to the Development Authority, prior to the expiry of an approved development permit application, the Development Authority may grant an extension to the effective period of a development permit for a period that shall not exceed 12 months.
3. When a development permit expires, a new application is required. The new application will be reviewed and a decision issued based on the current merits of the proposed development in relation to current municipal, provincial and federal regulations, requirements, policies and practices. The Development Authority shall not be obliged to approve a development permit based on a previous approval.
4. In cases where a use is discontinued, or intended to be discontinued for a period of six (6) months or more, any subsequent use of the land or building shall comply with this bylaw and shall require a new development permit.

## **2.16 DEVELOPER'S RESPONSIBILITY**

1. A person to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, sanitary and storm water disposal, water mains, electricity, and all other permits required in connection with the proposed development.
2. The applicant shall be financially responsible during construction for any damage by the applicant, his/her servants, suppliers, agents or contractors to any public or private property.
3. The applicant shall prevent excess soil or debris from being spilled on public road allowances streets, lanes and sidewalks.
4. No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Authority, has been undertaken.

## **2.17 ON-SITE AND OFF-SITE SERVICES AND IMPROVEMENTS**



1. Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a developer shall not begin the work nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken according to the standards and specifications of the County.
2. No development permit shall be issued for a development to be serviced by private sewer and water systems until the systems have been approved by the appropriate agency.
3. All future development areas must be serviced to the satisfaction of the Development Authority.

As a condition of development approval, the Development Authority may require the developer to enter into a development agreement with the municipality, to do any or all of the following:

- a) to construct or pay for the construction or upgrading of:
  - i. any roads or bike pathways required to give access to the development;
  - ii. a pedestrian walkway system to serve the development or to provide pedestrian access to adjacent developments, or both;
  - iii. off-street or other parking and bicycle parking facilities; and
  - iv. loading and unloading facilities.
- b) to install or pay for the installation of any public utilities, other than telecommunications systems or works, that are necessary to serve the development;
- c) to repair or reinstate, or to pay for the repair or reinstatement of any items which may be damaged, destroyed or otherwise harmed by development or building operations, including but not limited to street furniture, curbing, sidewalk, bicycle infrastructure, boulevard landscaping and tree planting;
- d) to carry out landscaping of the site which may include the retention and/or planting of trees, noise attenuation fencing, the construction of an earth berm or other form of screening;
- e) to pay an off-site levy or redevelopment levy;
- f) to provide an irrevocable letter of credit, or other form of security in such sum specified, as the Development Authority deems appropriate to ensure compliance with the terms of the agreement and the conditions of the development permit; and
- g) such other works or other matters the Development Authority considers necessary or advisable having regard to the nature of the proposed

development.

### 3 APPEALS

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#### 3.1 DEVELOPMENT APPEALS AND PROCEDURES

1. An appeal may be made to the Subdivision and Development Appeal Board where a Development Authority:
  - A. refuses or fails to make a decision on a development permit application within 40 days of receipt of a completed application or prior to the expiry date of an agreement between the applicant(s) and the Development Authority Officer to extend the 40-day period herein described; or
  - B. issues a development permit subject to conditions; or
  - C. issues a development permit for a discretionary use, or for a permitted use pursuant to this Bylaw; or
  - D. issues an order under **Section 5** of this Bylaw.
2. A person applying for the permit or affected by an order under **Section 5.1(1)**, or any other person affected by a development permit, order or decision issued/made by the Development Authority, may appeal to the Subdivision and Development Appeal Board.
3. Notwithstanding **Subsections (1) and (2)** no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted.
4. Notwithstanding **Subsections (1) and (2)** no appeal to the Subdivision and Development Appeal Board lies in respect of the issuance of a development permit by Council in the Direct Control District.
5. An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after:
  - A. the date on which the person is notified of the order or decision or the issuance of the development permit; or
  - B. if no decision is made with respect to the application within the 40-day period or within any extension issued under section 684 of the Act.
  - C. The written notice must contain the development permit number, the appellant's name, phone number, mailing address, and email address (if available), and at least one reason for the appeal.
6. The written notice of appeal must contain the development permit number, the name, phone number, mailing address and email address (if available) of the appellant as well as at least one (1) reason for the appeal.
7. Each notice of appeal shall be accompanied by a fee as set by Council and shall contain at least one reason for appeal.

### 3.2 APPEAL HEARING PROCEDURE

1. Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold a hearing respecting the appeal.
2. The Subdivision and Development Appeal Board shall give at least five (5) days' notice in writing of the hearing to:
  - A. the appellant;
  - B. the Development Authority;
  - C. the applicant and/or landowner(s);
  - D. those adjacent landowners in the municipality who were notified under **Section 2.14** of this Bylaw and any other person who in the opinion of the Subdivision and Development Appeal Board, is affected by the order, decision or permit; and
  - E. such other persons as the Subdivision and Development Appeal Board specifies.
3. The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public 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 of the Development Authority under **Section 5** of this Bylaw or Section 645 of the Act;as the case may be.
4. At the hearing referred to in **Section 3.2(1)**, the Subdivision and Development Appeal Board shall hear:
  - A. the appellant or any person acting on his behalf;
  - B. the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
  - C. any other person who was served with notice of the hearing pursuant to **Section 3.2(2)** and who wishes to be heard, or a person acting on his behalf; and
  - D. any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear, or a person acting on his or her behalf.

### 3.3 DECISION

1. In determining an appeal, the Subdivision and Development Appeal Board:

- A. shall have due regard for any applicable statutory plans and the County's Land Use Bylaw;
  - B. shall comply with the Province's Land Use Policies and applicable regional plans;
  - C. may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
  - D. must have regard for, but is not bound by, the Subdivision and Development Regulation;
  - E. may make an order or decision or issue or confirm the issue of a development permit notwithstanding that the proposed development does not comply with the Land Use Bylaw if, in the opinion of the Subdivision and Development Appeal Board
    - i. the proposed development would not:
      - a. unduly interfere with the amenities of the neighbourhood, or
      - b. materially interfere with or affect the use, enjoyment or value of neighbouring properties.
    - ii. the proposed development conforms with the use prescribed for the land or building as defined in this Land Use Bylaw.
2. The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.
3. A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 of the Municipal Government Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:
- A. to a judge of the Court of Appeal; and
  - B. within thirty (30) days after the issue of the order, decision, permit or approval sought to be appealed.

## **4 AMENDMENT TO THE LAND USE BYLAW**

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### **4.1 APPLICATION TO AMEND THE LAND USE BYLAW**

1. Subject to the provisions of the Municipal Government Act, any Section or Part of this Bylaw may be amended.
2. Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Authority Officer to prepare an amendment application, reports and recommendations.
3. Any person applying to have this Bylaw amended shall apply in writing to the Development Authority, using the application form provided by Smoky Lake County, and request that the Development Authority submit the application to the Council.
4. An applicant proposing to amend this bylaw for a purpose of clarification of an existing provision must provide the following information:
  - A. reasons in support of the application;
  - B. drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;
  - C. the program of land servicing, if applicable;
  - D. a recent title search (dated within thirty (30) days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land if applicable; and
  - E. where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application.
5. A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:
  - A. pay Smoky Lake County an application and advertising fee as set by Council;
  - B. undertake in writing on a form provided by Smoky Lake County to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which Smoky Lake County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
  - C. reasons in support of the application;
  - D. drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;

- E. the program of land servicing, if applicable;
  - F. information regarding any potential impact of the development that would be allowed by the proposed amendment on the existing natural or man-made environment;
  - G. information respecting the suitability of the subject site for the development that would be allowed by the proposed amendment;
  - H. a recent title search of the land affected or other documents satisfactory to the Development Authority showing the applicant's interest in the said land if applicable;
  - I. sign a statement authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment; and
  - J. any other information deemed necessary by the Development Authority or Council.
6. Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:
- A. initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment;
  - B. prepare a detailed report including all maps and relevant material for Council to consider.
7. In order to carry out any necessary investigation or analysis of the problems involved in or related to the amendment the Development Authority may refer the application to such agencies as they consider necessary for comment.
8. Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
- A. he or she wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or
  - B. he or she wishes to withdraw his application for an amendment.
9. As soon as reasonably convenient the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.
- A. During consideration and deliberation of the proposed Bylaw amendment, Council may refer the application to such agencies as it considers necessary for comment.
10. Notwithstanding anything in this Section or this Part, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs.

11. Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding the enactment of Bylaws.
12. All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the Act regarding the notification and holding of a public hearing.



## 5 ENFORCEMENT, PENALTIES, AND FINES

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### 5.1 CONTRAVENTION AND STOP ORDERS

1. Where the Development Authority finds that a development or use of land or buildings is not in accordance with:

- A. the Municipal Government Act or the regulations; or
- B. a development permit or subdivision approval; or
- C. the Land Use Bylaw;

the Development Authority may, in accordance with the Municipal Government Act, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:

- i. stop the development or use of the land or buildings in whole or in part as directed by the notice; and/or
- ii. demolish, remove or replace the development; and/or
- iii. take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Municipal Government Act, the regulations, a development permit, subdivision approval or this Bylaw,

within the time frame specified by the notice, as the case may be.

2. Where a notice is issued under **Section 5.1(1)**, the notice shall state the following and any other information considered necessary by the Development Authority:
  - A. an explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being carried out;
  - B. the alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
  - C. a time frame in which the contravention must be corrected prior to Smoky Lake County pursuing action; and
  - D. advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board.
3. Where a person fails or refuses to comply with an order directed to him or her pursuant to **Section 5.1(1)** or an order of the Subdivision and Development Appeal Board, the Council or a person appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.

4. Where the Development Authority carries out an order, the municipality shall, as part of its process ask the courts to allow it to cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
5. The municipality may register a Caveat under the Land Titles Act pursuant to the Order against the certificate of title that is subject to the Order in accordance with Section 646(2) of the Act.

## 5.2 ENFORCEMENT

1. This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for the contravention.
2. A person who:
  - A. contravenes any provision of the Act or the regulations under the Act,
  - B. contravenes this Bylaw,
  - C. contravenes an order under **Section 5.1** of this Bylaw and/or Section 645 of the Act,
  - D. contravenes a development permit or subdivision approval or a condition attached thereto, and/or
  - E. obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylawis guilty of an offense and is liable to a fine prescribed in Section 566 of the Act.
3. If a person is found guilty of an offense under **Section 5.1** of this Bylaw (Section 557 of the Act), the court may, in addition to any other penalty imposed, order the person to comply with:
  - A. the Act and the regulations under the Act,
  - B. this Bylaw,
  - C. an order under **Section 5.1** of this Bylaw and/or Section 645 of the Act, and/or
  - D. a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
4. Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
  - A. delivered personally to the person or their agent it is directed to; or
  - B. mailed by regular mail to the last known address of the person it is directed to; or

- C. left with any agent or employee or resident at the last known address of the person to whom it is directed.

### **5.3 VIOLATION TICKETS AND FINES**

1. In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
2. The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the County.
3. Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$500 for a first offence and \$1000 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
4. The violation ticket shall be served upon the alleged offender personally or delivered by regular mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
5. If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
6. If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

## 6 GENERAL PROVISIONS

### 6.1 ACCESSORY BUILDINGS

1. An accessory building shall not be used as a dwelling unless it is an approved guest house, garage suite or garden suite.
2. The siting of a detached garage or other accessory building shall be in accordance with the following:

<b>Table 1: Siting of Accessory Buildings Including Detached Garages</b>	
<b>Accessory Buildings (Excluding Garages)</b>	
Side	0.9m (3.0 ft.)
Rear	0.6m (2.0 ft.)
<b>Rear Facing Garages (doors face lane)</b>	
Side	0.9m (3.0 ft.)
Rear	4.6m (15.0 ft.)
<b>Side Facing Garages (doors face side yard)</b>	
Side	0.9m (3.0 ft.)
Rear	0.6m (2.0 ft.)
<b>Side Facing Garages (door facing road on a corner lot)</b>	
Side	0.9m (3.0 ft.)
Rear	0.6m (2.0 ft.)
Side Yard/Front Yard	7.6m (25.0 ft.) (from internal subdivision road) 40.84m (134.0 ft.) (from a highway) 23.1m (92.0 ft.) (from a municipal road allowance)

**Table 1: Siting of Accessory Building Including Attached Garages**

3. In the Agriculture (AG) and Victoria Agriculture (A1) Districts an accessory building shall not:
  - A. normally be allowed in a front yard;
  - B. be within 2.0 m (6.56 ft.) of a residence;
  - C. be within the minimum yard requirements of the district in which they are located;
  - D. encroach upon an easement or right-of-way,
  - E. exceed more than 12% of the total site area.
4. Accessory buildings may be allowed in the Agriculture (AG) and Victoria Agriculture (A1) Districts where there is no main use or main building solely at the discretion of the Development Authority. The Development Authority shall only approve the development of an accessory building where there is no main use or main building if, in their sole opinion:

- A. the accessory building would become accessory to a main use or a main building in the future should such main use or main building ever be developed; and
  - B. the accessory building is sited in such a manner that it will minimize shadowing or site line obstructions from adjacent properties.
5. In the Multi-lot County (R1) Residential, Residential (Cluster) Conservation (R2), Victoria Residential (R3), and Hamlet General (HG) Districts an accessory building shall not:
- A. normally be allowed in a front yard;
  - B. be within 2.0 m (6.56 ft.) of a residence;
  - C. have an eave overhang within 1.0 m (3.3 ft.) of a lot line;
  - D. encroach upon an easement or right-of-way,
  - E. normally exceed 6.1 m (20.0 ft.) or one (1) storey in height. However, the maximum height for an accessory building may be exceeded, at the sole discretion of the Development Authority, for the height of a garage in order to facilitate the development of a garage suite on a parcel of land where it can reasonably be determined by the Development Authority that the additional height will not impact the quality of life or enjoyment of adjacent properties;
  - F. exceed more than 12% of the total site area.
6. Accessory buildings shall normally be allowed in Residential, Commercial and Industrial Districts only where there is already a main use or building with an approved development permit, located on the site.
7. Notwithstanding **Subsections (5) and (6)**, where the development of a garage with a garage suite is proposed in the Multi-lot County (R1) Residential, Residential (Cluster) Conservation (R2), Victoria Residential (R3), and Hamlet General (HG) Districts the Development Authority may, at their sole discretion, approve the development of the garage suite as a temporary dwelling prior to the construction of the main use or building on the property.
8. Accessory buildings may be allowed in the Multi-lot County (R1) Residential, Residential (Cluster) Conservation (R2), Victoria Residential (R3), and Hamlet General (HG) Districts where there is no main use or main building solely at the discretion of the Development Authority. The Development Authority shall only approve the development of an accessory building where there is no main use or main building if, in his/her sole opinion, the accessory building would become accessory to a main use or a main building in the future should such main use or main building ever be developed.
9. The minimum setback requirements for a detached garage or other accessory building located on a parcel in a residential district where the parcel of land is not located adjacent to a highway or a government road allowance, shall be in accordance with **Figure 17**.

10. Where a parcel of land is located within the Agriculture (AG) and Victoria Agriculture (A1) Districts and/or adjacent to a highway or a government road allowance, the setback requirements for accessory buildings shall be the same as the setback requirements for dwellings. Refer to **Sections 6.7 and 6.8** for setback requirements for all buildings located within the Agriculture (AG) District and the Victoria Agriculture (A1) District.
11. Where a garage has vehicle doors facing onto a lane, it shall be setback a minimum of 4.5 m (15.0 ft.) from the rear line.
12. The siting of an accessory building on an irregularly shaped parcel shall be as approved by the Development Authority.
13. Development permits for non-permanent structures including but not limited to portable garage shelters shall be issued on a temporary basis for a period not to exceed three (3) years.
14. An accessory building may not be used as a dwelling unless the accessory building is an approved:
  - A. guest house;
  - B. garden suite; or
  - C. garage with an approved garage suite

and the development is located in a district which includes guest houses, garden suites or a garage suites as a permitted or discretionary use.
15. Any building attached to the main building by an open or enclosed roof structure is considered to be part of the main building and not an accessory building.

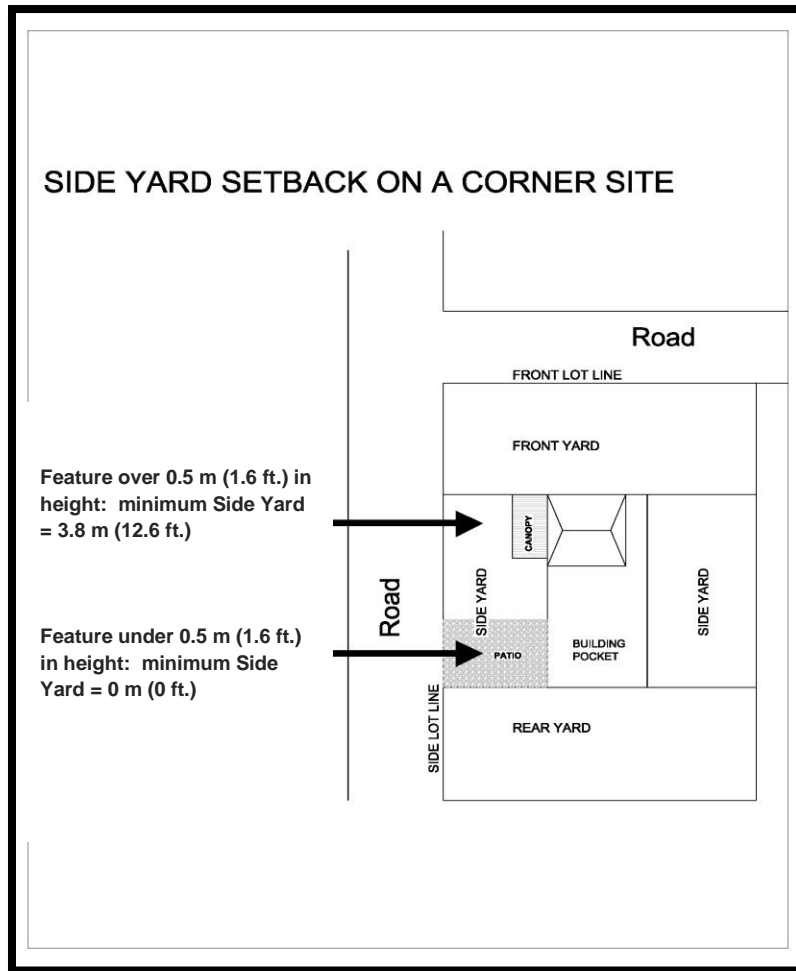
## **6.2 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES**

1. Confined feeding operations and manure facilities for which an approval or a registration is required pursuant to the Agricultural Operations Practices Act are not regulated by this bylaw. Please refer to the Agricultural Operations Practices Act and accompanying Regulations for provincial development requirements.

## **6.3 CORNER AND DOUBLE FRONTING LOTS**

1. In the case of double fronting lots, the front yard shall be that portion of the lot abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard.
2. Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner lot or on a double fronting lot provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.

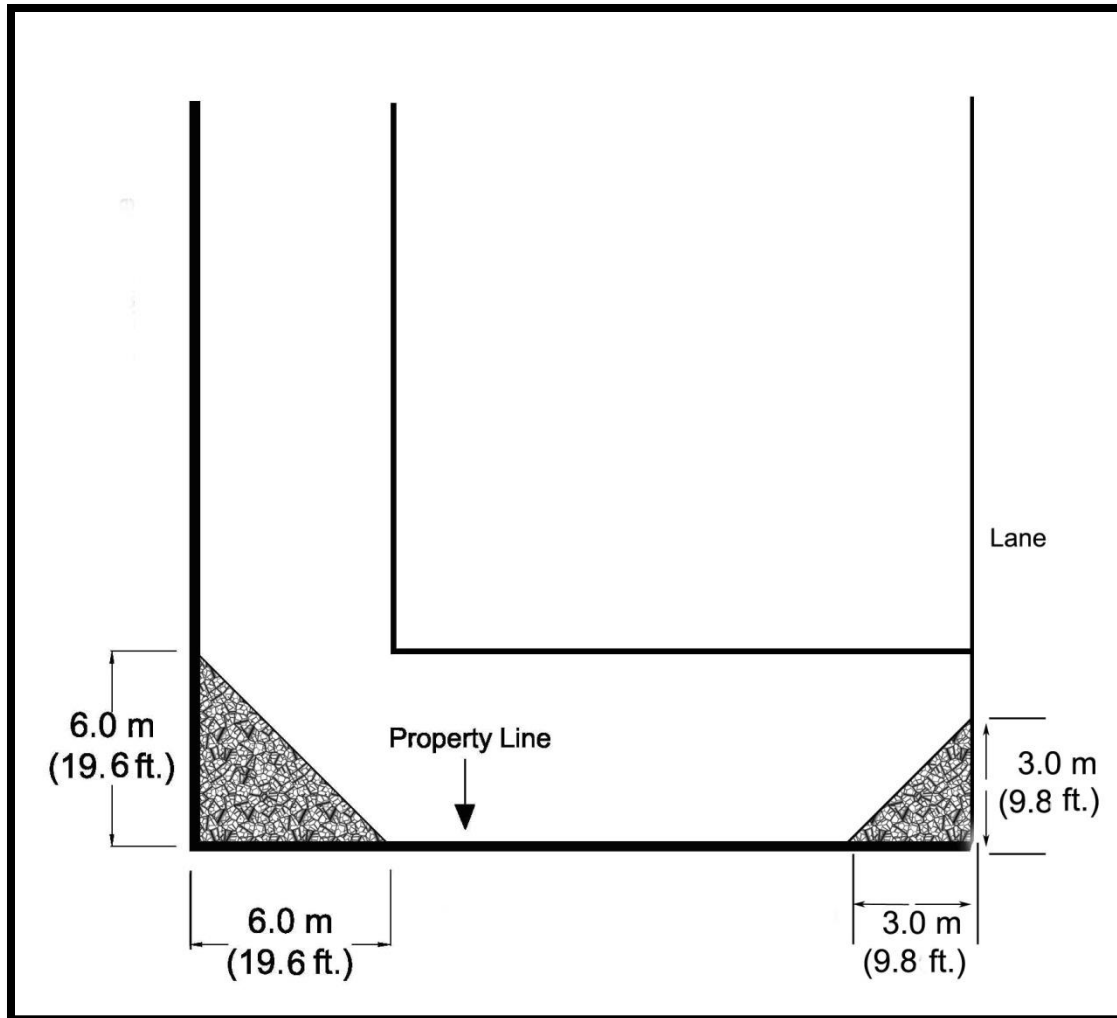
3. Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum front yard is not required on a corner lot, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.6 ft.).
4. Notwithstanding **subsection (3)**, features under 0.5 m (1.6 ft.) in height may project to the sideline where a second minimum front yard is not required on a corner lot (**see Figure 18**).



**Figure 17: Side Yard Setback on Corner Lots**

#### **6.4 CORNER SITES AND SITE LINE PROTECTION**

1. On corner sites, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) or a road and a straight line joining points on the road right-of-way lines 6.0 m (19.6 ft.) from their intersection (**see Figure 19**).



**Figure 18: Corner Site Line Protection**

2. At the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight line joining points on the road or lane right-of-way lines or the edge of the driveway 3.0 m (9.8 ft.) from their intersection.
3. This Section does not apply in the Commercial Districts, except where an existing building is set back from the property line sufficient to allow for the regulations provided by **subsections (1) and (2)**.
4. Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the areas defined in **subsections (1) and (2)** such that any part of the sign is between the heights of 1.0 m (3.2 ft.) and 4.0 m (13.1 ft.) above grade.



## **6.5 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS**

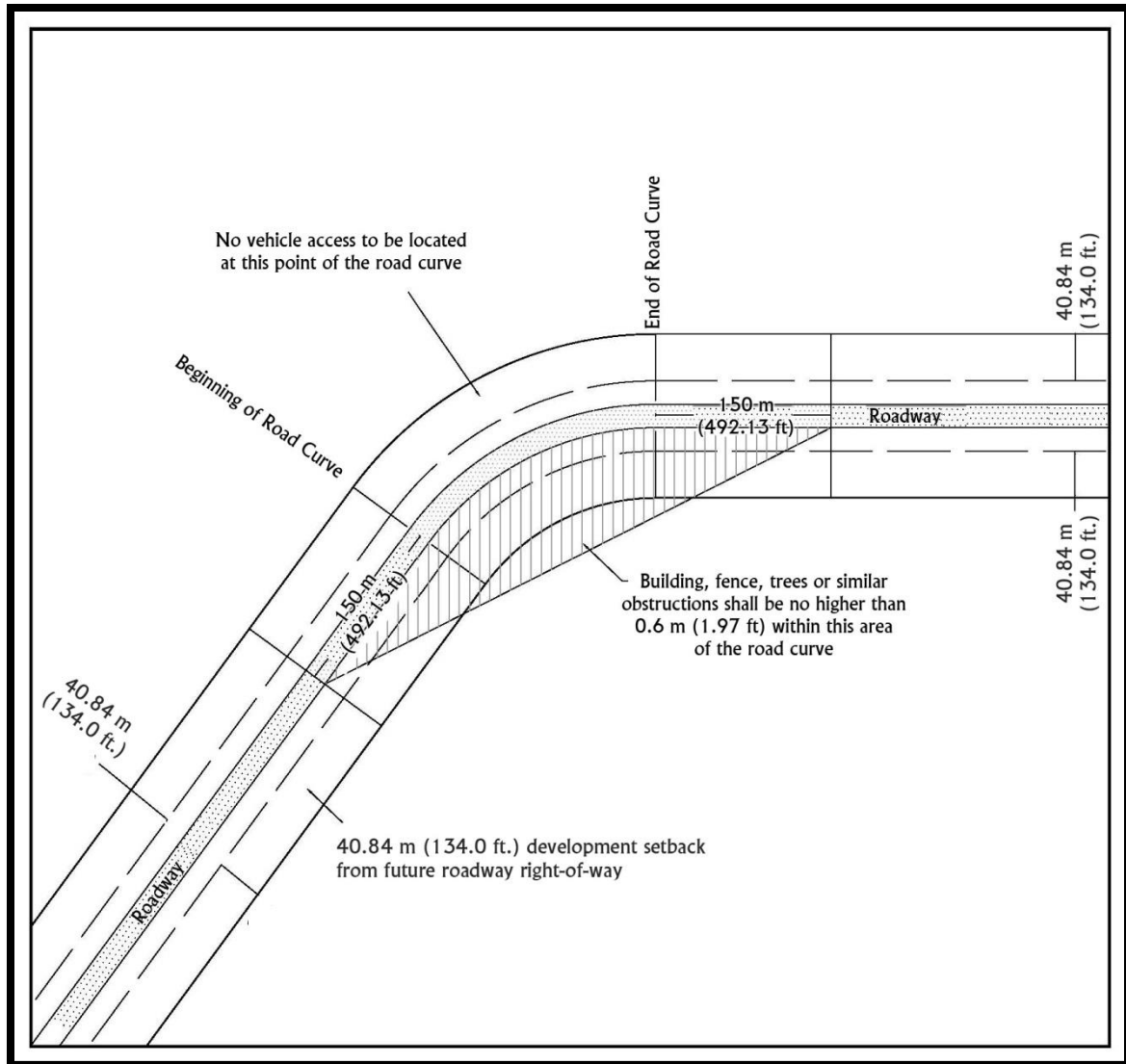
1. The exterior finish on all buildings shall be of a permanent material, and be of a character and quality satisfactory to the Development Authority.
2. Pursuant to **subsection (1)**, the Development Authority may consider the following when reviewing development proposals in all districts:
  - A. the design, character and appearance of all buildings with respect to their compatibility with any other buildings existing in the vicinity;
  - B. the design of the building must be consistent with the purpose of the land use district in which it is located; and/or
  - C. the building shall comply with any provisions of any statutory plan which sets out specific guidelines as to the design, character, appearance or building materials to be used within a district or area;
3. The Development Authority shall encourage buildings to be sited and constructed so as to maximize passive solar energy gain.
4. The Subdivision Authority or the Development Authority may, where it desires to achieve a higher standard of design and appearance in a specific Area Structure Plan, Subdivision, or Development, require the developer to provide detailed architectural control guidelines.
5. The Subdivision Authority may require at the time of subdivision that the developer register a restrictive covenant against the subdivision in order to ensure ongoing conformance with the architectural control guidelines.

## **6.6 DEVELOPMENT AND ACCESS PERMIT REQUIREMENTS ADJACENT TO MUNICIPAL ROADS AND HIGHWAYS**

1. No development permit shall be issued for development within 800.0 m (0.5 miles) of the boundary of the right-of-way of a primary highway until any necessary permits for the development have been issued by Alberta Transportation.
2. Prior to any new approach being developed, the landowner or authorized person acting on the owner's behalf shall enter into an approach agreement with the County as required by County policy.
3. Development permits are required for development within 23.1 m (92.0 ft.) from the property line of a road.

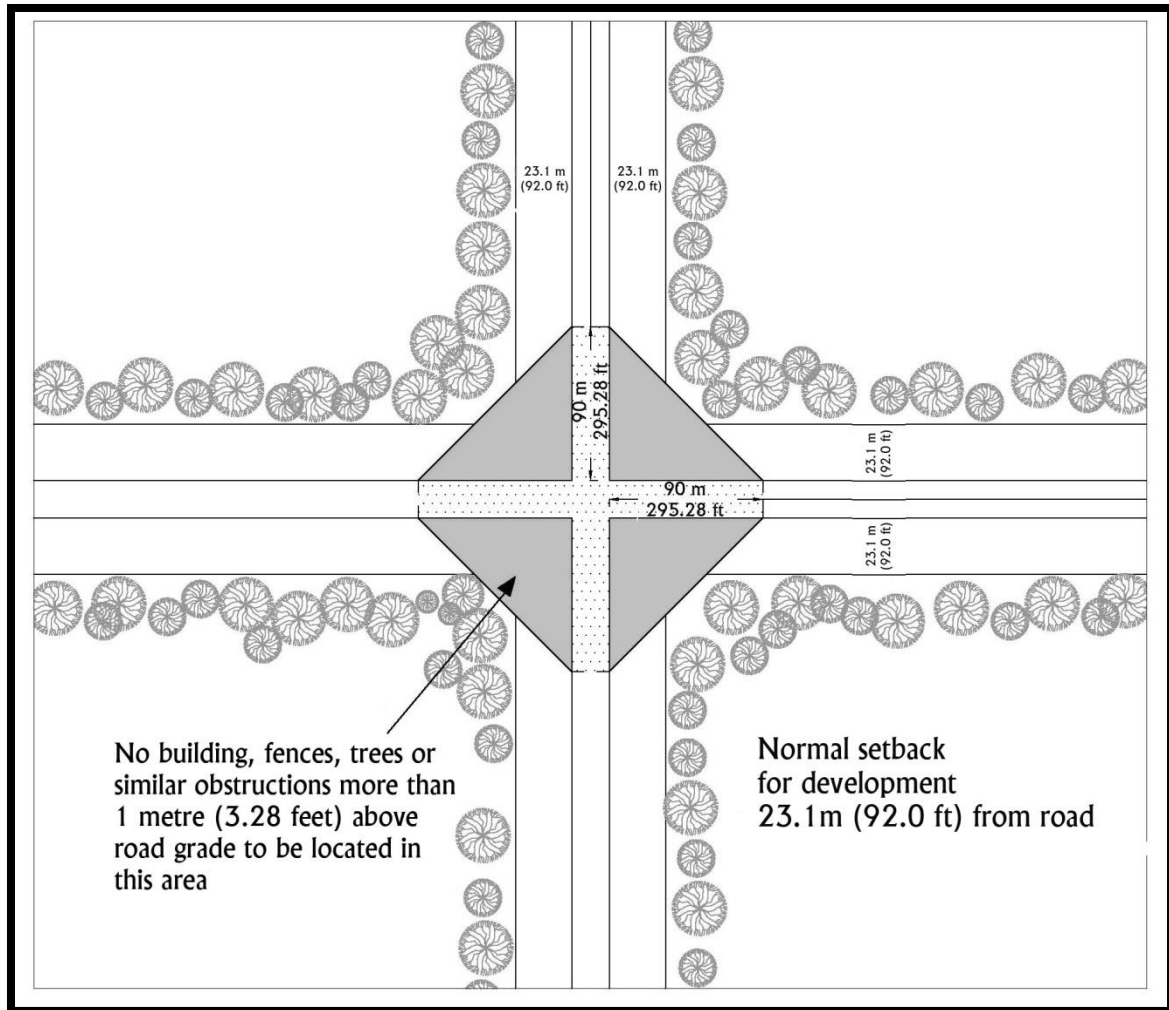
## **6.7 DEVELOPMENT NEAR INTERSECTIONS AND ROAD CURVES**

1. No development shall be located so that the access and egress is within 90.0 m (295.28 ft) of the beginning or end of a road curve exceeding twenty (20) degrees (**See Figure 21**).



**Figure 19: Building and Access Setback Requirements Near Curves**

2. No dugouts will be permitted within 23.1 m (92.0 ft.) of the property line of a municipal road allowance.
3. The location and development of a dugout adjacent to a highway will be at the discretion of Alberta Transportation.
4. No buildings, fences, trees, haystacks higher than 1.0m (3.28 ft.) or other similar obstructions to visibility shall be permitted at the intersection of two local roads (see **Figure 21**).



**Figure 20: Development Setback at the Intersection of Two Local Roads**

- Where a local road intersects a highway, the Highway Development Control Regulations shall apply to development adjacent to the highway where it intersects.

### 6.8 DEVELOPMENT SETBACK REQUIREMENTS

The following regulations shall apply to all buildings in all land use districts unless otherwise stated in the respective land use district or at the discretion of the Development Authority.

- Where a lot is separated from a roadway by a buffer strip, the lot is considered adjacent to the roadway for the purpose of setbacks.
- A municipal service road shall be treated as a municipal road allowance for the purposes of applying setback regulations.
- The minimum separation distance between a dwelling and an accessory building in the Residential Districts shall be a minimum of 2.0 m (6.6 ft.).

## 6.9 DWELLING UNITS ON A PARCEL

1. The number of dwelling units allowed on a parcel of land in a residential district or in the Agriculture (AG) District shall normally not exceed one (1).
2. Notwithstanding **subsection (1)**, the Development Authority **may** issue a permit for the construction or location of more than one (1) dwelling unit on a parcel if additional dwelling units are permitted or discretionary within the applicable land use district and the second or additional dwelling unit:
  - A. is contained in a building that, or in buildings each of which, are designed for or divided into two (2) or more dwelling units; and/or
  - B. is a temporary building or use as defined in this bylaw; and/or
  - C. is a surveillance suite, garage suite, in-law suite, garden suite or guest house as defined in this bylaw; and/or
  - D. is a permanent building located on a parcel of land larger than 65 ac. in area and does not exceed the maximum density requirements within the district as stated in this Land Use Bylaw or any applicable statutory plan.

If the proposed dwelling would create a maximum of two (2) dwelling units on the parcel and is listed as a permitted use in the applicable district and conforms to all applicable provisions in the County's LUB then the Development Authority for the 2nd dwelling shall be the **Development Authority Officer**. For all other development permit applications for a 2nd dwelling unit on a parcel where the above noted conditions are not satisfied the Development Authority will be the **Municipal Planning Commission**.

3. Notwithstanding **subsection (1)**, at the discretion of the **Municipal Planning Commission** more than two (2) dwelling units may be allowed in the Agricultural District.
4. In consideration of a third or subsequent dwelling unit on a parcel of land the **Municipal Planning Commission** shall consider the following matters:
  - A. whether the proposed water supply and sewage disposal systems for the dwelling units are separate; and
  - B. whether there will be the need for additional access on to County roads resulting from the development; and
  - C. whether the third dwelling unit is to be a permanent or a temporary development (based on the need of the applicant); and
  - D. whether the third or additional dwelling unit is to be used as a dwelling for persons engaged in the agricultural operation being undertaken on the parcel; and
  - E. whether the third or additional dwelling unit can be positioned so that the land it is situated on can ultimately be easily subdivided from the balance of the farm site.

## **6.10 EXISTING SUBSTANDARD LOTS**

1. Development on existing substandard lots may be considered at the discretion of the Development Authority. Compliance with any Provincial regulations regarding the disposal of sewage and setbacks from provincial highways will be required. Development on these lots should comply with the regulations of the District in which the lot is located.

## **6.11 LANDSCAPING**

1. In all land use districts except the Agriculture (AG) District and the Victoria Agriculture (A-1) District, no person shall commence or continue the removal of topsoil without first obtaining an approved development permit.
2. Development permit applications for landscaping shall be accompanied by a general parcel grading plan, drainage plan and indicate any existing or proposed retaining wall construction.
3. The developer shall provide upon occupancy of the development, a minimum topsoil coverage of 15.2 cm (6 in.) and the affected area shall be landscaped to the satisfaction of the Development Authority.
4. In any commercial, industrial, or residential land use district, 90% of all areas of a parcel not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Authority.
5. Commercial buildings in residential areas must be screened by a solid or opaque fence of not less than 1.8 m (6.0 ft.) in height adjacent to residential properties.
6. In the case of car washing establishments, service stations and gas bars, landscaping shall be provided and maintained to the satisfaction of the Development Authority. Solid fences shall be provided at least 1.5 m (4.9 ft.) in height and no higher than 2.1 m (6.9 ft.) adjacent to residential areas.
7. In the case of apartments or row houses all off-street parking shall include a landscaped area, and in residential areas, a wall, hedge or wooden fence of not less than 1.2 m (3.9 ft.) in height and not more than 2.1 m (6.9 ft.) in height, shall be provided along the side property lines, all to the satisfaction of the Development Authority.
8. In any residential land use district, acceptable landscaping for the front yard shall include manicured lawns, rock gardens, xeriscapes and ornamental plants, or a combination thereof.
9. In any commercial land use district, off-street parking lots shall be landscaped by the planting of trees and/or shrubs in the amount of at least one tree and/or shrub for every 185.8 sq. m (2000.0 sq. ft.) of parking lot area. The trees and/or shrubbery shall be of a type and size approved by the Development Authority. Trees/shrubbery required shall be located within the parking area in locations where visibility for the safe movement of persons and traffic is not impaired.

10. All required landscaping and planting must be carried out to the satisfaction of the Development Authority and within 1 year (weather permitting) of occupancy or commencement of operation of the proposed development.
11. As a condition of a development permit, the Development Authority may require that the developer provide a financial guarantee, in a form acceptable to Smoky Lake County, up to the value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence.

## **6.12 OBJECTS PROHIBITED OR RESTRICTED IN YARDS**

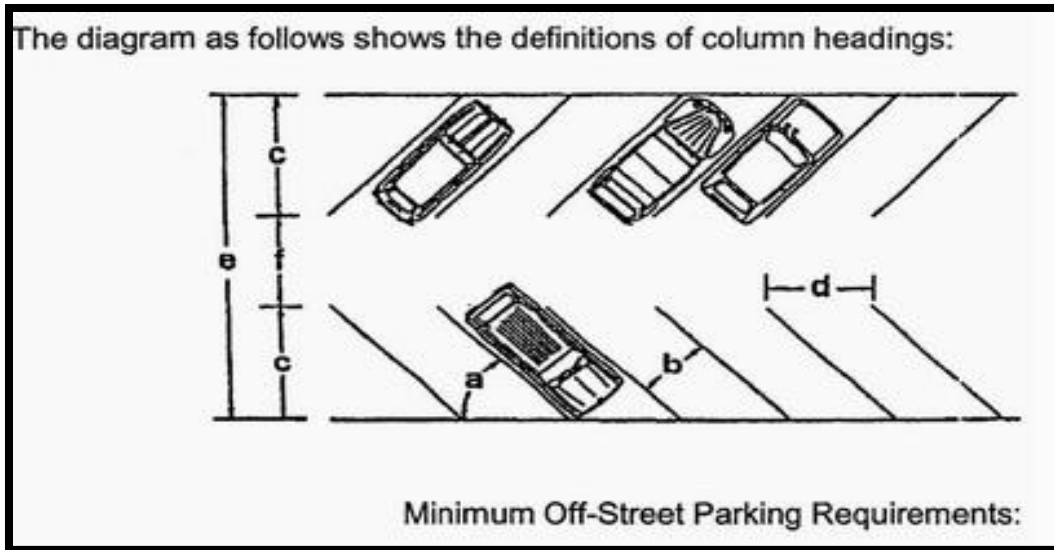
1. No use shall be allowed which may be offensive to a neighbouring owner or municipality. The word "offensive" herein implies sight, smell and/or anything which may adversely affect a neighbouring owner or municipality.
2. No person shall keep or permit in any part of any yard in any Residential District:
  - A. any dismantled or wrecked vehicle for more than 14 successive days;
  - B. any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district in which it is located;
  - C. any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are under taken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work;
3. No person shall keep or permit in any part of any front yard in any Residential District a vehicle or a vehicle with a trailer attached, loaded or unloaded, of a maximum weight in excess of 4500 kilograms (9,920.8 lbs.).
  - A. This section does not apply if the vehicle:
    - i. is a recreational vehicle and satisfies the requirements of **Section 7.23**; or
    - ii. is a commercial vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

### 6.13 PARKING AND LOADING REGULATIONS

1. In all Districts, vehicular entrances and exits onto roads shall only be allowed at locations approved by the Development Authority in consultation with the municipality's Public Works Department. A permit shall be obtained from Alberta Transportation for access onto all Highways.
2. In all Districts, an off-street parking space shall be provided in accordance with the minimum requirements of each use as determined by the Development Authority. The following specifications shall be adhered to:

(a) Parking Angle in Degrees	(b) Width of Stall	(c) Depth of Stall (Perpendicular to Manoeuvring Aisle)	(d) Width of Stall (Parallel to Manoeuvring Aisle)	(e) Overall Depth	(f) Width of Manoeuvring Aisle (one-way)
0	2.7 m (8.86 ft.)	2.7 m (8.86 ft.)	7.0 m (22.97 ft.)	9.1 m (29.86 ft.)	3.6 m (11.81 ft.)
30	2.7 m (8.86 ft.)	5.2 m (17.06 ft.)	5.5 m (45.87 ft.)	14.0 m (45.93 ft.)	3.6 m (11.81 ft.)
45	2.7 m (8.86 ft.)	5.8 m (19.03 ft.)	4.0 m (13.12 ft.)	15.2 m (49.87 ft.)	3.6 m (11.81 ft.)
60	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	3.1 m (10.17 ft.)	18.2 m (59.71 ft.)	6.0 m (19.69 ft.)
90	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	2.7 m (8.86 ft.)	19.5 m (63.98 ft.)	7.3 m (23.95 ft.)

**Table 2: Parking Stall Requirements**



**Figure 21: Minimum Off-Street Parking Requirements**

- A. An off-street parking area:
  - i. shall be designed to the satisfaction of the Development Authority with regard to the dimensions, and layout of parking stalls and maneuvering aisles; and
  - ii. shall have street access and curb cuts (where required) located to the satisfaction of the Development Authority; and
  - iii. shall be graded, drained, compacted and surfaced to the satisfaction of the Development Authority.
- B. All parking areas shall conform to the minimum parking standards set out in the following pages.

3. Required Number of Off-Street Parking Spaces

All developed parcels are required to provide a minimum number of parking stalls based on the use of the parcel. In determining the parking requirement for a parcel:

- A. if a specific use is not mentioned below, the requirement shall be the same as for a similar use, as determined by the Development Authority; and
- B. if a parcel consists of multiple uses, the required parking shall be the sum of the requirements for each use, unless it is demonstrated to the satisfaction of the Development Authority that a shared parking facility with a reduced number of spaces will be sufficient. The required parking may be combined or shared parking provided that a legal agreement is entered into between the users or land owners, and further that the parking arrangements are acceptable to the Development Authority; and
- C. the minimum number of parking stalls for any development shall be as follows:



## Residential Uses

One or two unit dwelling	2 per dwelling unit
Multi-unit dwelling with one bedroom or less per unit	1.5 per dwelling unit
Multi-unit dwelling with two or more bedrooms per unit	2 per dwelling unit
Dwelling with self-contained units for senior citizens only	2 for every 3 dwelling units
Secondary and surveillance suites	1 per suite

**Table 3: Parking Requirements for Residential Uses**

## Commercial Uses

Business, administrative and professional office	1 per 45.9 sq. m (495 sq. ft.) of gross leasable area
Retail, personal service, equipment or repair shop with a gross leasable floor area of 1000 sq. m (10,764 sq. ft.) or less	1 per 30.0 sq. m (323 sq. ft.) of gross leasable floor area
Retail and personal service shop or shopping centre building with a gross leasable area over 1000 sq. m (10,764 sq. ft.)	1 per 20.0 sq. m (215 sq. ft.) of gross leasable floor area
Private liquor store	3 stalls plus 1 stall per 30.0 sq. m (323 sq. ft.) of gross leasable floor area
Restaurant, beer parlour or cocktail bar	1 for each 6.0 sq. m (65 sq. ft.) of gross floor area or 1 per 5 seating spaces and 1 per 3 employees at maximum shift, whichever is greater
Drive-in business	6 except where more are required under other requirements of this section
Car washing establishment	1 per washing stall plus 1 per three employees at maximum shift
Take-out restaurant (food exclusively taken off-parcel)	1 for each 13.0 sq. m (140.0 sq. ft.) of gross floor area plus 1 for

	each three employees on maximum shift
Hotel, motor hotel, motels or apartment hotel	1 per sleeping unit and 1 space per 3 employees on maximum shift

**Table 4: Parking Requirements for Commercial Uses**

**Places of Public Assembly**

Theatre, auditorium, hall, church or other cultural or recreational facility	1 per 7.5 seating spaces or 1 per 7 sq. m (75 sq. ft.) used by the patrons, whichever is greater
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**Table 5: Parking Requirements for Public Assembly Uses**

**Schools**

Elementary school or junior high school	2 per classroom
Senior high school (not including an associated auditorium, gymnasium or swimming pool)	4 per classroom

**Table 6: Parking Requirements for Schools**

**Industrial Uses**

Manufacturing or industrial plant, wholesale, warehousing and storage building and yard, service or repair establishment, research laboratory or public utility building	1 per employee on maximum shift. This may be varied by the Development Authority to no less than 1 per 3 employees if it can be shown that fewer stalls are needed.
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**Table 7: Parking Requirements for Industrial Uses**

**Hospitals and Similar Uses**

Hospital, sanatorium, group care facilities, nursing home, convalescent home and senior citizens lodge	1 per 100.0 sq. m (1,076.0 sq. ft.) of floor area or 1 per four beds and 1 for every two employees on maximum shift, whichever is greater.
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**Table 8: Parking Requirements for Hospitals and Similar Uses**

4. Off-site and Communal Parking Facilities

In districts other than a residential district, and subject to approval by the Development Authority, required parking for any development(s) may be provided on another parcel, separate from the development(s) in accordance with the following:

- A. The parking, in the opinion of the Development Authority, must be suitable, easily accessible and within a reasonable distance of the associated development(s).
- B. Future use of the parcel must be ensured to the satisfaction of the Municipal Planning Commission. This may be done by a restrictive covenant registered on the title, a suitable bond posted by the developer(s), or by any other legal method.
- C. At the option of the Development Authority, in lieu of off-street parking, a developer shall pay the County to provide equivalent public parking. The Development Authority shall determine the amount of money in lieu of parking, based on current market values, and the money shall be used only to provide off-street public parking.

5. Off-Street Loading Spaces

- A. Off-street loading spaces shall be required for all non-residential developments and apartments.
- B. A loading space shall be designed and located so vehicles using it can park and maneuver within the parcel.
- C. A loading space shall be at least 4.0 m (13.12 ft.) wide, 8.0 m (26.24 ft.) long, and 4.3 m (14.10 ft.) high.
- D. A loading area shall be graded, drained, compacted and surfaced to the satisfaction of the Development Authority.
- E. Loading spaces shall be provided in accordance with the following:

<b>Retail, industrial and the like, under 465 sq. m (5,000 sq. ft.); and</b>	1 space
<b>between 465 sq. m (5,000 sq. ft.) and 2,323 sq. m (25,000 sq. ft.); and</b>	2 spaces
<b>each additional 2,323 sq. m. (25,000 sq. ft.) or fraction thereof;</b>	1 space
<b>Office, place of assembly, institution, club, school, or any other use up to 2,787 sq. m (30,000 sq. ft.); and</b>	1 space
<b>each additional 2,787 sq. m. (30,000 sq. ft.) or fraction thereof</b>	1 additional space
<b>neighbourhood commercial stores</b>	1 loading space

**Table 9: Loading Space Requirements**

- 6. Sight line calculations shall be in accordance with the Roads and Transportation Association of Canada methods for determining crossing sight distances for roadways.

## 6.14 PIPELINE AND OTHER UTILITY CORRIDOR SETBACKS

1. Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy and Utilities Board.

## 6.15 PROJECTIONS INTO YARDS

1. Projections Over Yards
  - A. In all residential districts, the distances any buildings may project into a minimum yard requirement are:
    - i. Front Yards: 1.5 m (4.9 ft.).
    - ii. Side Yards: 50% of the minimum side yard.
  - B. In all other districts, the distances which any buildings may project into minimum yard requirements are:
    - i. Front Yards: 1.5 m (4.9 ft.).
    - ii. Side Yards: 0.6 m (1.9 ft.).
  - C. No portion of a building other than an unenclosed stairway or porch, a bow, bay or box window, a chimney chase, an eave, awning or similar architectural feature shall project into a minimum yard requirement.
  - D. No portion of any building other than an eave, awning or canopy, or a permitted sign shall project into a public right-of-way.
  - E. If the development includes an unenclosed stairway or porch, a bow, bay or box window, a chimney chase, an eave, awning or similar architectural feature then the yard requirements shall be measured from the leading edge of the architectural feature.
2. Zero Side Yard Developments
  - A. In any district, if a side yard of a parcel is reduced to zero metres, the development shall be required to meet all relevant safety provisions of the Building Code.
  - B. In any district, the Development Authority may allow one side yard of a parcel to be zero metres where:
    - i. the registered owner of the parcel abutting the zero side yard agrees to an encroachment easement equivalent to two minimum side yard requirements, satisfactory to the Development Authority and registered against the title of the said parcel, and

- ii. drainage from the roof of any building is directed only onto the parcel upon which the building is situated.

## 6.16 SIGN REGULATIONS

### 1. General Sign Regulations

- A. All signs, erected on land or affixed to the exterior of a building or structure, require a development permit unless specifically exempted by this Bylaw.
- B. No sign or advertising structures, requiring a development permit, shall be erected or affixed to private property without the prior consent of the property owner or tenant.
- C. No signs, billboards or advertising structures, requiring a development permit, shall be erected or affixed to public property without the prior consent of the appropriate public body.
- D. No signs, billboards or advertising structures shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
- E. The Development Authority may order removal of any sign which, in his/her opinion, is unsightly or in such a state of disrepair as to constitute any other kind of hazard.
- F. No sign shall be of such size or design as to, in the opinion of the Development Authority, obstruct the vision of persons using roads abutting the parcel.
- G. Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
- H. Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 3 sq. m (32.29 sq. ft.).
- I. Where, in the opinion of the Development Authority, a proposed sign in a commercial or industrial district might be objectionable to persons living in nearby residential districts, the Development Authority may impose such other regulations as they feel would protect the interests of the residents.
- J. A flashing, animated or illuminated sign shall not be permitted where, in the opinion of the Development Authority, it might be objectionable to nearby residents or interfere with the safe movement of traffic.
- K. The area around sign structures shall be kept clean and free of overgrown vegetation, and free from refuse material.
- L. The Development Authority may require an engineer-approved plan prior to the issuance of a permit in order to ensure that a sign does not threaten public safety.

### 2. Signs in Residential Districts

- A. When a person has been granted a development permit to conduct a business or professional practice in his residence, that person may place a sign, not larger than 0.2 sq. m (2.15 sq. ft.), flat against an exterior wall of the building or on the inside of a window.
- B. Name or number signs shall have a surface area of no more than 0.3 sq. m (3.23 sq. ft.).
- C. For multiple-unit and boarding houses, one identification sign not exceeding 1.0 sq. m. (10.76 sq. ft.) in area shall be allowed on each parcel.
- D. All exterior signs shall be placed flat against a building or designed as part of an architectural feature.
- E. No sign shall be permitted in a residential district except to identify a place of worship, school or other public institutions, home occupation or multiple unit residence.

### 3. Freestanding Signs

- A. Within all land use districts, except residential, one freestanding sign may be allowed per parcel as follows:
  - i. Where a parcel has more than 90.0 m. (295.27 ft.) of frontage, one additional freestanding sign may be erected for each additional 90.0 m. (295.27 ft.) or portion thereof.
  - ii. Where a parcel is double fronting or flanking, **subsection 5.7(3)(a)** applies to each frontage and/or flanking side.
  - iii. The height of a freestanding sign shall not exceed 9.0 m. (29.5 ft.) above grade.
  - iv. The face of a freestanding sign shall not exceed 8.0 sq. m (86.11 sq. ft.) in area.
  - v. A freestanding sign shall not project within 0.6 m (1.9 ft.) of a property line, or within 2.0 m (6.56 ft.) of overhead utility lines.
  - vi. The area around a freestanding sign shall be kept free of litter and overgrown vegetation.

### 4. Awning, Canopy and Projecting Signs

- A. In all non-residential districts, one awning, canopy or projecting sign shall be permitted for each side of the parcel which abuts a road.
- B. No awning, canopy or projecting sign shall extend more than 2.0 m (6.56 ft.) above the height of the building to which it is attached and no more than 9.0 m (29.5 ft.) above grade.
- C. No awning, canopy or projecting sign shall have a clearance less than 3.0 m (9.84 ft.) above a public right-of-way.

- D. No awning, canopy or projecting sign shall project within 1.0 m (3.3 ft) of a public road carriageway.
  - E. No awning, canopy or projecting sign shall be permitted where, in the opinion of the Development Authority, it obstructs free movement of pedestrians or vehicles or interferes with the repair of overhead utilities.
5. Wall, Fascia and Roof Signs
- A. Wall, fascia and roof signs shall be permitted in all land use districts, except residential, and shall indicate only the name and nature of the occupants of the development.
  - B. A wall, fascia or roof sign shall project no more than 0.3 m (0.98 ft) from the face of the building to which it is attached.
  - C. A wall, fascia or roof sign shall project no more than 2.0 m (6.56 ft) above the top of the wall to which it is attached and shall not exceed 9.0 m (29.5 ft) in height above grade.
6. Existing Signs
- These regulations shall not be applied to signs legally in existence at the date of the adoption of this Bylaw.

#### **6.17 SITE CONDITIONS & BUFFERING REQUIREMENTS**

- 1. The proponent for a development may be required to submit a site drainage plan and/or elevation plan to ensure that finished grades on the site shall prevent drainage from one site to adjacent sites except where drainage conforms to an acceptable local standard or a subdivision drainage plan.
- 2. The Development Authority may prescribe setback and/or buffering requirements for uses, which may be physically or visually incompatible with nearby land uses.
- 3. The Development Authority may require or approve screening for uses, which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar materials.
- 4. In considering the approval of an application, the Development Authority may require the retention of trees or additional planting of such type and extent as considered necessary for the purpose of ensuring buffering, erosion and/or dust control.
- 5. The County will require Environmental Reserves, an Environmental Reserve Easement or a combination thereof adjacent to bodies of water and lands containing significant environmental features.

6. The amount of Reserves/Easement lands shall be at the discretion of the County and the Subdivision Authority who will normally base environmental reserve and environmental reserve easement requirements on the following:
  - A. The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (See **Appendix A**); or
  - B. If this reserve/easement amount is disputed by the proponent of a development or subdivision then the developer may provide the County and the Subdivision Authority with a biophysical, engineering and/or geotechnical study which indicates that an alternative reserve/easement amount is appropriate for the subject site. If the report from the engineer indicates that a lesser reserve/easement would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser reserve/easement area then the Approving Authority may, at their sole discretion, approve a subdivision with a lesser reserve/easement area.
7. Notwithstanding **Subsection (6)**, additional reserves/easements may be required by the County based on the recommendations of any engineering and/or geotechnical study provided for the subject site.
8. The County will require development setbacks adjacent to bodies of water and lands containing significant environmental features.
9. Normally, no buildings of any kind shall be allowed within required setback areas.
10. However, notwithstanding (10) the width of the required development setback shall be at the sole discretion of the Development Authority who will normally base setback requirements on the following:
  - A. The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (**See Appendix A**); or
  - B. If this setback amount is disputed by the proponent of a development then the developer may provide the approving Authority with a biophysical, engineering and/or geotechnical study which indicates that an alternative setback amount is appropriate for the subject site. If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser setback then the Approving Authority may, at their sole discretion, approve the development with a lesser reserve/easement area.
11. The Development Authority may require the applicant to submit as part of a development permit application an assessment by a registered professional engineer practicing in Alberta indicating the stability of the soils and slopes for the development proposed, and how sufficient stability for the development can be ensured in order to determine the appropriate setback distance and/or site specific building requirements.



12. If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser setback then the Development Authority may, at their sole discretion, approve a development with a lesser setback.
13. If the development is approved with the lesser setback, the Development Authority may require, as a condition of the approval of the permit, that the developer construct those works or abide by those conditions necessary to ensure the stability of the soils and slopes as determined in the assessment.
14. If any development is damaged or threatened with damage from flooding from a water body, a river, creek or watercourse, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
15. If any development is damaged or threatened with damage from erosion or the effects of erosion, or from flooding or the effects of flooding, whether or not a development permit has been issued in respect of the development, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
16. The Development Authority will not approve a development permit application for the development or placement of permanent buildings within the 1:100 year flood way of any lake, river, creek, watercourse or water body.
17. Development shall not be permitted on steep slopes (in excess of 15%), on unstable slopes or land characterized by soil instability, or on lands exhibiting evidence of poor drainage or flooding unless it can be demonstrated to the satisfaction of the Development Authority that unique site requirements warrant otherwise by providing a geotechnical report provided by a professional engineer registered in the Province of Alberta.

#### **6.18 SITE PROTECTION FROM EXPOSURE HAZARDS**

1. The location of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 7570.8 litres (2000 gal.) shall be in accordance with the requirements of the Development Authority but in no case shall be less than 121.9 m (400 ft.) from adjacent to institutional, commercial or residential uses.
2. Setbacks from sour gas facilities shall be in accordance with Provincial legislation and regulations.

#### **6.19 SUBDIVISION OF LAND**

1. Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has received a level of approval satisfactory to both the Subdivision Authority and the Development Authority.
2. Development agreements shall be required as the condition of the approval of the subdivision of land within the County.
3. Property taxes must be up to date prior to final endorsement of any subdivision within the County.

4. A private sewage inspection will be required, at no cost to the County, prior to endorsement for all subdivisions within the County where the site is affected by a private sewage disposal system.

## **6.20 WATER SUPPLY/SANITARY FACILITIES AND NATURAL GAS**

1. All development within the County shall be provided, at no cost to the County, with sanitary facilities to the satisfaction of the Plumbing and Drainage Regulations and any other Provincial legislation or regulations.
2. A development permit shall not be issued for residential, commercial, industrial or recreational uses unless the Development Authority is satisfied that water supplies of sufficient quality and quantity are or will be made available to support the proposed development.

## **7 SPECIAL PROVISIONS**

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### **7.1 BARE LAND CONDOMINIUMS**

1. A Bare Land Condominium development must comply with the County's Bare Land Condominium Policy, as amended, along with all the general regulations of this Bylaw, including the regulations of the applicable Land Use District.
2. An application for a Bare Land Condominium development shall include a comprehensive site plan, in accordance with **Section 2.4** of this Bylaw.
3. For the purposes of this Bylaw, a Bare Land Condominium Plan is a plan of subdivision and a unit on a Bare Land Condominium Plan is a lot.

### **7.2 CAMPGROUNDS**

1. A comprehensive site plan shall be provided to the satisfaction of the Development Authority that shows the location, design standards and site requirements of any common accessory uses and services, such as washrooms, laundromat, recreational buildings, retail store, food concession, fire pits, fire wood storage, lighting, water supply, wastewater disposal facilities, solid waste collection facilities and any other similar uses or services that may be associated with or required within a campground. The following regulations shall be applied in designing the campground site plan:

- (a) a minimum site area of 0.40 ha (1 ac);
- (b) a minimum of 10% of the total site shall be set aside in a location acceptable to the Development Authority as a common open space recreation area;
- (c) each stall shall be accessed by an internal road;
- (d) the road system shall be properly signed for users and for emergency response vehicles, and shall be sensitive to the topography and environmental characteristics of the site;

- (e) walkways with a minimum width of 1.62 m (4 ft) surfaced to the satisfaction of the Development Authority shall be provided from all stalls to all service buildings and facilities, refuse areas and recreation areas;
- (f) roads shall be hard surfaced or surfaced to the satisfaction of the Development Authority and shall be:
  - (i) 3.05 m (10 ft) in width for one-way traffic; and
  - (ii) 6.10 m (20 ft) in width for two-way traffic;
- (g) fires will be permitted only in designated fire pits or other such facilities;
- (h) potable water and wastewater disposal facilities are required to the satisfaction of the Development Authority;
- (i) all utility services and all utility wires and conduits shall be provided as required by the Development Authority and the utility companies;
- (j) fences shall be allowed within the recreational vehicle park only if they are erected and maintained by the park operator to a uniform standard throughout the park;
- (k) all stall boundaries shall be clearly defined on the ground by permanent flush stakes or markers, with a stall number or other identification system;
- (l) suitable ground cover and a flat area for each stall shall be provided;
- (m) minimum camping stall size shall be:
  - (i) 6.10 m (20 ft) in width;
  - (ii) 18.29 m (60 ft) in depth; and
  - (iii) 111.48 m<sup>2</sup> (1,200 ft<sup>2</sup>) in area;
- (n) minimum distance between camping stalls shall be 3.05 m (10 ft);
- (o) minimum campground front, side and rear yards shall be 3.05 m (10 ft) from all site boundaries;
- (p) one (1) parking stall per camping stall; and
- (q) visitor parking shall be provided in a common area to the satisfaction of the Development Authority

2. A landscaping plan that retains natural vegetation shall be provided to the satisfaction of the Development Authority.

3. Campgrounds are considered temporary occupancies.
4. One on-site security/operator suite may be permitted.

### **7.3 CANNABIS PRODUCTION AND DISTRIBUTION**

Regulations within this section apply to the production and development of licensed cannabis for medical and non-medical purposes.

1. Cannabis production and distribution developments shall not be permitted unless all applicable licensing and approvals have been provided by the provincial and federal governments.
2. A copy of the current license(s) and/or approvals for a proposed cannabis production and distribution development, as issued by the provincial and/or federal government, shall be provided to the Development Authority with the development permit application or as a condition of development permit approval.
3. The design of buildings on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
4. Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
5. The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under municipal, provincial and federal regulations.
6. The minimum required lot size shall be at the discretion of the Development Authority.
7. Parking and loading requirements for cannabis production and distribution facilities shall be provided based on the requirements for an industrial use in Section 6.13 of this Bylaw, and any applicable requirements in provincial and federal regulations, as amended.
8. Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
9. Applications for subdivision of land for this use may be required to include the information required by the Development Authority in Section 2.5(1).
10. Landscaping requirements shall be at the discretion of the Development Authority.

11. On site buffering measures may be required for all cannabis production and distribution facilities. Buffers may include a combination of: setbacks, landscaping, and fencing to mitigate the impacts on adjacent lots.
12. The minimum required setback from any watercourse or water body shall be 30.0 m (98.0 ft.).
13. The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
14. A building or structure used for security purposes for a cannabis production and distribution development may be located in the front yard and must comply with the required minimum setbacks in the applicable district.
15. No outdoor storage of goods, material, or supplies shall be permitted.
16. Cannabis production and distribution developments shall meet security and premises requirements as required under provincial and federal legislation.
17. All activities related to the cannabis production and distribution shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.

#### **7.4 CANNABIS RETAIL SALES ESTABLISHMENTS**

1. Cannabis retail sales developments shall not be permitted unless all applicable licensing and approvals have been provided by the provincial and federal governments.
2. A copy of the current license(s) and/or approvals for a proposed cannabis retail sales development, as issued by the provincial and/or federal government, shall be provided to the Development Authority with the development permit application or as a condition of development permit approval.
3. The design of buildings on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
4. Hours of operation may be restricted as a condition of the development permit issued by Development Authority.

5. The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under municipal, provincial and federal regulations.
6. The minimum required lot size shall be at the discretion of the Development Authority.
7. Parking and loading requirements for cannabis retail sales shall be provided based on the requirements for a commercial use in Section 6.13 of this Bylaw, and any applicable requirements in provincial and federal regulations, as amended.
8. Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
9. Applications for subdivision of land for this use may be required to include the information required by the Development Authority in Section 2.5(2).
10. Landscaping requirements shall be at the discretion of the Development Authority.
11. No outdoor storage of goods, material, or supplies shall be permitted.
12. Cannabis retail sales developments shall meet security and premises requirements as required under provincial and federal legislation.
13. Cannabis retail sales establishments, as defined in this Bylaw, shall be prohibited from locating within 100.0 m (328.1 ft.) of a public education facility, a provincial health care facility, or a parcel of land that is designated School Reserve, or Municipal and School Reserve.
14. A public education facility, a provincial health care facility, or a parcel of land that is designated as School Reserve, or Municipal and School Reserve shall not be approved within 100.0 m (328.1 ft.) of an approved cannabis retail sales establishment.
15. The separation distance between the cannabis retail sales establishment and the uses listed in subsections 7.3(2)(13) and 7.3(2)(14) shall be determined by measuring a straight line from the outer wall of the proposed cannabis retail sales establishment to the closest point on the lot containing the sensitive use.

## **7.5 BED AND BREAKFAST OPERATIONS**

1. A bed and breakfast establishment or a guest ranch, which shall be considered to be a major home occupation, shall, in addition to the regulations for major home occupations, comply with the following regulations:

- A. A bed and breakfast establishment or guest ranch shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of ten (10) sleeping units.
- B. Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.
- C. In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.
- D. A bed and breakfast establishment or guest ranch shall comply with all of the other requirements for a home occupation described in this Bylaw.
- E. A bed and breakfast establishment and a guest ranch shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.

#### **7.6 COMMERCIAL DEVELOPMENT IN THE AGRICULTURE (AG) DISTRICT**

- 1. A development permit for a commercial use within the Agriculture (AG) District may be issued if, in the opinion of the Development Authority:
  - A. it directly serves the agricultural community; and/or
  - B. it will not conflict with surrounding land uses.
- 2. All site regulations and development requirements, including any requirements for buffers, shall be based upon the type of development proposed and shall be at the discretion of the Development Authority.
- 3. At the time of the development permit application, the proponent of a commercial or an industrial development shall identify all municipal servicing costs associated with the proposed development.

#### **7.7 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN**

- 1. During the review of a Development Permit, the Development Authority may consider the following Crime Prevention Through Environmental Design (CPTED) principles, and make recommendations for the proposed development:
  - A. the reduction of concealment opportunities;
  - B. The provision of lighting to minimize unlit areas;
  - C. the placement of windows to maximize informal surveillance; and
  - D. easily-identified street addresses.

#### **7.8 DAY USE AND PICNIC AREAS**

1. A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers shall be at the discretion of the Development Authority.
2. The facility shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.
3. Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.
4. Parking areas should be physically separated from the rest of the day use or picnic areas.

## **7.9 FENCES/WALLS/HEDGES**

1. Within the Residential Districts, except as herein provided, no fence, wall or hedge shall be constructed that is:
  - A. higher than 2.0 m (6.6 ft.) for that portion of the fence, wall or hedge that does not extend beyond the foremost portion of the main building on the site into the front yard;  
or
  - B. higher than 1.0 m (3.3 ft.) for that portion of the fence, wall or hedge that extends beyond the foremost portion of the main building on the site.
2. In the case of drive-in businesses, service stations and gas bars, solid fences shall be provided at least 2.0m. (6.6 ft.) in height adjacent to any dwelling on any adjacent lot.
3. Where lots have both their front and rear yards facing onto a street, approval of the Development Authority must be obtained prior to the erection of any fence. The size and specifications for fences in these areas must conform to the overall standard set for the area by the County.
4. Fences shall be constructed of materials which are to the satisfaction of the Development Authority. The electrification of fences shall not be allowed in any Residential Districts without the specific approval of the Development Authority.

## **7.10 GARAGE SUITES**

1. A garage suite shall be restricted to a site occupied by a single detached dwelling.
2. A garage suite is prohibited from being constructed on a lot with a Duplex, Multi-attached dwelling or Apartment Housing.
3. A maximum of one (1) garage suite is permitted on any single detached dwelling or semidetached lot.
4. A garage suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 sq. m (861.1 sq. ft.).



5. A garage suite shall remain accessory to and subordinate to the use of the garage and the floor areas of the garage suite.
6. The minimum floor area for an at grade garage suite is 30.0 sq. m (322.9 sq. ft.).
7. The minimum floor area for an above grade garage suite is 30.0 sq. m (322.9 sq. ft.).
8. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.
9. A garage suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
10. A garage suite has an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.
11. At grade garage suites have a maximum height of 4.5 m (14.8 ft.).
12. Above grade suites have a maximum height of 5.5 m (18.0 ft.) for suites with a flat roof, and 7.3 m (24.0 ft.) for suites with a sloped roof, provided that the maximum height is not higher than the height of the main dwelling.
13. A minimum of three (3) onsite parking spaces are required. Tandem parking may be permitted at the discretion of the Development Authority.

#### **7.11 HOME OCCUPATIONS**

1. All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in his/her opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
2. A permit issued for a home occupation is valid for one year or longer as determined by the Development Authority. It is the obligation of the developer to seek renewal of a development permit prior to the expiry of the time period for which the initial permit was issued. The Development Authority shall consider the renewal on its merits.
3. A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of the development permit.
4. General Regulations

All home occupations shall comply with the following requirements:

- A. In addition to a development permit application, each application for a home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.

- B. When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
- C. Home occupations shall not involve:
  - i. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
  - ii. any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- D. No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.
- E. There shall be no exterior signage, display or advertisement other than a business identification sign which shall not exceed 1.0 sq. m (10.8 sq. ft.) in size unless otherwise granted in a separate development permit.
- F. In the Residential Districts, no more than one (1) commercial vehicle, up to the size of a tandem truck, to be used in conjunction with the home occupation, shall be parked or maintained on the site. The parking space of the commercial vehicle shall be either within a garage or adequately screened and sited behind the main building to the satisfaction of the Development Authority.
- G. In the Agriculture Districts, not more than four (4) commercial vehicles, each with one (1) accessory trailer, to be used in conjunction with the major home occupation, shall be parked or maintained on the site.

5. Additional Regulations Affecting Minor Home Occupations

- A. In addition to the requirements of **subsection (4)** above, a minor home occupation shall comply with the following regulations:
  - i. A minor home occupation shall not occupy more than 30% of the gross floor area of the main dwelling.
  - ii. Except in the Agriculture (AG) District, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed in either the dwelling or accessory buildings.
  - iii. Up to two (2) business visits per day are allowed.
  - iv. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
  - v. A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.

6. Additional Regulations Affecting Major Home Occupations

- A. In addition to the requirements of **Subsection (5)** above, a major home occupation shall comply with the following regulations:
  - i. The number of non-resident employees working on-site shall not exceed two (2) on-site.
  - ii. Up to 8 business visits per day are allowed in the Agriculture (AG) District. In all other Districts, up to four (4) business visits per day are allowed.
  - iii. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the Alberta Safety Codes thereunder.

## **7.12 INDUSTRIAL DEVELOPMENTS**

1. The Development Authority may request advisory comment from various departments within the Provincial and Federal Government and/or from the Health Authority when considering an application for the establishment of a rural industrial use or an industrial use in an Agriculture (AG) District.
2. All site regulations and development requirements, including any requirement for buffers, shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority.
3. A development permit for an industrial use in the Agriculture (AG) District may only be issued if, in the opinion of the Development Authority:
  - A. the applicant can satisfy the Development Authority with respect to any concerns about:
    - i. the type and level of exhaust that may be emitted into the atmosphere;
    - ii. servicing requirements and provisions for meeting them; and
    - iii. any costs associated with providing new or upgraded municipal services associated with the development

### **7.12.1 INDUSTRIAL HEMP PRODUCTION FACILITY**

1. Industrial hemp production and distribution facilities shall not be permitted unless all applicable licensing and approvals have been provided by the provincial and federal governments.
2. A copy of the current license(s) and/or approvals for a proposed industrial hemp production and distribution facility, as issued by the federal government, shall be provided to the Development Authority with the development permit application or as a condition of development permit approval.
3. The design of buildings on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.

4. Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
5. The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under municipal, provincial and federal regulations.
6. The minimum required lot size shall be at the discretion of the Development Authority.
7. Parking and loading requirements for an industrial hemp production and distribution facility shall be provided based on the requirements for an industrial use in Section 6.13 of this Bylaw, and any applicable requirements in provincial and federal regulations, as amended.
8. Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
9. Applications for subdivision of land for this use may be required to include the information required by the Development Authority in Section 2.5(3).
10. Landscaping requirements shall be at the discretion of the Development Authority.
11. On site buffering measures may be required for all industrial hemp production and distribution facilities. Buffers may include a combination of: setbacks, landscaping, and fencing to mitigate the impacts on adjacent lots.
12. Minimum setback from any watercourse or water body shall be 30.0 m (98.0 ft.).
13. The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
14. A building or structure used for security purposes for a hemp production and distribution facility may be located in the front yard and must comply with the required minimum setbacks in the applicable district.

### **7.13 IN-LAW SUITE**

15. An in-law suite shall be restricted to a site occupied by a single detached dwelling or a semi-detached dwelling.
16. An in-law suite is prohibited from being constructed within a Duplex, Multi-attached dwelling or Apartment Housing.
17. A maximum of one in-law suite is permitted on any single detached dwelling or semi-detached lot.
18. An in-law suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 sq. m (861.1 sq. ft.).

19. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.
20. An in-law suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
21. An in-law suite does not have an entrance separate from the entrance to the main dwelling.
22. The minimum floor area for an in-law suite is 30.0 sq. m (322.9 sq. ft.).

#### **7.14 MANUFACTURED HOME PARKS**

1. The stalls shall be located a minimum of 3.0 m (10.0 ft.) from the park boundary. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
2. The minimum size for a manufactured home stall shall be 464.5 sq. m (5000.0 sq. ft.)
3. All roads shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.14 m (30.0 ft.).
4. There shall be safe, convenient, all-season pedestrian access of not less than 1.0 m (3.2 ft.) in width for intended use between individual manufactured homes, the park streets and all community facilities provided for park residents.
5. Visitor parking space shall be provided as required by the Development Authority, and shall not be used for the storage of boats, trailers, etc.
6. Two (2) off-street parking space shall be provided on or adjacent to each manufactured home stall.
7. A minimum of 10% of the gross site area shall be devoted to recreational use or recreational space as required by the Development Authority.
8. All areas not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.
9. No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well-being of the park residents and for the management and maintenance of the park.
10. Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
11. Street lighting shall be to the same standard as that in a conventional residential neighbourhood.

12. Manufactured homes shall be separated from each other by at least 6.1 m (20.0 ft.) side-to-side and at least 3.0 m (10.0 ft.) from either front or rear stall line, provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirements shall be 3.0 m (10.0 ft.).
13. The minimum site area shall be 2.0 ha (5.0 ac).
14. The maximum permissible density shall be six (6) manufactured home spaces per gross developable acre (15/ha) of the area actually being developed at each stage of the development.

### 7.15 MANUFACTURED HOMES

1. Before a development permit is issued for a manufactured home, the development authority shall normally receive verification that the home fully complies with both the CSA Z240 MH National Manufactured Home Standard and the Alberta Building Code (ABC). If the CSA Z240 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.
2. Should an inspection by an Alberta Safety Codes officer be required, and should the inspection indicate that upgrades to the manufactured home are necessary to bring the home into compliance with the CSA Z240 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.
3. In addition to the requirements of **subsection (1)**, a manufactured home located within a Hamlet or a multi-lot residential development must meet the following aesthetic regulations:
  - A. The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate and general area.
  - B. The roof pitch shall be consistent with the roof pitch of dwellings in the immediate and general area.
  - C. Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area and in good condition.
  - D. Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate and general area.
  - E. The design of each manufactured home shall ensure the side or end facing the street on which the home fronts contains a prominently placed front door, and windows in quantity and size that are consistent with dwellings in the immediate area.
  - F. Every manufactured home shall be placed on a full perimeter foundation that complies with the Alberta Building Code unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed.

- G. The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order to create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate and general area.
  - H. All accessory structures, such as patios, porches, additions and skirting, shall be:
    - i. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes, and
    - ii. considered as part of the main building, and
    - iii. erected only after obtaining a development permit.
  - I. The floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the Development Authority.
  - J. No accessory building, use or parking: space shall be located in the front yard of a manufactured home use.
  - K. For the purposes of storage, any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally which shall conform to the Alberta Building Codes (ABC) standards.
  - L. The following regulations also apply to manufactured home uses located in residential subdivisions and manufactured home subdivisions:
    - i. The hitch and wheels are to be removed from the manufactured home.
    - ii. All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
    - iii. The property is to be grassed and landscaped within one year from the date of issue of the development permit.
    - iv. Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.
4. Any required aesthetic upgrades to the manufactured home must be completed before the issuance of the development permit. The completion of foundation or skirting material must be completed within thirty (30) days of the placement of the manufactured home on a site.
5. In the Agriculture Districts all accessory structures, such as patios, porches, additions and skirtings shall be:
- A. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units;
  - B. considered as part of the main building; and

- C. erected only after obtaining a development permit.
6. In the Agriculture (AG) and Victoria Agriculture (A1) Districts:
- A. The hitch and wheels should be removed from the manufactured home unit;
  - B. All manufactured homes shall be placed on a full perimeter foundation that complies with the Alberta Building Code unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed; and
  - C. The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order to create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate and general area.
7. With the exception of driveways, no accessory building or use shall be located in the front yard of a manufactured home park or in the Hamlet General (HG) District.

### 7.16 MOTELS

1. A person applying to develop a site as a motel where permitted under this bylaw shall comply with the following provisions of this section.
2. Interpretation  
  
For the purposes of this subsection, a rentable unit means a separate unit on a motel site used or intended to be used for the dwelling accommodation of one or more persons.
3. Site Requirements for Motels. Please refer to the following table:

MINIMUM SITE	YARDS	MINIMUM FLOOR AREA / UNIT
<b>One Storey</b>		
<b>139.3 sq. m (1500 sq. ft.)</b>	Front 7.6 m (25.0 ft.)	26.4 sq. m. (285.0 sq. ft.)
	Side 3.0 m (10.0 ft.)	
	Rear 3.0 m (10.0 ft.)	
<b>Two Storey</b>		
<b>93 sq. m (1,000 sq. ft.) per floor</b>	Front 7.6 m (25.0 ft.)	26.4 sq. m (285.0 sq. ft.)
	Side 3.0 m (10.0 ft.)	
	Rear 3.0 m (10.0ft.)	

**Table 10: Site Requirements for Motels**



4. Space Between Buildings

Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.6 m (12.0 ft.) of clear and unoccupied space shall be provided between each rentable unit and any other building on the site.

5. Driveways

Each rentable unit shall face onto or abut a driveway not less than 6.0 m (20.0 ft.) in width and shall have unobstructed access thereto.

6. Entrances and Exits

Not more than one major vehicle entrance and one motor vehicle exit to a street, each of a minimum width of 7.6 m (25.0 ft.) measured at its minimum dimension shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.1 m. (30.0 ft.) in width.

7. Maintenance of Site and Buildings and Business

The owner, tenant, operator or person in charge of a motel shall at all times:

- A. Maintain the site and the buildings, structures and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris.
- B. Maintain garbage and / or incineration facilities to the satisfaction of the Development Authority.
- C. Maintain an appropriate fence where required, not less than 1.5 m (5.0 ft.) in height around the boundaries of the site and shall landscape and keep the site landscaped.

### 7.17 MULTI-DWELLING DEVELOPMENTS

1. The following application procedure applies to apartments and duplex development:

- A. Before any application can be considered the applicant must submit:
  - i. design plans and working drawings including elevations which have been done or endorsed by a registered architect.
  - ii. site plans showing the proposed:
    - a. location and position of structures on the site, including any "For Rent" or identification signs;
    - b. location and number of parking spaces, exits, entries and drives from public thoroughfares;
    - c. location of an access to garbage storage areas and incinerators and the fencing and landscaping of these facilities; and

- d. landscape plan of the entire site which shall also show intended surfacing for drives and parking areas.
  - B. The aforementioned plans will append the application and once approved shall be deemed conditions of approval. The Development Authority may require a performance bond from the developer if deemed necessary.
- 2. In the case of all buildings and relationship of the building to each other and the total relationship of the land on which they are constructed, in particular respect to such matters as architectural appearance, the provision of adequate light, air, privacy and landscaping shall be fully shown upon the site plans of the whole development, and all the foregoing shall be to the satisfaction of the Development Authority.

### **7.18 NATURAL RESOURCE EXTRACTION INDUSTRIES**

- 1. In accordance with in **Sections 2.4 and 2.7** of this Bylaw, a development permit will be required for natural resource extraction developments including but not limited to: borrow pits, sand, gravel, clay, top soil, gypsum, granite, salt or any other mineral extraction operation.
- 2. A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, salt or a mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government.
- 3. Where not required to do so by Provincial agencies, the proponent of a natural resource extraction industry shall be required to submit a reclamation plan to the Development Authority for their approval prior to the issuance of a development permit.
- 4. Where not required to do so by the Province, the proponent of a natural resource extraction industry shall, at the discretion of the Development Authority, be required to post with the County security in the form of either, cash or an irrevocable letter of credit to ensure that reclamation will be completed.
- 5. A disturbed area shall be reclaimed to:
  - A. at least its former capability for agriculture; or
  - B. any other use which the Development Authority feels will be beneficial to the County.
- 6. The following conditions of approval may be included when processing an application for a natural resource extraction industry:
  - A. limitation of hours of operation;
  - B. requirement to enter into a Road Use Agreement with the County for the provision of dust control and maintenance/upgrading of roads used in direct relation to the operation;
  - C. posting of adequate signage, including company name and emergency telephone numbers, to warn of possible site or operational hazards and dangers;

- D. methods of minimizing noise in relation to the activities of the operation; and
  - E. payment of an aggregate levy to the County as outlined by the County's Community Aggregate Payment Levy bylaw.
7. Extraction operations, such as sand, gravel and other mineral resource workings shall be permitted to proceed only after the issuance of proper licenses that indicate compliance with the appropriate provincial and federal legislation and regulations.
  8. The County should not allow residential, commercial, or industrial development to occur on known commercial deposits of sand and gravel or other mineral resources if that development will prevent the future extraction of the resource.
  9. Council shall urge the provincial and federal agencies to comply with the policies of this section and the overall intent of the Plan when developing natural resource extraction activities that are exempt from control under the Municipal Government Act.
  10. Resource processing should be handled as a form of industrial development, and be subject to the industrial regulations contained in **Section 7.1** of this Bylaw.

#### **7.19 PET KEEPING, LIVESTOCK AND KENNELS**

1. The total number of domestic pets shall be in conformity with the County's Animal Control Bylaw.
2. **No animals** other than domestic pets shall be allowed:
  - A. on lots located within the Multi-lot Country Residential (R1) and Residential (Cluster) Conservation (R2) Districts, located within the Garner Lake, Mons Lake, Bonnie Lake, Whitefish Lake and/or Hanmore Lake Area Structure Plan Areas on parcels less than or equal to 2.03 ha (5.0 ac.) in area; and
  - B. on lots located within Hamlet General (HG) District on parcels less than or equal to 2.03 ha (5.0 ac.) in area.
3. Additional livestock units shall be allowed:
  - A. on lots located within the Multi-lot Country Residential (R1) and Residential (Cluster) Conservation (R2) Districts, located within the Garner Lake, Mons Lake, Bonnie Lake, Whitefish Lake and/or Hanmore Lake Area Structure Plan Areas on parcels greater than 2.03 ha (5.0 ac.) in area; and
  - B. on lots located within Hamlet General (HG) District on parcels greater than or equal to 2.03 ha (5.0 ac.) in area

In accordance with the following:

\*Plus - the number of animal units permitted for that portion of the parcel in excess of 4.05 hectares (10.0 acres).

Animal Unit Calculation		
* Effecting lots in the HG District and lots within the R1 and R2 Districts located within the Garner Lake, Mons Lake, Bonnie Lake, Whitefish Lake and/or Hanmore Lake Area Structure Plan Areas		
Residential Parcel Size		Allowable Number of Animal Units
Residential Parcel Size Requirements		Allowable Number of Animal Units
0-2.05 hectares	(0 – 5.0 ac.)	0
2.06 - 2.42 hectares	(5.1 - 5.99 acres)	1
2.43 - 4.04 hectares	(6.0 - 9.99 acres)	2
4.05 hectares or greater	(10.0 acres or greater)	3*

Example: 8.08 hectares (20.0 acres) = 3+3=6 total animal units.

4. The keeping of animals not in accordance with **Section 6.20(3)** shall only be allowed upon issuance of an approved development permit, in those circumstances considered exceptional or unique by the Municipal Planning Commission.
5. For the purposes of this Section, “one animal unit” means the following:
  - (A) 1 horse, donkey, mule or ass (over one year old);
  - (B) 2 colts up to one year old;
  - (C) 1 llama, alpaca;
  - (D) 2 ostrich, emu, or other ratite;
  - (E) 1 cow or steer (over one year old);
  - (F) 2 calves up to one year old;
  - (G) 3 pigs;
  - (H) 15 chickens;
  - (I) 10 ducks, turkeys, pheasants, geese or other similar fowl;
  - (J) 3 sheep or goats; or

- (K) 20 rabbits or other similar rodents.
6. The keeping of more than two (2) dogs on any lot, whether the dogs are being bred or boarded, shall be allowed at the discretion of the Development Authority only in those Districts where kennels are listed as a discretionary use in this Bylaw.
  7. The maximum number of dogs to be kept on-site in each of the above Districts shall be at the discretion of the Development Authority.
  8. In determining the number of dogs, pups less than six months of age shall not be included.
  9. An exercise area shall be provided for each dog as follows:
    - A. breeds weighing 16 kg (35 lbs.) or less - at least 2.3 sq. m. (25.0 sq. ft.) per dog; and
    - B. breeds weighing more than 16 kg (35 lbs.) - at least 4.6 sq. m. (50.0 sq. ft.) per dog.
  10. No building or exterior exercise area to be used to accommodate the dogs shall be allowed within 25.0 m (82.0 ft.) of any lot line of the lot for which an application is made.
  11. All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.8 m (6.0 ft.).
  12. All dogs in kennels shall be kept within buildings or a fenced area at all times when not leashed.
  13. All dog facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.
  14. Pens, rooms, exercise runs, and holding stalls shall be soundproofed where possible to the satisfaction of the Development Authority.
  15. A separate air extractor system shall be provided in the animal shelter or holding area where heating and air conditioning is necessary.
  16. All facilities and kennel operations shall be in compliance with the applicable Provincial regulations.
  17. All development permits issued shall be subject to cancellation if any of the above requirements, or any other condition of the development permit, is not followed.

## **7.20 PLACES OF WORSHIP**

1. The site on which a place of worship is situated shall have a frontage of not less than 30.4 m (100.0 ft.) and an area of not less than 929 sq. m (10,000 sq. ft.) except in the case where a building for a clergyman's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 1393.5 sq. m (15,000 sq. ft.).
2. Front, side and rear yards shall be those permitted within the district in which the church site is located.

## **7.21 PRIVATE LIQUOR STORE AND STORAGE FACILITIES**

1. A person applying to develop a site as a private liquor store and storage facility where allowed under this bylaw shall comply with the following provisions:
  - A. Store size limitation - the retail and storage space shall be a minimum of 56.0 sq. m (600.0 sq. ft.).

## **7.22 RECREATIONAL USES**

1. Recreational development shall be required to:
  - A. maintain an open space buffer of sufficient size and composition to act as a visual and noise barrier from adjacent uses which may be incompatible; and
  - B. install, when necessary, adequate on-site water supply and sewage disposal systems which have been approved by the authority having jurisdiction.

## **7.23 RECREATIONAL VEHICLE CAMPGROUNDS**

1. Development of roads, facilities, and recreational vehicle sites shall occupy no more than two-thirds of the proposed site, leaving a minimum of one-third of the site in its natural state (or landscaping one-third to the satisfaction of the Development Authority).
2. Campgrounds should be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.
3. The entire site design shall be at the discretion of the Development Authority.
4. Where the campground directly adjoins a residential area, adequate screening or fencing shall be provided, to the satisfaction of the Development Authority.
5. A sufficient number of picnic tables, fire pits, and garbage cans shall be provided to accommodate the design capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.
6. On recreational vehicle campgrounds located next to a lake, if boat launching and swimming facilities are not provided, alternative locations for same should be indicated on a map or sign on the site.
7. An adequate potable water supply and sewage disposal facilities shall be provided, in accordance with Provincial regulations and/or the Safety Codes Act, as applicable.
8. A portion of the campsites should be serviced by electrical, water or sewage disposal hookups.

## **7.24 RECREATIONAL VEHICLE PARKS**

1. Each recreational vehicle parking stall be a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 sq. m (2691.0 sq. ft.).
2. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction,

- including any necessary approvals pursuant to the Alberta Safety Codes Act that may be applicable.
3. As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
  4. All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m. (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.7 m. (12.0 ft.) usable top.
  5. The developer shall provide on-site potable water supply which meets all applicable provincial water requirements.
  6. The developer shall provide sewage disposal facilities in accordance with the County's servicing requirements as well as all applicable provincial regulations.
  7. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
  8. The developer shall be required to enter into a development agreement with the County as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary County roads to access the development when determined necessary by the Development Authority.
  9. The developer shall designate an area equivalent to ten (10%) percent of the total recreational vehicle campground area as a playground. This area is to be clearly marked and free from all traffic hazards.
  10. All stalls shall maintain a minimum set back of 30.0 m (98.4 ft.) from the shoreline of any body of water.
  11. The maximum number of recreational vehicles permitted per stall shall be one (1).
  12. A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.
  13. Spaces for day use, picnicking and similar activities shall be suitably organized, clearly marked and constructed to the satisfaction of the Development Authority.
  14. All other site requirements shall be as required by the Development Authority.
  15. Minimum Yard Setbacks:
    - A. Front, side, corner and rear yard setbacks shall be 7.6 m (25.0 ft.) or 10% of the lot width, whichever is lesser.

## **7.25 RECREATIONAL VEHICLES**

1. The year round placement of 2 (two) recreational vehicles on a parcel in Multi-lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential(R3) or Hamlet General (HG) Districts is allowed without a development permit.
2. Additional recreational vehicles shall be permitted within the Multi-lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) or Hamlet General (HG) Districts for a maximum of four (4) consecutive days.
3. No recreational vehicle shall be permanently connected to any utility or municipal service, such as power, gas, water supply, or sanitary sewage disposal facilities unless the recreational vehicle is located in an approved recreational vehicle park.
4. This section **does not** apply to the placement of recreational vehicles in the Agriculture District (AG), Victoria Agriculture District (A1), Highway Commercial District (C1), Victoria Commercial District (C2), Industrial District (M1), Rural Industrial District (M2), Institutional & Community District (P), Direct Control District (DC), and Direct Control Landfill District (DC1).

#### **7.26 RECREATIONAL VEHICLES LOCATED IN RECREATIONAL VEHICLE CAMPGROUNDS**

1. No recreational vehicle, whether located within a recreational trailer park or on a lot, may have associated with it any more than two (2) accessory structures, buildings, or other paraphernalia, in addition to fences, benches, fire pits, and picnic tables. A small shed with a maximum size of 18.58 sq. m (200 sq. ft.), and a screened or roofed patio around or beside the recreational vehicle is permitted.
2. No structure accessory to a recreational vehicle shall be used as sleeping quarters.
3. Except for a recreational vehicle on a lot, the total gross floor area or ground area covered by all accessory structures, buildings or other paraphernalia (other than those indicated in **subsection 6.16(1)**) shall not exceed 50% of the RV lot size.

#### **7.27 RELOCATION OF BUILDINGS OTHER THAN MANUFACTURED HOMES**

1. No person shall alter the location on a parcel of a building already constructed on that parcel, unless a development permit has been issued.
2. No person shall place on a parcel of land within the Highway Commercial (C1) District, Victoria Commercial (C2) District or Hamlet General (HG) District a building formerly erected or placed on a different parcel, including portable pre-fabricated buildings, without an approved development permit.
3. Any application for a "moved-in building" considered by the Development Authority shall:
  - A. be accompanied by recent colour photographs of the structure; and
  - B. indicate if the building will meet current requirements of the Alberta Building Code (ABC), and if it does not, how the building will be brought up to these requirements; and



- C. meet all other requirements or conditions as required by the Development Authority Officer.
4. The Development Authority may, at his/her discretion, require, prior to the approval of a development permit for a relocated building, that an inspection of the proposed relocated building be completed by the Development Authority or a designated officer to determine its suitability for relocation in the County.

## **7.28 RESIDENTIAL CLUSTER CONSERVATION DESIGN REQUIREMENTS**

1. A land suitability analysis (LSA) of the proposed development site which illustrates:
- A. Primary Conservation Areas;
  - B. Secondary Conservation Areas;
  - C. Low Priority Conservation Areas; and
  - D. Open Space Areas;

must be included with all Area Structure Plans and Development Concept Plans for Multi-lot Residential (Cluster) Conservation Developments if the proposed development would exceed the maximum density of 1.54 dwellings per net ha (0.6 dwellings per net ac.) or where the development proposed is:

- i. not located within a Hamlet area; and
- ii. the developer proposed lots which are smaller than 0.3 ha (0.74 ac.) 0.75 ac. (0.303 ha) in area.

The purpose of the LSA is to ensure that important site features have been identified and that the open space proposed will meet the open space requirements of these Policies.

2. The LSA shall include information about:
- A. site and property boundaries;
  - B. all streams, rivers, lakes, wetlands, and other hydrogeological features (including seasonal water flow and ponding areas) within and adjacent to the site;
  - C. topographic contours of no less than 3.0 m (10.0 ft.) intervals;
  - D. all environmentally sensitive areas as identified by Alberta Environment and Sustainable Resource Development;
  - E. general vegetation characteristics;
  - F. soil drainage;
  - G. soils information including farmland assessment information and soil suitability for private sewage disposal;

- H. existing roads and road structures; and
- I. potential connections of open space, green spaces, and trails.

This information shall be used to determine Primary, Secondary, and Low Priority Conservation areas.

3. Normally, at least 50% of the gross developable area shall be left as Open Space in Cluster Residential Developments. However, at the discretion of the Development Authority and the Subdivision Authority this percentage may be reduced based on the results of the biophysical analysis submitted with the application.
4. The location and percentage of open space in the development must be illustrated on the development concept.
5. The following are considered Primary Conservation areas. Primary Conservation areas must be included within the Open Space areas:
  - A. the 1:100 year floodplain;
  - B. water features and buffer zones which meet the minimum ER width requirements identified in the Sustainable Resource Development Guidelines for Minimum Environmental Reserve/Easement Width;
  - C. slopes greater than 15%;
  - D. populations of endangered or threatened species, or habitat for such species;
  - E. hazard lands and the environmental reserve modifier areas identified in the Sustainable Resource Development Guidelines for Minimum Environmental Reserve/Easement Widths (see appendix A);
  - F. environmentally sensitive areas (ESAs), as identified by Alberta Environment or Alberta Sustainable Resource Development; and
  - G. Heritage resources such as municipal, provincial and nationally identified heritage sites as well as: archaeological sites, cemeteries, burial grounds, and other historical sites.
6. The following are considered Secondary Conservation areas. Secondary Conservation areas may be included within the Open Space areas:
  - A. existing healthy, native forests of at least 0.4 ha (10.0 ac.) contiguous area;
  - B. other significant natural features and scenic view sheds such as water bodies, ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads or public properties;
  - C. agricultural lands with a farmland assessment ratio of 55% or greater of at least 2.0 ha (5.0 ac.) contiguous area; and
  - D. existing trails that connect to neighbouring areas.

7. All remaining lands will be considered Low Priority Conservation areas. These areas are not required to be included within the Open Space areas.
8. If the entire site of a development proposal is identified as low priority conservation area, development should be directed to previously cleared and/or disturbed areas.
9. The following uses are suitable for Open Space Areas:
  - A. conservation of natural, archeological, or historical resources;
  - B. conservation of meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented uses;
  - C. walking or bicycle trails, provided they are constructed of porous paving and pervious materials;
  - D. passive recreation, such as open fields;
  - E. active recreation including at the discretion of the Development Authority, recreational vehicle storage or over flow parking and small group campsites, provided that they are limited to no more than 10% of the total Open Space area, and provided further that they are not located within Primary Conservation Areas. Active recreation areas may include impervious surfaces. These impervious areas shall not count towards the minimum open space requirement. Active recreation areas in excess of this limit must be located outside of the Open Space areas;
  - F. agriculture, horticulture, or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation Areas;
  - G. non-structural storm water management practices and structural storm water management practices that allow for filtered groundwater;
  - H. sewage disposal fields comprised of single or multiple septic tanks;
  - I. enclosed sewage treatment facilities; and
  - J. easements for drainage, access, and underground utility lines.
10. The Development Concept Plan for a Conservation Residential Development shall include an Open Space Management Plan. The open space can be managed in a number of ways, including, but not limited to:
  - A. municipal ownership (in Municipal and/or Environmental Reserve parcels);
  - B. as a common unit (or units) within a bareland condominium plan; or
  - C. as a commonly owned unit, provided that a conservation easement is placed on the lands.

11. The Development Concept Plan will clearly indicate who shall be responsible for maintaining and managing the Open Space areas and how funding for the maintenance and management shall be collected, including any legal instrumentation of such responsibilities and funding. The Plan will also indicate how, if the maintenance and/or management of the Open Space areas becomes neglected and/or if funding provisions cannot be enforced, the County shall assume responsibility for maintenance and management of the Open Space areas, and, further, how the costs of such maintenance and management, including administrative costs, interest, and penalties, will be charged back against the landowners within the development.
12. Since such Open Space Areas are not developable, their value will be reduced for assessment and municipal taxation purposes.
13. Private recreation facilities shall be encouraged within the residential conservation (cluster) area in order to provide residential recreational amenity that are not lake intensive. Public recreation facilities (facilities open to the general public) shall be considered discretionary developments and shall only be developed if they are compatible with the environment and with nearby uses and developments.
14. Though the form of ownership of the individual residential dwelling units may be the normal fee simple ownership, other forms, such as co-operatives, bare land condominiums, rental accommodation, societies, joint ownerships, to name a few, shall be considered. The form of ownership, and the implications of the form of ownership for the management and maintenance of any services and utilities, shall be identified in the Development Concept Plan for a particular development.
15. The form of ownership, and the implications of the form of ownership for the management and maintenance of any services and utilities, shall be identified in the Development Concept Plan for a particular development. The Development Concept Plan will:
  - A. allocate responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon including provisions for ongoing maintenance and long-term capital improvements. Facilities may include: water treatment facilities, recreation facilities and trail networks; and
  - B. provide a strategy for the enforcement of the Plan.
16. Any changes to the Area Structure Plan or Development Concept Plan must be approved by Smoky Lake County. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the owner.
17. In the event that the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, Smoky Lake County may assume the responsibility for maintenance, enter the premises to take corrective action, and charge the costs to the previously responsible party. The County may also bill for administrative costs and penalties associated with the maintenance.
18. The Development Authority may require the Open Space be protected by a legally binding instrument such as a Conservation Easement which is recorded with the deed. The form of

protection and the organization or entity to which the instrument will be registered shall be identified in the Development Concept Plan for a particular development. The instrument will be registered to one of the following:

- A. A land trust or conservation oriented non-profit organization with the legal authority to accept such easements. The organization shall be bona fide in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the County in the event that the organization becomes unable to carry out its functions; or
- B. A government entity with an interest in pursuing goals compatible with the purposes of this policy. If the entity accepting the easement is not Smoky Lake County, then a third right of enforcement favouring Smoky Lake County shall be included in the easement.

19. The instrument for permanent protection shall include clear restriction on the use of Open Space. There restrictions shall include all restrictions included in this policy as well as any further restrictions the applicant chooses to place on the use of the Open Space.

20. The Development Authority may require the Open Space be protected by a legally binding instrument such as a Conservation Easement which is recorded with the deed. The form of protection and the organization or entity to which the instrument will be registered shall be identified in the Development Concept Plan for a particular development. The instrument will be registered to one of the following:

- A. A land trust or conservation oriented non-profit organization with the legal authority to accept such easements. The organization shall be bona fide in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the County in the event that the organization becomes unable to carry out its functions; or;
- B. A government entity with an interest in pursuing goals compatible with the purposes of this policy. If the entity accepting the easement is not Smoky Lake County, then a third right of enforcement favouring Smoky Lake County shall be included in the easement.

21. The instrument for permanent protection shall include clear restriction on the use of Open Space. There restrictions shall include all restrictions included in this policy as well as any further restrictions the applicant chooses to place on the use of the Open Space.

## **7.29 RESIDENTIAL CLUSTER CONSERVATION USES**

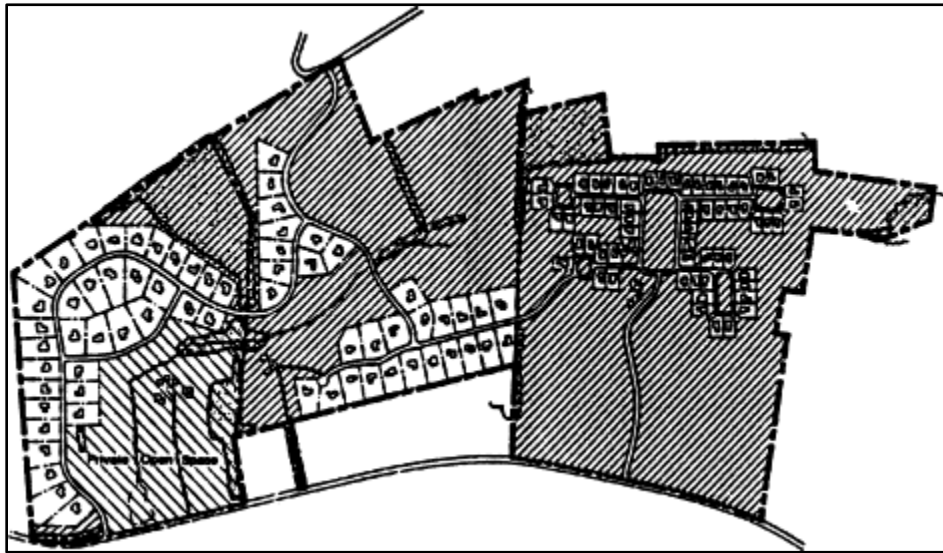
- 1. Residential (cluster) conservation uses must conform to provisions in applicable statutory plans, development concept plans and/or regional plans effecting the subject lands.
- 2. A subdivision to create a multi-lot residential development within the Residential (Cluster) Conservation District will not be considered for approval until an Area Structure Plan affecting the subject site is submitted by the developer and approved by Council. At the discretion of the

Development Authority a Development Concept Plan may be accepted instead of an Area Structure Plan.

3. A Land Use Bylaw amendment to re-district land to the Residential (Cluster) Conservation District will not be considered for approval until an Area Structure Plan affecting the subject site is submitted by the developer and approved by Council. At the discretion of Council, a Development Concept Plan may be accepted instead of an Area Structure Plan.
4. The Area Structure Plan or Development Concept Plan submitted as a requirement for the approval of a re-districting application or a multi-lot country residential subdivision for a residential (cluster) conservation use shall include a land suitability assessment, which provides information about the environmental features of the site both in map form and with some text describing the features of the map (or maps). The site design of the development must reflect the findings of the LSA and be designed to ensure that the development has a Low Net Environmental Impact.
5. The purpose of the LSA is to ensure that the important site features have been identified. The LSA should include:
  - A. site and property boundaries;
  - B. all streams, rivers, lakes, wetlands, and other hydro-geological features (including seasonal water flow and ponding areas) within and adjacent to the site;
  - C. topographic contours of no less than 30.0 m (98.4 ft.) intervals;
  - D. all environmentally sensitive areas which have been or may be identified by Alberta Environment and Sustainable Resource Development;
  - E. general vegetation characteristics;
  - F. soil drainage;
  - G. soils information including farmland assessment information and soil suitability for private sewage disposal for the site;
  - H. existing roads and road structures;
  - I. potential connections of open space, green spaces, and trails (if applicable);
  - J. Environmentally Significant Areas (ESAs); and
  - K. Heritage Resources including municipally, provincially and nationally recognized heritage sites as well as any additional resources identified as a result of a Heritage Resource Impact Assessment.
6. The LSA may be used to determine primary, secondary, and low priority conservation areas if the developer applies for density bonusing.

7. Residential conservation development shall not be allowed on land having critical development constraints. The following list of development criteria shall be used in determining the suitability of land for seasonal/permanent residential development:
  - A. Groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall be permitted in areas where reserves of potable water are inadequate in the opinion of the Development Authority.
  - B. Development shall be prohibited on slopes in excess of 15% or unstable slopes subject to soil slippage or other mass movement.
  - C. Development shall be prohibited in areas characterized by wetlands, swamps, muskeg, or saturated soils.
  - D. Development shall also be prohibited in areas subject to periodic flooding or on soils which become saturated due to flooding.
  - E. Development maybe prohibited on soils which have extremely fast percolation rates (2 min./1 inch or faster) and/or would promote the possibility of groundwater contamination.
8. Development for multi-lot residential (cluster) conservation purposes shall be prohibited:
  - A. on sites where adequate year-round access is not available by paved roads in good condition, developed to current County standards;
  - B. on sites where necessary services are not provided at the sole expense of the developer;
  - C. within 30.0 m (98.4 ft.) of a lake.
9. The natural topography and vegetation of the development area shall be conserved wherever possible as illustrated in **Figures 24 and 25**.
10. Development will be directed to lands that are identified to be of lesser environmental significance, such as those areas which may be identified as low priority conservation areas.
11. Wildlife corridors or connections between all conservation areas shall be maintained wherever possible.
12. The natural landscape and topography shall be considered and incorporated into the overall design of the development.
13. Internal road access shall be provided to each residential parcel, though the roads may be private in accordance with the policies of this area.
14. The Municipality will require hard surfaced roads in all new multi-lot country residential developments developed to current County standards.

15. All new developments shall provide and pay for infrastructure and servicing improvements, as well as the extension of services to facilitate the development.
16. Transportation, communication, and public utility uses shall be considered discretionary. Such uses shall only be developed in such a manner as shall not adversely affect the environment, surface or ground water quality, or existing developments.
17. All development shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction.
18. No development shall be permitted on Reserve lands if the development does not serve the interests of the general public.
19. All development shall be required to maintain a buffer of sufficient size and composition to act as a noise and visual barrier from adjacent incompatible uses.
20. Spaces for day use, hiking trails, overnight camping, and similar activities shall be suitably organized and clearly marked. Adequate lake access, boat launching, and parking facilities shall be provided where applicable.
21. Any proposed facilities such as change houses, sewage disposal, garbage disposal, and on-site water supply shall be required to have approval from authorities having jurisdiction, and shall be of sufficient size and quality to handle anticipated use.
22. The clearing of vegetation shall be minimized to lessen the impact of the development on sensitive riparian areas and encourage biodiversity.



**Figure 22: Cluster Conservation Subdivision Example #1**





**Figure 23: Cluster Conservation Subdivision Example #2**

23. Any person who proposes to alter the bed or shoreline of a lake must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a lake (up to the high water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction. Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.
24. Further information may be obtained from appropriate Provincial government offices.
25. All multi-lot residential developments in the Residential (Cluster) Conservation District shall be either:
  - A. low density multi-lot residential developments, with a maximum density 1.54 dwellings per net ha (0.6 dwellings per net ac) The minimum lot area is 0.3 ha (0.74 ac.) and the maximum lot area is 4.04 ha (10.0 ac.); or
  - B. cluster residential developments, with a maximum density 2.47 dwellings per net ha (1.0 dwelling per net ac.). The minimum lot area shall be at the discretion of the Development Authority and the maximum lot area shall normally be 0.2 ha (0.5 ac.). In order to qualify for this type of residential development the design of the development must conform to the requirements for density bonusing outlined in **Section 7.26**.

26. The maximum density of **low density multi-lot residential developments** within areas identified as residential (cluster) conservation areas shall be determined by the Subdivision Authority and the Development Authority on a site by site basis. The maximum residential density shall be based on:
- A. the land suitability assessment (LSA) undertaken for the site. Residential density will be determined on a site by site basis having regard for site conditions, environmental considerations and impacts, and other factors that may be considered in the design of the proposal;
  - B. the maximum number of allowed dwelling units will normally be determined by dividing net developable area of the site by the minimum residential parcel size of 0.3 ha (0.74 ac.);
  - C. the net developable area shall be the total gross area of the site, less the area of:
    - i. bodies of open water over 500.0 sq. m (5382.0 sq. ft.) in area or greater;
    - ii. anticipated rights-of-way for roads and utilities;
    - iii. Environmental Reserve and/or Environmental Reserve Easement areas (if applicable); and
    - iv. Municipal Reserve areas (if applicable);
  - D. the suitability and availability of municipal services and infrastructure necessary to support the proposal; and
  - E. the compatibility of the proposed density with that of the surrounding area and the character of the existing community (if applicable).
27. The maximum density for **cluster residential developments** within areas identified as residential (cluster) conservation areas or on sites where a developer wishes to qualify for density bonusing, shall be determined by the Subdivision Authority and the Development Authority on a site by site basis. The maximum residential density shall be based on the design requirements for cluster residential developments identified in the following section.

### **7.30 RESIDENTIAL USES**

1. In all residential districts, residential development shall not be allowed on land having critical development constraints. The following list of development criteria shall be used in determining the suitability of land for seasonal/permanent residential development:
- A. Groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall be permitted in areas where reserves of potable water are inadequate in the opinion of the Development Authority.
  - B. Development shall be prohibited on slopes in excess of 15% or unstable slopes subject to soil slippage or other mass movement.

- C. Development shall be prohibited in areas characterized by wetlands, swamps, muskeg, or saturated soils. Development shall also be prohibited in areas subject to periodic flooding or on soils which become saturated due to flooding.
  - D. Development shall be prohibited on soils which have extremely fast percolation rates (2 min./1 inch or faster) and/or would promote the possibility of groundwater contamination.
2. Development for multi-lot country residential purposes shall be prohibited:
- A. on sites where adequate year-round access is not available by either a paved or graveled all-weather road in good condition;
  - B. on sites where necessary services are not provided at the sole expense of the developer;
  - C. within 30.5 m. (100.0 ft) of a lake or the North Saskatchewan River. If the developer disputes the required setback then the developer may provide the Development Authority with a biophysical study which indicates that an alternative setback area is appropriate for the subject site. The Development Authority will then carefully consider the additional information and make a determination regarding the most appropriate setback area for the site.
3. All development shall be located on lots large enough to support on-site water supply and sewage disposal systems. All development shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction.
4. Any proposed facilities such as change houses, sewage disposal, garbage disposal, and on-site water supply shall be required to have approval from authorities having jurisdiction, and shall be of sufficient size and quality to handle anticipated use.
5. The clearing of vegetation shall be minimized and occur only after obtaining a development permit.
6. Any person who proposes to alter the bed or shoreline of a lake must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a lake (up to the high water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction. Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.
7. Further information may be obtained from appropriate Provincial government offices.
8. Where there is an approved Area Structure Plan, Intermunicipal Development Plan or Outline Plan regulations in that Plan will apply.

### **7.31 SATELLITE DISH ANTENNAS AND COMMUNICATION TOWERS**

- (a) Smoky Lake County is not the approving authority for telecommunication antenna systems or structures.
- (b) The federal Minister of Industry (or the equivalent) is the approving authority for the development and operation of radiocommunication in Canada, including telecommunication antenna structures, pursuant to the *Radiocommunication Act*.
- (c) To this end, Industry Canada requires in certain cases that the local land use authority and the public must be consulted for input regarding the proposed placement of a telecommunication facility.
- (d) In those cases, all applications for the development of a communication tower should meet the rules and follow the procedures of the **Smoky Lake County Telecommunication Policy Statement No. 61-22** (or its equivalent).
- (e) The County will encourage developers of wireless communications facilities to demonstrate good planning and design with foremost regard to safety of the general public; adherence to established construction standards in industry; minimizing impacts to the natural environment; minimizing the visual impacts on nearby residents; and ensuring public consultation in the early development stages.
- (f) The application for development of a wireless communications facility is encouraged to engage existing owner/operators of these structures for co-location opportunities.
- (g) The following rules apply to satellite dish antennas:
  - i. a satellite dish antenna is an accessory use, which requires an approved development permit, unless the satellite antenna has a dish diameter of less than 1m;
  - ii. a satellite dish antenna should be placed in the rear or side yard but may be placed in the front yard if the diameter is less than 1m and subject to this section;
  - iii. a satellite dish antenna shall be situated so that no part of the antenna is closer than 0.6 m from the side or rear boundaries of the parcel;
  - iv. no advertising other than the manufacture's name/logo shall be allowed on a satellite dish antenna; and
  - v. the illumination of a satellite dish antenna is prohibited.

### 7.32 SECONDARY SUITES

1. A secondary suite shall be restricted to a site occupied by a single detached dwelling or a semi-detached dwelling.
2. A secondary suite is prohibited from being constructed within a duplex, multi-attached dwelling or apartment housing.
3. A maximum of one secondary suite is permitted on any single detached dwelling or semi-detached lot.
4. A secondary suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 8.0 sq. m (860.0 sq. ft.).
5. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
6. A secondary suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
7. A secondary suite has an entrance separate from the entrance to the main dwelling, either from a common indoor landing or directly from the exterior of the structure.
8. A secondary suite may include the conversion of a portion of existing space in the main dwelling, the addition of new floor space to an existing dwelling.
9. The minimum parcel size for a secondary suite is 360.0 sq. m (3875.0 sq. ft.) in size.
10. The minimum lot width requirement for secondary suites is 12.2 m (40.0 ft.).
11. The minimum area for a secondary suite is 30.0 sq. m (322.9 sq. ft.).
12. A secondary suite cannot exceed the maximum height of the main dwelling.
13. Prior to development permit approval the developer must submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
14. One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the main dwelling pursuant to **Section 6.13** of this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.

### **7.33 SERVICE STATIONS AND GAS STATIONS**

1. A person applying to develop a site as a service station or gas station establishment where allowed under this bylaw shall comply with the following provisions of this section.
2. Service and gas stations shall be located in such a manner that:
  - A. No entrance or exit thereto for motor vehicles shall be within 60.9 m (200.0 ft.) of an entrance to or exit from a public or quasi-public use.

- B. No part of a service station or gas station building or of any pump or other accessory building shall be within 6.0 m (20.0 ft.) of a side or rear property line.
- C. Service stations shall have a front yard of not less than 12.2 m (40.0 ft.), and no gasoline pump shall be located closer than 6.1 m (20 ft.) to the front property line.
- D. Storage tanks shall be set back from adjacent buildings in accordance with applicable Provincial requirements.

3. Site Area and Coverage

- A. The minimum site area shall be 743.2 sq. m (8,000.0 sq. ft.) and the maximum building coverage shall be 25% of the site area. For service stations including car washes the minimum site area shall be 1,114.8 sq. m (12,000 .0 sq. ft.).
- B. In the case of a service station designed and built as part of a shopping centre the ratio of building space to parking space shall be as determined by the Development Authority.

4. Surfacing

- A. All parts of the site to which vehicles may have access shall have the surface completed to the satisfaction of the Development Authority.

5. Lighting

- A. Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties.

6. Use and Maintenance of Service Station Site and Building

The owner, tenant, operator or person in charge of a service station shall at all times:

- A. Be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available on any authorized service station for storage) or of any business or activity which is; obnoxious or offensive, or which may constitute a nuisance or annoyance to persons occupying lands in the immediate vicinity of the site of a service station by reason of dust, noise, gases, odour smoke or vibration.
- B. Be responsible for the proper, safe and orderly operation thereof and of motor vehicles using said service station or when repaired or serviced thereat, and without restricting the generality of the foregoing shall see:
  - i. that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service stations, and

- ii. that operators of motor vehicles enter and leave the service station only at the entrances and exits provided for such purposes and not elsewhere.
- C. Maintain on the boundaries of the site, where required by the Development Authority, an appropriate fence not less than 1.5 m (5.0 ft.) in height.

### **7.34 SHIPPING CONTAINERS**

1. The placement of a shipping container on any parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3), Hamlet General (HG), Highway Commercial (C1), Victoria Commercial (C2), Industrial (M1) and Rural Industrial (M2) Districts shall require a development permit.
2. A maximum of two (2) shipping containers may be placed on any parcel located within the Agriculture (AG) District without obtaining a development permit. The placement of a third or subsequent shipping container on a parcel located within the Agriculture (AG) District shall require a development permit.
3. A shipping container may be allowed, at the discretion of the Development Authority, on any parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) and Hamlet General (HG) Districts.
4. The maximum number of shipping containers that may be located on a parcel located within the Agriculture (AG), Victoria Agriculture (A1), Highway Commercial (C1), Victoria Commercial (C2), Industrial (M1) and Rural Industrial (M2) Districts is at the discretion of the Development Authority.
5. The location of shipping container placement on any property is at the discretion of the Development Authority.
6. The maximum length for shipping containers located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3) and Hamlet General (HG), Highway Commercial (C1) and Victoria Commercial (C2) Districts shall be twenty feet (20.0'). The maximum length for shipping containers located within the Agricultural General (AG), Industrial (M1) and Rural Industrial (M2) Districts shall be at the discretion of the Development Authority.
7. If a temporary development permit for a shipping container has been approved by the Development Authority, then the shipping container may be placed on a site for a period of six (6) months. After that period has expired the developer will be required to apply to the County for an extension for the permit. Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.
8. The exterior finish of a shipping container sited on a parcel located within the Multi-Lot Country Residential (R1), Residential (Cluster) Conservation (R2), Victoria Residential (R3), Hamlet General (HG), Highway Commercial (C1) and Victoria Commercial (C2) Districts must be complimentary with the finish of the primary building. The finish shall be made to consistent with the finish of the primary building within two (2) years of the placement of the shipping container.
9. No human or animal habitation will be permitted within a shipping container.

10. Shipping containers cannot be used as a dwelling, bunk house or a guest house within the County.

11. The maximum height for a shipping container allowed on a parcel is 3.0 m (10.0 ft.). Stacking of shipping containers which are used as building material may be permitted, at the discretion of the Development Authority.

### 7.35 SOLAR ENERGY COLLECTION SYSTEMS

1. Location
  - A. Ground mounted solar collectors shall be located in a side or rear yard only.
2. When a solar energy collection system is installed on a lot, accessory structures or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:
  - A. is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the lot line; and,
  - B. has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.
3. **Subsection (2)** above does not apply to structures or vegetation existing in an abutting lot at the time of installation of the solar energy collection system, or the effective date of this bylaw, whichever is later. Said subsection controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.

### 7.36 SURVEILLANCE SUITES

1. The issuance of a development permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:
  - A. A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the main use of the subject parcel. Moreover, in the opinion of the Development Authority, the placement of a surveillance suite shall be compatible with all existing, main development/land uses on adjacent properties and shall not interfere with future main development/land uses of adjacent properties.
  - B. Where a surveillance suite is allowed in accordance with this Bylaw, the Development Authority may issue a development permit for one surveillance suite per associated development or parcel.
  - C. Detached surveillance suites shall be sited in accordance with siting regulations specified in the land use district within which the subject parcel is located or in accordance with the following requirements, whichever are more stringent:
    - i. a minimum of 1.8 m (6.0 ft.) from any buildings; and



- ii. a minimum of 1.8 m (6.0 ft.) from the rear and side property lines; and
  - iii. no closer than the front line of main building.
- D. The maximum floor area of any non-basement surveillance suite, as defined in this Bylaw, shall be 46.5 sq. m (500.0 sq. ft.).
- E. The quality of exterior treatment and design of any surveillance suite shall be to the satisfaction of the Development Authority, who shall ensure that the design, character and appearance of any surveillance suite is compatible with the development(s)/use(s) with which the suite is associated as well as all development(s)/use(s) on adjacent properties.

### **7.37 VEHICLE WASHING ESTABLISHMENTS**

1. A person applying to develop a site as a car washing establishment where allowed under this bylaw shall comply with the following provisions of this section.

2. Site Location

In addition to those locations permitted in this Schedule, a car washing establishment may be allowed as a discretionary use as part of a shopping center if the Development Officer is satisfied that it will not adversely affect an adjoining and use or the function of the shopping centre in relation to traffic circulation.

3. Site Area

The minimum site area shall be 557.4 sq. m (6,000.0 sq. ft.) and shall contain storage space for 10 vehicles prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations including car washes, minimum site area shall be 111.5 sq. m. (1,200.0 sq. ft).

4. Site and Building Requirements

All site and building requirements shall be to the satisfaction of the Development Officer.

### **7.38 WIND CONVERSION SYSTEMS, LARGE**

1. Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:
  - A. any adjacent municipality should the proposed development be located within 2 kilometres (1.2 miles) of the municipality; and
  - B. landowners within 2 kilometres (1.2 miles) of the proposed development.
2. Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned.

Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of **Section 5** of this Bylaw.

3. Property line setbacks

- A. A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the main use in the District in which it is located.
- B. Where, in the opinion of the Development Authority, the setbacks referred to in **Section 6.8** above are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.
- C. The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.

4. Minimum Vertical Blade Clearance

The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.

5. Public Safety Requirements

To ensure public safety, the Development Authority may require that:

- A. a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;
- B. no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;
- C. a locked device be installed on the tower to preclude access to the top of the tower; and
- D. such additional safety mechanisms or procedures be provided as the Development Authority Officer may consider reasonable and appropriate.

The use of tubular towers, with locked door access, may, at the discretion of the Development Authority, make unnecessary the above requirements.

6. All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.

7. Appearance

- A. Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the requirements of the Development Authority.
  - B. No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the discretion of the Development Authority.
8. The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:
- A. information provided in the application;
  - B. the proximity of the proposed development to other land uses;
  - C. the cumulative effect of all wind energy conversion systems approved or proposed in the area;
  - D. underlying utilities; and
  - E. information received from the circulation of the application and from the public.
9. Traffic Safety Regulations
- A. Large wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Navigation Canada.

### **7.39 WIND CONVERSION SYSTEMS, MICRO**

- 1. Notwithstanding any other provisions in this Land Use Bylaw, Micro Wind Energy Conversion Systems, which are systems which have a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.
- 2. Micro Wind Conversion Systems shall be required to conform to set back requirements for accessory buildings.
- 3. Maximum height shall be the maximum height provisions that apply within the district in which the Micro Wind Conversion System is located.
- 4. One Micro Wind Energy Conversion System is allowed per lot. A second system may be permitted at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

### **7.40 WIND CONVERSION SYSTEMS, SMALL**

1. Wind Turbine Tower Height
  - A. For property sizes between 0.1 ha (0.25 ac.) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 8.0 m (25.0 ft.). For property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on wind turbine tower height, subject to the set-back requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.
2. Property line setbacks in the Urban Reserve District
  - A. The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than three 3.0 m (10.0 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 1.8 m (6.0 ft.) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.
3. Property line setbacks in the Residential, Commercial, and Semi-Public Districts
  - A. The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure may extend closer than 3.0 m (10.0 ft.) to the property boundaries of the installation site. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners. Mounting using guy wires shall not be permitted in Residential, Commercial semi-Public Districts.
  - B. The applicant will be required to provide the Development Authority with information regarding the proposed means of mounting the turbine prior to development approval.
4. Noise
  - A. The mean value of the sound pressure level from small wind energy systems shall not exceed more than six (6) decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 22 mph (10 m/s) and except during short-term events such as utility outages and/or severe wind storms.
5. Compliance with Building Code
  - A. Development permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, anchoring method and drawn to scale. An engineering analysis of the wind turbine

tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.

6. Compliance with Air Traffic Safety Regulations

- A. Small wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Navigation Canada.

7. Compliance with Existing Electric Codes

- A. Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.

8. Utility Notification

- A. No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owned generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

9. Number per lot

- A. One Small Wind Energy System is allowed per lot. A second system may be permitted at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

#### **7.41 WORKCAMP**

1. All workcamps shall be considered temporary developments.
2. All workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
3. No development permit for a workcamp shall be approved unless:
  - A. it is for a temporary period of time as specified by the Development Authority;
  - B. all required access provisions are provided to the satisfaction of the Development Authority at the sole cost to the developer;

- C. the developer provides undertakings and guarantees acceptable to the Development Authority, that the workcamp will be removed and the subject site returned to its state before the workcamp was developed after the workcamp is removed; and
  - D. it is an accessory development to an approved industrial or commercial development for construction employees and located on the site of that industrial or commercial development.
4. The Development Authority may establish whatever conditions for the approval of a work camp or a temporary work camp that it, at its sole discretion, deems reasonable to ensure that the workcamp will be a temporary development.
  5. The Development Authority may, at its sole discretion, establish any conditions of approval for a workcamp to ensure that the site of the development will be restored to its previous situation after the development ceases operations.
  6. Workcamps shall not be allowed in close proximity to residential developments, determined at the sole discretion of the Development Authority.
  7. All parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority.
  8. All points of access and egress shall be located to the satisfaction of the Development Authority.
  9. Maximum parcel coverage shall be such that space is available for all the parking on the lot, together with the applicable setback and such area as required for landscaping as determined by the Development Authority.
  10. Adjacent buildings in workcamps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Alberta Safety Codes Act and by the Development Authority.
  11. Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

## 8 LAND USE DISTRICTS

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### 8.1 ESTABLISHMENT OF DISTRICTS AND LAND USE DISTRICT MAP

1. For the purpose of this bylaw, the Smoky Lake County is divided into the following districts:

<b>Short Form</b>	<b>District Designation</b>
AG	Agriculture
A1	Victoria Agriculture
R1	Multi-Lot Country Residential
R2	Residential (Cluster) Conservation
R3	Victoria Residential
HG	Hamlet General
C1	Highway Commercial
C2	Victoria Commercial
M1	Industrial
M2	Rural Industrial
P	Community & Institutional
DC	Direct Control
DC1	Direct Control Landfill

2. The boundaries of the districts listed in this section are as delineated on the Land Use District Map located in **Section 11** of this Bylaw.
3. Where uncertainty exists as to the boundaries of districts as shown on the Land Use District Map, the following rules shall apply:
- A. Rule 1: Where a boundary is shown as following a street, lane or stream, it shall be deemed to follow the centreline thereof.
  - B. Rule 2: Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
  - C. Rule 3: In circumstances not covered in Rules 1 and 2, the location of the district boundary shall be determined by:
    - i. Where dimensions are set out on the Land Use District Map, the dimensions so set; or

- ii. Where dimensions are set out in the Land Use District with respect to such boundary, measurement of and use of the scale shown on the Land Use District Map.
4. If the foregoing rules cannot resolve a question regarding the exact location of a district boundary, Council shall determine the location to the degree of detail as circumstances require.
5. When Council has fixed a district boundary pursuant to **subsection 8.1(4)**, the location of that boundary shall not be altered except by an amendment to this bylaw.
6. Council shall maintain a list of its decisions with respect to district boundaries.



## 8.2 AGRICULTURE (AG) DISTRICT

### 1. Purpose

The general purpose of this District is to allow a range of activities associated with working landscapes including agricultural uses and resource extraction uses that support the rural economy, rural lifestyle and discourage the fragmentation of the County's land base.

### 2. Permitted Uses

- A. Art, Craft and Photographic Studios
- B. Agricultural Support Service
- C. Basement Suite
- D. Bed and Breakfast Establishment
- E. Buildings and Uses Accessory to Permitted Uses
- F. Community Hall
- G. Day Home
- H. Dwelling, Single Detached
- I. Dwelling, single detached, tiny
- J. Extensive Agriculture
- K. Garage Suite
- L. Garden Suite
- M. Guest House
- N. Home Occupation, Major
- O. Home Occupation, Minor
- P. In-law Suite
- Q. Manufactured Home
- R. Modular Home
- S. Natural Area
- T. Public Utility
- U. Secondary Suite
- V. Shipping Container
- W. Solar Energy Collection Systems
- X. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Animal Breeding and/or Boarding Facility
- B. Animal Clinic
- C. Animal Hospital
- D. Animal Hospital, Large
- E. Boarding Facility
- F. Buildings and Uses Accessory to Discretionary Uses
- G. Campground, minor
- H. Campground, intermediate
- I. Campground, major
- J. Cemetery
- K. Child Care Facility
- L. Day Care Facility

- M. Duplex (Vertical and Side-by-Side)
- N. Family Care Facility
- O. Intensive Agriculture
- P. Kennel
- Q. Natural Resource Extraction Industry
- R. Place of Worship
- S. Public and Quasi-Public Building and Use
- T. Public Utility
- U. Recreational Use
- V. Recreational vehicle park
- W. Relocated Building
- X. Secondary Commercial
- Y. Sign
- Z. Surveillance Suite
- AA. Transfer Station
- BB. Utility Building
- CC. Wind Energy Conversion System, Small
- DD. Wind Energy Conversion System, Large
- EE. Workcamp, Short-Term
- FF. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

#### 4. Subdivision Regulations

A maximum of five (5) parcels per quarter section may be subdivided for agricultural, or residential uses including the subdivision of fragments. The following chart presents information by use type regarding the maximum number of parcels allowed per quarter section.

	Maximum Parcel Density Per Quarter Section By Use Type	Minimum Parcel Size	Maximum Parcel Size
<b>Agricultural Use</b>	2 parcels per quarter section	Normally 32.0 ha (80.0 ac.) however a single 16.0 ha (40.0 ac.) parcel may be subdivided if the proposed parcel conforms to 4(A)(ii)	At the Discretion of the Subdivision Authority
<b>Residential Use</b>	4 parcels per quarter section	0.8 ha (2.0 ac.)	8.0 ha (20.0 ac.)
<b>Commercial Use</b>	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
<b>Community/ Institutional Use</b>	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
<b>Industrial Use</b>	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority

- A. Lot Area – Agricultural Use
- i. The **minimum** parcel size for extensive agricultural uses shall normally be 32.0 ha (80.0 ac.) less any approved subdivisions.
  - ii. Notwithstanding (A)(i) above, the subdivision of a single 16.0 ha (40.0 ac.) parcel for agricultural use may be permitted out of an **un-subdivided** quarter section if the following criteria are met to the satisfaction of the County:
    - a. Legal and year round physical access to the proposed parcel and the remainder are developed to County standards;
    - b. The proposed use of the parcel will not adversely impact adjacent agricultural uses;
    - c. The parcel is should normally be located:
      - I. adjacent to or near quarter section boundaries;
      - II. in close proximity to existing residential parcels or farmsteads on adjacent quarter sections;
      - III. along a designated rural residential collector road;
    - d. The applicant demonstrates that the parcel can be serviced on-site as per provincial regulations;
    - e. If the parcel is to be used for an intensive agricultural operation or a value added agricultural industry<sup>1</sup>, the use and size of the parcel is supported by a business plan that may include:
      - I. a financial plan to the satisfaction of the County;
      - II. a detailed site plan of the proposed operation including the required land area, expansion possibilities and possible effects on adjacent landowners, uses and municipal infrastructure;
      - III. information regarding potential traffic generation which may include a Traffic Impact Assessment;
      - IV. potential nuisance factors and any mitigation measures necessary to reduce nuisance factors; and
      - V. where necessary, a detailed site assessment which indicates the

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<sup>1</sup> Value added industry in this context means: an industry which economically adds value to a product by changing it from its current state to a more valuable state.

location, character and parcel coverage percentages of the environmentally sensitive areas and/or heritage features on the site.

B. Lot Area – Residential Use

- i. Normally, a **maximum** of 8.0 ha (20.0 ac.) per quarter section will be allowed for residential subdivisions.
- ii. Normally, the minimum lot area allowed for vacant residential parcels or for farmstead separations will be 0.8 ha (2.0 ac.) and the maximum lot area will be 8.0 ha (20.0 ac.).

C. Lot Area - Other Uses

The minimum parcel size for other uses shall be as provided for elsewhere in this Bylaw, in the County’s Municipal Development Plan, in any relevant Area Structure Plan, or as required by the Subdivision Authority.

5. Development Regulations

A. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yards

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line

ii. Minimum Side Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line

<b>Adjacent to Another Parcel</b>	18.3 m (60.0 ft.) from the property line
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iii. Minimum Rear Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line
<b>Adjacent to Another Parcel</b>	18.3 m (60.0 ft.) from the property line

iv. Notwithstanding **subsections (A), (B), and (C)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.

B. Minimum Floor Area

- i. Single detached dwellings – 69.7 sq. m (750.0 sq. ft.)
- ii. Manufactured and modular home units – 65.0 sq. m (700.0 sq. ft.)
- iii. All others uses at the discretion of the Development Authority

C. Maximum Site Coverage - 45%

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings

D. Maximum Height

- i. 11.0 m (36.1 ft.)
- ii. In the case of buildings which are accessory to extensive agriculture and for discretionary uses, the maximum height shall be at the discretion of the Development Authority.

6. Other Regulations

A. Residential parcels in the Agriculture District will not be allowed:

- i. within required setbacks from a sewage treatment plant or lagoon or solid waste

- disposal site as specified by the appropriate guidelines or authority;
  - ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
  - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
  - iv. within a 1 in 100 year flood plain.
- B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
- C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
- D. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- E. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
- F. The keeping of recreational vehicles shall be provided in accordance with **Section 7.23** of this Bylaw.
- G. Shipping containers shall be developed in accordance with **Section 7.31** of this Bylaw
- H. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.

### 8.3 VICTORIA AGRICULTURE (A1) DISTRICT

#### 1. Purpose

The general purpose of this District is to recognize the historic value of the area near the Victoria Trail within the County. Subdivision and development proposals within this use area must be compatible with and/or increase the historic value of the Victoria Trail.

#### 2. Permitted Uses

- A. Art, Craft and Photography Studios
- B. Basement Suite
- C. Bed and Breakfast Establishment
- D. Buildings and Uses Accessory to Permitted Uses
- E. Community Hall
- F. Day Home
- G. Dwelling, Single Detached
- H. Dwelling, single detached, tiny
- I. Extensive Agriculture
- J. Garage Suite
- K. Garden Suite
- L. Guest House
- M. Home Occupation, Major
- N. Home Occupation, Minor
- O. In-law Suite
- P. Manufactured Home
- Q. Modular Home
- R. Natural Area
- S. Public Utility
- T. Secondary Suite
- U. Shipping Container
- V. Solar Energy Collection Systems
- W. Wind Energy Conversion System, Micro

#### 3. Discretionary Uses

- A. Agricultural Support Services
- B. Animal Breeding and/or Boarding Facility
- C. Animal Clinic
- D. Animal Hospital
- E. Animal Hospital, Large
- F. Boarding Facility
- G. Buildings and Uses Accessory to Discretionary Uses
- H. Campground, minor
- I. Campground, intermediate
- J. Campground, major
- K. Cemetery
- L. Child Care Facility
- M. Day Care Facility
- N. Duplex (Vertical and Side-by-Side)

- O. Family Care Facility
- P. Intensive Agriculture
- Q. Kennel
- R. Natural Resource Extraction Industry
- S. Place of Worship
- T. Public and Quasi-Public Building and Uses
- U. Public Utility
- V. Recreational Uses
- W. Recreational vehicle park
- X. Relocated Building
- Y. Secondary Commercial
- Z. Sign
- AA. Surveillance Suite
- BB. Transfer Station
- CC. Utility building
- DD. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

#### 4. Subdivision Regulations

##### A. General

- i. All residential subdivisions in environmentally sensitive areas and significant cultural landscapes, including but not limited to the Victoria District, must be designed to retain historically significant patterns of spatial organization and significant environmental features.
- ii. The County considers river lots to be historically significant patterns of spatial organization. Therefore multi-lot country residential subdivisions within existing river lots must be designed in such a manner that the original river lot pattern is retained.
- iii. The County will normally require that new developments in areas identified as containing significant cultural landscapes preserve a minimum of 50% of the existing vegetation on each site.
- iv. New developments within the Victoria Agriculture District should also be required to maintain, as much as possible, the current land form and to be sited in such a manner as to ensure that the current viewsapes of the area from the Trail are maintained within the nationally recognized Victoria Trail Heritage Site.

- B. A maximum of four (4) parcels per quarter section may be subdivided for agricultural or residential uses including the subdivision of fragments. The following chart presents information by use type regarding the maximum number of parcels allowed per quarter section.



	Maximum Parcel Density Per Quarter Section By Use Type	Minimum Parcel Size	Maximum Parcel Size
<b>Agricultural Use</b>	2 parcels per quarter section	Normally 32.0 ha (80.0 ac.) however a single 16.0 ha (40.0 ac.) parcel may be subdivided if the proposed parcel conforms to 4(A)(ii)	At the Discretion of the Subdivision Authority
<b>Residential Use</b>	3 parcels per quarter section	0.8 ha (2.0 ac.)	8.0 ha (20.0 ac.)
<b>Commercial Use</b>	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
<b>Community/ Institutional Use</b>	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority
<b>Industrial Use</b>	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority	At the Discretion of the Subdivision Authority

C. Lot Area – Agricultural Use

- i. The **minimum** parcel size for extensive agricultural uses shall normally be 32.0 ha (80.0 ac.) less any approved subdivisions.
- ii. Notwithstanding (C)(i) above, the subdivision of a single 16.0 ha (40.0 ac.) parcel for agricultural use may be permitted out of an **un-subdivided** quarter section or river lot if the following criteria are met to the satisfaction of the County:
  - a. Legal and year round physical access to the proposed parcel and the remainder are developed to County standards;
  - b. The proposed use of the parcel will not adversely impact adjacent agricultural uses;
  - c. The parcel should normally be located:
    - I. adjacent to or near quarter section boundaries;
    - II. in close proximity to existing residential parcels or farmsteads on adjacent quarter sections;
    - III. along a designated rural residential collector road;

- d. The applicant demonstrates that the parcel can be serviced on-site as per provincial regulations;
- e. If the parcel is to be used for an intensive agricultural operation or a value added agricultural industry<sup>2</sup>, the use and size of the parcel is supported by a business plan that may include:
  - I. a financial plan to the satisfaction of the County;
  - II. a detailed site plan of the proposed operation including the required land area, expansion possibilities and possible effects on adjacent landowners, uses and municipal infrastructure;
  - III. information regarding potential traffic generation which may include a Traffic Impact Assessment;
  - IV. potential nuisance factors and any mitigation measures necessary to reduce nuisance factors; and
  - V. where necessary, a detailed site assessment which indicates the location, character and parcel coverage percentages of the environmentally sensitive areas and/or heritage features on the site.

D. Lot Area – Residential Use

- i. Normally, a **maximum** of 8.0 ha (20.0 ac.) per quarter section will be allowed for residential subdivisions.
- ii. Normally, the minimum lot area allowed for vacant residential parcels or for farmstead separations will be 0.8 (2.0 ac.) and the maximum lot area will be 8.0 ha (20.0 ac.).

E. Lot Area - Other Uses

The minimum parcel size for other uses shall be as provided for elsewhere in this Bylaw, in the County's Municipal Development Plan, in any relevant Area Structure Plan, or as required by the Subdivision Authority.

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<sup>2</sup> Value added industry in this context means: an industry which economically adds value to a product by changing it from its current state to a more valuable state.

## 5. Development Regulations

### A. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

#### i. Minimum Front Yards

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line

#### ii. Minimum Side Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line
<b>Adjacent to Another Parcel</b>	18.3 m (60.0 ft.) from the property line

#### iii. Minimum Rear Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line
<b>Adjacent to Another Parcel</b>	18.3 m (60.0 ft.) from the property line

- iv. Notwithstanding **subsections (i), (ii), and (iii) above**, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.

- B. Minimum Floor Area
    - i. Single detached dwellings – 69.7 sq. m (750.0 sq. ft.)
    - ii. Manufactured and modular home units – 65.0 sq. m (700.0 sq. ft.)
    - iii. All others uses at the discretion of the Development Authority
  - C. Maximum Site Coverage - 45%
 

Of the 45% site coverage a maximum of 15% of the total site may be covered by accessory buildings.
  - D. Maximum Height
    - i. 11.0 m (36.1 ft.)
    - ii. In the case of buildings which are accessory to extensive agriculture and for discretionary uses, the maximum height shall be at the discretion of the Development Authority.
6. Other Regulations
- A. Residential parcels in the Victoria Agriculture District will not be allowed:
    - i. within required setbacks from a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority;
    - ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
    - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
    - iv. within a 1 in 100 year flood plain.
  - B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
  - C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
  - D. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
  - E. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
  - F. The keeping of recreational vehicles shall be provided in accordance with **Section 7.23** of this Bylaw.
  - G. Shipping containers shall be developed in accordance with **Section 7.31** of this Bylaw

H. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.

## 8.4 MULTI-LOT COUNTRY RESIDENTIAL (R1) DISTRICT

### 1. Purpose

The general purpose of this District is to provide opportunities for the development of a variety of multi-lot country residential subdivisions and bareland condominiums.

### 2. Permitted Uses

- A. Accessory Buildings and Uses
- B. Basement Suite
- C. Buildings and Uses Accessory to Permitted Uses
- D. Cottage
- E. Day Home
- F. Dwelling - Single Detached
- G. Dwelling, single detached, tiny
- H. Extensive Agriculture
- I. Home Occupation, Minor
- J. Home Occupation, Major
- K. Secondary Suite
- L. Solar Energy Conversion System
- M. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Bed & Breakfast Establishments
- B. Buildings and Uses Accessory to Discretionary Uses
- C. Day Care Facility
- D. Duplexes (Side-By-Side and Vertical)
- E. Family Care Facility
- F. Garage Suite
- G. Garden Suite
- H. Group Care Facility
- I. Guest House
- J. In law Suite
- K. Manufactured Home
- L. Modular Home
- M. Multi-Unit Dwelling
- N. Natural Area
- O. Neighbourhood Convenience Store
- P. Neighbourhood Park
- Q. Places of Worship
- R. Public Park
- S. Public and Quasi-Public Services
- T. Public Utilities
- U. Recreational Buildings and use
- V. Shipping Container
- W. Wind Energy Conversion System, Small

X. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

A. Minimum & Maximum Lot Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum and maximum lot dimensions for residential uses shall be as follows:

	Minimum Lot Area	Maximum Lot Area
<b>Within 304.8 m (1,000 ft.) of a lake</b>	1860.0 sq. m (20,000.0 sq. ft.)	1.21 ha (3.0 ac.)
<b>All other parcels (excluding fragments)</b>	0.4 ha (1.0 ac.)	1.21 ha (3.0 ac.)
<b>Fragmented parcels</b>	0.4 ha (1.0 ac.)	At the Discretion of the Subdivision Authority

B. Minimum & Maximum Lot Dimensions for Other Uses – As required by the Subdivision Authority

C. Minimum Frontage Requirement – 30.5 m (100.0 ft) or as required by the Development and Subdivision Authority

5. Development Regulations

A. Minimum Ground Floor Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum ground floor area for residential developments shall be as follows:

	Minimum Ground Floor Area
<b>Within 304.8 m (1000 ft.) of a lake</b>	55.7 sq. m (600.0 sq. ft.)
<b>All other parcels – for single detached dwellings</b>	69.7 sq. m (750.0 sq. ft.)
<b>All other parcels – for manufactured</b>	65.0 sq. m (700.0 sq. ft.)

<b>and modular home units</b>	
-------------------------------	--

- B. Minimum Floor Area for Other Uses – At the discretion of the Development Authority.
- C. Minimum Yard Setback Requirements

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yard Setback

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line

ii. Minimum Side Yard Setback

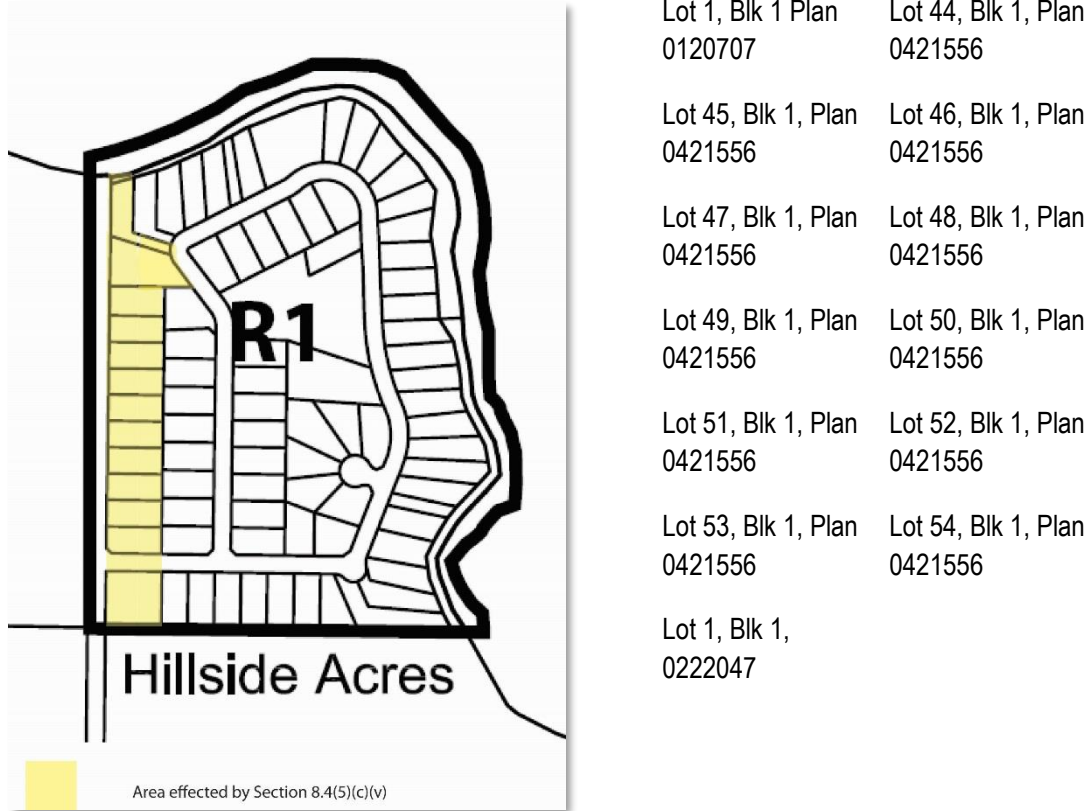
<b>From municipal road allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an Internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to another Parcel</b>	1.5 m (5.0 ft.) from the property line

iii. Minimum Rear Yard Setback

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to another parcel</b>	7.6 m (25.0 ft.) from the property line



- iv. Notwithstanding **subsections (i), (ii), and (iii) above**, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.
- v. Notwithstanding any other provision in **subsection (C)**, within the Hillside Acres subdivision, located within SW 9-62-13-W4 on the following lots:



**Figure 24: side and Rear Yard Setbacks in Hillside Acres**

the following front and rear yard setbacks shall apply:

<b>From Municipal Road Allowances</b>	7.6 m (25.0 ft.) from the property line
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line

- D. Maximum Site Coverage – 45%.

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.

- E. Maximum Height
  - i. 10.0 m (33.0 ft.)
  - ii. In the case of buildings which are accessory to discretionary uses, the maximum height shall be at the discretion of the Development Authority.
- 6. Other Regulations
  - A. Residential parcels will not be allowed:
    - i. within required setbacks from a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority;
    - ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
    - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
    - iv. within a 1 in 100 year flood plain;
  - B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
  - C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
  - D. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
  - E. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
  - F. The keeping of recreational vehicles shall be provided in accordance with **Section 7.23** of this Bylaw.
  - G. Shipping containers shall be developed in accordance with **Section 7.31** of this Bylaw
  - H. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.

## 8.5 RESIDENTIAL (CLUSTER) CONSERVATION (R2) DISTRICT

### 1. Purpose

The general purpose of this District is to regulate the development of low-impact multi-lot residential subdivision and development or bareland condominiums in environmentally appropriate locations. Two styles of residential subdivision and development are permitted in this District. They are: low density multi-lot residential developments and residential (cluster) conservation developments.

### 2. Permitted Uses

- A. Accessory Buildings and Uses
- B. Basement Suite
- C. Buildings and Uses Accessory to Permitted Uses
- D. Cottage
- E. Day Home
- F. Dwelling - Single Detached
- G. Dwelling, single detached, tiny
- H. Extensive Agriculture
- I. Home Occupation, Minor
- J. Home Occupation, Major
- K. Secondary Suite
- L. Solar Energy Conversion System
- M. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Apartment
- B. Bed & Breakfast Establishments
- C. Buildings and Uses Accessory to Discretionary Uses
- D. Day Care Facility
- E. Duplexes (Side-By-Side and Vertical)
- F. Family Care Facility
- G. Garage Suite
- H. Garden Suite
- I. Group Care Facility
- J. Guest House
- K. In law Suite
- L. Manufactured Home
- M. Modular Home
- N. Multi-Unit Dwelling
- O. Natural Area
- P. Neighbourhood Convenience Store
- Q. Neighbourhood Park
- R. Places of Worship
- S. Public Park

- T. Public and Quasi-Public Services
- U. Public Utilities
- V. Shipping Container
- W. Wind Energy Conversion System, Small
- X. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

A. Minimum & Maximum Lot Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum and maximum lot dimensions for residential uses shall be as follows:

	Maximum Density	Minimum Lot Area	Maximum Lot Area
<b>Single Detached Residential</b>	1.54 dwellings per net ha (0.6 dwellings per net ac)	0.303 ha (0.75 ac.)	4.04 ha (10.0 ac.)
<b>Single Detached Cluster Residential Development</b>	2.47 dwellings per net ha (1.0 dwelling per net ac.)	At the discretion of the Subdivision Authority	0.2 ha (0.5 ac.)
<b>For Other Uses</b>	At the discretion of the Subdivision Authority	At the discretion of the Subdivision Authority	At the discretion of the Subdivision Authority

- B. Minimum Frontage Requirement – 30.5 m (100.0 ft.) or as required by the Development and Subdivision Authority.

5. Development Regulations

A. Minimum Ground Floor Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum ground floor area for residential developments shall be as follows:

	<b>Minimum Ground Floor Area</b>
--	----------------------------------

<b>Within 304.8 m (1,000.0 ft.) of a lake</b>	55.7 sq. m (600.0 sq. ft.)
<b>All other parcels – for single detached dwellings</b>	69.7 sq. m (750.0 sq. ft.)
<b>All other parcels – for manufactured and modular home units</b>	65.0 sq. m (700.0 sq. ft.)

B. Minimum Floor Area for Other Uses - At the discretion of the Development Authority

C. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yards

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 (25.0 ft.) from the property line

ii. Minimum Side Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an Internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to another Parcel</b>	1.5 m (5.0 ft.) from the property line

iii. Minimum Rear Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to another parcel</b>	7.6 m (25.0 ft.) from the property line

- iv. Notwithstanding **subsections (i), (ii), and (iii)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.

D. Maximum Site Coverage - 45%

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.

E. Maximum Height

- i. 10.0 m (33.0 ft.)
- ii. In the case of buildings which are accessory to discretionary uses, the maximum height shall be at the discretion of the Development Authority.

6. Other Regulations

A Residential parcels will not be allowed:

- i. within required setbacks from a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority;
- ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
- iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
- iv. within a 1 in 100 year flood plain.

B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.

C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.

- D. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- E. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
- F. Grading and drainage of the site shall be provided in accordance with **Section 6.11** of this Bylaw.
- G. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.
- H. Private swimming pools and hot tubs shall be developed in accordance with **Section 2.2** of this Bylaw.

## 8.6 VICTORIA RESIDENTIAL (R3) DISTRICT

### 1. Purpose

The general purpose of this district is to regulate residential development within Victoria Trail area which is a special area within the County that includes significant cultural landscapes and environmentally significant areas.

The Victoria Residential District may only apply to land located near or adjacent to the Victoria Trail.

### 2. Permitted Uses

- A. Accessory Buildings and Uses
- B. Basement Suite
- C. Buildings and Uses Accessory to Permitted Uses
- D. Cottage
- E. Day Home
- F. Dwelling - Single Detached
- G. Dwelling, single detached, tiny
- H. Extensive Agriculture
- I. Home Occupation, Minor
- J. Home Occupation, Major
- K. Secondary Suite
- L. Solar Energy Conversion System
- M. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Apartment
- B. Bed & Breakfast Establishments
- C. Buildings and Uses Accessory to Discretionary Uses
- D. Day Care Facility
- E. Duplexes (Side-By-Side and Vertical)
- F. Family Care Facility
- G. Garage Suite
- H. Garden Suite
- I. Group Care Facility
- J. Guest House
- K. In law Suite
- L. Manufactured Home
- M. Modular Home
- N. Multi-Unit Dwelling
- O. Natural Area
- P. Neighbourhood Convenience Store
- Q. Neighbourhood Park
- R. Places of Worship
- S. Public Park
- T. Public and Quasi-Public Services



- U. Public Utilities
- V. Shipping Container
- W. Wind Energy Conversion System, Small
- X. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

#### 4. Subdivision Regulations

##### A. General

- i. All residential subdivisions in environmentally sensitive areas and significant cultural landscapes, including but not limited to the Victoria District, must be designed to retain historically significant patterns of spatial organization and significant environmental features.
- ii. The County considers river lots to be historically significant patterns of spatial organization. Therefore multi-lot country residential subdivisions within existing river lots must be designed in such a manner that the original river lot pattern is retained.
- iii. The County will normally require that new developments in areas identified as containing significant cultural landscapes preserve a minimum of 50% of the existing vegetation on each site.
- iv. New developments within the Victoria Residential District should will also be required to maintain, as much as possible, the current land form and to be sited in such as manner as to ensure that the current viewscape of the area from the trail is not negatively impacted.
- v. Two types of residential subdivision are permitted within the Victoria Residential District. They are: low density multi-lot residential developments and cluster residential developments.

##### B. Minimum & Maximum Lot Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum and maximum lot dimensions for residential uses shall be as follows:

	<b>Maximum Density</b>	<b>Minimum Lot Area</b>	<b>Maximum Lot Area</b>
<b>Single Detached Residential</b>	1.54 dwellings per net ha (0.6 dwellings per net ac.)	0.303 ha (0.75 ac.)	4.04 ha (10.0 ac.)
<b>Single Detached Cluster Residential Development</b>	2.47 dwellings per net ha (1.0 dwelling per net ac.)	At the discretion of the Subdivision Authority	0.2 ha (0.5 ac.)
<b>For Other Uses</b>	At the discretion of the Subdivision Authority	At the discretion of the Subdivision Authority	At the discretion of the Subdivision Authority

C. Minimum Frontage Requirement – 30.5 m (100.0 ft) or as required by the Development and Subdivision Authority

5. Development Regulations

A. Minimum Ground Floor Area for Residential Uses

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum ground floor area for residential developments shall be as follows:

	<b>Minimum Ground Floor Area</b>
<b>Within 304.8 m (1000.0 ft.) of a lake</b>	55.7 sq. m (600.0 sq. ft.)
<b>All other parcels – for single detached dwellings</b>	69.7 sq. m (750.0 sq. ft.)
<b>All other parcels – for manufactured and modular home units</b>	65.0 sq. m (700.0 sq. ft.)

B. Minimum Floor Area for Other Uses - At the discretion of the Development Authority.

C. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yards

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property line

ii. Minimum Side Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an Internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to another Parcel</b>	1.5 m (5.0 ft.) from the property line

iii. Minimum Rear Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to another parcel</b>	7.6 m (25.0 ft.) from the property line

iv. Notwithstanding **subsections (i), (ii) and (iii)** above, where there is an

intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 214** of this Bylaw shall apply.

- D. Maximum Site Coverage – 45%

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.
  - E. Maximum Height
    - i. 10.0 m (33.0 ft.)
    - ii. In the case of buildings which are accessory to discretionary uses, the maximum height shall be at the discretion of the Development Authority.
6. Other Regulations
- A. Residential parcels will not be allowed:
    - i. within required setbacks from a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority;
    - ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
    - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
    - iv. within a 1 in 100 year flood plain.
  - B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
  - C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
  - D. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
  - E. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
  - F. Grading and drainage of the site shall be provided in accordance with **Section 6.11** of this Bylaw.
  - G. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.
  - H. Private swimming pools and hot tubs shall be developed in accordance with **Section 2.2** of this Bylaw.

## 8.7 HAMLET GENERAL (HG) DISTRICT

### 1. Purpose

The general purpose of this district is to permit and regulate development within the Hamlets of Bellis, Edwand, Spedden and Warspite.

### 2. Permitted Uses

- A. Agricultural Support Service
- B. Automobile Repair Shop, Major
- C. Automobile Repair Shop, Minor
- D. Automobile Sales
- E. Bakery
- F. Bank
- G. Basement Suites
- H. Bed and Breakfast Establishment
- I. Buildings and Uses Accessory to Permitted Uses
- J. Business Office
- K. Child Care Facility
- L. Clinic
- M. Club or Lodge
- N. Community Hall
- O. Commercial Uses
- P. Convenience Retail Service
- Q. Day Care Facility
- R. Day Home
- S. Dwelling, Single Detached
- T. Dwelling, single detached, tiny
- U. Drive-in Business
- V. Eating and Drinking Establishment
- W. Extensive Agriculture
- X. Home Occupation, Minor
- Y. Home Occupation, Major
- Z. In-law Suite
- AA. Neighbourhood Park
- BB. Protective or Emergency Services
- CC. Public or Quasi-Public Services
- DD. Public Park
- EE. Retail Store
- FF. Secondary Suite
- GG. Solar Energy Conversion System
- HH. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Amusement Establishment, Indoor
- B. Amusement Establishment, Outdoor
- C. Animal Clinic

- D. Animal Hospital
- E. Animal Hospital, Large
- F. Apartment
- G. Auctioneering Facility
- H. Bakery, Large
- I. Bed and Breakfast Establishments
- J. Boutique Accommodation
- K. Buildings and Uses Accessory to Discretionary Uses
- L. Building Supply and Lumber Outlet
- M. Bulk Fuel Storage and Sales
- N. Day Care Facility
- O. Duplex (Side-by-side and vertical)
- P. Campground, minor
- Q. Recreational vehicle park
- R. Cannabis accessory retail sales
- S. Cannabis retail sales
- T. Car wash Establishment
- U. Cemetery
- V. Drinking Establishment
- W. Drive-in Business
- X. Dwellings within buildings in which the predominant use is one or more of the listed permitted or discretionary uses, provided, however, that the dwellings have direct access to the outside of the building
- Y. Entertainment Establishment
- Z. Family Care Facility
- AA. Garage Suite
- BB. Garden Suite
- CC. Group Care Facility
- DD. Guest House
- EE. Hotel
- FF. Liquor sales/distribution Service
- GG. Manufactured Home
- HH. Modular Home
- II. Motel
- JJ. Multi-Unit Dwelling
- KK. Multi-Use Development
- LL. Natural Area
- MM. Neighborhood Convenience (or retail) Store
- NN. Outdoor Eating Establishment
- OO. Places of Worship
- PP. Private Club or Lodge
- QQ. Public Utilities
- RR. Public Utility building
- SS. Rural Commercial
- TT. Servicing Establishment
- UU. Shipping Container
- VV. Shopping Centre
- WW. Surveillance Suite
- XX. Transfer Station

YY. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

A. Minimum Lot Area for Low Density Residential Uses (Single Detached Dwellings, Manufactured and Modular Homes)

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum and maximum lot dimensions for residential uses shall be as follows:

		Minimum Lot Frontage	Minimum Lot Area
i.	<b>Un-serviced</b>	30.5 m (100.0 ft.)	1858.0 sq. m (20,000 sq. ft.)
ii.	<b>Serviced (Municipal Sewer &amp; Water)</b>	15.2 m (50.0 ft.)	557.4 sq. m (6,000 sq. ft.)
iii.	<b>Municipal Sewer Only</b>	30. m (100.0 ft.)	929.0 sq. m (10,000 sq. ft.)
iv.	<b>Municipal Water Only</b>	30.5 m (100.0 ft.)	1393.5 sq. m.(15,000 sq. ft.)

B. Minimum Site Area for Medium Density Residential Uses and High Density Residential Uses – as required by the Subdivision Authority

C. Minimum Site Area for all other uses – as required by the Development Authority

i. Where shopping centres or groups of shops are to be built on a site, developers shall provide a Development Concept Plan identifying the proposed parcel boundaries, location(s) of building(s), access, parking and specific commercial uses, and any other matter required by the Development Authority, to the satisfaction of the Development Authority.

5. Development Regulations

A. Minimum Ground Floor Area

Unless otherwise stated in an approved Development Concept Plan or Area Structure Plan the minimum ground floor area for residential and non-residential developments shall be as follows:

<b>Minimum Ground Floor Area</b>		
<b>i.</b>	<b>Single Detached Residential</b>	69.7 sq. m (750.0 sq. ft.)
<b>ii.</b>	<b>Duplexes (side-by-side and vertical)</b>	55.7 sq. m (600.0 sq. ft.) for each dwelling unit
<b>iii.</b>	<b>Manufactured Home</b>	55.7 sq. m (600.0 sq. ft.)
<b>iv.</b>	<b>Modular Home</b>	65.0 sq. m (700.0 sq. ft.)
<b>v.</b>	<b>All other residential uses</b>	As required by the Development Authority
<b>vi.</b>	<b>All other non-residential uses</b>	As required by the Development Authority

**B. Minimum Yard Requirements**

**i. Minimum Yards – Single Detached Dwellings, Manufactured and Modular Homes**

<b>Minimum Yard Requirements - Single Detached Dwellings, Manufactured and Modular Homes</b>	
<b>Front</b>	7.6 m (25.0 ft.)
<b>Rear</b>	7.6 m (25.0 ft.)
<b>Side</b>	10% of the lot width but not less than 1.5 m (5.0 ft.)

- ii.** Minimum Yards - All other residential uses – as required by the development authority
- iii.** Notwithstanding **subsections (i), and (ii)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.



iv. Minimum Yards – Commercial Uses

<b>Minimum Yard Requirements – Commercial Uses</b>	
<b>Front</b>	No front yard setback is required except where the Development Authority may deem it necessary to conform to existing development setbacks.
<b>Rear</b>	Minimum 7.6 m (25.0 ft.) or as required by the Development Authority.
<b>Side</b>	10% of the lot width but not less than 1.5 m (5.0 ft.)
<b>When bounded by Commercial Lots and a lane</b>	No setback is required
<b>When bounded by Commercial Lots and no lane</b>	4.5 m (15.0 ft.)
<b>When adjacent to a residential lot</b>	1.5 m (5.0 ft.)

v. Minimum Yard Requirements - All Other Non-Residential Uses – As required by the Development Authority

C. Maximum Site Coverage –

<b>Maximum Site Coverage</b>		
<b>i.</b>	<b>Residential Uses</b>	45% Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.
<b>ii.</b>	<b>Commercial Uses</b>	80% provided that provisions have been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.
<b>iii.</b>	<b>All other uses</b>	At the discretion of the Development Authority

D. Maximum Height

<b>Maximum Height</b>		
<b>i.</b>	<b>Single Detached Dwellings and Modular Homes</b>	Maximum 10.0 m (33.0 ft.)
<b>ii.</b>	<b>Manufactured Homes</b>	Maximum 10.0 m (33.0 ft.)
<b>iii.</b>	<b>Buildings Which are Accessory to Single Family Dwellings, Modular Homes and Manufactured Homes</b>	Maximum 10.0 m (33.0 ft.)
<b>iv.</b>	<b>Uses All Other Uses</b>	At the discretion of the Development Authority
<b>v.</b>	<b>Buildings Which are Accessory to Discretionary</b>	At the discretion of the Development Authority

6. Other Regulations

- A. Residential parcels will not be allowed:
  - i. within required setbacks from a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority;
  - ii. within required setbacks from sour gas wells, pipelines and ancillary facilities;
  - iii. within an area likely to be subject to high levels of noise or emissions from industry, transportation facilities, or other sources; or
  - iv. within a 1 in 100 year flood plain.
- B. A development permit for a dwelling shall be issued only on condition that approval of the proposed sewage disposal system is received in accordance with provincial regulations.
- C. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
- D. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.

- E. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
- F. Grading and drainage of the site shall be provided in accordance with **Section 6.11** of this Bylaw.
- G. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.
- H. Motels shall be developed in accordance with **Section 6.22** of this Bylaw.
- I. Vehicle Washing Establishments (carwashes) shall be developed in accordance with **Section 7.35** of this Bylaw.
- J. Places of Worship shall be developed in accordance with **Section 6.29** of this Bylaw.
- K. Private Liquor Stores and Storage Facilities shall be developed in accordance with **Section 7.19** of this Bylaw.
- L. Private swimming pools and hot tubs shall be developed in accordance with **Section 2.2** of this Bylaw.
- M. Service Stations and Gas Stations shall be developed in accordance with **Section 7.30** of this Bylaw.
- N. Shipping Containers shall be developed in accordance with **Section 7.31** of this Bylaw.
- P. Solar Energy Conversion Systems shall be developed in accordance with **Section 7.33** of this Bylaw.
- Q. Wind Energy Conversion Systems shall be developed in accordance with **Section 2.9** of this Bylaw.

## 8.8 HIGHWAY COMMERCIAL (C1) DISTRICT

### 1. Purpose

The general purpose of this District is to control development in the vicinity of Provincial Highways. Development should be restricted to that which is generally required to serve the motoring public.

### 2. Permitted Uses

- A. Agricultural Support Service
- B. Automobile Repair Shop, Major
- C. Automobile Repair Shop Minor
- D. Automobile Sales
- E. Bed and Breakfast Establishment
- F. Buildings and Uses Accessory to Permitted Uses
- G. Community Hall
- H. Convenience Retail Service
- I. Drive-in Business
- J. Eating and Drinking Establishment
- K. Extensive Agriculture
- L. Highway Commercial Use
- M. Home Occupation, Minor
- N. Home Occupation, Major
- O. Natural Area
- P. Protective or Emergency Services
- Q. Public or Quasi-Public Services
- R. Public Park
- S. Solar Energy Conversion System
- T. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Amusement Establishment, Indoor
- B. Amusement Establishment, Outdoor
- C. Auctioneering Facility
- D. Campground, minor
- E. Campground, intermediate
- F. Campground, major
- G. Boutique Accommodation
- H. Buildings and Uses Accessory to Discretionary Uses
- I. Bulk Fuel Storage and Sales
- J. Cannabis accessory retail sales

- K. Cannabis retail sales
- L. Car wash Establishment
- M. Cemetery
- N. Commercial Use
- O. Dwelling, Single Detached
- P. Dwelling, single detached, tiny
- Q. Duplexes (Vertical and Side-By-Side)
- R. Highway Commercial
- S. Hotel
- T. Liquor Sales/Distribution Service
- U. Manufactured Home
- V. Modular Home
- W. Motel
- X. Natural Resource Extraction
- Y. Outdoor Eating Establishment
- Z. Places of worship
- AA. Public Utilities
- BB. Recreational vehicle park
- CC. Rural Commercial
- DD. Rural Industries
- EE. Secondary Suite
- FF. Shipping Container
- GG. Surveillance Suite
- HH. Transfer Station
- II. Wind Energy Conversion System, Small
- JJ. Workcamp
- KK. Workcamp, Short Term
- LL. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

- A. Minimum Lot Area – As determined by the Subdivision Authority

5. Development Regulations

- A. Minimum Yard Setback Requirements

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

## i. Minimum Front Yards

From Municipal Road Allowances	23.1 m (92.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
Internal Subdivision Roads	7.6 m (25.0 ft.) from the property line

## ii. Minimum Side Yards

From Municipal Road Allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
When adjacent to an Internal subdivision road	7.6 m (25.0 ft.) from the property line
When adjacent to Another Parcel	7.6 m (25.0 ft.) from the property line

## iii. Minimum Rear Yards

From Municipal Road Allowances	18.3 m (60.0 ft.) from the property line
From Highways	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
When adjacent to an internal subdivision road	7.6 m (25.0 ft.) from the property line
When adjacent to another parcel	7.6 m (25.0 ft.) from the property line

- iv. Notwithstanding **subsections (i), (ii), and (iii)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.

## 6. Other Regulations

- A. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.

- B. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
- C. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.
- D. Grading and drainage of the site shall be provided in accordance with **Section 6.11** of this Bylaw.
- E. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.
- F. Motels shall be developed in accordance with **Section 7.4** of this Bylaw.
- G. Vehicle Washing Establishments (carwashes) shall be developed in accordance with **Section 6.24** of this Bylaw.
- H. Places of Worship shall be developed in accordance with **Section 6.29** of this Bylaw.
- I. Private Liquor Stores and Storage Facilities shall be developed in accordance with **Section 7.19** of this Bylaw.
- J. Natural Resource Extraction Industries shall be developed in accordance with **Section 6.22** of this Bylaw.
- K. Service Stations and Gas Stations shall be developed in accordance with **Section 6.22** of this Bylaw.
- L. Shipping Containers shall be developed in accordance with **Section 7.31** of this Bylaw.
- N. Solar Energy Conversion Systems shall be developed in accordance with **Section 7.33** of this Bylaw.
- O. Wind Energy Conversion Systems shall be developed in accordance with **Section 2.9** of this Bylaw.

## 8.9 VICTORIA COMMERCIAL (C2) DISTRICT

### 1. Purpose

The general purpose of this District is to control development in the vicinity of the Victoria Trail in order to ensure that future commercial development in this area is compatible with significant cultural landscapes in the Victoria Trail area.

### 2. Permitted Uses

- A. Art, Craft, and Photography Studios
- B. Bed and Breakfast Establishment
- C. Boutique Accommodation
- D. Buildings and Uses Accessory to Permitted Uses
- E. Campground, basic,
- F. Community Hall
- G. Convenience Retail Service
- H. Cultural Facility
- I. Drive-in Business
- J. Eating and Drinking Establishment
- K. Eco-Cabin/Star-gazing Units
- L. Extensive Agriculture
- M. Home Occupation, Minor
- N. Home Occupation, Major
- O. Natural Area
- P. Protective or Emergency Services
- Q. Public or Quasi-Public Services
- R. Public Park
- S. Secondary Suite
- T. Solar Energy Conversion System
- U. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Amusement Establishment, Indoor
- B. Amusement Establishment, Outdoor
- C. Buildings and Uses Accessory to Discretionary Uses
- D. Campground, minor
- E. Campground, intermediate
- F. Campground, major
- G. Cemetery
- H. Commercial Uses



- I. Dwelling, Single Detached
- J. Dwelling, single detached, tiny
- K. Duplexes (Vertical and Side-By-Side)
- L. Hotel
- M. Manufactured Home
- N. Modular Home
- O. Motel
- P. Natural Resource Extraction
- Q. Outdoor Eating Establishment
- R. Places of Worship
- S. Public Utilities
- T. Recreational vehicle park
- U. Shipping Container
- V. Surveillance Suite
- W. Transfer Station
- X. Wind Energy Conversion System, Small
- Y. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

#### 4. Subdivision Regulations

##### A. General

- i. All subdivisions in environmentally sensitive areas and significant cultural landscapes, including but not limited to the Victoria Commercial District, must be designed to retain historically significant patterns of spatial organization and significant environmental features.
- ii. The County considers river lots to be historically significant patterns of spatial organization. Therefore subdivisions within existing river lots must be designed in such a manner that the original river lot pattern is still retained.
- iii. The County will normally require new developments in areas identified as containing significant cultural landscapes, preserve a minimum of 50% of the existing vegetation on each site.
- iv. New developments will also be required to maintain, as much as possible, the current land form and to be sited in such a manner as to ensure that the current viewscape of the areas from the Trail is maintained within the nationally recognized Victoria Trail Heritage Site.

##### B. Minimum Lot Area – As determined by the Subdivision Authority

#### 5. Development Regulations

A. Minimum Yard Setback Requirements

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yards

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Roads</b>	7.6 m (25.0 ft.) from the property line

ii. Minimum Side Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an Internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to Another Parcel</b>	7.6 m (25.0 ft.) from the property line

iii. Minimum Rear Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>When adjacent to an internal subdivision road</b>	7.6 m (25.0 ft.) from the property line
<b>When adjacent to another parcel</b>	7.6 m (25.0 ft.) from the property line

iv. Notwithstanding **subsections (i), (ii), and (iii)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures**

**20 and 21** of this Bylaw shall apply.

6. Other Regulations
- A. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
  - B. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
  - C. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw. Additionally the Development Authority may require the submission of additional information regarding the appearance or the proposed development with any application for development permits in this District in order to ensure that:
    - i. That the development is similar in character in appearance to development on adjacent sites; and
    - ii. That the development will be buffered, to the satisfaction of the Development Authority from the Victoria Trail and adjacent properties.
  - D. Grading and drainage of the site shall be provided in accordance with **Section 7.17** of this Bylaw.
  - E. Accessory buildings shall be developed in accordance with **Section 8.2** of this Bylaw.
  - F. Motels shall be developed in accordance with **Section 6.22** of this Bylaw.
  - G. Places of Worship shall be developed in accordance with **Section 6.29** of this Bylaw.
  - H. Natural Resource Extraction Industries shall be developed in accordance with **Section 7.16** of this Bylaw.
  - I. Shipping Containers shall be developed in accordance with **Section 7.31** of this Bylaw.
  - K. Solar Energy Conversion Systems shall be developed in accordance with **Section 7.33** of this Bylaw.
  - L. Wind Energy Conversion Systems shall be developed in accordance with **Section 2.9** of this Bylaw.

## 8.10 INDUSTRIAL (M1) DISTRICT

### 1. Purpose

The general purpose of this district is to provide opportunities for light industrial and manufacturing uses, with heavier industry permitted in approved locations at the discretion of the Development Authority.

### 2. Permitted Uses

- A. Agricultural Support Services
- B. Buildings and Uses Accessory to Permitted Uses
- C. Animal Breeding and/or Boarding Facility
- D. Animal Clinic
- E. Animal Hospital, Large
- F. Assembly Plant
- G. Automobile Repair Shops, Major and Minor
- H. Building Supply and Lumber Outlet
- I. Bulk Fuel Storage and Sales
- J. Business Office
- K. Car Wash Establishment
- L. Extensive Agriculture
- M. Greenhouse
- N. Heavy Equipment Sales and Service, Repair or Storage
- O. Light Industrial
- P. Manufacturing
- Q. Public or Quasi-Public Services
- R. Public Utility
- S. Shipping Container
- T. Solar Energy Collection System
- U. Transfer Station
- V. Warehouse
- W. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Auctioneering Facility
- B. Buildings and Uses Accessory to Discretionary Uses
- C. Cannabis production and distribution; and
- D. Heavy Equipment Sales, Service and Repair
- E. Heavy Industrial
- F. Industrial hemp production and distribution
- G. Landfill

- H. Medium Industrial
- I. Natural Resource Extraction/Processing Facility
- J. Public Park
- K. Recreational Uses
- L. Rural Industrial
- M. Surveillance Suite
- N. Wind Energy Conversion System, Small
- O. Wind Energy Conversion System, Large
- P. Workcamps
- Q. Workcamps, Short Term
- R. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

- A. Minimum Site Area – at the discretion of the Subdivision Authority

5. Development Regulations

- A. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

- i. Minimum Front Yards

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property boundary

- ii. Minimum Side Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property boundary

iii. Minimum Rear Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property boundary

iv. Notwithstanding **subsections (i), (ii), and (iii)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.

B. Maximum Site Coverage - 45%.

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.

C. Maximum Height – At the Discretion of the Development Authority

D. Landscaping

The Development Authority may require landscaping, to his satisfaction, in the form of fences, berms, vegetation, or any other material at their sole discretion that they deem reasonable, between any development in this District and any adjacent development.

6. Other Regulations

A. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.

B. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.

C. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw.

D. Grading and drainage of the site shall be provided in accordance with **Section 6.11** of this Bylaw.

E. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.

F. Vehicle Washing Establishments (carwashes) shall be developed in accordance with **Section 7.35** of this Bylaw.

G. Service Stations and Gas Stations shall be developed in accordance with **Section 7.30** of this Bylaw.

- H. Shipping Containers shall be developed in accordance with **Section 7.31** of this Bylaw.
- J. Solar Energy Conversion Systems shall be developed in accordance with **Section 7.33** of this Bylaw
- K. Wind Energy Conversion Systems shall be developed in accordance with **Section 2.9** of this Bylaw.

## 8.11 RURAL INDUSTRIAL (M2) DISTRICT

### 1. Purpose

The purpose of the Rural Industrial District is to provide land for rural industries in locations which can be serviced efficiently and which will not conflict with agriculture or residential land uses.

### 2. Permitted Uses

- A. Agricultural Support Services
- B. Buildings and Uses Accessory to Permitted Uses
- C. Animal Breeding and/or Boarding Facility
- D. Animal Clinic
- E. Animal Hospital, Large
- F. Automobile Repair Shops, Major and Minor
- G. Business Office
- H. Extensive Agriculture
- I. Greenhouse
- J. Heavy Equipment Sales and Service, Repair or Storage
- K. Light Industrial
- L. Public or Quasi-Public Services
- M. Public Utility
- N. Shipping Container
- O. Solar Energy Collection System
- P. Transfer Station
- Q. Warehouse
- R. Wind Energy Conversion System, Micro

### 3. Discretionary Uses

- A. Auctioneering Facility
- B. Buildings and Uses Accessory to Discretionary Uses
- C. Bulk Fuel Storage and Sales
- D. Heavy Equipment Sales, Service and Repair
- E. Industrial hemp production and distribution;
- F. Medium Industrial
- G. Natural Resource Extraction/Processing Facility
- H. Public Park
- I. Recreational Uses
- J. Rural Industrial
- K. Surveillance Suite
- L. Wind Energy Conversion System, Small
- M. Wind Energy Conversion System, Large



N. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

4. Subdivision Regulations

A. Minimum Site Area – at the discretion of the Subdivision Authority

5. Development Regulations

A. Minimum Yard Dimensions

It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

i. Minimum Front Yards

<b>From Municipal Road Allowances</b>	23.1 m (92.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property boundary

ii. Minimum Side Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property boundary

iii. Minimum Rear Yards

<b>From Municipal Road Allowances</b>	18.3 m (60.0 ft.) from the property line
<b>From Highways</b>	40.8 m (134.0 ft.) from the boundary of the right-of-way or as required by Alberta Transportation
<b>Internal Subdivision Road</b>	7.6 m (25.0 ft.) from the property boundary

- iv. Notwithstanding **subsections (i), (ii), and (iii)** above, where there is an intersection or sharp curve, the minimum yard requirements shown on **Figures 20 and 21** of this Bylaw shall apply.
- B. Maximum Site Coverage – 45%
 

Of the 45% site coverage, a maximum of 15% of the total site may be covered by accessory buildings.
  - C. Maximum Height – At the Discretion of the Development Authority
  - D. Landscaping
 

The Development Authority may require landscaping, to their satisfaction, in the form of fences, berms, vegetation, or any other material at their sole discretion that they deem reasonable, between any development in this District and any adjacent development.
6. Other Regulations
- A. Development proposals adjacent to a primary highway shall comply with any relevant provincial regulations.
  - B. Fences shall be developed in accordance with **Section 7.7** of this Bylaw.
  - C. Landscaping shall be provided in accordance with **Section 6.11** of this Bylaw. The Development Authority may require landscaping, to their satisfaction, in the form of fences, berms, vegetation, or any other material, at their discretion, between any development in this District and any adjacent development.
  - D. Grading and drainage of the site shall be provided in accordance with **Section 6.11** of this Bylaw.
  - E. Accessory buildings shall be developed in accordance with **Section 6.1** of this Bylaw.
  - F. Vehicle Washing Establishments (carwashes) shall be developed in accordance with **Section 7.35** of this Bylaw.
  - G. Service Stations and Gas Stations shall be developed in accordance with **Section 7.30** of this Bylaw.
  - H. Shipping Containers shall be developed in accordance with **Section 7.31** of this Bylaw.
  - J. Solar Energy Conversion Systems shall be developed in accordance with **Section 7.33** of this Bylaw.
  - K. Wind Energy Conversion Systems shall be developed in accordance with **Section 2.9** of this Bylaw.

## 8.12 COMMUNITY AND INSTITUTIONAL (P) DISTRICT

### 1. Purpose

The general purpose of this district is to permit development of uses of either a public or private nature that provide services and recreational opportunities to the community.

### 2. Permitted Uses

- A. Buildings and Uses Accessory to Permitted Uses
- B. Cemeteries
- C. Clinics (including Hospitals and Nursing Homes)
- D. Community Halls
- E. Places of Worship
- F. Public or Quasi-Public Services
- G. Recreational Uses
- H. Public and Private Schools
- I. Other uses that in the opinion of the Development Authority, are similar to the above mentioned Uses

### 3. Discretionary Uses

- A. Buildings and Uses Accessory to Accessory Uses
- B. Club or Lodge
- C. Extensive Agriculture
- D. Health Services
- E. Institutional Uses
- F. Neighbourhood Park
- G. Public Utility
- H. Public Utility Building
- I. Transfer Station
- J. Other uses that, in the opinion of the Development Authority, are similar to the above mentioned uses

### 4. Subdivision Regulations

- A. Minimum Lot Area – at the discretion of the Subdivision Authority

### 5. Development Regulations

- A. All site requirements shall be as required by the Development Authority.

### 8.13 DIRECT CONTROL (DC) DISTRICT

1. Purpose

The general purpose of this District is to provide Council with direct control over the use and design of development in areas of unique character or special concern.

2. Permitted Uses

- A. None

3. Discretionary Uses

- A. Buildings and Uses Accessory to Discretionary Uses
- B. Extensive Agriculture
- C. Public Utilities
- D. Recreational uses

4. Regulations

All regulations shall be established by Council, who shall evaluate any proposal for development with respect to its compliance with:

- A. the objectives and policies of an applicable Area Structure Plan;
- B. the regulations of this Bylaw; and
- C. the regulations of adjacent Districts.

However, Council shall not be bound by any of these matters.

## 8.14 DIRECT CONTROL LANDFILL (DC1) DISTRICT

### 1. Purpose

The general purpose of this District is to provide Council with direct control over the use and design of development in landfill areas.

### 2. Permitted Uses

- A. None

### 3. Discretionary Uses

- A. Buildings and Uses Accessory to Discretionary Uses
- B. Extensive Agriculture
- C. Landfill
- D. Transfer Station
- E. Public Utility

### 4. Regulations

- A. All regulations shall be established by Council, who shall evaluate any proposal for development with respect to its compliance with:

- (i) the objectives and policies of an applicable Statutory Plan;
- (ii) the regulations of this Bylaw;
- (iii) the regulations of adjacent Districts; and
- (iv) the satisfaction of any Provincial regulations or requirements.

However, Council shall not be bound by any of these matters.

- B. Council may establish as a condition of a development permit that all provincial requirements and regulations be observed.

## **9 OVERLAYS**

---

### **9.1 ENVIRONMENTALLY SENSITIVE AREAS OVERLAY**

#### **1. Purpose**

The Environmentally Sensitive Areas Overlay is not a District. Rather, it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

The Purpose of the Environmentally Sensitive Area overlay is to identify areas in the County where either:

- i. the physical characteristics of the land may make development difficult or unfeasible, or
- ii. the land has been designated as environmentally sensitive or significant.

Development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites.

#### **2. Applicability**

Within the Environmentally Sensitive Areas Overlay identified on the Land Use District Map the regulations of this Section apply in addition to the other regulations of this Bylaw.

#### **3. Uses**

- i. Within the Environmentally Sensitive Areas Overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw.

#### **4. Regulations**

- i. The Development Authority shall require that any proposal for development within the Environmentally Sensitive Areas Overlay area be accompanied, by either or both, of a flood susceptibility analysis or a bank stability analysis by registered professional engineers that assess the suitability of the subject site and the proposed development from the points of view of flood susceptibility and/or bank stability. Further, if a development is approved after such an analysis is provided, the Development Authority shall require that any recommendations of the analysis be implemented by the landowner/ developer and registered against the title of the subject lands so as to warn future landowners of the engineering requirements for development.

## 9.2 HERITAGE AREA OVERLAY

### 1. Purpose

The Heritage Area Overlay is not a District. Rather, it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

The Purpose of the Heritage Area Overlay is to identify culturally significant landscapes within the County where either: there are federally, provincially or municipally recognized landscapes, structures and/or special patterns of organization

Development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites.

### 2. Applicability

Within the Heritage Area Overlay identified on the Land Use District Map the regulations of this Section apply in addition to the other regulations of this Bylaw.

### 3. Uses

- i. Within the Heritage Area Overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw.

### 4. Regulations

- i. Application requirements

The Development Authority may require that any proposal for development within the Heritage Area Overlay area be accompanied by:

- a. A Historical Resources Impact Assessment (HRIA) The HRIA and/or mitigative studies will be paid for by the developer undertaking or proposing to undertake the activity. The HRIA must be undertaken by professional private-sector historians, archaeologists or paleontologists and must be reviewed by Alberta Culture and Community Spirit.

If a HRIA is required, a development permit will not be approved until the Development Authority receives comments from Alberta Culture and Community Spirit indicating that, in their opinion, an activity will or will likely result in the alteration, damage or destruction of an historic resource.

- b. If the development is adjacent to the North Saskatchewan River other significant body of water, then a flood susceptibility analysis, a bank stability analysis or both, prepared by registered professional engineers may be required.

The reports should assess the suitability of the subject site and the proposed development from the points of view of flood susceptibility and/or bank stability. Further, if a development is approved after such an analysis is provided, the Development Authority shall require that any recommendations of the analysis be implemented by the landowner/ developer and registered

against the title of the subject lands so as to warn future landowners of the engineering requirements for development.

5. When considering an application for a development permit for new construction of a principle building in the Heritage Overlay Area the Development Authority will consider the following:
  - i. The architectural compatibility of a new development with neighbouring properties;
  - ii. The compatibility of the development with the Victoria Trail or another affected streetscape;
  - iii. The adequacy of buffering and/or landscaping as required between new development, abutting properties and the Victoria Trail or another effected streetscape;
  - iv. Any other matter Council feels is necessary to ensure the overall compatibility of the structure with adjacent properties; and
  - v. Advice of the Smoky Lake County Regional Heritage Board.
  
6. When reviewing an application for a development permit for a demolition, or removal of a principle building, in the Heritage Overlay Area, the Development Authority may consider any or all of the following:
  - i. The structural condition of the building as determined by a qualified professional;
  - ii. The reasons for the proposed demolition;
  - iii. The proposed new development for the site (if applicable);
  - iv. The historical significance of the building;
  - v. The architectural significance of the building;
  - vi. The potential negative effects on the recognize Heritage Sites and/or the impacted streetscape; and
  - vii. Referral comments from the Smoky Lake County Regional Heritage Board.



**10 APPENDIX A SRD Recommended Guidelines for Minimum ER**

---

## Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths

In reference to Section 664 of the *Municipal Government Act*, the following are recommended where a boundary to a proposed subdivision is a water body or watercourse.

**Table 1. Standard recommended minimum widths for Environmental Reserves or Environmental Reserve Easements based on type of water feature.**

Water Feature	Minimum ER Width <sup>2</sup>	Notes
Reservoirs & Regulated Lakes	30 m from right of way or easement boundary	A regulated lake is a lake where water levels are established to a predetermined elevation and actively managed through use of a licensing requirement (e.g. to pump water into the water body).
Lake (natural & controlled)	30 m from natural boundary	On controlled lakes, 30 m from sill elevation of licensed control structure.
Swamp/wetland <sup>1</sup>	Variable, include wet meadow zone	Wet meadow zone can be extensive in some situations, and in these instances the ER should be wide enough to preserve ecological function.
Large River (≥ 15m width)	30+ m	See additional requirements for hazardous lands.
Small River/Large Stream (6-15 m)	15 m	See additional requirements for hazardous lands.
Medium Stream (3 - 6 m)	10 m	See additional requirements for hazardous lands.
Small Stream (≤ 3 m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use bylaw to regulate tree cutting within a defined distance from feature to maintain riparian vegetation and drainage.
Braided Stream	10 m from outside boundary of active floodway	

<sup>1</sup> Sustainable Resource Development views the term “swamp” to mean any area with hydrological conditions of sufficient duration to have developed saturated soils and hydrophytic vegetation (i.e. wetlands or peatlands).

<sup>2</sup> In addition to the recommended ER width for the water feature itself, associated landscape features may require the ER width to be modified to factor in additional inherent hazards to development.

For lands described in section 664(1)(b) of the *Municipal Government Act* (unsuitable for development because they are subject to flooding, have high risk of erosion, or have existing topographical or geo-technical constraints) the following are recommended.

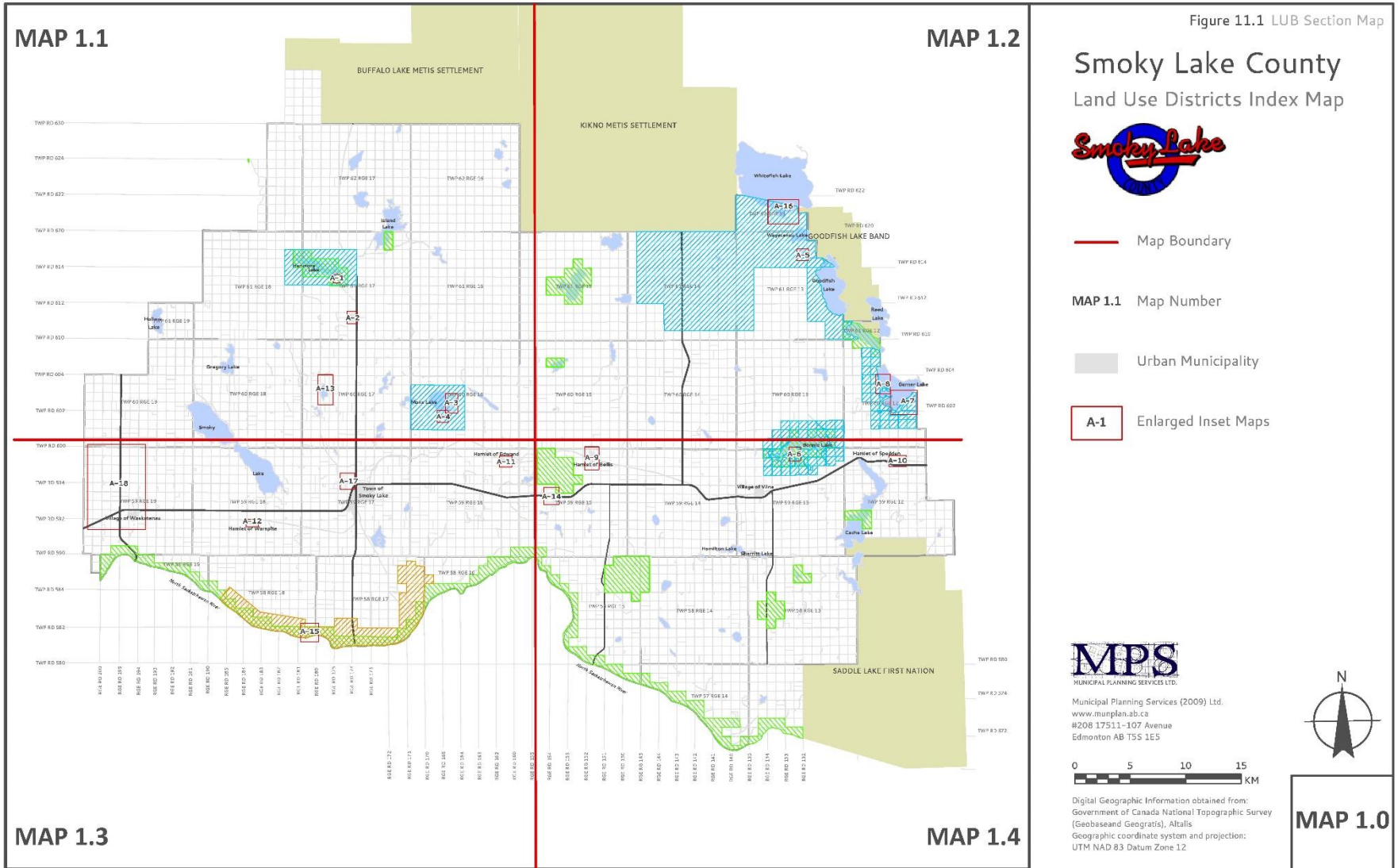
**Table 2. Additional factors that may necessitate an increase in the width of an Environmental Reserve or Environmental Reserve Easement.**

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> <li>The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less.</li> <li>The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley.</li> </ul>	<ul style="list-style-type: none"> <li>Residential development within a floodplain is discouraged.</li> <li>Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines).</li> <li>The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.</li> </ul>
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes (>15%)	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	

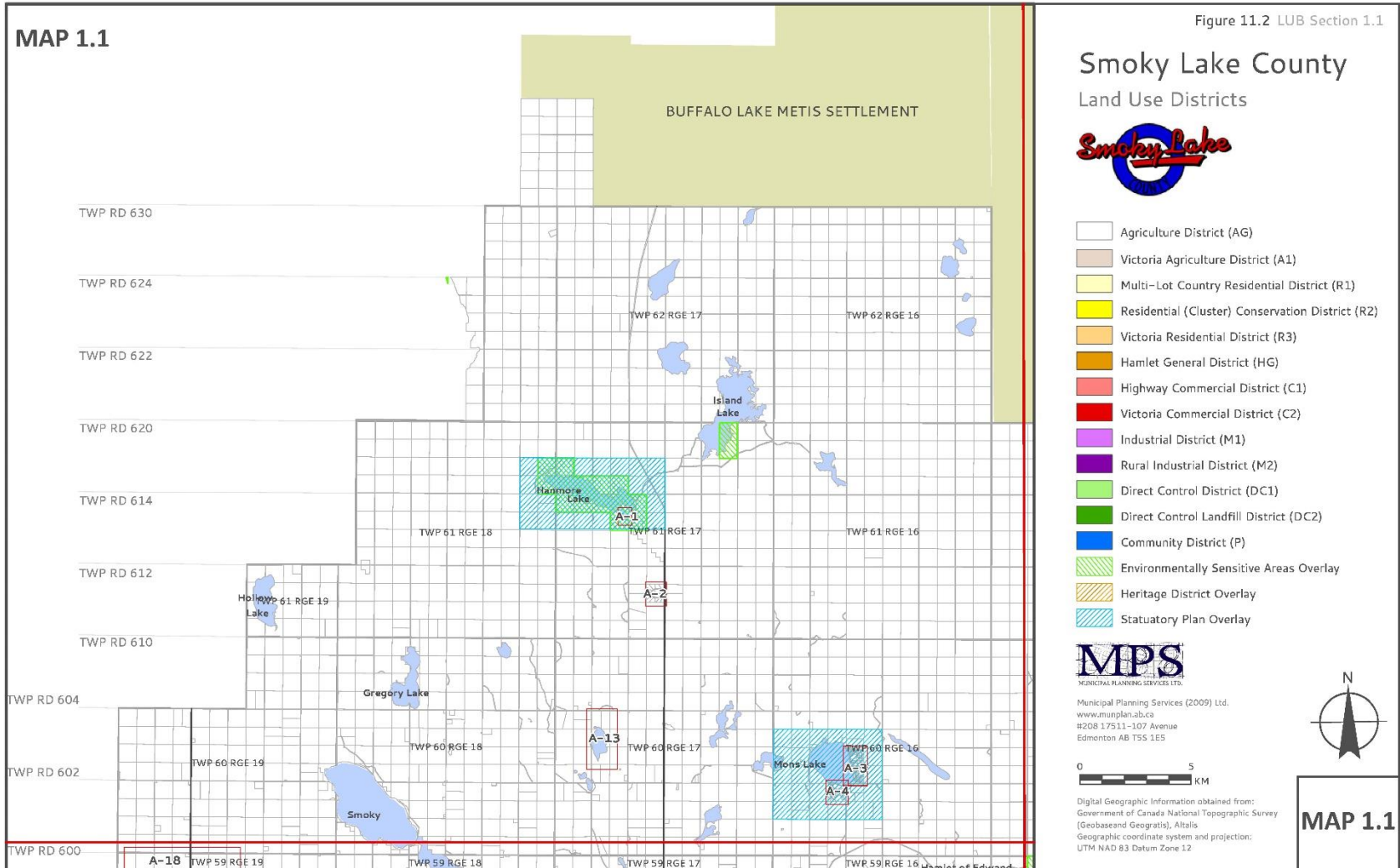
**11 APPENDIX B MAPS (Maps 11.1-11.5)**

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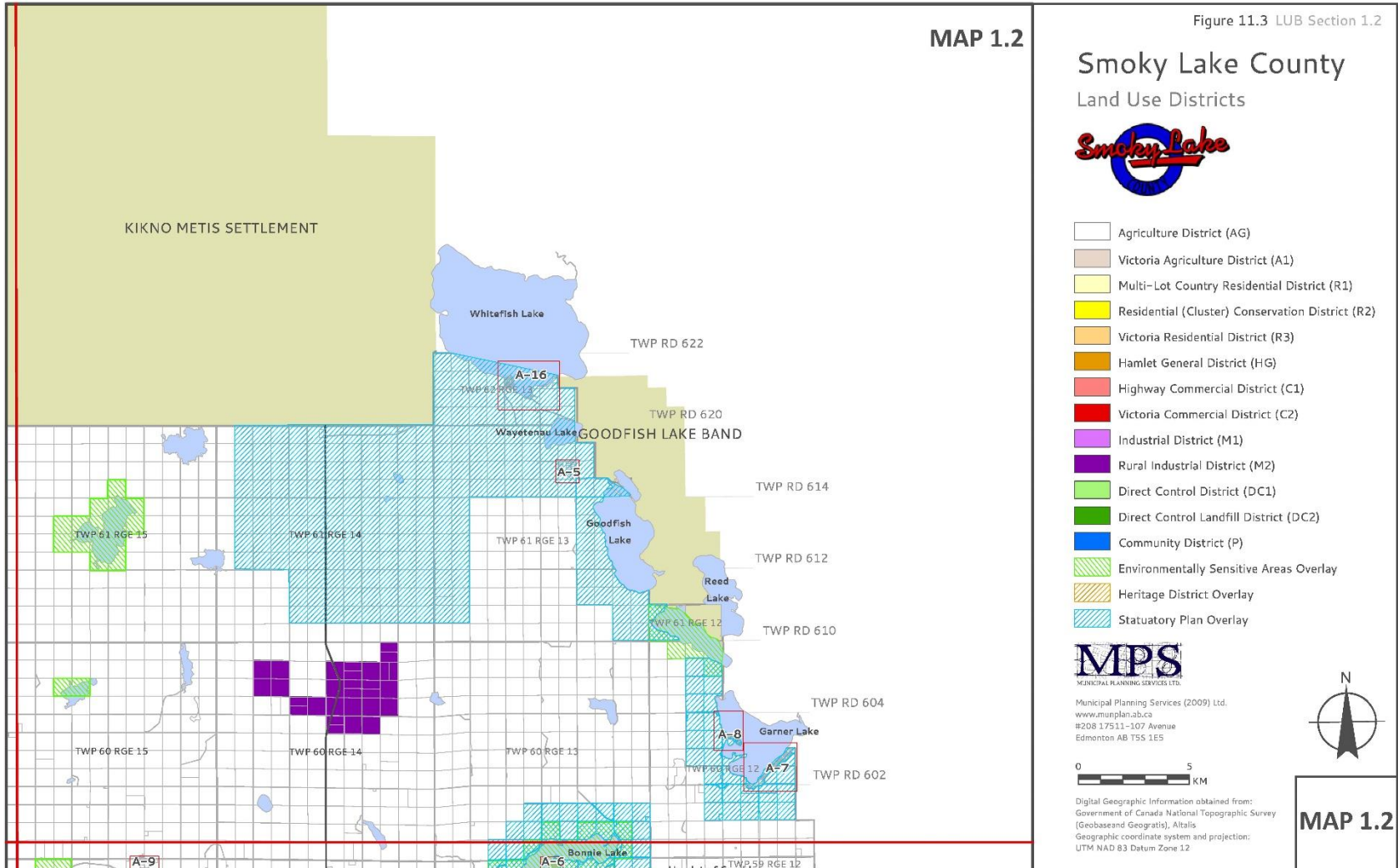
11.1 LUB Section Map 1.1



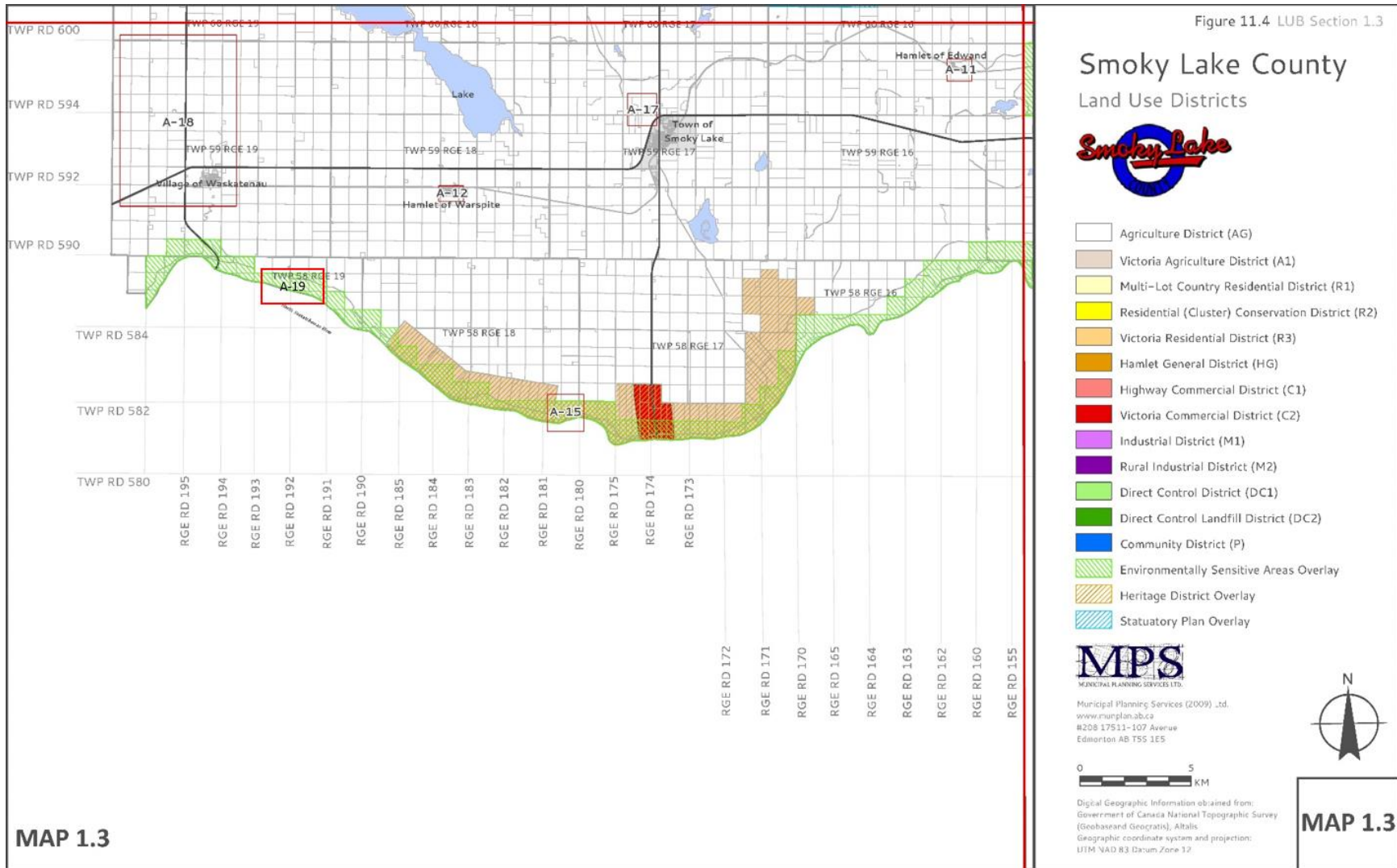
11.2 LUB 1.2



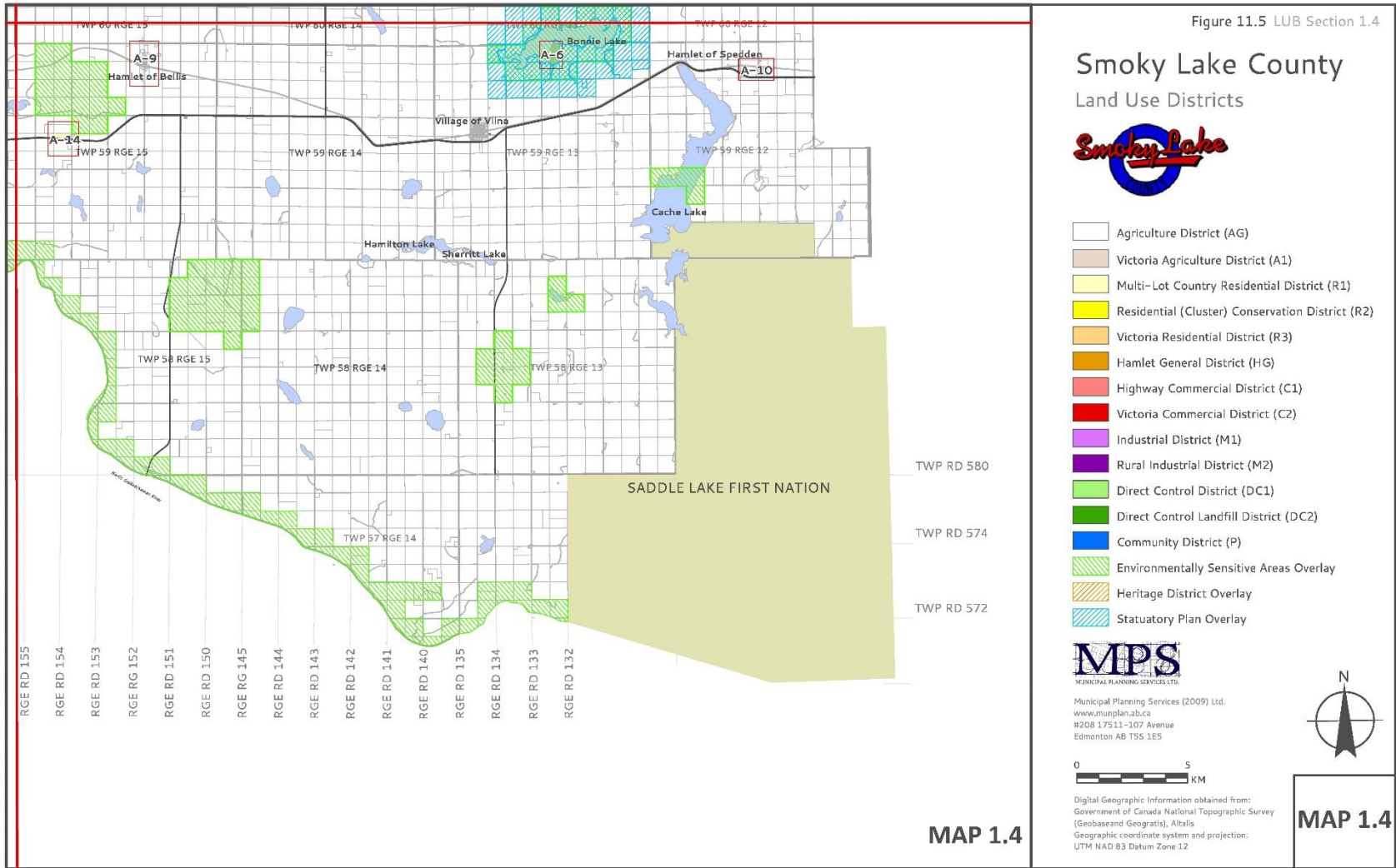
11.3 LUB 1.3



11.4 LUB Section Map 1.4



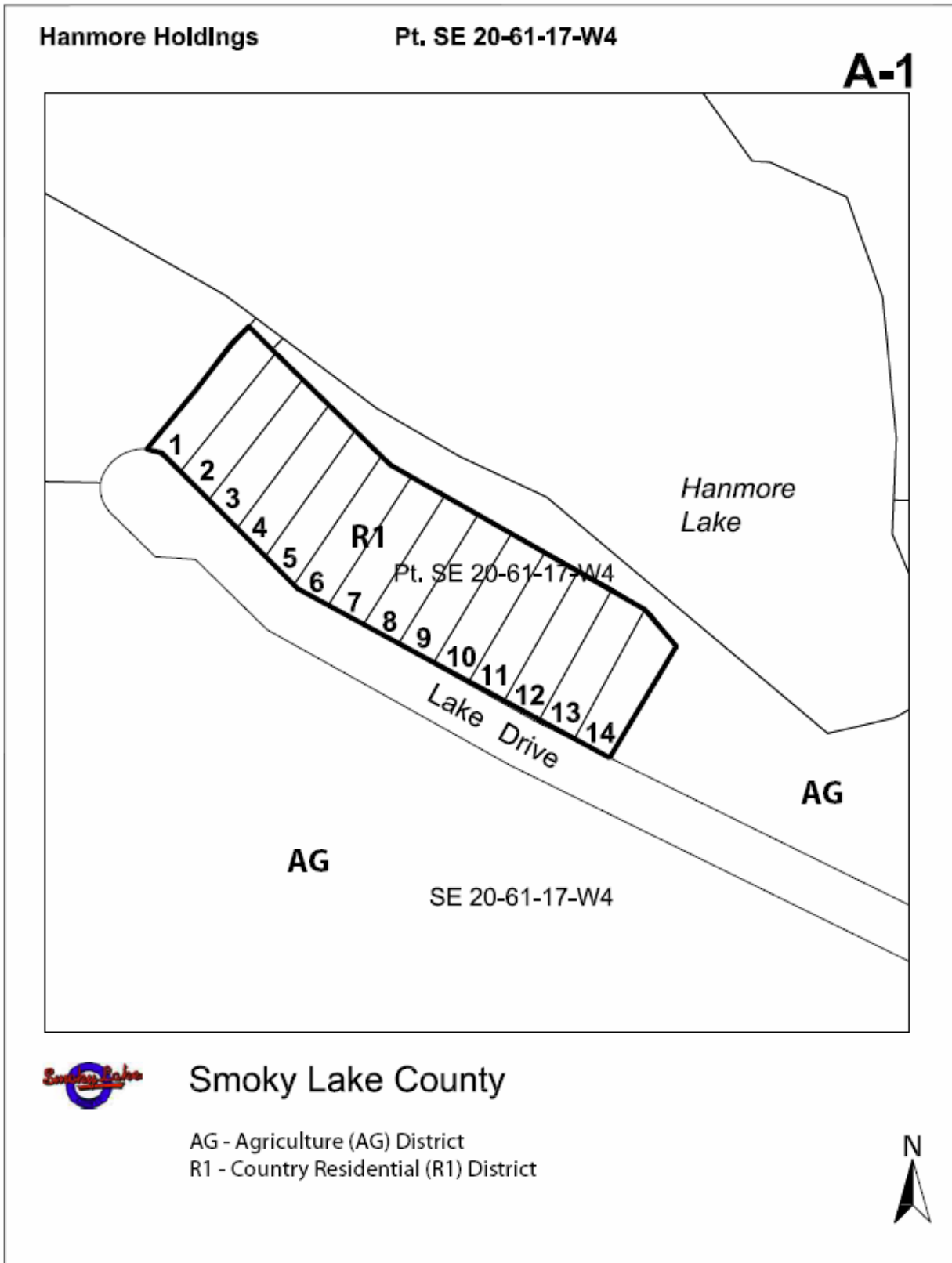
11.5 LUB 1.5





## 11.6 INSET MAPS

11.6.1 A-1 – Hanmore Holdings

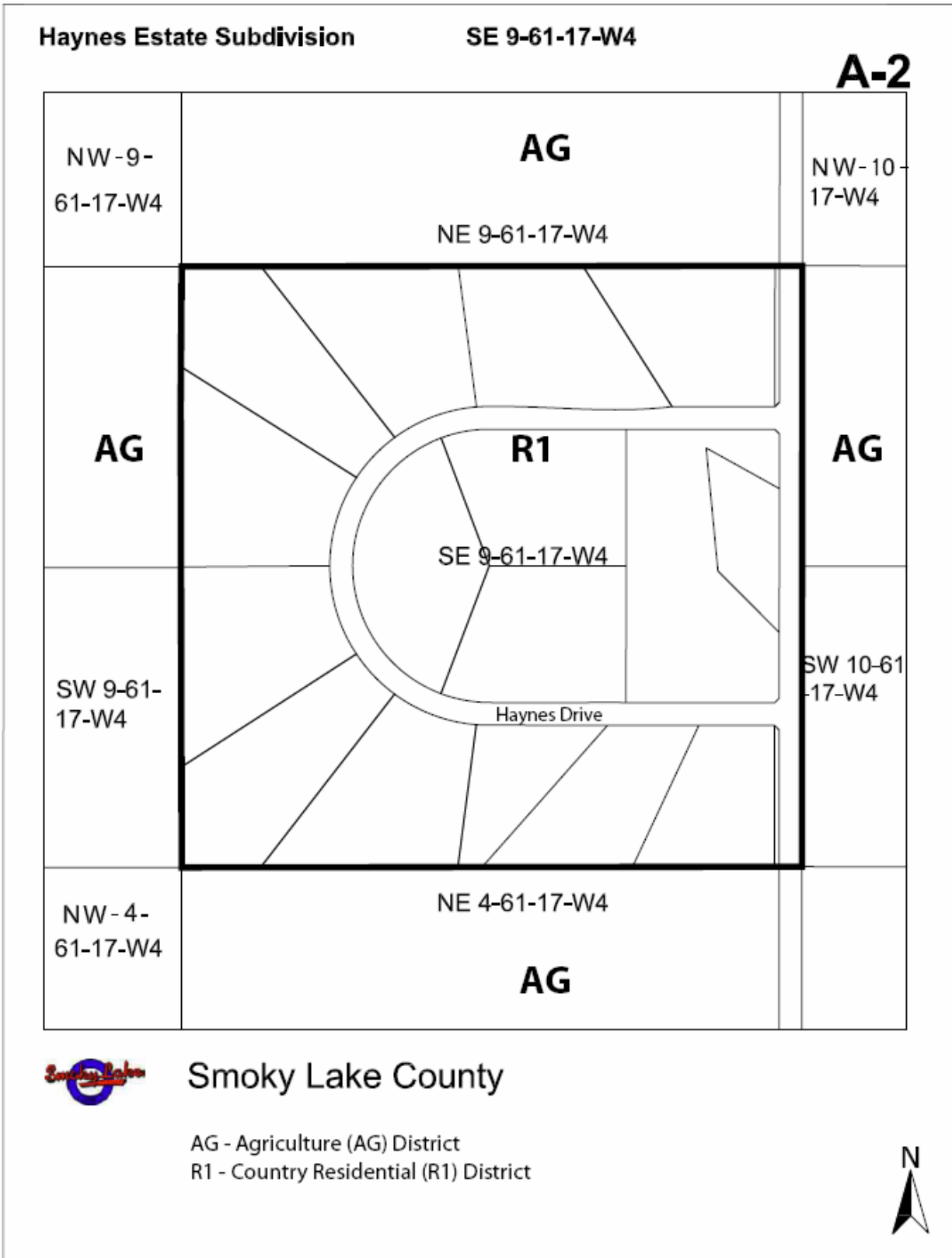


Smoky Lake County

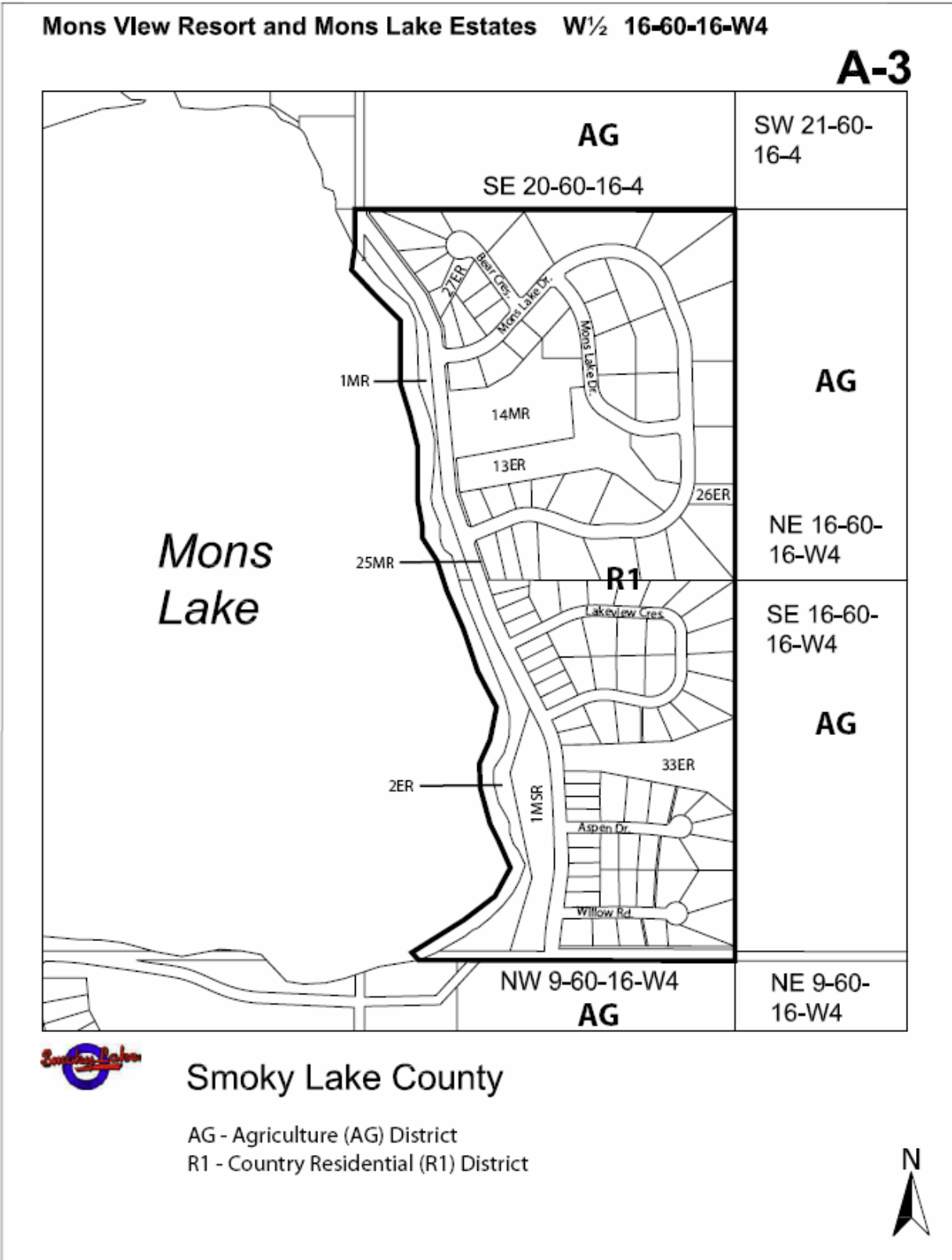
AG - Agriculture (AG) District  
R1 - Country Residential (R1) District



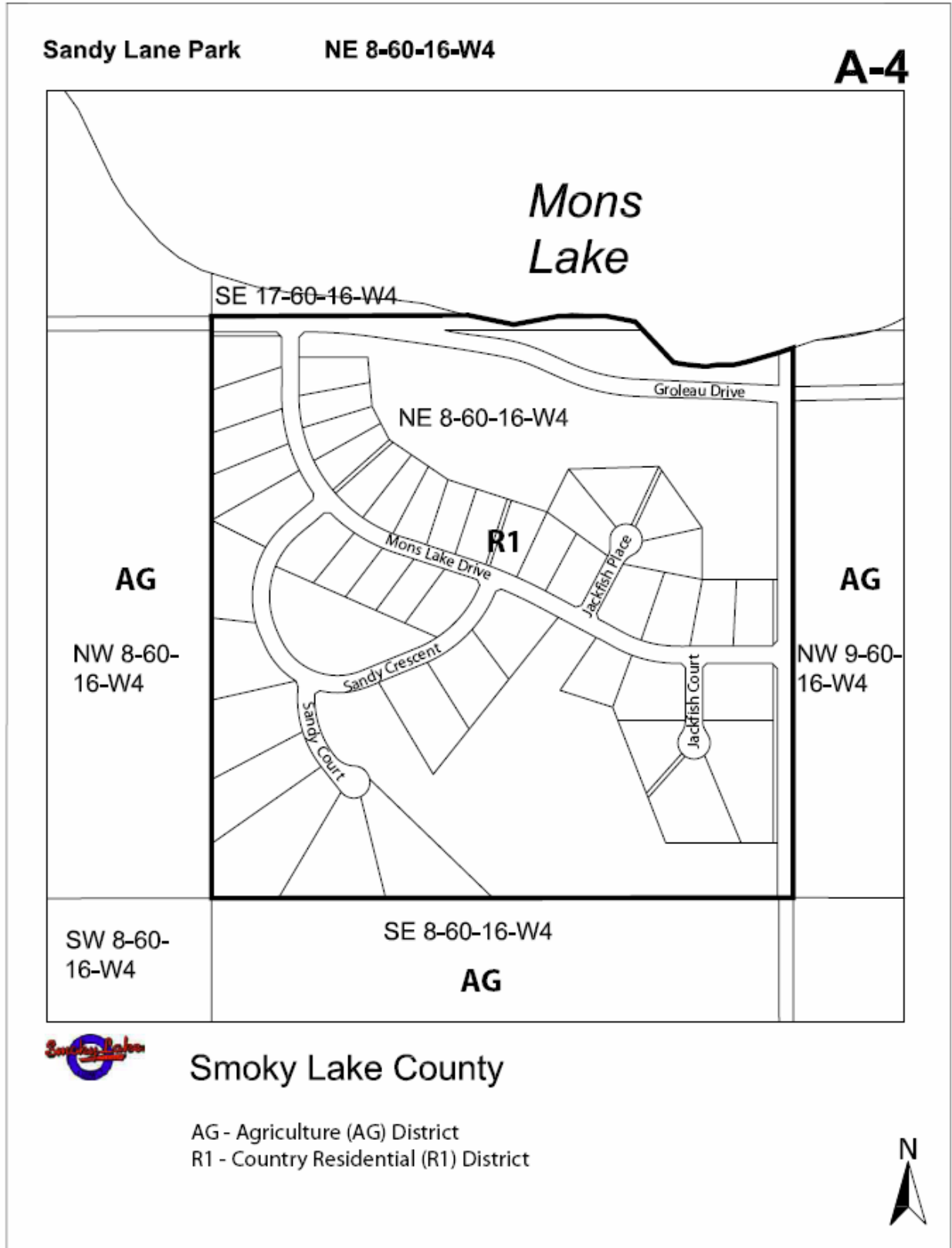
11.6.2 A-2 – Haynes Estate Subdivision



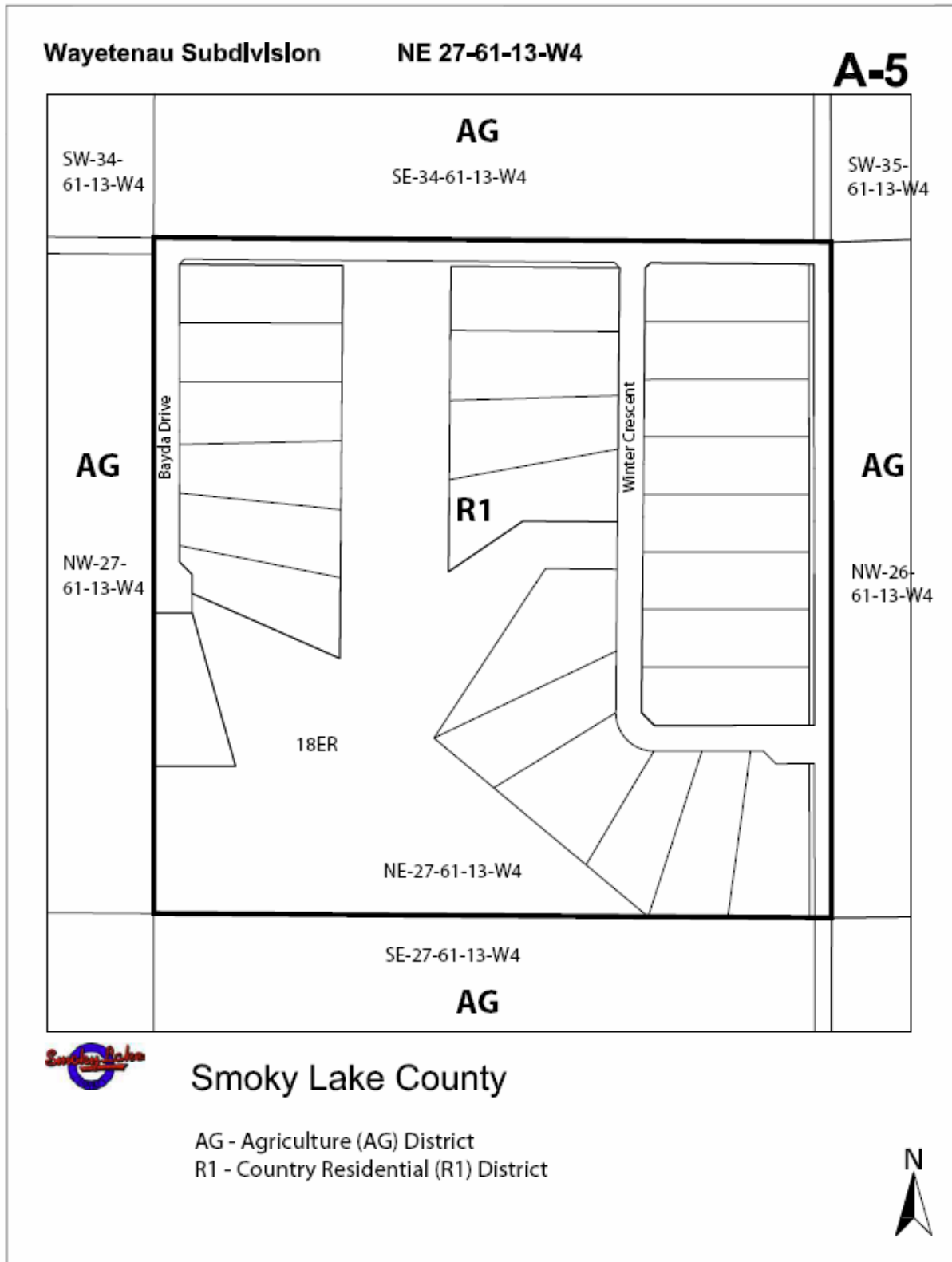
11.6.3 A-3 – Mons View Resort & Mons Lake Estates



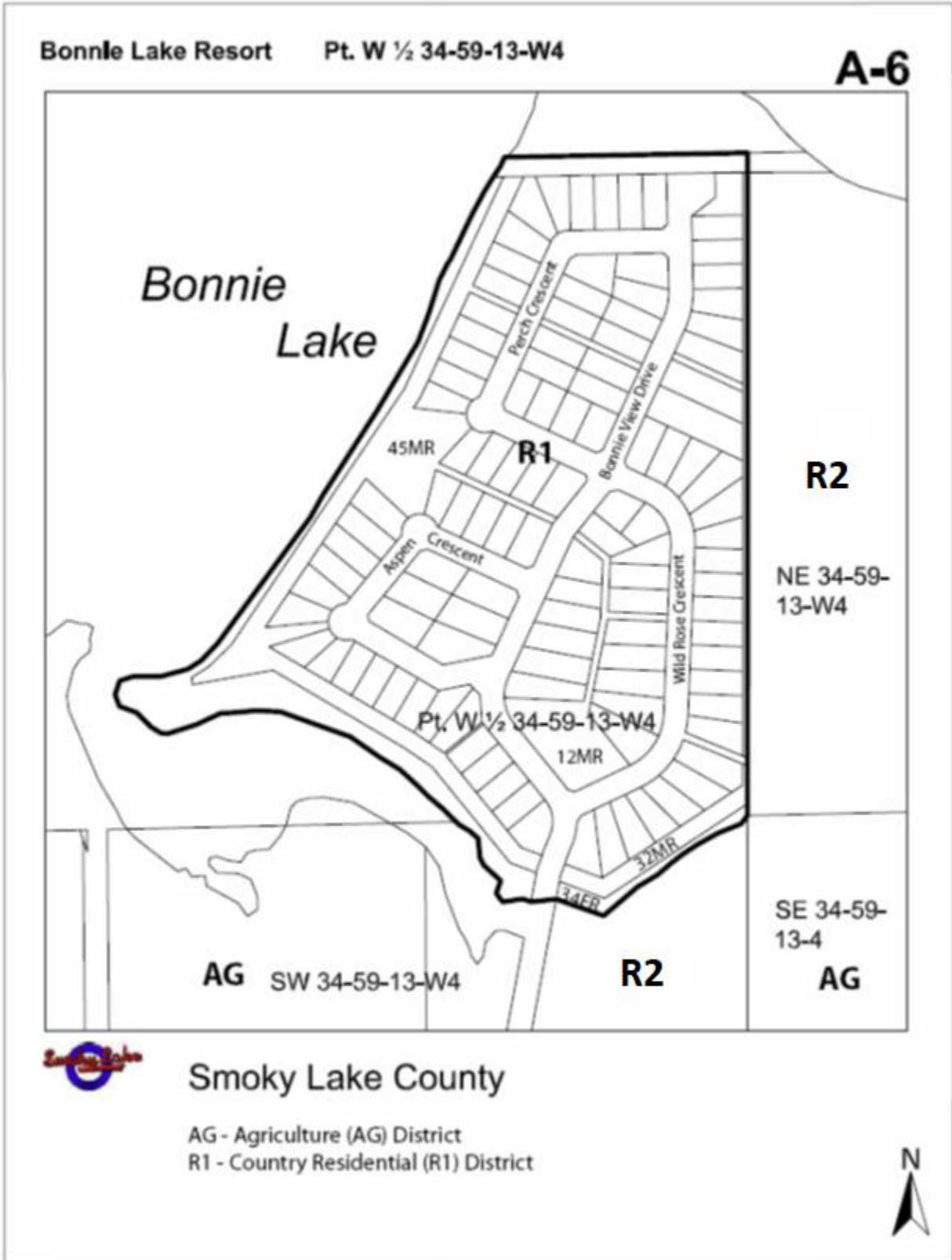
11.6.4 A-4 – Sandy Lane Park



11.6.5 A-5 – Wayetenau Subdivision

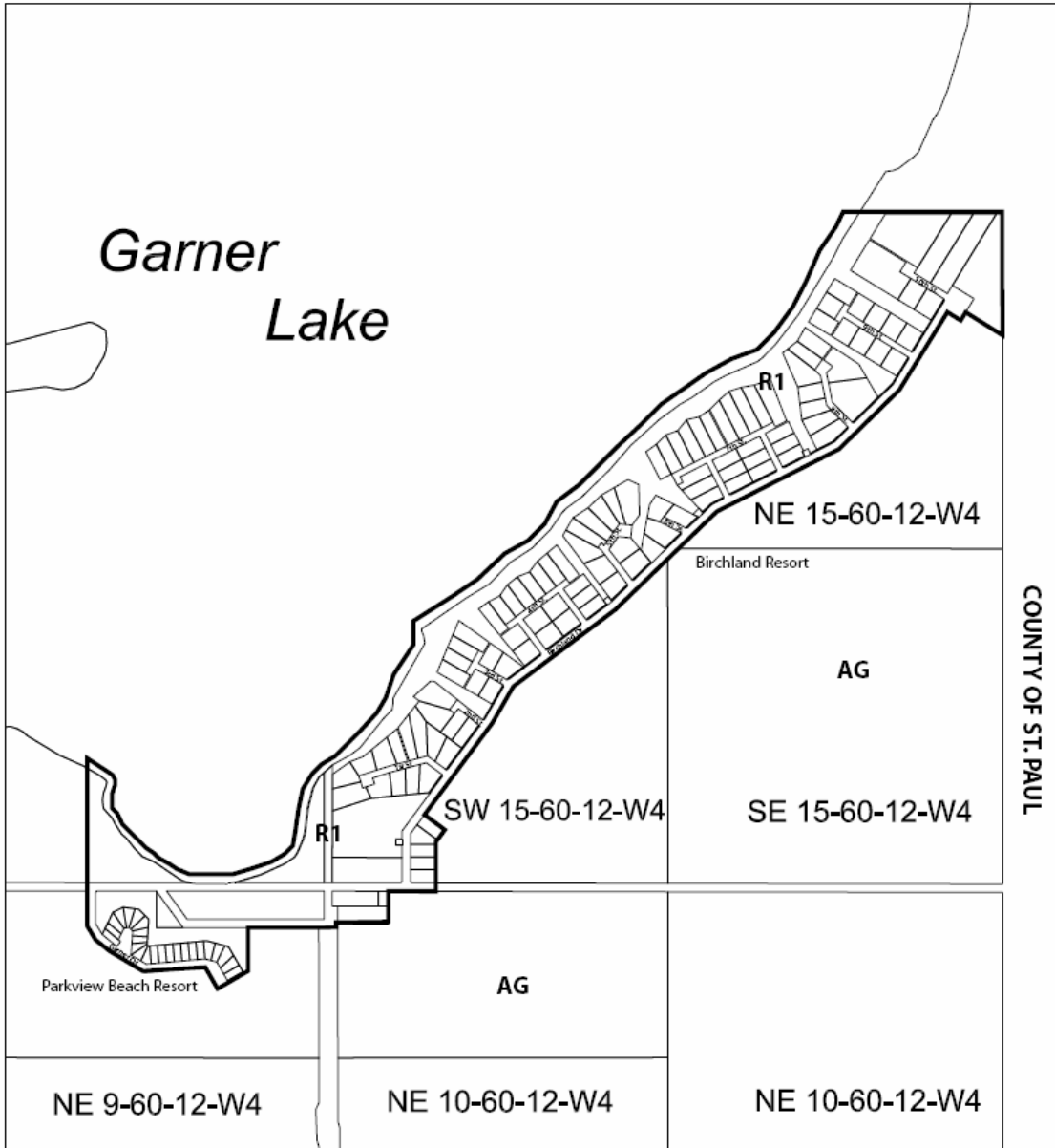


11.6.6 A-6 – Bonnie Lake Resort



11.6.7 A-7 – Garner Lake Subdivisions

**Garner Lake Subdivison (Pt.) Pt. NE 9, Pt. NW 10, Pt. Sec. 15,  
and Pt. SE 16-60-12-W4 **A-7****



**Smoky Lake County**

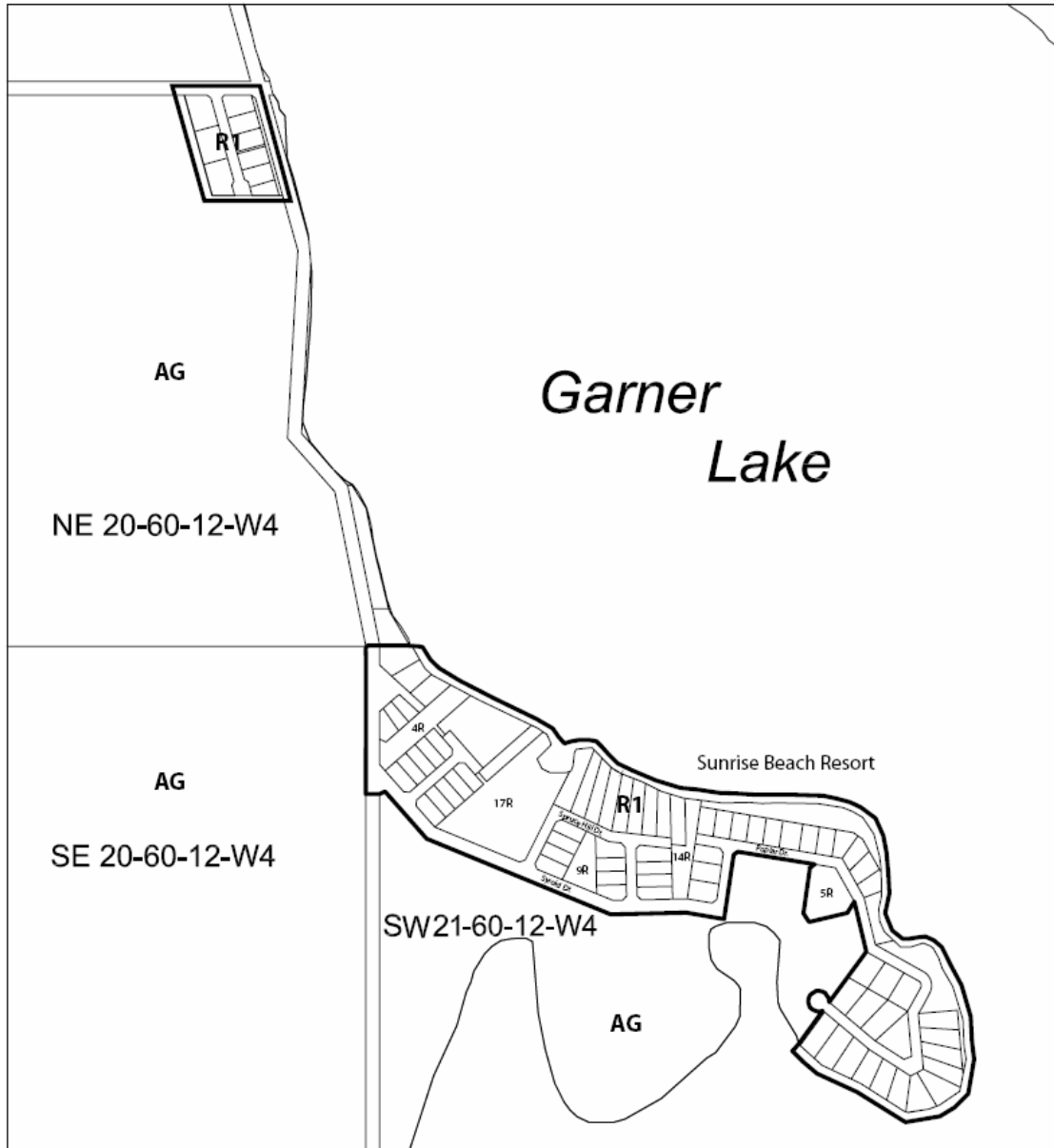
AG - Agriculture (AG) District  
R1 - Country Residential (R1) District





**Garner Lake Subdivision (Pt.) Pt. NE20 and Pt. S ½ 21-60-12-W4**

**A-8**

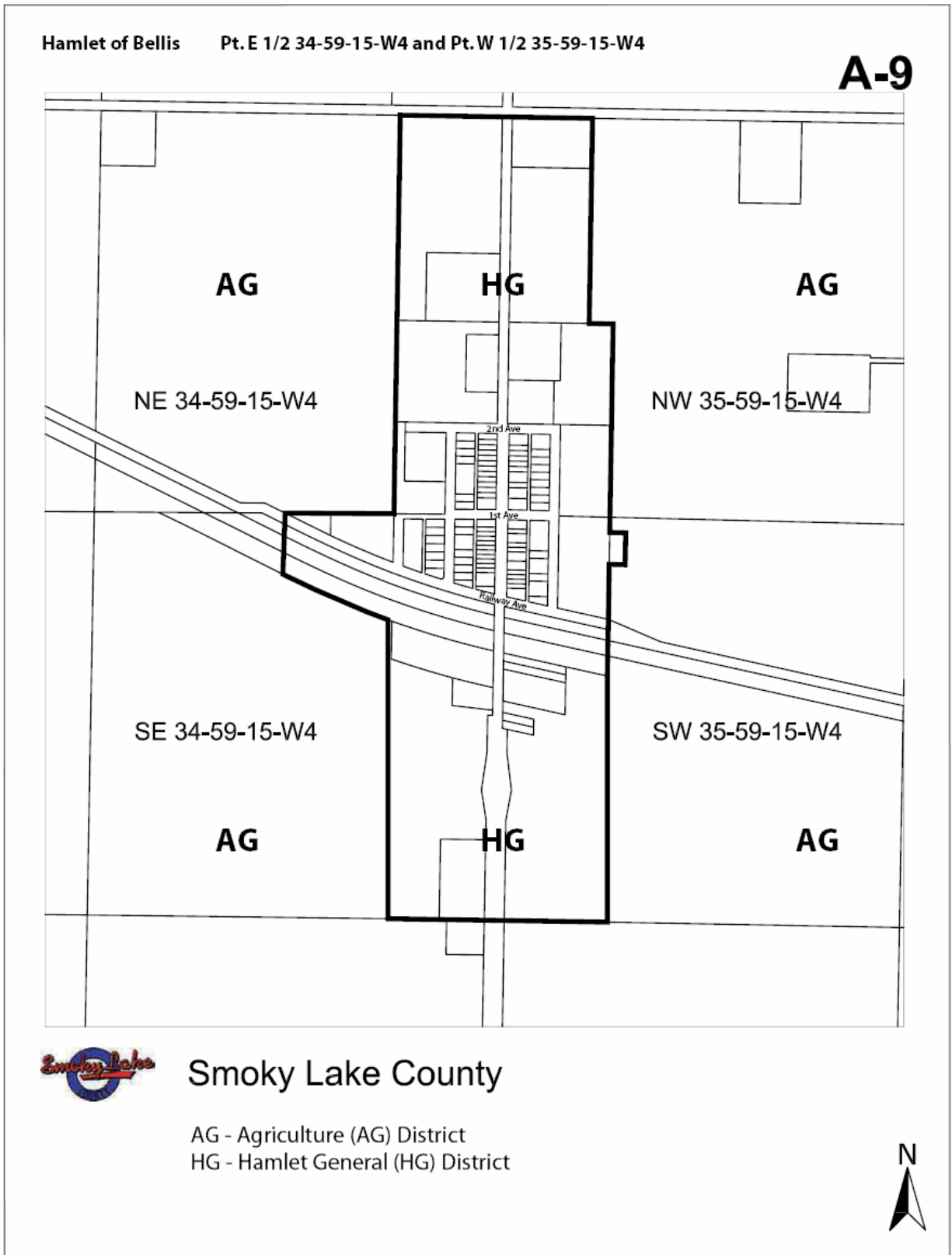


**Smoky Lake County**

AG - Agriculture (AG) District  
R1 - Country Residential (R1) District



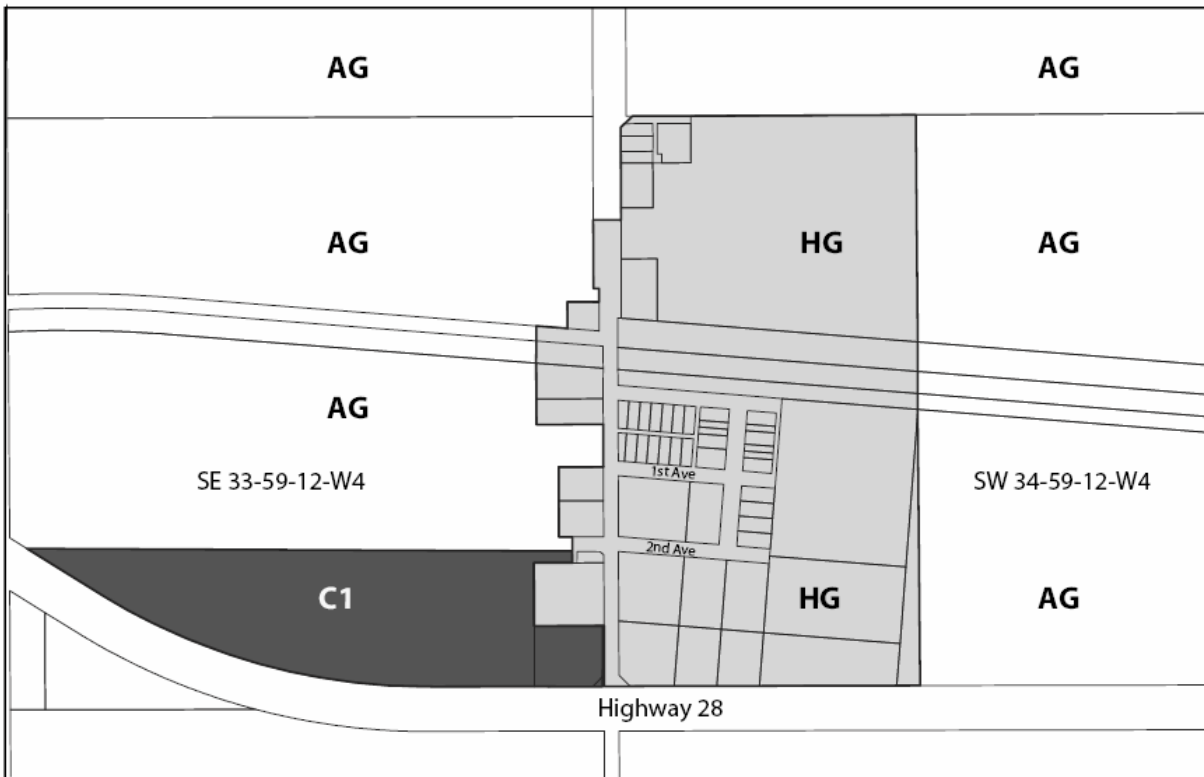
11.6.9 A-9 – Hamlet of Bellis



11.6.10 A-10 – Hamlet of Spedden

Hamlet of Spedden Pt. SW 34-59-12-W4 and Pt. SE 33-59-12-W4

**A-10**

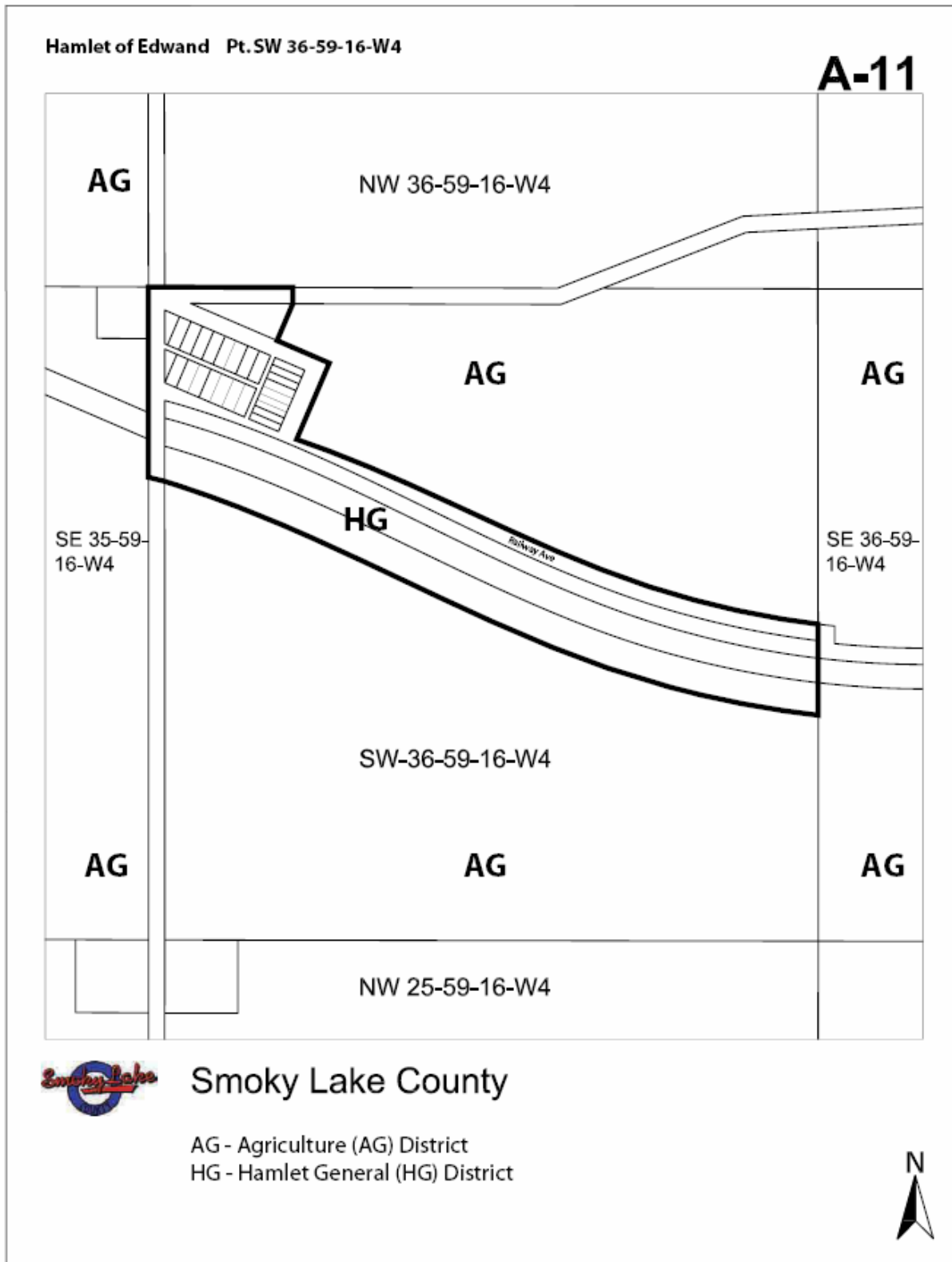


**Smoky Lake County**

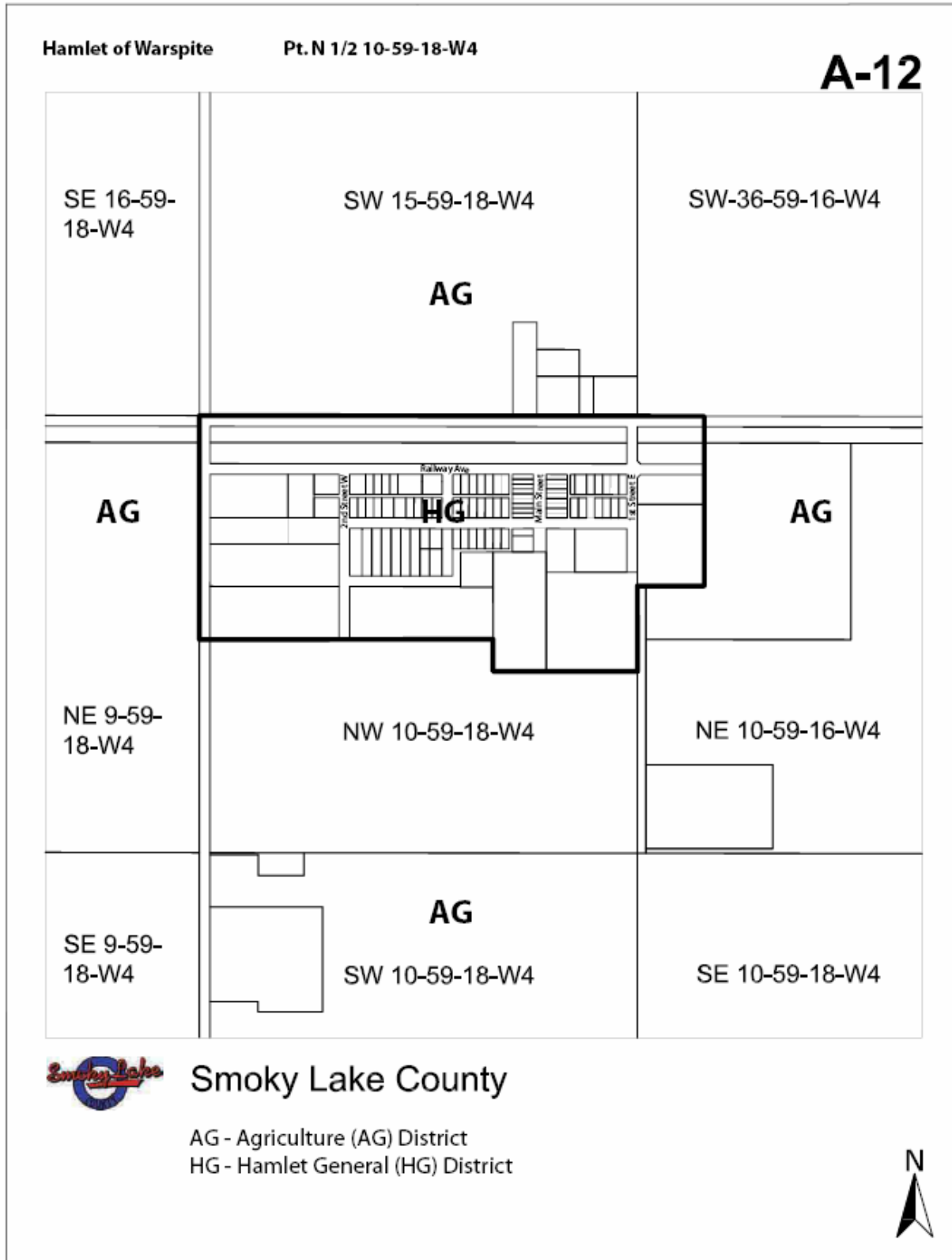
- AG - Agriculture (AG) District
- C1 - Highway Commercial (C1) District
- HG - Hamlet General (HG) District



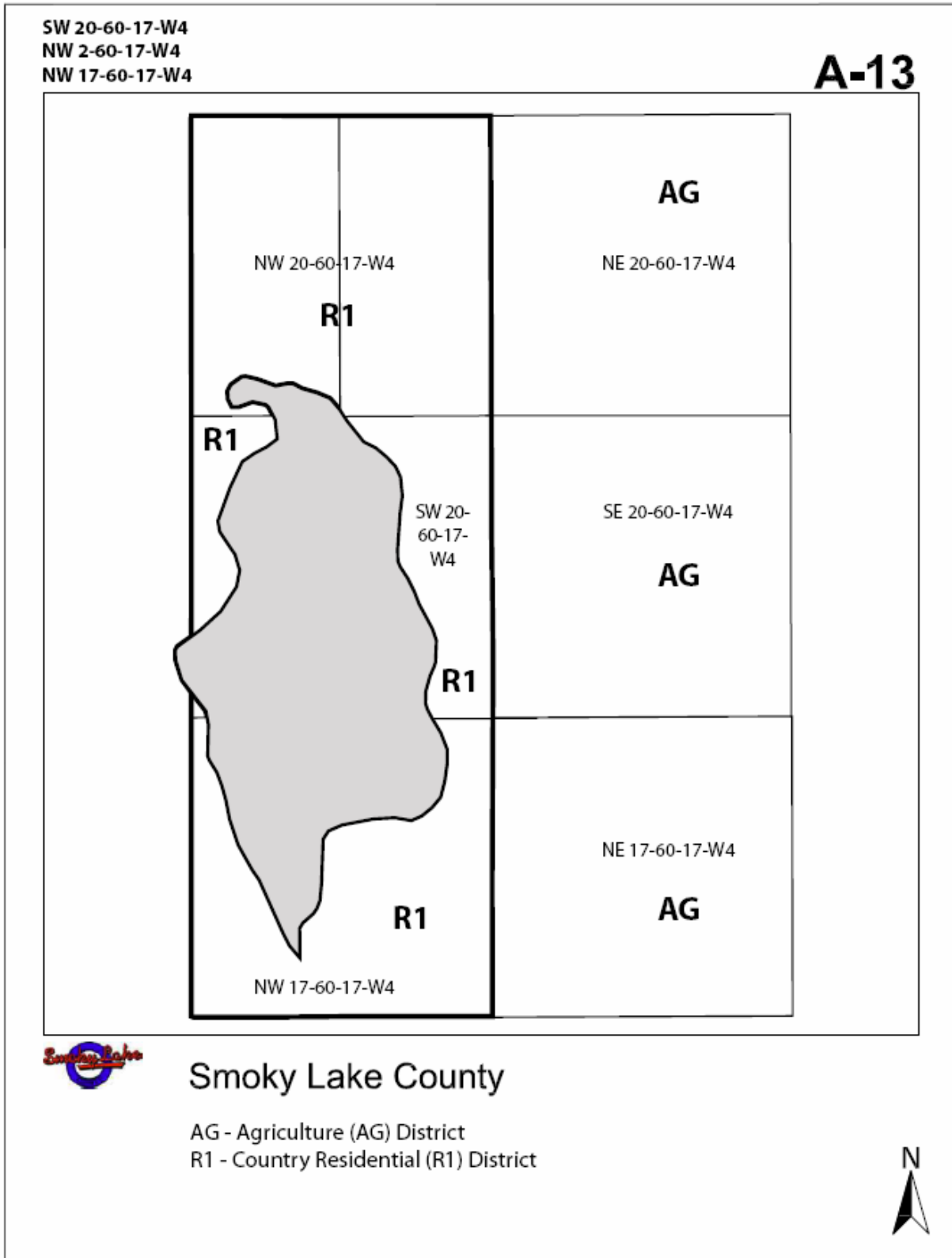
11.6.11 A-11 – Hamlet of Edwand

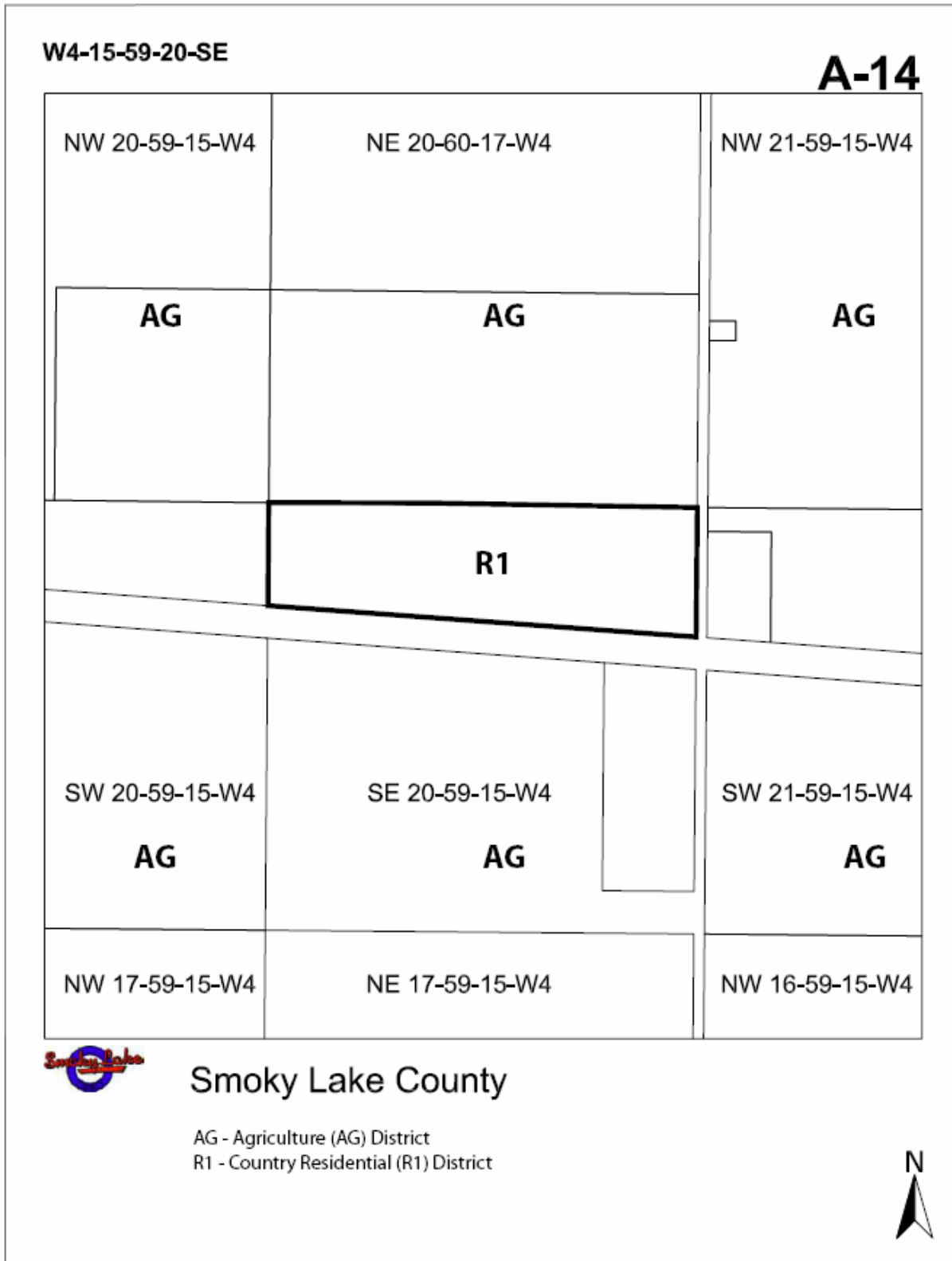


11.6.12 A-12 – Hamlet of Warspite

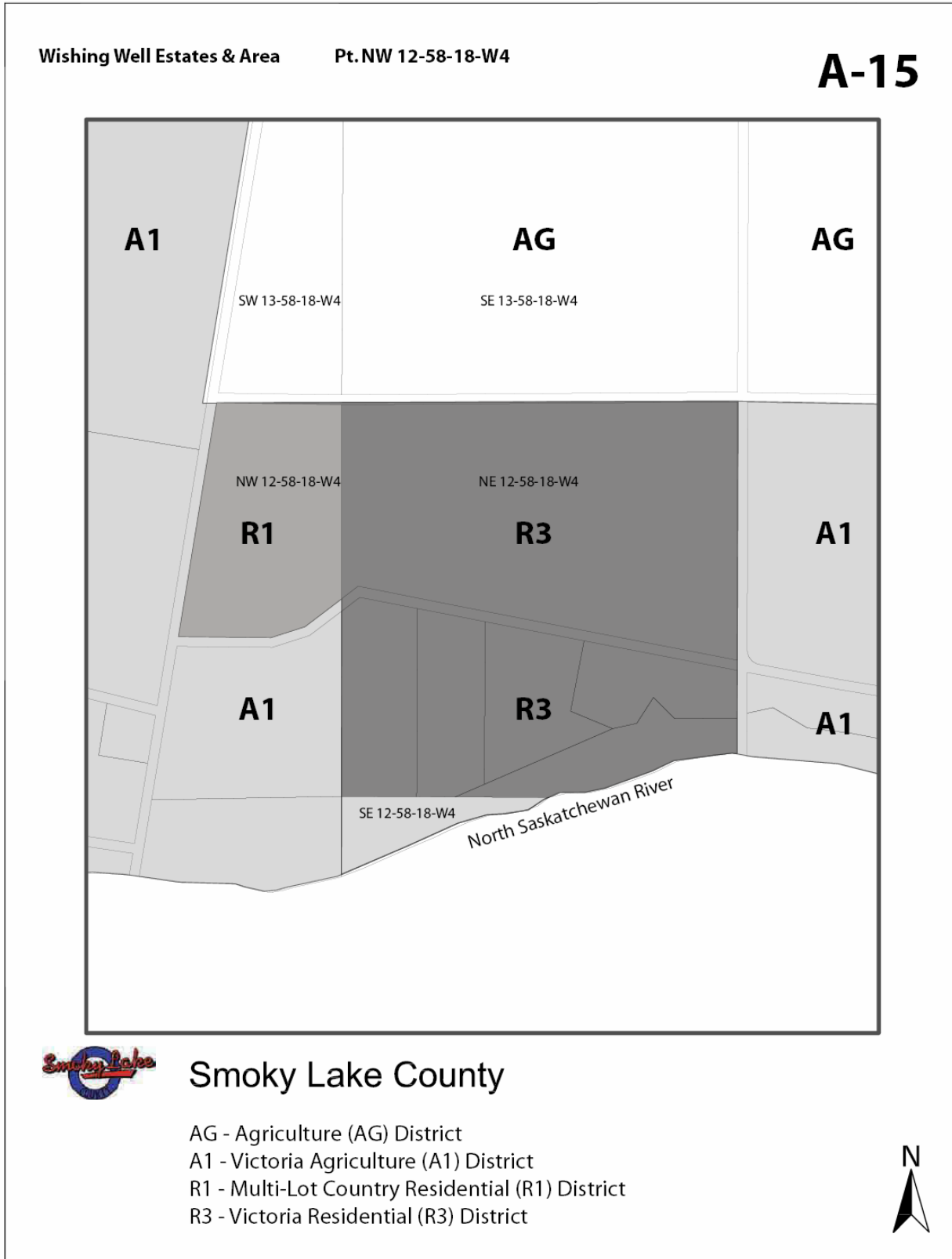


11.6.13 A-13 – W ½ 20-60-17-W4 & NW 17-60-17-W4





11.6.15 A-15 - Wishing Well Estates & Area



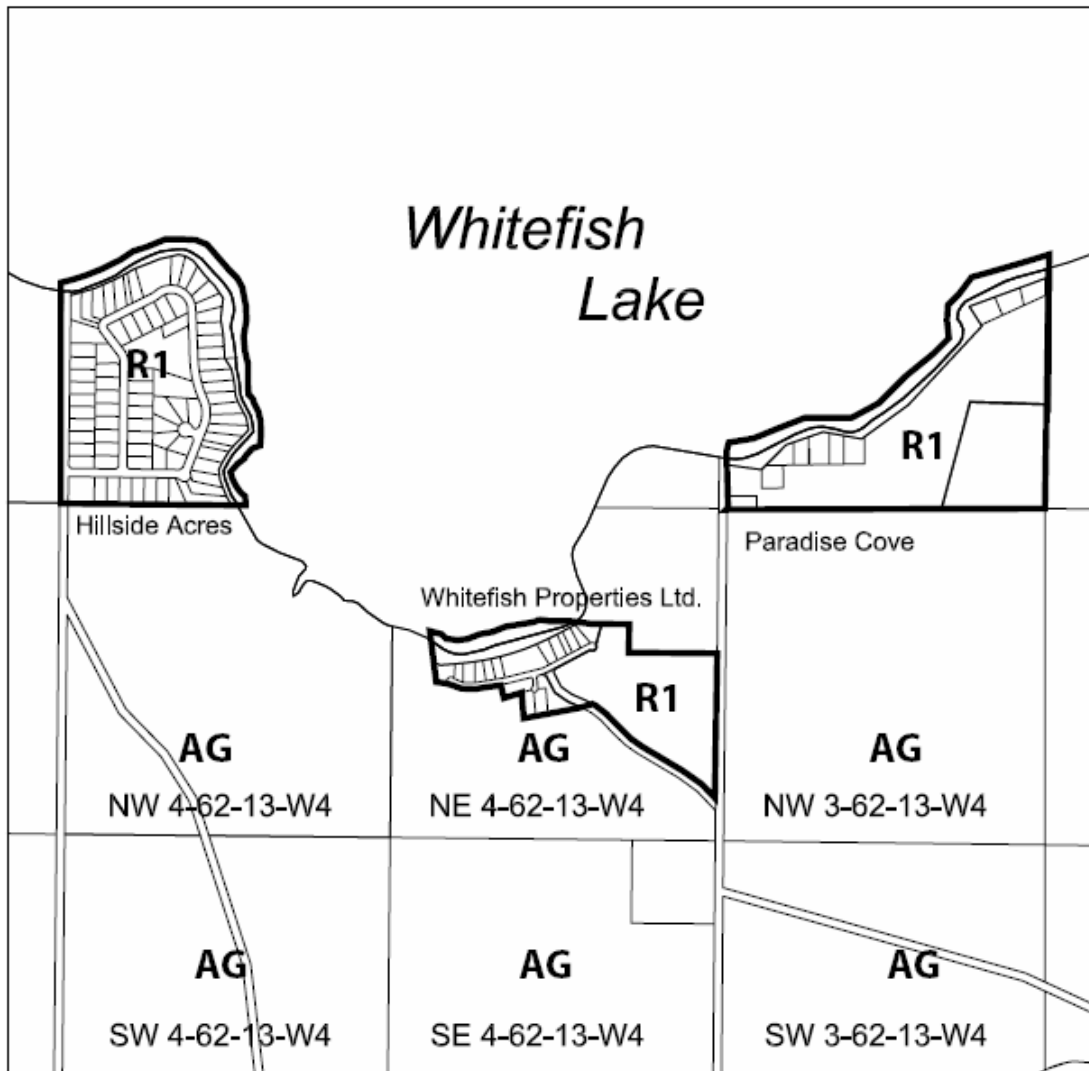


11.6.16 A-16 – Hillside Acres, Whitefish Properties and Paradise Cove

Hillside Acres  
Whitefish Properties Ltd.  
Paradise Cove

SW 9-62-13-W4  
NE 4-62-13-W4  
Plan 952 5147

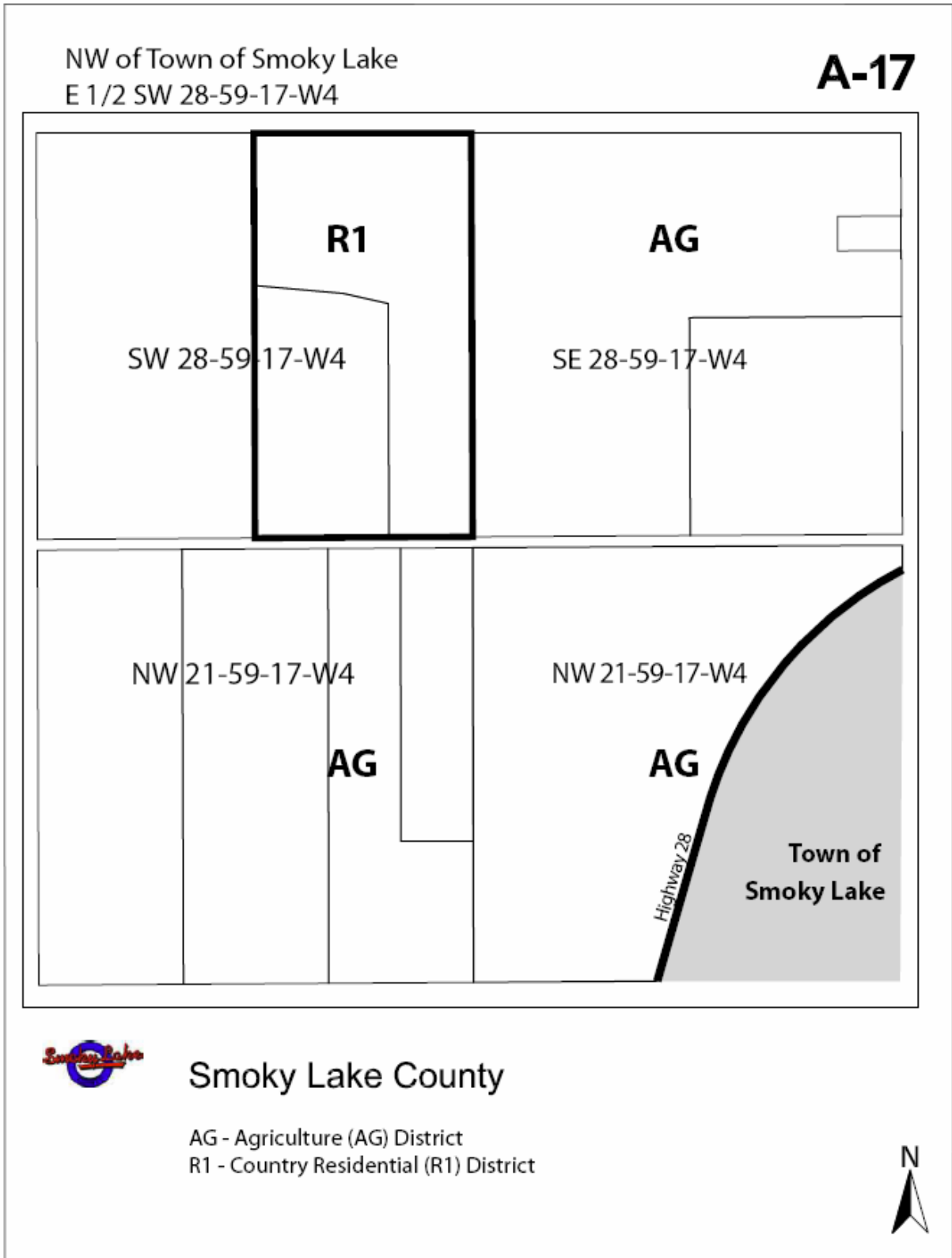
**A-16**



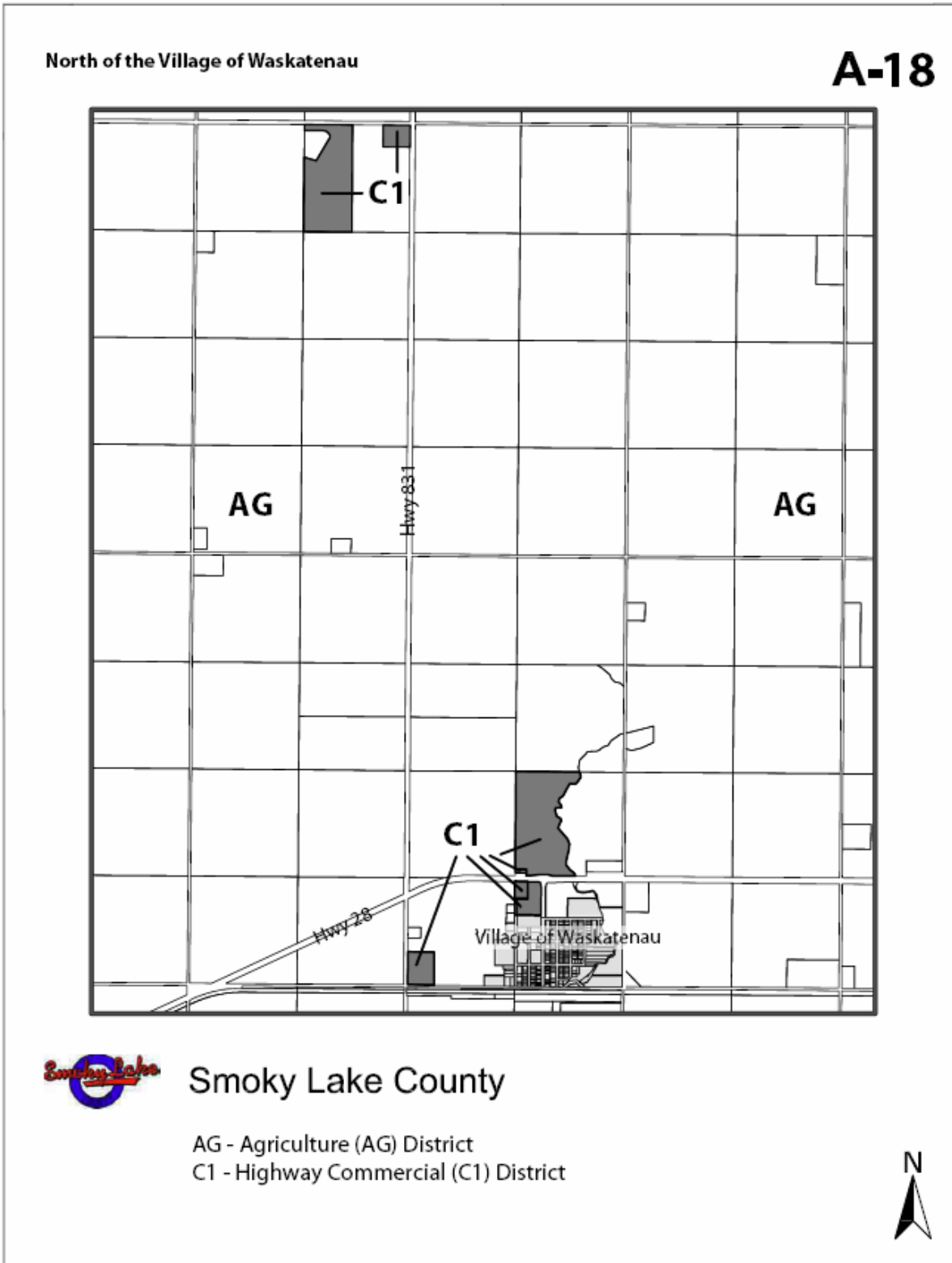
**Smoky Lake County**

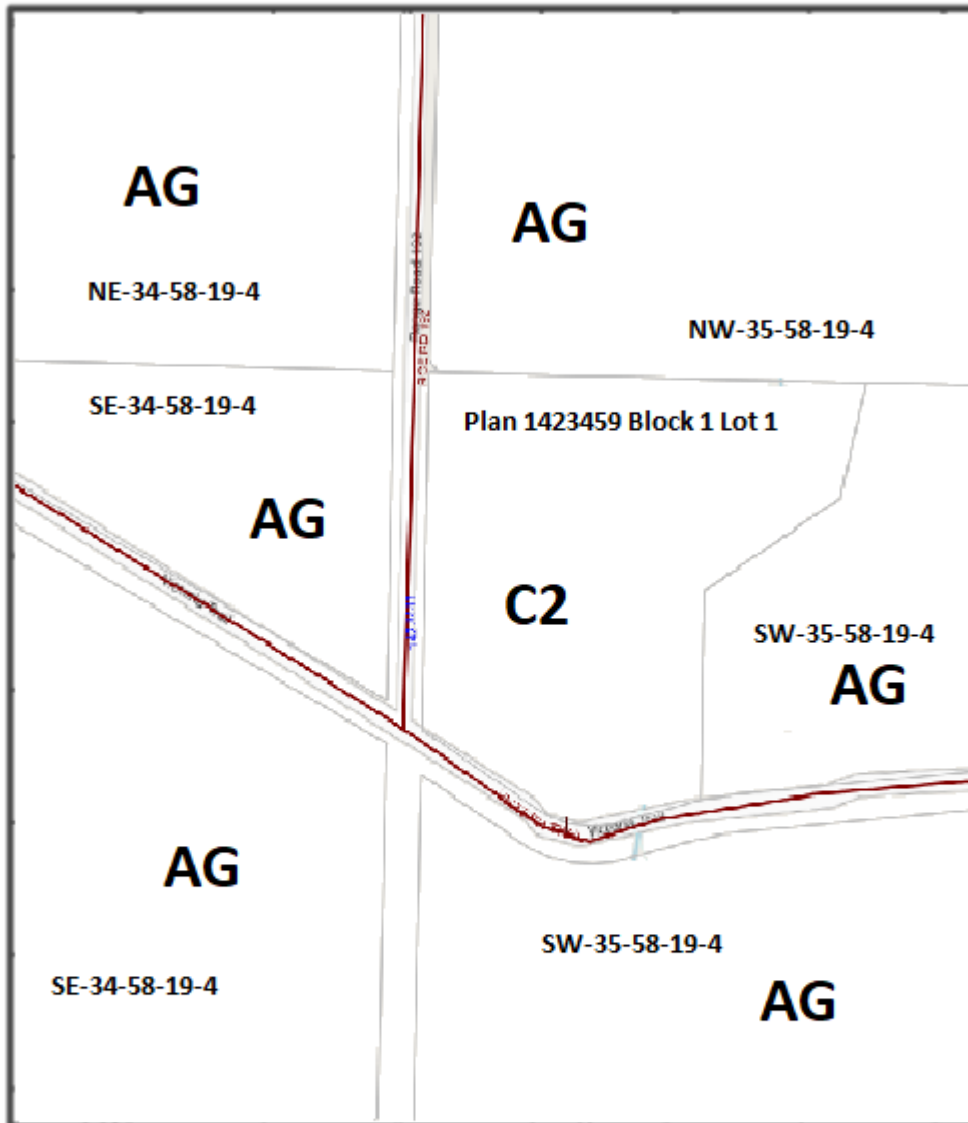
AG - Agriculture (AG) District  
R1 - Country Residential (R1) District





11.6.18 A-18 – North of the Village of Waskatenau





Smoky Lake County

AG - Agriculture (AG) District

C2 - Victoria Commercial (C2) District



# Municipal Development Plan No. 1249-12



**Adopted: January 31, 2013**

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1249-12**

---

**A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA,  
FOR THE PURPOSE OF REPEALING BYLAW 1101-02 AND ADOPTING THE MUNICIPAL  
DEVELOPMENT PLAN.**

---


WHEREAS, a Municipal Development Plan has been prepared for Smoky Lake County based on public input and studies of land use, development, services and such other relevant data;

AND WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26, and amendments thereto, authorize the Council of a Municipality to enact a Municipal Development Plan to describe the way in which the future development of the County may be carried out in an orderly and economic manner;

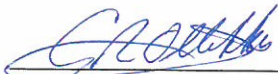
NOW THEREFORE under the authority and pursuant to the provisions of the said Municipal Government Act, and by virtue of all other enabling powers, the Council of Smoky Lake County, duly assembled, enacts as follows:

1. This Bylaw may be cited as the "Municipal Development Plan Bylaw of Smoky Lake County. "
2. That Schedule "A" attached hereto, the document entitlement "Smoky Lake County Municipal Development Plan" containing goals, objectives, and policies, is hereby adopted as part of this bylaw.
3. This bylaw repeals the Smoky Lake County Municipal Development Plan 1101-02 and all amendments thereto.
4. This Bylaw shall come into effect after third and final reading.

READ A **FIRST TIME** IN COUNCIL THIS 31<sup>TH</sup> DAY OF OCTOBER, AD 2012.

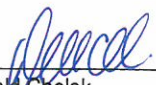
  
\_\_\_\_\_  
Darek Cholak  
Reeve

**SEAL**

  
\_\_\_\_\_  
Cory Ollikka  
Chief Administrative Officer

READ A **SECOND TIME** IN COUNCIL THIS 31<sup>ST</sup> DAY OF JANUARY, AD 2013.

READ A **THIRD AND FINAL TIME** IN COUNCIL 31<sup>ST</sup> DAY OF JANUARY, AD 2013.

  
\_\_\_\_\_  
Darek Cholak  
Reeve

**SEAL**

  
\_\_\_\_\_  
Cory Ollikka  
Chief Administrative Officer

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 Bylaw 1249-12

# 1 Introduction

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Smoky Lake County is home to a diverse array of dynamic landscapes, histories, and communities. Located approximately 120 km northeast of Edmonton, the region includes the municipalities of the Town of Smoky Lake and the Villages of Vilna and Waskatenau. The County is responsible for the governance of the residential Hamlets of Bellis, Edward, Spedden and Warspite. Businesses within the County benefit from the close proximity of three First Nations Reserves – the Saddle Lake Indian Reserve No. 125, Cache Lake Indian Reserve No. 125A and Whitefish Indian Reserve No. 128 – as well as two Metis Settlements – the Buffalo Lake and Kikino Metis Settlements.

Smoky Lake County is bounded on the north by the Counties of Athabasca and Lac La Biche, on the east by the County of St. Paul, on the south by the County of Two Hills and on the west by the County of Thorhild. The location of Smoky Lake County is shown on **Map 1 – Regional Location**.

The County has a current population (2011) of 3,910 and a total land area of approximately 3,413 km<sup>2</sup>. The County's economic backbone consists of agriculture and forestry. Dominant natural features include rolling parkland, river valleys and many lakes and water bodies that attract year-round visitors. The North Saskatchewan River, which flows eastward through north-central Alberta, is the southern boundary of the County.

## 1.1 Legislative Requirements

The Alberta Municipal Government Act (MGA) gives extensive governing powers to municipalities.

The MGA requires that municipalities over the population of 3,500 adopt a Municipal Development Plan (MDP), to outline a broad set of goals, objectives and policies about the long-term development that is desired by the community. The main focus of the MDP is to assist Council – and the County's approving authorities – in achieving and maintaining orderly and efficient land use and development.



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An MDP takes into account both the past and present human and physical environments. Considering where the community has been, where it is currently and where it wants to go enables the County to set in place a “plan” for how to reach its desired destination. Baseline environmental data, stakeholder interests and the socio-perceptual concerns of the community are considered in order to ensure that the vision enshrined in the MDP addresses the needs and objectives of all affected parties.

Smoky Lake County recognizes that other provincial and federal statutes will have a role to play in the future development of the County. In a spirit of cooperation, consultation and communication, the County looks forward to working with government agencies and community stakeholders in the implementation of this plan in order to achieve a pattern of land use and development that is attractive, efficient and beneficial to all residents of the municipality and the larger region.

## **1.2 MDP Review Process**

Beginning in January 2008, Municipal Planning Services worked in conjunction with Smoky Lake County council, staff and community members to complete the community profile and community input phases of the MDP. The County actively solicited stakeholder comments and provided opportunities for meaningful public input in the form of public meetings. As such, the development of the MDP included, as much as possible, the vision for Smoky Lake County as set forth by the County’s residents. The plan review process paused during the municipal election in 2010 and then resumed in early 2011. In the spring of 2012 an additional public open house was held to give the community the opportunity to review the draft MDP and provide Council and administration with feedback on the draft. The Plan was approved in the winter of 2012.

## **1.3 Guide to the Plan**

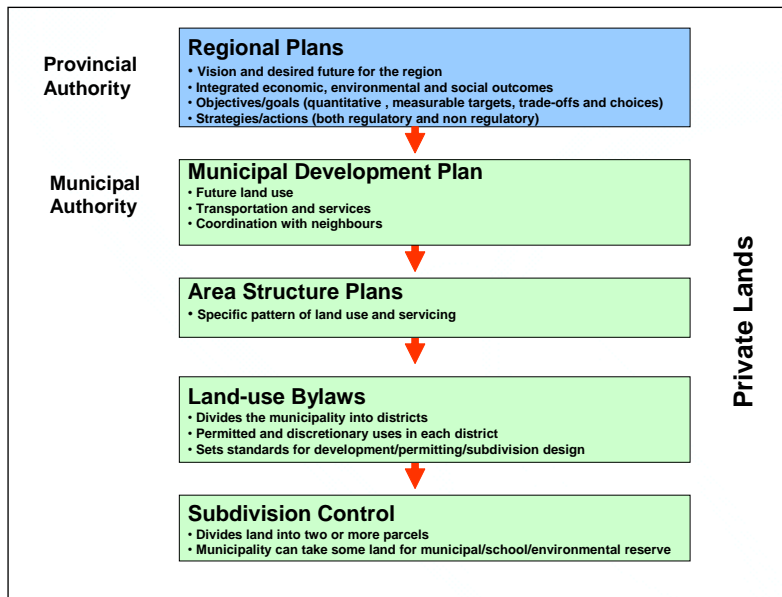
The Municipal Development Plan provides a broad land use, infrastructure and transportation framework for the future development of the County. It includes a series of policies which address the preferred characteristics of future development and the development process within the corporate boundaries of the County.



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The broad provisions of a Municipal Development Plan are often implemented through the preparation of Area Structure Plans (ASPs) and/or Area Redevelopment Plans (ARPs), both of which are Statutory Planning documents and are subject to provisions in the Municipal Government Act. All of a municipality’s statutory plans are required to be consistent with each other. This implies that all of a municipality’s ASPs and ARPs must conform to the Municipal Development Plan and, if applicable, any Intermunicipal Development Plans. Policies in one municipal statutory plan do not take precedence other the policies in another municipal statutory plan because, as required by the MGA, all statutory plans must be consistent with each other.

**Figure 1: Statutory and Regulatory Planning Documents**



In addition, changes to the Land Use Bylaw, which regulates development on specific sites, and subdivision approvals, must also be consistent with the Municipal Development Plan.



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Development that does not conform to the MDP will not be approved. If a proposed development does not comply with the MDP but is felt to be desirable, amendment to the Plan may be considered by Council.

For the purposes of land use planning and development, this Plan will serve as the senior municipal land use planning document, and will be implemented, among other ways, through the Smoky Lake County Land Use Bylaw.

Decision making on all subdivision and development permit applications will conform to the spirit and intent of the goals, objectives, and policies of this Plan.

The boundaries of the land use classes described in this Plan's Future Land Use Map are approximate only and might not follow legal surveyed boundaries. Minor adjustments or variances that may be required to land use classes, the location of future roads, quantities or figures shall not require an amendment to this Plan. In addition, a Municipal Development Plan should be periodically reviewed to take into account changing circumstances and municipal preferences.

## **1.4 Plan Philosophy and Principles**

Sound planning and development initiatives are necessary in order to achieve a balance between supporting local, large and small scale agricultural pursuits within the County while also providing a range of residential housing options that are desirable and appropriate for community members throughout all stages of life.

### **1.4.1 Philosophical Principles**

Smoky Lake County's philosophy for managing growth and its land base is reflected by this Municipal Development Plan. The philosophy comprises three principles:

- Principle #1:** Land uses and development activities must respect and maintain the integrity of Smoky Lake County's land base, which varies throughout the County.
- Principle #2:** Growth must be managed and directed in a compatible, equitable manner that recognizes the diverse needs and aspirations of all County residents.



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**Principle #3:** Smart growth principles will be applied in maintaining the integrity of the land base and to promote sustainable development such that the needs of the present generation are met without compromising the ability of future generations to meet their own needs.

#### 1.4.2 Planning Principles

The Municipal Development Plan policies also recognize three fundamental planning principles that are embodied in the Municipal Government Act and the Provincial Land Use Policies.

**Principle #1:** In carrying out their planning responsibilities, municipalities are encouraged never to lose sight of the rights of individual citizens and landowners. Municipalities must assess the impact of any planning decision on individuals having regard to the purpose statement of the planning legislation.

**Principle #2:** Municipalities should establish land use patterns which make efficient use of land, infrastructure, public services and public facilities and which contribute to the development of healthy, safe, and viable communities by encouraging appropriate mixes of all land use types and a wide range of economic opportunities.

**Principle #3:** Planning activities are carried out in a fair, open, consistent, and equitable manner.

#### 1.4.3 A New Way Forward

Traditionally, developments in rural Alberta have been characterized by the following features: high consumption of land; low housing density; car dependent land use patterns that are poorly suited for walking and/or cycling; neighbourhood designs that emphasize privacy rather than community; less efficient use of infrastructure and higher costs for new infrastructure; single-family detached houses for a limited range of incomes and demographics; and/or fragmented working and natural lands.

Smoky Lake County recognizes that some of these features are necessary for ensuring the continued success of both small-scale and large-scale agricultural activities within the County.



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Concurrently, the County recognizes that these features, when applied to traditional-style acreage, rural residential or recreation residential developments may not be compatible with best planning practices because they can result in residential developments that consume the forests, wetlands, and agricultural lands that are necessary to ecosystem health and the long term agricultural capability of the County. Developments with these features also have the added disadvantage, which impacts all County residents, of increasing infrastructure construction and maintenance costs, creating conflicts between rural residents and acreage residents and discouraging community capacity through patterns of disassociated and disconnected community design.

The County's land management philosophy requires that the Municipal Development Plan consider new directions to guide Smoky Lake County into the future while still preserving its past. In order to achieve this balance the County recognizes that this Municipal Development Plan must provide policies which facilitate sustainable rural community development and growth. Community development is multi-faceted, encompassing not just economic imperatives, but also environmental, social and cultural components. Each of these components is integral to the success of the others: just as environmental stewardship can lead to innovative economic opportunities, economic growth can lead to social and cultural development, thereby improving people's quality of life and the overall desirability of the community as a place to live, work and to recreate.

#### 1.4.4 Smart Growth

To facilitate sound planning and development within the County, the Municipal Development Plan espouses principles of Smart Growth which have been modified slightly to apply more specifically to a rural area. These principles emphasize the value of enhancing quality of life for residents and preserving significant natural areas in order to ensure that new growth and development in the County will be socially, fiscally and environmentally responsible well into the future. The Smart Growth themes that are evident in this Plan include:

- Fostering an identity which is unique, vibrant, diverse, and inclusive.
- Nurturing engaged citizens. Community members and volunteers will participate in community life and decision-making.
- Nurturing the redevelopment of existing urban areas through the provision of prescriptive land use policies.



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- Providing a variety of transportation choices to ensure that urban areas are attractive and have safe infrastructure for walking and cycling, in addition to driving.
- Facilitating the provision of diverse housing opportunities. People in different family types, life stages and income levels will be able to afford a home in the County.
- Maximizing the use of existing infrastructure.
- Encouraging growth in existing urban areas, and using investments in infrastructure (such as roads and schools) efficiently.
- Preserving open spaces, natural beauty and environmentally sensitive areas. Development will respect natural landscape features and thus have higher aesthetic, environmental, and financial value.
- Encouraging the use of green buildings and other systems that can save both money and the environment in the long run.
- Encouraging economic development through economic renewal by supporting new and existing economic assets within the community and traditional regional economic drivers.

#### 1.4.5 Purpose

The purpose of this document is to serve as a road map, guiding the community to its future destination for years to come. In order to provide comprehensive guidance, the Plan deals not just with future development and infrastructure needs, but seeks to provide policies which will link the physical and social development of the community in a way that is easy to read and understand.

Through the implementation of this Plan, Smoky Lake County seeks to harness the optimism and creativity of the County Council and residents, and articulate these ideas as goals and objectives for future development in order to provide economically, socially and environmentally responsible lifestyle options for existing residents and the community well into the future.

### 1.5 Goals

The Municipal Government Act, R.S.A. 2000 provides considerable municipal discretion concerning the contents of a Municipal Development Plan. Beyond the specific requirements of



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the Act, Smoky Lake County's Municipal Development Plan program has been used to develop, insofar as is possible, objectives and policies that will achieve the following goal statements:

- 1.5.1 Facilitate sustainable growth and development in the County by balancing economic growth, environmental protection and the preservation of recognized historic resources.
- 1.5.2 Encourage economic development and renewal by supporting new and existing economic assets within the community including traditional and regional economic drivers.
- 1.5.3 Encourage growth of the County's economic development capacity by providing opportunities for commercial and industrial development.
- 1.5.4 Maintain and enhance the County's Agricultural and forest-based economy.
- 1.5.5 Encourage the development of a variety of transportation choices including safe infrastructure for walking and cycling, in addition to driving in urban areas and multi-lot residential areas.
- 1.5.6 Maintain a high quality and cost effective infrastructure within the County.
- 1.5.7 Encourage the use of green buildings and other innovative infrastructure and building systems to reduce the cumulative effects of new development.
- 1.5.8 Encourage land development that is cost effective, orderly and developed in close proximity to similar developments and in locations that utilize existing infrastructure.
- 1.5.9 Maintain a physical separation between incompatible land uses.
- 1.5.10 Establish sustainable and equitable land use planning standards that will minimize adverse impacts on working landscapes<sup>1</sup> and significant natural features for future generations without placing an unreasonable burden on individual land owners.

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<sup>1</sup> Working landscapes means lands that are used for agriculture, forestry or other resource industries.



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- 1.5.11 Support Smart Growth principles for new development such as compact, efficient, serviced subdivisions adjacent to existing serviced and developed areas.
- 1.5.12 While recognizing that a demand for country residential lifestyles will continue to exist and that this demand may continue to be accommodated within a sound management strategy, direct residential development to existing hamlets, planned rural hamlets and existing multi-lot country residential areas that have the capacity to support additional development.
- 1.5.13 Recognize new agricultural initiatives such as value added agriculture industries.
- 1.5.14 Facilitate the provision of diverse housing opportunities. In order to ensure that people in different family types, life stages and income levels will be able to afford a home in the County.
- 1.5.15 Enhance existing regional and community partnerships and seek new collaborative opportunities.
- 1.5.16 Identify and promote significant cultural and heritage resources within the County.



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## 2 Community Profile

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### 2.1 Settlement History

Throughout the 19<sup>th</sup> century, the southern portion of Smoky Lake County was home to one of the largest transportation routes in the West: the Victoria Trail. Originally a First Nations route running along the banks of the North Saskatchewan River, the trail wound through picturesque farmland from Fort Edmonton to the Victoria Settlement, after which it continued eastward to Fort Garry (Winnipeg). The Victoria Trail provided a cross-country alternative to paddling against the current or dodging seasonal ice floes in the North Saskatchewan River, and was used by many early fur traders, including Anthony Henday.

A Methodist Mission was established at the Victoria Settlement in 1862 by George McDougall, followed by a Hudson's Bay Company outpost two years later. With the growth of both Edmonton and the Victoria Settlement, traffic on the Victoria Trail inevitably increased – particularly after east-central Alberta became a desired destination for American and European farmers.

Settlement in Smoky Lake County occurred through a number of related processes. To begin, between 1871 and 1921 the Canadian government signed a series of treaty agreements with First Nations that gave the government rights to the land and opened up the West to agricultural settlement.<sup>2</sup> Secondly, the completion of the Canadian Pacific Railway in 1885 eased the Western passage for newcomers at the same time as it facilitated grain exports. Further, technical innovations in dry land farming and agricultural machinery – in conjunction with a rise in wheat prices in the late 1890s – greatly increased the profitability of farming as a livelihood. Finally, the closing of the American frontier allowed Canada to attract thousands of new immigrants from the United States and abroad with greater ease.<sup>3</sup>

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<sup>2</sup> The major treaties affecting Alberta are Treaties 6, 7 and 8 – signed in 1876, 1877 and 1899 respectively. Alberta: How the West was Young. (2008). *Treaties – Overview*. Retrieved January 23, 2008, from [http://www.abheritage.ca/alberta/fn\\_metis/treaties.html](http://www.abheritage.ca/alberta/fn_metis/treaties.html)

<sup>3</sup> The Applied History Research Group. (1997). *The Peopling of Canada: 1891- 1921*. Retrieved January 23, 2008, from [http://www.ucalgary.ca/applied\\_history/tutor/canada1891/ch4.html](http://www.ucalgary.ca/applied_history/tutor/canada1891/ch4.html)



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Between 1896 and 1905 the government of Canada launched a campaign aimed at farmers from the United States, Britain and Central and Eastern Europe that advertised free or cheap land in the Canadian West. It did not take long for the government's campaign to reap the fruits of its labour: early settlement of Smoky Lake County began in 1900 and continued well into the 1920s.

The earliest settlers constituted a variety of ethnic groups. The eastern portion of the County was settled by English, Irish, Scottish, Ukrainian, Romanian, Polish, and German immigrants, and the western portion with British, Scandinavian and Central European settlers. With the huge influx of immigrants at the turn of the 20th century, use of the Victoria Trail inevitably increased, and the trail eventually evolved into an important rural road. Although it fell out of use with the arrival of the first branch railways and paved highways, the Victoria Trail continues to be used by residents and visitors who prefer a more leisurely route to their desired destination.<sup>4</sup>

Smoky Lake County takes its name from nearby Smoky Lake, which is a translation of the Cree *kaskapatau sakahigan*. Legend has it that the lake was given its name due to the smoke-like vapour which rose from its surface and obscured the opposite shore.<sup>5</sup> Over the last century the name and municipal boundaries of Smoky Lake County have shifted numerous times. It has existed as the Municipal District of Wasel, the Municipal District of Vilna, and the Municipal District of Smoky Lake numbers 575 and 89. In 1999 the County of Smoky Lake No. 13 was given its current name – Smoky Lake County.

Visitors to the region can learn about the rich history of Smoky Lake County by visiting, among other sites, the Victoria Settlement Provincial Historic Site located in the southern portion of the municipality. In addition, the Iron Horse Trail – a 300 km multi-use recreation corridor – bisects the county from east to west and provides users with year-round recreation options.

## **2.2 Demographic Characteristics**

### **2.2.1 Population Characteristics**

The population of Smoky Lake County has declined over the period 1991-2007 at an overall rate of 13.0%.

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<sup>4</sup> Kalyna Country Ecomuseum. (2008). *Victoria Trail – Alberta's Most Historic Trail*. Retrieved February 4, 2008, from <http://kalynacountry.com/victoriatrail.htm>

<sup>5</sup> Harrison, Tracey (ed). (1994). *Place Names of Alberta. Volume III. Central Alberta*. Retrieved from *Our Roots database*.



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**Table 1: Smoky Lake County Population over Time**

Total Population		
Year	Population	Percent Change
2011	3,910	16.5%
2006	3,357	-24.0%
2001	4,417	0.8%
1996	4,381	13.6%
1991	3,858*	n/a

Source: Statistics Canada

\*According to Statistics Canada, the 1991 population count represents the population based on the 1996 geographic area. In order to facilitate comparison between census years, the 1991 Census population counts were adjusted to account for boundary changes between the 1991 and 1996 Censuses.

### 2.2.2 Age

The median age of the population of Smoky Lake County is 42.8, which is older than the median age of the population for Alberta as a whole, at 34.6.<sup>6</sup>

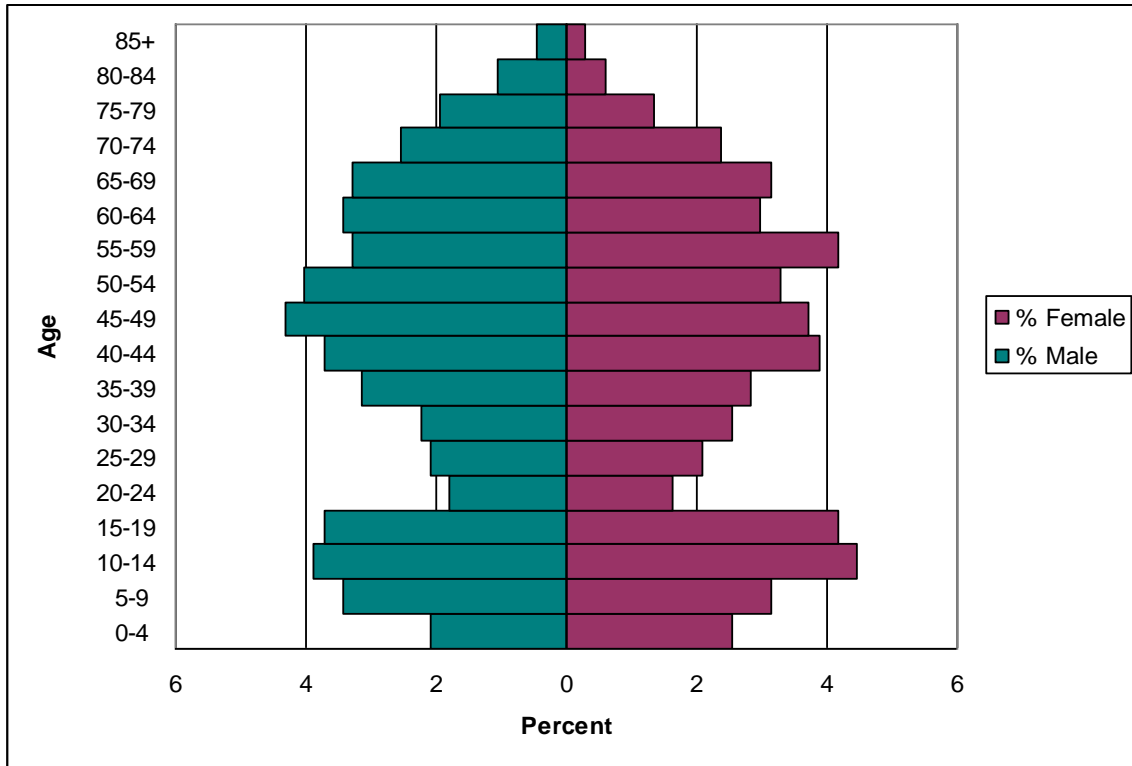
The population pyramid (following page) shows a smaller percentage of residents between the ages of 20 and 39, likely because individuals in this demographic have relocated to urban areas for education and employment opportunities. It also demonstrates that the County's population is aging. A significant proportion of the population is over the age of 50, and the number of children in the 0 – 4 age cohort is decreasing. Further, the population pyramid shows that males outnumber females in every age cohort above the age of 60.

<sup>6</sup> Statistical data is based on the 2006 and 2011 Canada Census statistics. At time of document finalization, the 2011 Census data had not been released in its entirety.



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**Table 2: Population Pyramid for Smoky Lake County**



Source: Statistics Canada 2006 Census

### 2.2.3 Education

The Aspen View Regional School Division #19 serves Smoky Lake County with schools located in Smoky Lake (K-12), Vilna (K-12), and the Smoky Lake Hutterite Colony. The Lakeland Catholic School Board operates a school in the Village of Waskatenau (K-8). Additionally, there is a Charter School in the Hamlet of Spedden that is managed by the Saddle Lake First Nation.

Continuing education opportunities are offered by the Smoky Lake County Community Learning Council, which provides residents with non-credit learning opportunities related to computer literacy, community issues, and general interest programming.

The educational background of the population of Smoky Lake County is as follows:



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**Table 3: Education Levels**

Highest Level of Education for Population Aged 15+ (Total = 2695)		
	N*	%
Less than grade 12	1,115	41.3%
High School Graduate	575	21.3%
Trades certificate or diploma	340	12.6%
College certificate or diploma	430	15.9%
University bachelor's degree or higher	160	5.9%

Source: Statistics Canada 2006 Census

\*Figures have been rounded by Statistics Canada

### 2.2.4 Income

The median household income for residents of Smoky Lake County is \$45 778, which is significantly below the Alberta median household income of \$63 988. 54.8% of residents 15 years and over reported earnings within the County in 2005 which is lightly lower than the average in Alberta of 62.5. Statistics Canada estimates that 9.9% of all persons in private households are low income, which is lower than the Alberta average of 12.2%.

### 2.2.5 Housing

Smoky Lake County contains a total of 1 230 dwellings, 89.8% of which are occupied by *usual residents*. The vast majority of the housing inventory is made up of low-density single detached houses.

**Table 4: Housing Inventory**

Housing Inventory	
Single-detached houses	82.9%
Semi-detached houses	2.0%
Apartments	0.0%
Row Houses	0.0%
Other*	14.6%

Source: Statistics Canada 2006 Census



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\* According to Statistics Canada “Other” includes other single attached houses and movable dwellings such as mobile homes and movable dwellings such as houseboats and railroad cars.

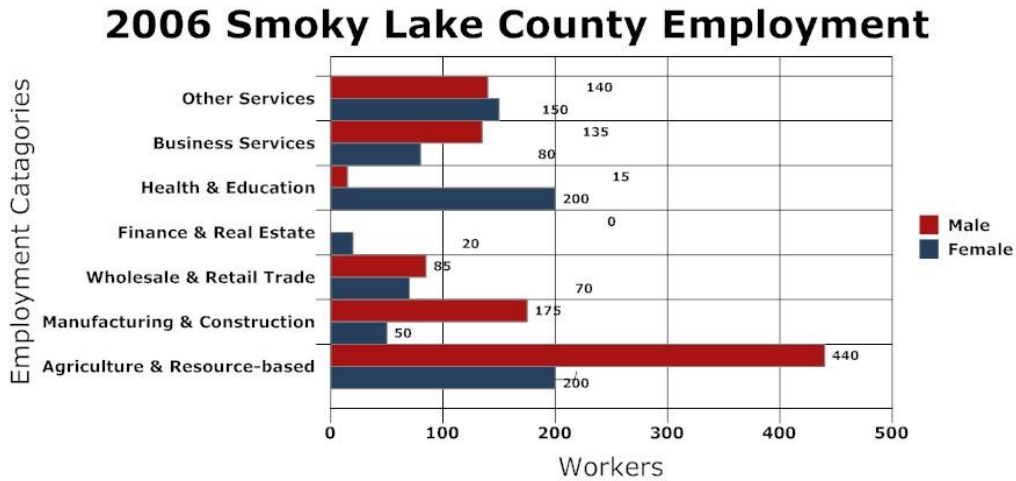
### 2.2.6 Economic Base

Throughout most of the 20<sup>th</sup> century, agriculture was the economic underpinning of Smoky Lake County, and this industry remains the region’s economic backbone. Land suitable for grazing is found in the northern portion of the County and good quality cropland in the west. In addition, many residents are involved in the forestry and natural gas industries, and the County is home to a peat processing plant, Smoky Lake Forest Nursery, green houses and market gardens.

A provincial government presence enhances the employment opportunities for residents of Smoky Lake County. The following departments have offices in the municipality: Alberta Financial Services Corporation, Fish & Wildlife, Alberta Health Services and the Alberta Tree Improvement and Seed Centre.

**Figure 2** shows that just under half of Smoky Lake County residents are employed in agriculture and resource-based industries. Males make up approximately 2/3 of the work force in this sector, whereas females form the majority of the workforce in the service sector, wholesale and retail trade sector as well as the health and education sector.

**Figure 2: Smoky Lake County Employment per Industry, Age 15+**



Source: Statistics Canada 2006 Census



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## 2.3 Environmental Characteristics

### 2.3.1 General

Smoky Lake County is part of the Boreal Forest Natural Region and straddles two Natural Subregions: the Dry Mixedwood Natural Subregion in the southern portion of the County and the Central Mixedwood Natural Subregion in the north. The boundaries between the two Subregions are not well-defined. Differences in soil and vegetation do not become evident for several kilometres on either side of the mapped boundary.

Comprising approximately 58% of the province, the Boreal Forest Natural Region is Alberta's largest Natural Area. It is typified by short summers, long winters, and sweeping expanses of deciduous, mixed wood and coniferous forests intermixed with fens and wetlands. About 50% of the Dry Mixedwood Natural Subregion is suitable for cultivation, particularly barley and forage crops.

### 2.3.2 Fish and Wildlife

Wildlife diversity in the Boreal Forest Natural Region is highest in the south-central and eastern portions of the region, in which Smoky Lake County is located. Common avian species in this area include the Yellow Tail, Sedge Wren, Great-crested Flycatcher, Chestnut-sided Warbler and Blackburnian Warbler, and additional species flourish in deciduous, coniferous and/or mixed forests. Common mammal species include the red squirrel, snowshoe hare, southern red-backed vole, cinereous shrew, least chipmunk, deer mouse, black bear, moose, mule and white-tailed deer, ermine and American beaver. Further, lakes and ponds provide habitat for the northern redbelly dace, Iowa darter, lake whitefish, burbot, goldeye, lake chub, longnose and white suckers, emerald and spottail shiners, slimy sculpin, ninespine stickleback, walleye, yellow perch and northern pike.<sup>7</sup>

### 2.3.3 Environmentally Significant Areas

Smoky Lake County has several lakes that are designated Environmentally Significant Areas of national significance: Smoky Lake, Cache Lake and Reed Lake.<sup>8</sup> Smoky Lake is significant as a staging ground for ducks, Cache Lake is significant as a Black Tern breeding habitat, and Reed

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<sup>7</sup> Natural Regions Committee. (2006). *Natural Regions and Sub regions of Alberta*. Compiled by D.J. Downing and W. W. Pettapiece. Government of Alberta Publication No. T/852.

<sup>8</sup> Sweetgrass Consultants Ltd. (1997). *Environmentally Significant Areas of Alberta Volume 2*. Edmonton: Alberta Environmental Protection.



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Lake is significant as a breeding ground for Eared Grebes. In the cases of all three lakes, it is recommended that the maintenance of natural shorelines will keep the area attractive for a variety of water birds.<sup>9</sup>

#### 2.3.4 Conservation Areas

Conservation Areas in Alberta are lands which are managed by the Alberta Conservation Association (ACA). The purpose of these lands and the ACA is to manage important wildlife and/or fisheries habitat resources on public and private lands in order to conserve, protect, enhance and provide access to these habitat resources. Conservation Areas may include lands which have been directly purchased, donated, or leased to the ACA and lands affected by a Conservation Easement in which the ACA has an interest.

All lands identified within the Conservation Site database are available for **public use**, whether privately owned by the Alberta Conservation Association or its partners, or public lands managed by ACA on behalf of the Crown<sup>10</sup>.

There are currently three (3) recognized Conservation Areas within Smoky Lake County. These Area include:

##### **Jackpine Conservation Area**

##### **Quarter Section: NW-22-059-15-W4M**

Jackpine is located approximately 19 km east of Smoky Lake on Highway 28. The site consists of approximately 161 acres and lies on the north side of the highway. Mature jack pine dominate the landscape and trembling aspen, balsam poplar, birch, alder, willow and rose can also be found on the property. Wildlife found in the area includes white-tailed deer, moose, grouse, waterfowl and a variety of small mammals and songbirds.

The area is available for day use only and open fires are not permitted. The area can be accessed by foot only, with the exception of the designated snowmobile trails that cut across and border the property.

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<sup>9</sup> Ibid.

<sup>10</sup> "*Land Management Program Agreement*". Retrieved from: [http://www.abconservation.com/go/tasks/sites/default/assets/File/pdfs/02AboutUs/02RolesandResponsibilities/Land\\_Management\\_Program\\_Agreement.pdf](http://www.abconservation.com/go/tasks/sites/default/assets/File/pdfs/02AboutUs/02RolesandResponsibilities/Land_Management_Program_Agreement.pdf). On: 22 December 2009.



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### **Vilna Conservation Area**

#### **Quarter Section: SE-36-059-13-W4M**

This property is located approximately 9 km east of Vilna on Highway 28. The 160 acre site consists of native parkland habitat with the majority of the area in mature tree cover. Wildlife found in the area includes white-tailed and mule deer, moose, grouse, raptors and a variety of small mammals and songbirds.

The area is available for day use only and open fires are not permitted. The area can be accessed by foot only.

### **Clifford & Mary McMaster Memorial Conservation Area**

#### **Quarter Section: NW-07-058-13-W4M**

This 160 acre property is managed for wildlife in memory of Clifford and Mary McMaster. This property is located approximately 11.5 km south of Vilna on Township Road 582. The property consists of mature balsam poplar forest. A small lake is located in the centre of the property and an abandoned field is located on the east side. Wildlife found in the area includes white-tailed deer, moose, black bear, ruffed grouse, waterfowl, shorebirds and a variety species of small mammals and songbirds.

The area is available for day use only and open fires are not permitted. The area can be accessed by foot only.

## **2.4 Current Land Uses**

Current land uses within the County include agriculture, residential, commercial, industrial, public & quasi-public as well as transportation, communications and utility uses.

### **2.4.1 Agriculture Uses**

Agriculture uses including forestry, silviculture<sup>11</sup> and the provision of services to the agricultural community have traditionally been, and remain, the County's economic backbone. Statistics Canada reported that Agriculture and resource based industries are still major employment generators within the County employing approximately 29% of all County residents.

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<sup>11</sup> Silviculture means the science and art of cultivating forest crops based on knowledge of the life history and general characteristics of forest trees and on the varying factors at particular sites.

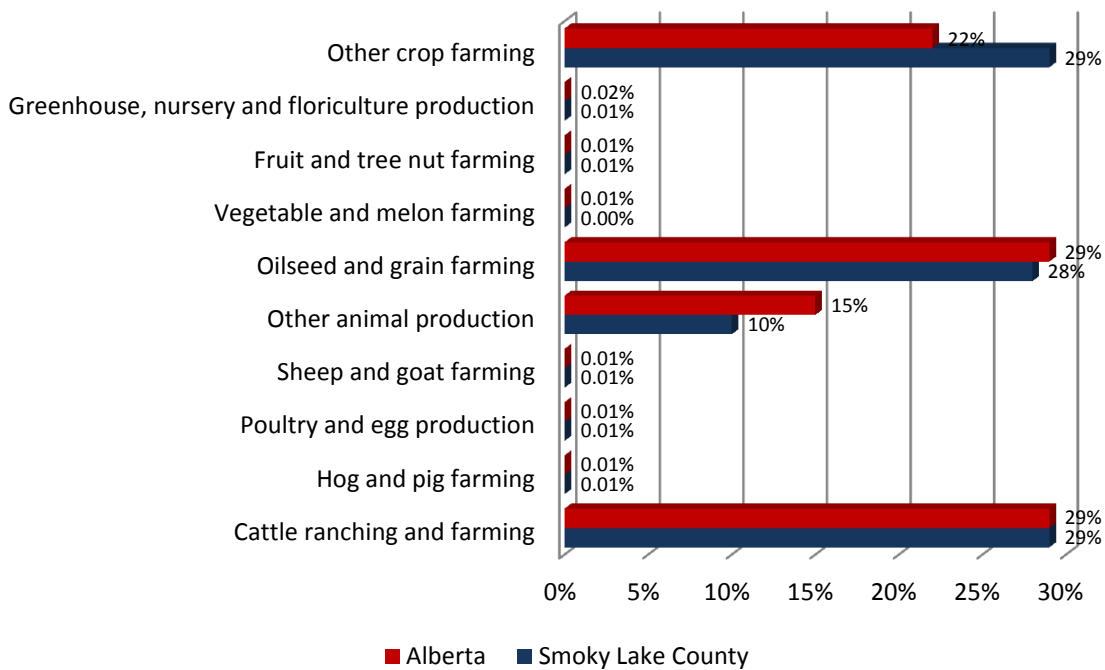


The northern portion of the County includes lands suitable for grazing and peat farming. Cattle ranching and farming comprises the largest type of farming in the County accounting for just under 50% of the agricultural operations in the County.

The southern portion of the County includes some good crop land and silviculture operations (Pine Ridge Nursery and other privately operated greenhouse operations). The Pine Ridge Nursery is a world scale facility that produces genetic material and provides seedlings for re-forestation projects throughout the province. Oilseed and grain farming comprise the second largest type of farming in the County accounting for approximately 23% of the agricultural operations.

**Figure 3: Farms by Type of Farm in Smoky Lake County and Alberta**

### Farms by Farm Type 2011



Source: Statistics Canada 2011 Census



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The net income (per family farm) has fallen dramatically (77%) since 1975<sup>12</sup>. Farmers - regardless of the scale of their operations - receive only 1-2% return on equity from farming. Off-farm income (i.e., subsidizing food production with income from non-agricultural based employment) is now common.

The decrease in County population recorded in the 2006 census may in fact be directly related to the difficulties facing the economic feasibility of the family farm combined with the County's aging demographic.

**Table 5: Change in Smoky Lake County Farm Area & Ownership**

	1996	2001	2006
Farms Under – 10 Acres	20	17	21
Farms – 10 to 69 Acres	15	21	17
Farms – 70 to 129 Acres	122	105	68
Farms – 130 to 179 Acres	14	12	22
Farms – 140 to 399 Acres	135	98	76
Farm – 400 to 559 Acres	83	79	55
Farms – 560 to 759 Acres	67	46	54
Farms – 760 to 1 119 Acres	72	73	53
Farms – 1 120 to 1 599 Acres	40	41	37
Farms – 1 600 to 2 239 Acres	19	36	20
Farms – 2 400 to 2 879 Acres	12	11	19
Farms – 2 880 to 3 519 Acres	14	14	21
Farms – 3 520 Acres and Over	16	23	27
Total # of Farms	629	585	495

The number of small family farms (1 ac. -399 ac.) has decreased dramatically since 1996 while the number of large farms has increased.

<sup>12</sup> Cory Ollikka. 1991. "The Farm Income Crisis: Food for Thought". Retrieved from: The Post: <http://www.ualberta.ca/PARKLAND/post/Vol-III-No1/13ollikka.html> On: December 23, 2009.

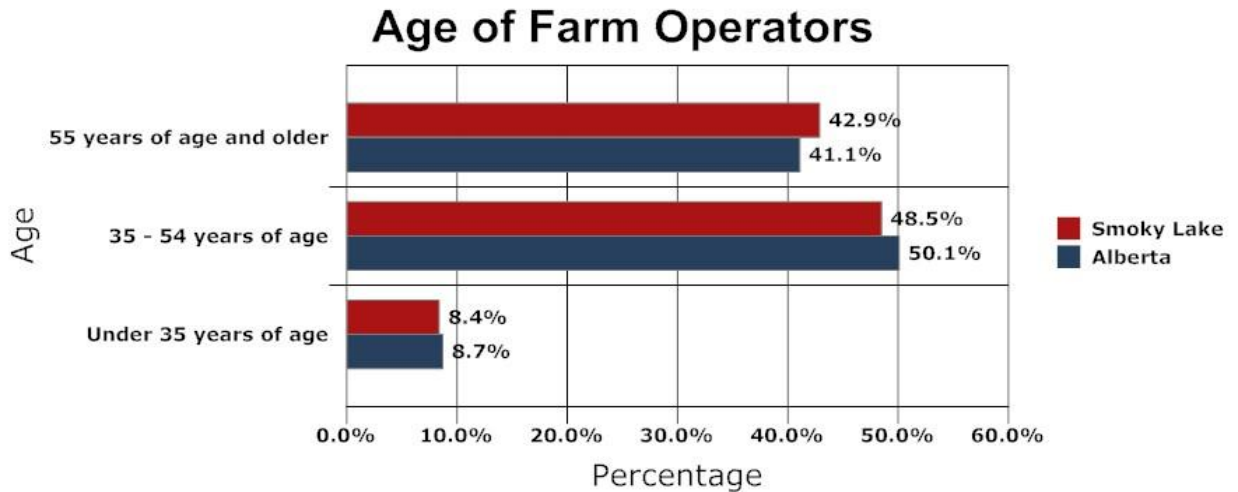


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There is a low percentage of farm operators under 35 years of age. These factors impact the economic feasibility of the small family farm and threaten the County’s traditional agricultural community and the County’s economic sustainability.

This is the current reality facing the agricultural community within the County and it represents one of the motivating factors behind the County’s decision to embrace a new way forward.

**Figure 4: Percent of Farms by the Age of Farm Operators**



Source: Statistics Canada 2006 Census

### 2.4.2 Residential Uses

There are three types of residential uses that characterize the County. They are: farmstead separations in the Agricultural area, multi-lot country residential developments in recreation communities adjacent to some of the County’s significant water bodies and residential developments in unincorporated urban areas.

#### Multi-lot Country Residential Areas

Nearly all multi-lot Country residential areas within the County are located adjacent to or in close proximity to bodies of water such as lakes or the North Saskatchewan River. These areas are listed in **Table 6** (following page).



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**Table 6: Location of Multi-lot Country Residential Developments**

<b>MULTI-LOT RESIDENTIAL DEVELOPMENT</b>	<b>LEGAL DESCRIPTION</b>
Bonnie Lake Resort	Pt. W ½ 34-59-13-W4
Birchland Resort	NE & SW 15-60-12-W4
Parkview Beach Resort	NE 9-60-12-W4
Garner Lake Resort	NE 20-60-12-W4
Sunrise Beach Resort	S ½ 21-60-12-W4
Sandy Lane Park	NE 8-60-16-W4
Mons View Resort	NW 16-60-16-W4
Mons Lake Estates	SW 16-60-16-W4
Hanmore Lake Holdings	SE 20-61-17-W4
Haynes Estate Subdivision	SE 9-61-17-W4
Whitefish Properties Ltd.	NE 4-62-13-W4
Hillside Acres	SW 9-62-13-W4
Wayetenau Subdivision	NE 27-61-13-W4
Wishing Well Estates	Pt. NW-12-58-18-W4

Smoky Lake County has not experienced the large number of multi-lot Country residential development experienced by rural municipalities that are adjacent to major urban centres.

Some of the multi-lot residential developments contain a large number of full time residents while other areas would be best described as recreation residential communities. Landowners in the recreation residential communities reside in these developments on a part time basis and utilize the properties predominantly for recreation and relaxation.

**Urban Residential Areas**

The County also includes a few older urban residential areas or Hamlets. These areas are located adjacent to existing and decommissioned rail lines. Urban areas within the County include the Hamlets of Warspite, Bellis and Spedden.



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### 2.4.3 Industrial Uses

For the purpose of this Municipal Development Plan the term "industry" refers to manufacturing or warehousing and storage, and includes both light and heavy industry. Industries that may have high levels of noxious emissions or noise are referred to as heavy industry. Light industry is not noxious and is generally compatible with other uses. Natural resource extraction industries, includes such uses as gravel pits and oil and gas wells.

At present, industrial uses within the County can be classified as rural industrial, light industrial or medium industrial, as defined in the Smoky Lake County Land Use Bylaw.

#### **Rural Industrial**

Rural industries are industrial uses which are better suited to a rural rather than an urban environment because they require relatively large areas of land, do not require urban services, and may provide services to the rural area; or are potentially hazardous or emit high levels of noise, dust, odour, vibration, etc.

Major rural industries operating in the County are dairies, peat moss producers and gravel extraction and hauling. Sungrow Horticulture Canada Ltd. operates a major rural industry in the County. There are also a number of gravel and aggregate operations located predominately in the southwestern portion of the County in close proximity to the North Saskatchewan River valley.

#### **Industrial**

Industrial uses include both light and medium industrial developments as defined in the Smoky Lake County Land Use Bylaw. There are currently no heavy or petrochemical industrial developments operating within the County.

### 2.4.4 Commercial Uses

Commercial uses within the County can currently be classified as Highway Commercial, Urban Commercial or Victoria Commercial.

#### **Highway commercial**

Highway commercial uses are generally commercial uses which service the traveling public. They are for the most part located adjacent to or close to highways. Existing Highway Commercial developments within the County include service stations, gas bars and restaurants.



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### **Urban Commercial**

Urban commercial developments located in or near the hamlet areas include hotels and motels, farm equipment sales, antique stores, farmers markets, and general commercial retail services.

### **Victoria Commercial**

These commercial uses are currently located along the Victoria Trail and are predominately tourism developments. Major developments include the Métis Crossing which aims to become a première aboriginal interpretive centre.

### **2.4.5 Public and Quasi-Public Uses**

Public and quasi-public uses include public administration and services, and uses for the purposes of community hall and places of worship, instruction, culture, enlightenment, community activities, the provision of utilities and also includes cemeteries and public utilities. The County currently includes a number of public and quasi-public uses including churches, cemeteries, community halls, utility corridors and schools.

### **2.4.6 Transportation, Communications and Utility Uses**

Transportation, communication and utility uses include rights-of-way, and municipal services such as substations, sewage and refuse disposal facilities, water tanks, water treatment facilities, reservoirs, and pumping stations which are normally associated with transportation, communications and/or utilities.

### **Roadways**

The County maintains an extensive municipal road network and works cooperatively with regional and provincial partners to ensure the safety and efficient provision of regional roadways.

Smoky Lake County is serviced by two primary provincial highways: Highway No. 28 and Highway No. 36. Highway No. 28 provides access to the Industrial Heartland and Edmonton to the southwest and to Bonnyville and Cold Lake to the northeast. Highway No. 36 provides direct paved road access to Lac La Biche, Fort McMurray and the Athabasca Oil Sands developments.

Highways No. 831, 855, 656, 857, 859 and 652 crisscross the County providing indirect access to the Yellow Head Trail route and providing access to the western regions of the province and Peace River Country.



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### **Railway**

Historically, rail lines bisected the County following approximately the same route as Highway No. 28. Today, most of the rail lines have been removed by CN and the land has become part of the Iron Horse Trail which is a regional multi-purpose trail network with year round public access. The only operational rail line is located in the western portion of the County between the western County boundary and the Village of Waskatenau. This line also runs through the Industrial Heartland area located to the south and the west of the County.

### **Utility Right-of-Ways and Pipelines**

Numerous pipeline and utility rights-of-ways exist for the purposes of collecting oil and gas from well sites and batteries; transporting oil and gas products; supplying natural gas to consumers; collecting and disposing of sewage, as well as to connect residents to regional potable water and communications utility providers.

### **Broadband Communications Towers**

The County is actively working towards providing broadband internet access to underserved areas within the County. Currently, wireless broadband internet is available through private service providers.

## **2.5 Municipal Services**

The information below summarizes the current municipal servicing systems within the County.

























### **2.5.1 Waterworks Systems**

There are a number of waterworks systems within the County which provide service to different areas. Some are operated and maintained by the County and some are operated as a partnership between the County and the urban municipalities in which they are located. The rural areas are serviced predominantly by private wells while the County's Hamlets and the Urban municipalities within the County boundary are serviced by a combination of private wells, County maintained and operated wells and water treatment facilities and in some areas, the regional water line. More detailed information about the region's water system is contained in **Table 7** (following page).



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**Table 7: Water Systems within Smoky Lake County**

URBAN AREA	WATER SOURCE			
	REGIONAL WATER LINE	POTABLE WATER (FROM MUNICIPAL WELL AND FILL STATION WITH FEE)	RAW WATER (FROM MUNICIPAL WELL AND FILL STATION WITH FEE)	PRIVATE WELLS
TOWN OF SMOKY LAKE				
VILLAGE OF VILNA	Planned			
VILLAGE OF WASKATENAU				
HAMLET OF BELLIS	Planned			
HAMLET OF EDWAND				
HAMLET OF SPEDDEN	Planned			
HAMLET OF WARSPITE	Approved for future development			

The Town of Smoky Lake and the Village of Vilna operate water treatment plants and distribution systems with some assistance from the County. The County operates a water treatment plant and distribution system in the Hamlet of Warspite. Raw and treated water is available for a fee to County residents at all of the water treatment facilities within the County.






















The Village of Waskatenau was connected to the Highway 28/63 Regional Water Line in 2009. The Town of Smoky Lake was connected to the Regional Water Line in 2010.



### 2.5.2 Sanitary Sewer System

Sanitary sewer systems within the County’s Hamlets and the incorporated urban municipalities within the County’s boundary consist of five (5) independent sanitary sewage collection systems, some with lift stations and force mains as well as five (5) independent lagoons. Sewage disposal within the rural areas is predominantly managed using private sewage disposal systems. More detailed information about the County’s sanitary sewer system is contained in Table 8.

**Table 8: Sanitary Sewer Systems within Smoky Lake County**

URBAN AREA	SANITARY SEWER SYSTEM		
	LIFT STATION	LAGOON	PRIVATE SEWAGE DISPOSAL SYSTEMS
TOWN OF SMOKY LAKE			
VILLAGE OF VILNA			
VILLAGE OF WASKATENAU			
HAMLET OF BELLIS			
HAMLET OF EDWAND			
HAMLET OF SPEDDEN			
HAMLET OF WARSPITE			



### 2.5.3 Natural Gas

The County's Natural Gas utility is owned and operated by the County. The Smoky Lake County Gas Utility offers gas services to County residents.

### 2.5.4 Solid Waste Management

Solid waste management in the County is managed by the Evergreen Regional Waste Management Commission (ERWMC). Most of the Hamlets within the County have residential and commercial garbage pickup. In all other areas residents bring their waste to collection bins, or transfer stations. Waste is collected by the ERWMC from these locations and transferred to the regional landfill in St. Paul County. Waste collection infrastructure varies throughout the County. **Table 9** presents the waste management infrastructure within the County.

**Table 9: Solid Waste Management Infrastructure**

LOCATION	WASTE MANAGEMENT FACILITIES
SMOKY LAKE RURAL AREA	<ul style="list-style-type: none"><li>• Waste Management Operator</li><li>• Major Transfer Station</li></ul>
VILNA RURAL AREA	<ul style="list-style-type: none"><li>• Waste Management Operator</li><li>• Moderate Transfer Station</li></ul>
WASKATENAU RURAL AREA	<ul style="list-style-type: none"><li>• Waste Management Operator</li><li>• Moderate Transfer Station</li></ul>
HAMLET OF BELLIS & RURAL AREA	<ul style="list-style-type: none"><li>• Waste Management Operator</li><li>• Moderate Transfer Station</li></ul>



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**HAMLET OF  
EDWAND & RURAL  
AREA**

- Mini Transfer Station

**HAMLET OF  
SPEDDEN &  
RURAL AREA**

- Waste Management Operator
- Mini Transfer Station
- Major Transfer Station

**HAMLET OF  
WARSPITE**

- Mini Transfer Station
- New local landfill, located in and operated by Smoky Lake County

**LAKE MULTI-LOT  
COUNTRY  
RESIDENTIAL  
DEVELOPMENTS**

- Mini Transfer Station

Additionally, on-site waste pickup is available throughout the County for a fee from a private operator.



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### 3 General Objectives and Policies

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#### 3.1 Cultural Landscapes

Smoky Lake County includes unique natural features and rich landscapes. Important cultural and historic sites are located throughout the Region. There are also a range of organizations dedicated to the preservation of historic assets which provide support to the County.

Smoky Lake County places high value on the County’s significant cultural landscapes. The County supports the UNESCO World Heritage Committee definition of Cultural Landscapes:

“Cultural Landscapes represent the combined works of nature and man. They are illustrative of the evolution of human society and settlement over time, under the influence of physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces both external and internal.” (UNESCO/ICMOS, 1995,np)

The County is currently preparing a Historical Survey and Inventory for the Smoky Lake Region to identify resources that may be of local, regional and federal significance. This inventory will assist the County in their efforts to recognize and where appropriate, preserve significant Cultural Landscapes.

Some of the cultural landscapes which have already been recognized as significant by the County include Métis Crossing, and both provincially and nationally recognized historic sites including the Victoria Trail and Victoria Settlement.

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<b>Objective 3.1.1</b>	<b>Identify significant cultural landscapes throughout the County</b>
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**Policy 3.1.1.1** The County will prepare a Heritage Inventory.

**Policy 3.1.1.2** The County will consider the Heritage Management Plan when making land use and development decisions.

**Policy 3.1.1.3** The County will require Heritage Resource Impact Assessments to be included with proposed subdivision and development applications in



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locations where the proposal may impact significant cultural landscapes.

**Policy 3.1.1.4** The County will encourage the use of historic resources to promote tourism, where appropriate.

**Policy 3.1.1.5** The County will require that proposed subdivisions and developments on the “main streets” of urban areas protect built heritage and enhance the historic significance and character of these areas.

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**Objective 3.1.2** **Preserve recognized historically significant built features, landforms, vegetation and patterns of spatial organization**

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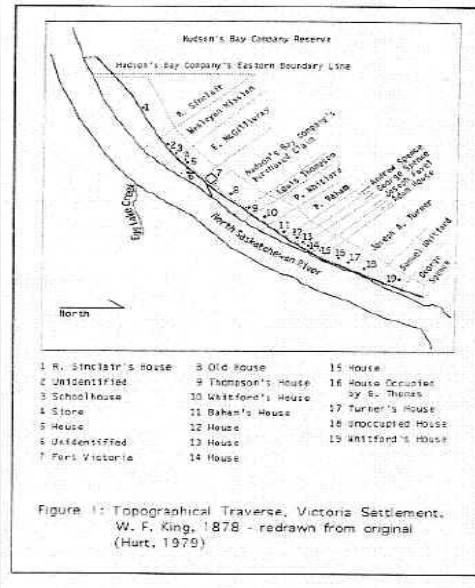
**Policy 3.1.2.1** The County will require that proposed subdivisions in significant cultural landscapes, including but not limited to the Victoria District, retain the recognized historically significant patterns of spatial organization.

**Policy 3.1.2.2** The County will require that future subdivisions and developments in significant cultural landscapes preserve existing vegetation.



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Figure 5: Historic View of the Victoria Trail and Old Plan of River Lots along the Victoria Trail



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### Objective 3.1.3

### Preserve recognized historically significant viewscapes

#### Policy 3.1.3.1

The County will require that proposed subdivisions and developments in significant cultural landscapes, including but not limited to the Victoria District, preserve recognized, historically significant viewscapes.

### 3.2 Environmental Management

Smoky Lake County includes a range of valuable and unique environmental features which support not only the County's ecosystem but also the economic, social and cultural systems throughout the County. Recognizing that a successful and sustainable future is dependent on the vitality of all of the interconnected systems (built and natural environment, economic, social and cultural) the County has adopted a strong approach, for environmental management.

#### *Low Net Negative Environmental Impact*

The County recognizes that the goal of environmental protection cannot mean total ecological integrity. Simply put, a municipality cannot reasonably expect to maintain the full structure of the ecosystem and still have roads and buildings. Rather the goal must be the achievement of a healthy environment or one that does not show symptoms of stress such as:

- decreased water quality; and/or
- significantly reduced biodiversity.

The County supports a **Low Net Negative Environmental Impact** approach to environmental management that will help to ensure that over all, the County's natural and built heritage and the processes that connect them will prosper well into the future. The goal is to ensure that the cumulative impact of development decisions affecting the ecological, social and heritage assets of the County will be mitigated to ensure that any negative environmental impacts are as low as is reasonably possible. Adopting a low net environmental impact approach to environmental management allows the County to encourage sustainable development in all areas without unduly impacting ecosystem health, working landscapes or the County's cultural landscapes.

The following objective and polices have been adopted by the County relating to environmental management:



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<b>Objective 3.2.1</b>	<b>Identify and preserve significant ecological sites throughout the County</b>
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- Policy 3.2.1.1** The County will endeavor to develop an inventory of significant and unique ecological sites and resources within the County.
- Policy 3.2.1.2** The County will endeavor to establish environmental quality targets to direct future development within the County and to provide specific points of reference for facilitating management decision making.
- Policy 3.2.1.3** The Development Authority and/or Subdivision Authority may require developers to submit a Cumulative Effects Assessment with proposed subdivision and development applications.
- Policy 3.2.1.4** The County may require an environmental impact assessment or evaluation related to a proposed development which may have an impact on an identified natural or environmentally sensitive feature.
- Policy 3.2.1.5** The County will endeavor to identify cumulative impact issues and set targets to mitigate and restore identified issues. Once the targets are set, approval for new projects will be approved with reference to these limits.
- Policy 3.2.1.6** The County will work with provincial and not-for-profit partners to identify and monitor indicators to determine if development and County operations are within the established targets. Monitoring is critical for evaluating the suitability of developments in different areas over time and will help to ensure the accuracy of predictions regarding future states and to refine land use and development policies and regulations.
- Policy 3.2.1.7** The County shall attempt to facilitate a cooperative relationship between affected stakeholders to identify critical wildlife habitat areas on patented lands within the municipality.



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<b>Objective 3.2.2</b>	<b>Development should only occur on lands that do not have critical development constraints</b>
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- Policy 3.2.2.1** Groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall occur in areas where reserves of potable water are inadequate.
- Policy 3.2.2.2** Development shall not be allowed in areas characterized by wetlands, swamps, muskeg, or saturated soils. Development shall also be prohibited in valleys, ravines, or seasonal draws.
- Policy 3.2.2.3** Development shall be prohibited on slopes in excess of 15% or on slopes which are subject to slippage or mass movement.
- Policy 3.2.2.4** Development is prohibited in or adjacent to important wildlife habitat areas.
- Policy 3.2.2.5** Development is prohibited on soils which have extremely fast percolation rates and/or which might result in the possibility of groundwater contamination.
- Policy 3.2.2.6** No permanent structures will be allowed within the 1:100 year flood plain of any river, stream or lake shore, unless proper flood proofing techniques are applied. A certificate from a qualified, registered professional engineer or architect will be required by the County to confirm that the development has been properly flood proofed.
- Policy 3.2.2.7** The County shall encourage flood plain and flood prone areas to be kept in their natural state or be used for extensive agricultural use, where applicable.
- Policy 3.2.2.8** Where development is allowed within a flood prone or flood plain area, the developer shall take measures as required by the Development and/or Subdivision Authority.
- Policy 3.2.2.9** On municipal lands within flood areas, new development should be limited to recreational uses.



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**Policy 3.2.2.10** Unless unique site requirements determine otherwise, development proposals should conform to the Alberta Sustainable Resource Development Environmental Reserve Guidelines so far as they pertain to setback requirements from valley breaks, ravines and watercourses. (See Appendix A)

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**Objective 3.2.3 To encourage energy efficient design and the development and utilization of alternative energy**

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**Policy 3.2.3.1** The County encourages houses to be oriented to maximize passive solar energy, natural shade and windbreaks, and to orient rooms such as kitchens and bedrooms based on light and heat requirements. The use of energy-efficient appliances and materials is also encouraged.

**Policy 3.2.3.2** The County encourages the use of large and small wind energy systems as a green alternative to traditional forms of electrical generation.

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**Objective 3.2.4 To discourage the fragmentation of working landscapes**

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**Policy 3.2.4.1** The subdivision of a fragmented parcel shall not be approved for any use, unless the fragmented parcel is fragmented by reason of one or more public roadways, railways, rivers, or creeks.

**Policy 3.2.4.2** If a fragmented parcel is located in a remote location that has legal access to a public roadway, but that roadway is undeveloped or substandard and therefore requires construction or extensive upgrading, the municipality **may refuse** to approve an application that proposes to subdivide that parcel if:

- (i) in the opinion of the municipality, the construction and maintenance of the roadway would serve no greater or long-term public interest; and
- (ii) the municipality shall maintain the roadway on completion of its construction or upgrading.



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**Policy 3.2.4.3** In the case where another policy of this plan would allow for a subdivision to occur and the subject site also contains a fragmenting feature as described in **Policy 3.2.4.1**, the County will encourage the developer to subdivide the fragmented area, as the first subdivision from the subject site.

### **3.3 Reserves and Conservation Easements**

In certain instances – as outlined in the Municipal Government Act – the subdivision process can involve the dedication of Reserve lands to the County. Currently the Municipal Government Act identifies three (3) types of reserves which may be taken during subdivision by a County. They are: Municipal Reserves, Environmental Reserves and Environmental Reserve Easements. Conservation Easements cannot be taken by a municipality at time of subdivision but can be utilized by a private land owner or a Municipality to protect significant environmental areas.

Municipal Reserves can be used by a municipality as public parks, public recreation areas, for school authority purposes or as buffers between parcels of land which are used for different purposes. Depending on the circumstances, money may be taken by the County in lieu of Municipal Reserve dedication.

Environmental reserves, environmental reserve easements and conservation easements are three tools municipalities can use to ensure that:

- a) development does not occur on hazard lands;
- b) significant environmental areas are protected; and
- c) the public can access Significant Cultural Landscapes.

Environmentally sensitive ecological features require special attention when being considered for development. Such areas include lands subject to a flooding hazard, ravines, steep slopes, and areas subject to erosion. Council intends to have regard for these sensitive areas when making development decisions.



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**Objective 3.3.1 To conserve and protect significant cultural landscapes and environmentally sensitive ecological features for future generations**

**Policy 3.3.1.1** At the time of subdivision, as provided for in the Municipal Government Act, the County shall request land as reserve or money-in-lieu of Reserve. In certain cases, the County may defer reserves if a specific site is identified for a park area but that specific area is not located within a particular subdivision. Money-in-lieu of land for reserves shall be required where land is not provided.

**Policy 3.3.1.2** The County shall generally take the full amount (10%) of Municipal Reserves owing as a result of subdivision, in accordance with Provincial legislation.

**Policy 3.3.1.3** Municipal Reserve parcels in the County shall be:

- (a) concentrated in a few large parcels on suitable sites rather than scattered through subdivisions; and
- (b) evaluated and inventoried with the aim of making more efficient use of the Reserves through consolidation and/or sales.

**Policy 3.3.1.4** The County may require subdivision and development applications adjacent to water bodies and watercourses to prepare an engineering and/or geotechnical study to determine an adequate setback based on soil conditions and slope stability.

**Policy 3.3.1.5** Development on sandy or unstable soil may only be allowed if measures to control erosion are implemented. Development on flood susceptible areas or on unstable or steep slopes shall not be allowed.

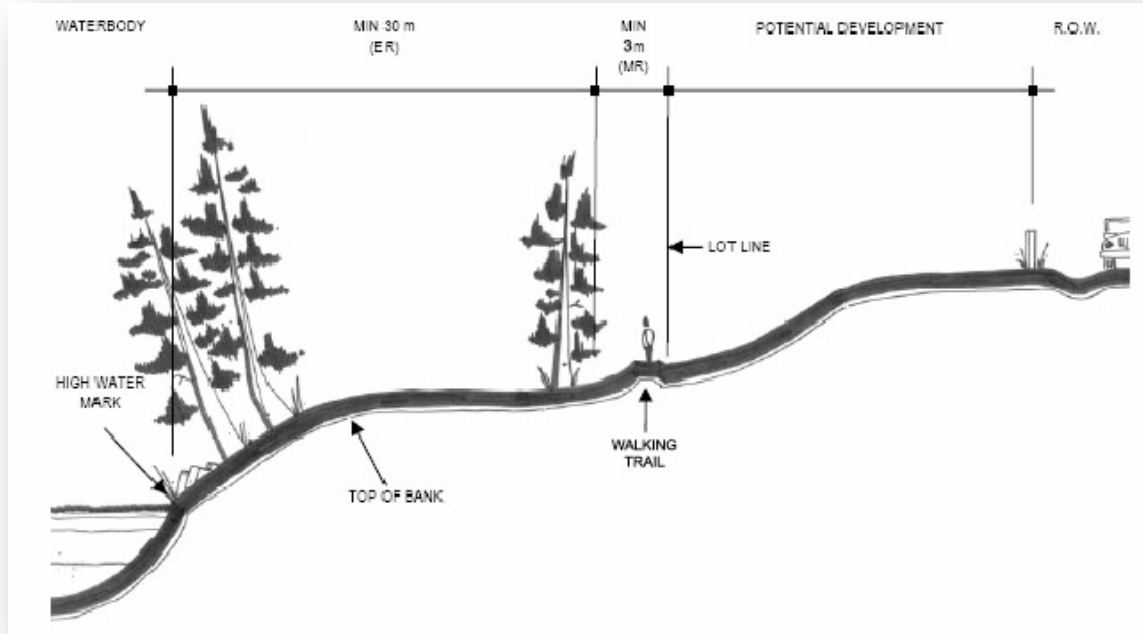
**Policy 3.3.1.6** An environmental reserve of not less than 30 m (98 ft) in width from the high water mark of water bodies and/or the top of bank of lakes and rivers shall be required as a condition of subdivision approval. As a condition of development approval where there is no subdivision, a comparable setback of 30 m (98 ft) shall be required from the high water mark of Whitefish Lake and/or the top of bank of the lake to the wall of





the nearest building. **Figure 6** illustrates the recommended buffer adjacent to a large waterway.

**Figure 6: Recommended Environmental Setback**



**Policy 3.3.1.7** Additional reserve and/or setback may be required by the County based on the recommendations of any engineering and/or geotechnical study requested by the County. In these cases, the amount of reserves required will be determined using the guidelines for ER width developed by Sustainable Resource Development (See Appendix A).

**Policy 3.3.1.8** Where Environmental Reserve Lands are not necessary to provide public access to the feature, the County shall, at the time of subdivision, consider the option of an Environmental Reserve Easement as provided for in the Municipal Government Act.

**Policy 3.3.1.9** Municipal Reserves may be required as an open space buffer of sufficient



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size and composition to act as a noise and visual barrier between disparate land uses.

- Policy 3.3.1.10** Prior to disposing of any Municipal Reserve, Council shall review the applicability and effect of such disposition on surrounding land uses and the area's recreational potential.
- Policy 3.3.1.11** School Reserves shall be provided at the time of subdivision in accordance with agreements between the County and the relevant School Divisions.
- Policy 3.3.1.12** The County may consider proposals to designate future Conservation Areas.
- Policy 3.3.1.13** At the discretion of the subdivision approving authority, the use of Conservation Easements may be considered as an alternative to traditional environmental reserve during the subdivision process. The use and control of these features and areas shall be clearly stated in the easement agreement. Conservation easements are provided for under the *Alberta Land Stewardship Act*.
- Policy 3.3.1.14** A Conservation Easement may be considered to preserve significant areas that do not qualify as Environmental Reserve under the Municipal Government Act, such as natural features, scenic values, and agricultural land. The use and control of these features and areas shall be clearly stated in the easement agreement.



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### 3.4 Emergency Preparedness

The County requires that emergency preparedness be a consideration in the approval of new developments throughout the County. Requiring emergency preparedness measures to be a consideration in the design and approval of new developments will best ensure the safety of all County residents.

The following objective and policies have been adopted by the County relating to emergency preparedness:

<b>Objective 3.4.1</b>	<b>New developments shall be designed to ensure high levels of emergency preparedness within a rural context</b>
<b>Policy 3.4.1.1</b>	The County shall encourage the use of effective wildfire prevention techniques and the development of on-site firefighting measures to reduce the risk of wildfires resulting from development.
<b>Policy 3.4.1.2</b>	The County may refer applications for subdivision and development to the appropriate provincial department and/or the local fire department for comment in evaluating the suitability of a site in forested land for development.
<b>Policy 3.4.1.3</b>	The County shall consider the following as conditions for approval for development which is too remote to be adequately serviced by existing firefighting services: <ul style="list-style-type: none"><li>(a) the provision of a suitable on-site water supply for firefighting purposes;</li><li>(b) the use of fire resistant building methods;</li><li>(c) the installation of spark arrestors on chimneys; and/ or</li><li>(d) the removal of trees, shrubs, and fuels.</li></ul>
<b>Policy 3.4.1.4</b>	The County shall discourage the development of forested lands in significant wildfire hazard areas.
<b>Policy 3.4.1.5</b>	The County may ask developers to provide for appropriate fire protection measures in an application for development, subdivision or an



Area Structure Plan.

**Policy 3.4.1.6** The County will encourage the provision of an emergency access to multi-parcel developments in forested areas.

**Policy 3.4.1.7** Residential development will be prohibited in those areas which are too close to sour gas facilities, in accordance with Provincial legislation and regulations.

### 3.5 Recreation

As the demand for recreational land for both public and private use continues to increase, so does the need for planned recreational facilities and areas. The intent of this Plan is to recognize and encourage local recreational uses based on the capabilities of an area to sustain intensive or extensive development. Recreation development shall be located in areas and under circumstances where it does not adversely affect the agricultural economy and community, or the natural environment.

Recreation also forms an important component of the tourism potential of the region, and is to be encouraged as much as possible within the term of this Plan, provided, of course, that the tourist activities or facilities do not threaten the potential itself, the agricultural economy and community, or the natural environment.

The following objectives and policies have been adopted by the County relating to recreation in the County:

<b>Objective 3.5.1</b>	<b>To encourage the recreational developments in areas which will not impact working landscapes</b>
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<b>Policy 3.5.1.1</b>	Council shall encourage the development of public serving recreational facilities/uses within the Agricultural Use Area and within hamlets: <ul style="list-style-type: none"><li>(a) if they are compatible with the capabilities of a site or surrounding areas;</li><li>(b) on lower capability agricultural lands, unless Council decides that the benefits to the community justify the use of higher capability agricultural lands; and/or</li></ul>
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- (c) near or adjacent to a lake or river if the proponent can demonstrate, to the satisfaction of the Development Authority, that the proposal is compatible with the lake/river environment.

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<b>Objective 3.5.2</b>	<b>To ensure that recreational uses are compatible with the environment and surrounding land uses</b>
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**Policy 3.5.2.1** Recreational development shall only be allowed where it can be demonstrated to the satisfaction of the County’s Development Authority that the development will generate a low net environmental impact.

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<b>Objective 3.5.3</b>	<b>To minimize municipal costs associated with recreational developments</b>
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**Policy 3.5.3.1** The County shall require the proponent of a recreational activity to identify all municipal costs associated with the development. The assignment of these costs shall be the basis for an agreement to be entered into as a condition of subdivision approval or the issuance of a development permit. Normally, however, all development servicing costs associated with the development will be carried by the proponent.

**Policy 3.5.3.2** Subdivision and development for recreational purposes shall occur in accordance with the following design principles:

- (a) the density of development shall be directly related to the development capability of the land resource;
- (b) the design shall be directly related to the site’s topography, vegetation, soil, and drainage characteristics. In this regard, the development proposal shall include a detailed analysis of the environmental constraints of the site and the means by which the proposal will protect and harmonize with the natural environment;
- (c) the design shall protect wildlife habitat; and
- (d) the design shall protect, maintain and re-establish, where appropriate, tree cover and maximize the quality of the natural



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features.

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**Objective 3.5.4**      **To protect and encourage trail development while also protecting adjacent land owners from potential negative impacts through the careful regulation of the recreational use of rights-of-way**

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**Policy 3.5.4.1**      Council shall utilize the careful control mechanism of the Direct Control Districts in dealing with recreational development of the trail development potentials provided for by the former railroad rights-of-way within the County. The basic principle in considering development of these former rights-of-way shall be that recreational development shall be encouraged, but not at the expense of the agricultural economy or community.

**Policy 3.5.4.2**      Multi-lot residential developments will be required to provide multi-modal trail networks to the satisfaction of the Subdivision Authority at time of subdivision.

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**Objective 3.5.5**      **To allow for some limited, strictly regulated, small-lot development for the parking and use of recreational vehicles in lakeshore areas**

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**Policy 3.5.5.1**      Some small developments for the sale of individual lots for the parking of recreational vehicles in lakeshore areas may be allowed provided that the locations do not interfere with lake access or with the amenities of nearby country residential areas and provided also that the use of the lots is strictly limited to trailer parking, and not year-round residency, and provided further that any construction of any other buildings, including decks, gazebos, storage sheds, etc., and the placement and/or use of more than one recreational vehicle on each lot, is strictly prohibited.



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### 3.6 Tourism

Smoky Lake County supports tourism initiatives and wishes to promote local hospitality operations, museums, churches, cultural centers, golf courses, and special events.

Bed and breakfast establishments and guest ranches are becoming a more significant component of our tourism industry. The Land Use Bylaw should recognize that such establishments are not typical home-based businesses but should be recognized as a separate use category.

The following objectives and policies have been adopted by the County relating to tourism in the County:

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<b>Objective 3.6.1</b>	<b>To support and promote cultural tourism initiatives within the County</b>
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<b>Policy 3.6.1.1</b>	The County will encourage the utilization and/or development of cultural, historic and recreational resources to promote tourism, where appropriate.
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<b>Objective 3.6.2</b>	<b>To cooperate with regional partners to encourage local and regional tourism</b>
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<b>Policy 3.6.2.1</b>	Smoky Lake County will co-operate with area tourism groups, municipal neighbours, and tourism zones in promoting local tourism linkages with neighbouring communities.
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<b>Policy 3.6.2.2</b>	The County shall encourage private sector developers to facilitate tourism development, and may assist in accessing government funding programs to develop new, or upgrade existing, tourism attractions.
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<b>Objective 3.6.3</b>	<b>To support and encourage bed and breakfast and guest ranch establishments within the region</b>
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**Policy 3.6.3.1** The County will promote bed and breakfasts and guest ranches by creating separate use categories in the Land Use Bylaw to allow such uses, on a discretionary basis, in the Agricultural District.

### **3.7 Transportation and Municipal Servicing Policy**

The development of transportation and utility systems can have a significant impact on land use within Smoky Lake County. Although the County does not have the authority to regulate Provincial Highways, pipelines, transmission lines and similar installations that are under provincial control in many instances Council is given an opportunity to comment on the proposed locations of these facilities. It is Council's intention to encourage the appropriate authorities to have regard for the policies of this Plan.

The following objectives and policies have been adopted by the County relating to transportation and municipal servicing in the County:

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<b>Objective 3.7.1</b>	<b>To discourage the fragmentation of working landscapes by transportation and utility corridors</b>
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**Policy 3.7.1.1** Council shall encourage linear transportation and utility facilities to locate so that they:

- (a) minimize impacts on working landscapes;
- (b) minimize the fragmentation of land, particularly higher capability agricultural land;
- (c) follow road allowances wherever feasible;
- (d) use corridors to integrate a number of utilities;
- (e) minimize disruption of recreation, wildlife, and historic resources; and
- (f) avoid disruption of existing or future urban centres.



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<b>Objective 3.7.2</b>	<b>To minimize conflicts between transportation, communications or utility facilities and other land uses</b>
<b>Policy 3.7.2.1</b>	Council shall encourage high voltage power lines and high pressure pipelines to locate away from residential areas.
<b>Policy 3.7.2.2</b>	Council shall consider the establishment of a Dangerous Goods Route when Council feels that dangerous goods are being transported on County roads in sufficient quantity to be a significant hazard to the travelling public.
<b>Policy 3.7.2.3</b>	Where proposed transportation and utility lines and facilities may adversely affect adjacent lands or land uses, the County shall recommend or require as a condition of development of the line or facility such buffering as deemed appropriate to minimize any negative impacts.
<b>Policy 3.7.2.4</b>	The County may require future subdivision or development proposals adjacent to transportation and utility lines and facilities to provide such buffering as deemed appropriate.
<b>Policy 3.7.2.5</b>	The County shall encourage wireless communication facilities to consider good planning and design so as to have the least impact on the natural environment, and the least visual impact on nearby residents. The County shall also encourage the developers of wireless communication facilities to provide an opportunity for public consultation.
<b>Policy 3.7.2.6</b>	The co-location of multiple devices on wireless communication facilities is preferred. Where appropriate, new facilities should be built to standards to accommodate multiple devices. Individual facilities are strongly discouraged. Should co-locations not prove feasible, clustering of wireless communication facilities is preferred.



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**Objective 3.7.3**      **To encourage regional cooperation in the provision, operation and maintenance of infrastructure services**

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**Policy 3.7.3.1**      The County shall endeavor to cooperate with other municipalities in the upgrading of intermunicipal roadways.

**Policy 3.7.3.2**      The County shall endeavor to cooperate wherever possible with other municipalities and/or the provincial government with planning, development and operation of sanitary waste disposal facilities and sewage lagoons.

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**Objective 3.7.4**      **To ensure that all subdivision and development conforms to municipal and provincial infrastructure and servicing standards**

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**Policy 3.7.4.1**      Subdivision shall not be allowed where access to graded and graveled or paved roads in good condition does not exist, or where construction of a roadway and access to then-current County standards to the site is not undertaken by the landowner/developer.

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**Objective 3.7.5**      **To ensure that municipal services and utilities are provided in an economical and efficient manner and are reflective of need, environmental constraints, land use considerations and existing infrastructure**

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**Policy 3.7.5.1**      Service roads adjacent to Provincial Highways in the County shall be considered as local internal subdivision roads and developed to appropriate standards.

**Policy 3.7.5.2**      The County shall require that land use adjacent to Provincial Highways and their associated accesses conform to the Access Management Guidelines as outlined by Alberta Transportation. As well, the County's system of major local roads shall be afforded a similar level of protection from encroachment and proliferation of direct access.

**Policy 3.7.5.3**      All municipal infrastructure systems, such as new roads, sewage



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collection and water distribution systems created as a result of private development, which may include dedication to the County or subdivision, shall only be assumed by the municipality if the system has been constructed or upgraded to a standard which is acceptable to the County and which meets or exceeds all appropriate Provincial and Federal standards.

**Policy 3.7.5.4** The County shall implement a program of maintenance and improvement for local roads designed to enhance traffic flow. Through the subdivision and development processes, the County shall endeavour to make the most efficient use of existing roadway facilities. Developments with the potential for substantial road impact (high traffic volumes or heavy trucks) will be directed to those roads that are designed and constructed to accommodate such development.

**Policy 3.7.5.5** Direct access from private property onto Provincial Highways shall be discouraged and limited wherever possible, especially where access onto local roads is available. Application for subdivision in the Agricultural Use Area will be specifically designed to minimize accesses onto Provincial Highways and local arterial roads through the use of service roads or redesigning the subdivision boundaries to redirect accesses onto local roads. The cost of consolidation or service roads and the costs of resolving all of Alberta Transportation's concerns with respect to access to the Provincial Highway will be the responsibility of the developer.

**Policy 3.7.5.6** The County will encourage rail service to future industrial areas to improve industrial developments' accessibility to markets.

### **3.8 Resource Extraction Policy**

Sand and gravel, coal, oil and gas are important non-renewable resources in Smoky Lake County. In order to benefit the County's and the region's economy, these resources must be protected and extracted efficiently, but not at the risk of irreparably damaging working or cultural landscapes within the County. Therefore, it is the intent of this Plan to encourage the utilization of extractive resources in areas of least detrimental impact and to reclaim the land for other productive uses.



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The following objectives and policies have been adopted by the County relating to resource extraction in the County:

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<b>Objective 3.8.1</b>	<b>To ensure that land disturbed by resource extraction activity is reclaimed to an acceptable standard</b>
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|-----------------------|---|
| <b>Policy 3.8.1.1</b> | <p>The County should require development agreements in connection with sand, gravel and other mineral extraction operations and should make provisions for the:</p> <ul style="list-style-type: none"><li>(a) reclamation of the land that was disturbed to its former agricultural capability or to a post-extractive use, whichever Council feels is more beneficial;</li><li>(b) control of on-site noise, dust and weeds;</li><li>(c) storage of topsoil;</li><li>(d) separation of the resource extractive operation from any multi-lot residential subdivision, hamlet, or urban municipality with a suitable open space buffer;</li><li>(e) designation of all aggregate haul roads to reduce noise, excessive maintenance costs, and dust problems; and</li><li>(f) if required by the County, the provision of security such as an irrevocable letter of credit to ensure reclamation will be completed.</li></ul> |
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<b>Objective 3.8.2</b>	<b>To minimize municipal costs associated with resource extraction development</b>
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- |                       |   |
|-----------------------|---|
| <b>Policy 3.8.2.1</b> | <p>The County will not approve a development permit application for resource extraction until the developer enters into a haul road agreement with Smoky Lake County.</p> |
|-----------------------|---|



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**Objective 3.8.3**

**To ensure that resource extraction and resource processing developments generate a low net negative impact on working landscapes and cultural landscapes**

**Policy 3.8.3.1**

Developers will be required to contact the Heritage Branch of the Alberta Government in order to determine if a Heritage Impact Assessment (HIA) is required.

**Policy 3.8.3.2**

If an Impact Assessment (HIA) is required and the HIA identifies the presence of heritage resources then the developer will be required to take appropriate mitigating measures, to the satisfaction of the appropriate provincial agency, prior to development approval.



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## 4 Specific Plan Objectives and Policies

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The following land use and development objectives and policies shall apply to all lands and developments within Smoky Lake County and shall be used by Smoky Lake County to guide decision-making regarding land use and development within the County.

### 4.1 Agriculture Policy

The County's most enduring resource is its working landscapes; the agricultural, forestry and resource lands which generate approximately 29% of all employment for County Residents. Working landscapes are irreplaceable and contribute to the high quality of life enjoyed by all Smoky Lake County residents. Working landscapes within the County must be carefully and equitably managed in order to retain the integrity and value of these areas for the benefit of future generations while supporting economic growth within the agricultural community.

In order to encourage the future viability of a diverse range of agricultural operations within the County the Municipal Development includes objectives and policies to not only protect, where appropriate, but also enhance the agri-based economy and rural lifestyle.

The following objectives and policies have been adopted by the County relating to agriculture areas within the County:

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<b>Objective 4.1.1</b>	<b>To ensure that working landscapes remain an integral and viable component of the regional economy and rural social structure</b>
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<b>Policy 4.1.1.1</b>	The Agricultural Use Area is to be, for the most part, conserved for working landscapes; the agricultural, forestry and resource uses.
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<b>Policy 4.1.1.2</b>	While the primary use of the Agricultural Use Area is for extensive agriculture and confined feeding operations involving the production of feed grains, cereal grains, forage crops, specialty crops, livestock and other animals on a commercial basis, other uses which, in the opinion of Council, do not adversely affect present or future agricultural pursuits may also be permitted on a discretionary basis provided that the development will not adversely affect the agricultural community.
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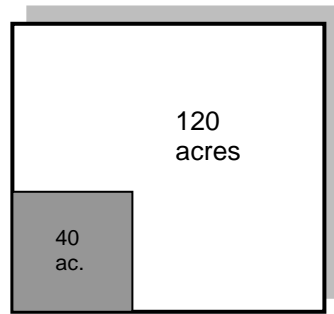
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Within the Agricultural Use Area, a wide range of resource utilization uses may also occur provided that such uses do not negatively impact other surrounding uses.

**Objective 4.1.2 To minimize the fragmentation of working landscapes while encouraging a variety of agricultural parcel sizes and developments**

- Policy 4.1.2.1** Where agricultural land is taken for roads, rail lines, pipelines or other transmission lines, the County shall endorse only those proposals which minimize the fragmentation of agricultural land.
- Policy 4.1.2.2** The minimum parcel size for extensive agricultural uses shall normally be a half quarter section less any permitted Country Residential Subdivisions.
- Policy 4.1.2.3** Notwithstanding policy 4.1.2.2., the subdivision of a single 40.0 ac. (16.18 ha) parcel for agricultural use may be permitted out of an un-subdivided quarter section if the following criteria are met to the satisfaction of the County:

**Figure 7: Small Agricultural Holding Parcel**



\* drawing not to scale

- (a) The parcel contains a farmstead or, if it is a bare parcel, a suitable building site;
- (b) Legal and year round physical access is sufficient to meet the needs of the proposed use;
- (c) The proposed use of the parcel does not negatively impact



adjacent agricultural uses;

- (d) In the sole discretion of the Subdivision Authority, the parcel is located:
  - (i) adjacent to or near quarter section boundaries without jeopardizing agricultural operations on the quarter section;
  - (ii) where possible, in close proximity to existing residential parcels or farmsteads on adjacent quarter sections;
  - (iii) along a designated rural residential collector road in order to not increase traffic on market roads and reduce conflict between residential and agricultural traffic;
  - (iv) where possible, given the other location criteria listed in subsection (d), in a manner that respects natural capital, including but not limited to soils, vegetation (natural and planted), water bodies and their associated riparian zones, views, etc., and optimizes the use of these assets;
- (e) The applicant demonstrates that the parcel can be serviced on-site as per provincial regulations;
- (f) If the parcel is to be used for an intensive agricultural operation or a home-based value added agricultural industry<sup>13</sup>, the County may require a business plan and/or a financial plan, supporting the use and size of the parcel;
- (g) Any other considerations as may be required by the Subdivision Authority.

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<sup>13</sup> Value added agricultural industry in this context means: an industry which economically adds value to a product by changing its physical state, or the manner in which the commodity is produced and segregated, and by which the producer derives a greater portion of the revenue from the product.



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**Objective 4.1.3**      **To minimize any negative impacts of agricultural operations on the quality of the environment and adjacent land uses by encouraging good stewardship of the land through the provision of information and the use of beneficial management practices<sup>14</sup> (BMPs)**

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**Policy 4.1.3.1**      The County will provide information to the agricultural community regarding beneficial management practices and other conservation practices.

**Policy 4.1.3.2**      Input shall be provided to the Natural Resources Conservation Board (NRCB) in responding to application for new or expanded Confined Feeding Operations (CFOs) based on the technical and locational merits of each application.

**Policy 4.1.3.3**      Minimum distance separations for CFOs shall conform to standards set out in the Agricultural Operations Practices Act.

**Policy 4.1.3.4**      CFOs will be discouraged from locating in environmentally sensitive areas where slope instability and or groundwater contamination may be of concern.

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**Objective 4.1.4**      **To provide opportunities for low net environmental impact Country Residential development in the Agricultural Use area without unnecessarily fragmenting working landscapes**

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**Policy 4.1.4.1**      Country residential development will be allowed within the Agricultural Use Area shown on **Map 2**, subject to the policies noted below.

**Policy 4.1.4.2**      Country residential subdivisions should be located in proximity to gas, electrical, and telephone lines which have existing spare capacity to sustain the additional usage. Subdivisions shall have direct access to

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<sup>14</sup> Beneficial Management Practices (BMP) are a practice, or system of practices, designed to minimize the impact of agricultural activities on natural resources while at the same time maintain economic viability of the agricultural industry. The Province of Alberta defines a BMP as ‘any management practice that reduces or eliminates an environmental risk.’



existing maintained roads.

- Policy 4.1.4.3** Where a subdivision for country residential purposes is proposed, the developer shall be required to enter into a development agreement with the County wherein the developer agrees to be responsible for all the costs associated with the subdivision and development.
- Policy 4.1.4.4** Documentation indicating that satisfactory arrangements have been made regarding the development's sewage disposal system may be a condition of approval for country residential development.
- Policy 4.1.4.5** The assessment of the suitability of a proposed country residential subdivision will **not** take into consideration required setbacks for private sewage disposal systems. Rather, if a subdivision results in the reduction of setbacks between an existing or proposed private sewage disposal system and a property line then the developer will be required to ensure that the existing or proposed private sewage disposal system conforms to all relevant provincial regulations effecting private sewage disposal systems.
- Policy 4.1.4.6** Spatial buffers or setbacks shall be maintained between country residential uses and adjacent uses which may be incompatible for any reason.
- Policy 4.1.4.7** Residential development in the Agricultural Use Area within 1.6 km (1 mile) of a lake shall be subject to any controls the County deems necessary to provide that the development will be compatible with the lake environment.
- Policy 4.1.4.8** Residential development in the Agricultural Use Area must be designed to preserve working and cultural landscapes.
- Policy 4.1.4.9** Normally, a maximum of 20.0 ac. (8.08 ha.) will be allowed for country residential subdivisions or for farmstead separations per quarter section.
- Policy 4.1.4.10** Normally, subdivision of a quarter section for a country residential use will be allowed without requiring an amendment to the Land Use Bylaw



on the basis of the following:

- (a) subdivision of the quarter section based on an equal split of the quarter section (commonly called an 80-acre split); or
- (b) subdivision of the quarter section on the basis of a natural or man-made fragmentation by a river, railroad, or road.

**Policy 4.1.4.11** The maximum number of parcels per quarter section in the agricultural use area is five (5). This includes, agricultural parcels, country residential parcels and fragmented parcels. Additional parcels will not be permitted without a land use bylaw amendment.

**Policy 4.1.4.12** The maximum number of **country residential** parcels permitted per quarter section is dependent on the number of agricultural parcels and fragmented parcels located within a subject quarter section. Conversely, the number of allowable agricultural and fragmented parcels is dependent on the number of country residential parcels located within a subject quarter section.



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**Table 10: Maximum Number of Country Residential Parcels in the Agriculture Use Area**

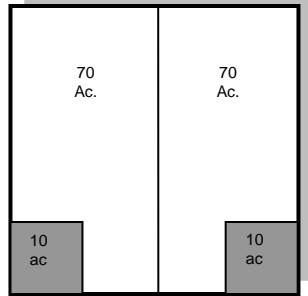
MAXIMUM # OF FRAGMENTED PARCELS	MAXIMUM NUMBER OF PARCELS FOR AGRICULTURE USE	MAXIMUM # OF PARCELS FOR RESIDENTIAL USE	MAXIMUM # OF PARCELS PER QUARTER SECTION
0 parcels	1 parcels	4 parcels	5 parcels
0 parcels	2 parcels	3 parcels	5 parcels
1 parcels	1 parcels	3 parcels	5 parcels
1 parcels	2 parcels	2 parcels	5 parcels
2 parcels	1 parcels	2 parcels	5 parcels
2 parcels	2 parcels	1 parcels	5 parcels
2 parcels	0 parcels	3 parcels	5 parcels
3 parcels	2 parcels	0 parcels	5 parcels
3 parcels	1 parcels	1 parcels	5 parcels
3 parcels	0 parcels	2 parcels	5 parcels
4 parcels	0 parcels	1 parcels	5 parcels
4 parcels	1 parcels	0 parcels	5 parcels
5 parcels	0 parcels	0 parcels	5 parcels

**Policy 4.1.4.14** If one (1) or more agricultural parcels have previously been subdivided from a quarter section then the maximum area of land that can be removed from each agricultural parcel will be determined proportionally based on the size of the previously subdivided agricultural parcels.



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**Figure 8: CR Parcel Distribution Where a Subdivision for Agricultural Use has Already Occurred**

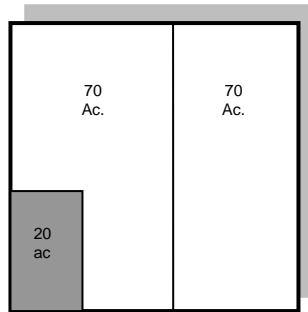


\* drawing not to scale

**Policy 4.1.4.15**

If one (1) or more country residential parcels have been previously subdivided from a quarter section then all new agricultural parcels should normally be approximately equal size unless the subdivision is the result of a fragment.

**Figure 9: Agricultural Parcel Subdivision Where a Subdivision for CR Use has Already Occurred**



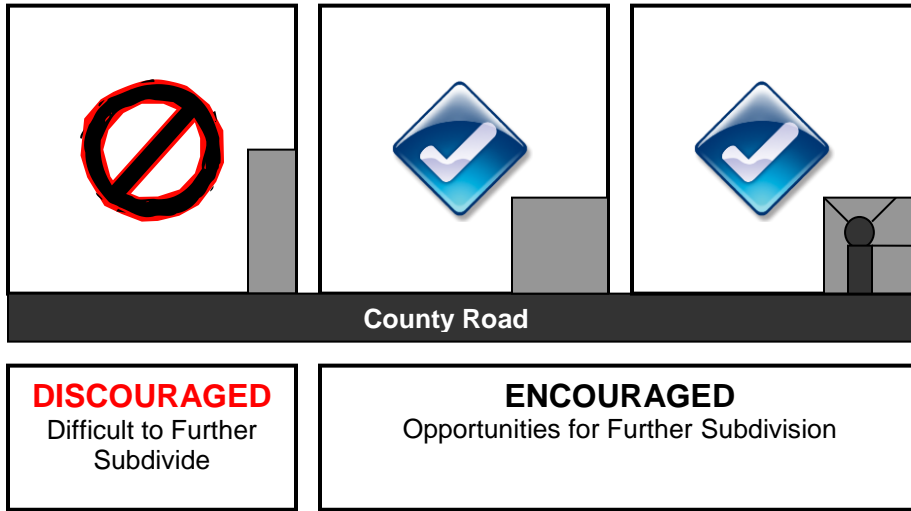
\* drawing not to scale

**Policy 4.1.4.16**

The design of a parcel for Country Residential use should ensure that if the parcel is further subdivided access to a government road allowance from an internal roadway can be provided.



Figure 10: Preferred Country Residential Parcel Configuration in the Agriculture Area



**Policy 4.1.4.17** Farmstead separations may be permitted provided the site exhibits at least three (3) the following characteristics: a residence, well, dugout, shelter belts, fences, ancillary farm buildings, power facilities, access.

**Policy 4.1.4.18** Only one (1) vacant country residential parcel will be allowed per quarter section at any time.

**Policy 4.1.4.19** Vacant country residential lots shall not be less than 2.0 ac. (0.8 ha), and normally no more than 40.0 ac. (16.18 ha) in size.

## 4.2 Residential Policy

Smoky Lake County has experienced some multi-lot country residential development, particularly adjacent to lakes. This trend affects the social, economic and environmental community of the County.

There are three (3) types of residential uses that characterize the County. They are:

- multi-lot country residential developments in lake-side communities,



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- recreation residential developments adjacent to some of the County’s significant water bodies and
- residential developments in urban areas

Generally, country residential and recreation residential developments are not connected to municipal sewer or water services while the urban residential developments do have access to municipal water and sewage disposal systems.

This Plan strives to achieve a balance between providing opportunities for residential development while still supporting and preserving the livelihood and quality of life of the existing and future agricultural community, the physical environment and areas of historic and cultural significance within the County.

Multi-lot residential development shall be allowed in Smoky Lake County in those areas designated residential subject to the following policies:

<b>Objective 4.2.1</b>	<b>To provide opportunities for low-impact multi-lot residential development in appropriate locations</b>
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**Policy 4.2.1.1** Residential subdivision or development shall not be permitted:

- (a) within an area likely to be subjected to high levels of noise from industry, transportation facilities, or other sources of noise. High levels of noise is defined as a:
  - (i) 85 dBA Lex daily noise exposure level or higher; or
  - (ii) 140 dBC peak sound level;
- (b) in close proximity to a resource extraction operation; and
- (c) within a 1 in 100 year flood plain.

**Policy 4.2.1.2** Residential subdivisions should be located in proximity to gas, electrical, and telephone lines which have existing spare capacity to sustain the additional usage. Subdivisions shall have direct access to existing maintained roads.

**Policy 4.2.1.3** Where a subdivision for residential purposes is proposed, the developer shall be required to enter into a development agreement with the County



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wherein the developer agrees to be responsible for all the costs associated with the subdivision and development.

**Policy 4.2.1.4** Documentation indicating that satisfactory arrangements have been made regarding the development's sewage disposal system may be a condition of approval for country residential development.

**Policy 4.2.1.5** The assessment of the suitability of a proposed residential subdivision will **not** take into consideration required setbacks for private sewage disposal systems. Rather, if a subdivision results in the reduction of setbacks between an existing or proposed private sewage disposal system and a property line then the developer will be required to ensure that the existing or proposed private sewage disposal system conforms to all relevant provincial regulations effecting private sewage disposal systems.

**Policy 4.2.1.6** Spatial buffers or setbacks shall be maintained between country residential uses and adjacent uses which may be incompatible for any reason.

**Policy 4.2.1.7** A multi-lot country residential subdivision shall be considered to be any subdivision which will create six (6) or more parcels for residential or agricultural use on a quarter section.

**Policy 4.2.1.8** The location of new multi-lot residential subdivisions shall be controlled by County Council through the process of Land Use Bylaw amendment.

**Policy 4.2.1.9** The County will require an Area Structure Plan be prepared and approved prior to the approval of any amendment to the Land Use Bylaw to allow a multi-lot country residential subdivision where the land being proposed for development that is 20.0 ac. (8.09 ha) or greater in area, except that the County may require the preparation of a conceptual plan or outline plan if:

- (a) the preparation of an Area Structure Plan is considered by the County to be impractical or inappropriate given:
  - (i) the small scale of the lands and lots proposed for development; or
  - (ii) the existing fragmentation of the quarter section in



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which the development is located.

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<b>Objective 4.2.2</b>	<b>To encourage low net multi-lot residential developments in locations which generate no or low impacts on the County's working and cultural landscapes</b>
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**Policy 4.2.2.1** Multi-lot country residential developments will adhere to the following conservation design-based principles in order to mitigate potential negative impacts:

- (a) The ecology of the subject site must be considered. Environmentally sensitive lands and working landscapes should be left undisturbed wherever possible, but incorporated into the overall development. Wildlife corridors or connections between habitat areas should be maintained wherever possible.
- (b) Development will be directed to lands within the subject site that are deemed by the County to be of lesser environmental and/or agricultural significance.
- (c) The natural landscape and topography should be considered and incorporated into the overall design of the development.

**Policy 4.2.2.2** Multi-lot country residential developments should be clustered or grouped to reduce potential land use conflicts and minimize servicing costs.

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<b>Objective 4.2.3</b>	<b>To minimize municipal servicing costs associated with multi-lot residential developments</b>
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**Policy 4.2.3.1** The County will require the proponent of a multi-lot country residential development to identify all municipal servicing costs associated with the development. The assignment of these costs between the County and the developer will be the basis of a development agreement to be entered into prior to a subdivision approval or upon the issuance of a development permit. Normally, however, all development servicing costs



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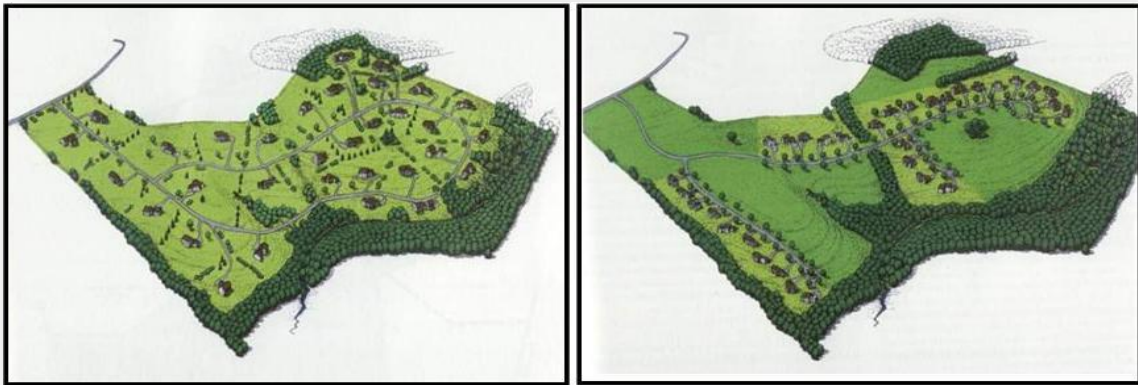
associated with the development, including the provision of internal roadway systems to a high standard and the upgrading of other County roads leading to the site in order to provide good access to the residential site will be the responsibility of the developer.

**Policy 4.2.3.2** Multi-lot country residential developments should be clustered or grouped to reduce potential land use conflicts and minimize service costs.

**Objective 4.2.4 To ensure that multi-lot residential developments are compatible with surrounding land uses**

**Policy 4.2.4.1** Buffering measures, to the satisfaction of the Subdivision Authority may be required at time of subdivision between residential uses and other, adjacent land uses.

**Figure 11: Examples of a Standard Multi-lot Residential Subdivision and a Cluster Residential Subdivision**



Standard Subdivision

Cluster Subdivision



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**Figure 12: Example of a Bareland Condominium Recreation Residential Development**



**Figure 13: Example of a Cluster Recreation Residential Development**



**Objective 4.2.5** To encourage orderly growth and urban residential development within the County's unincorporated urban areas

**Policy 4.2.5.1** The County will work with the urban municipalities within the County in the detailed planning of lands surrounding the urban centres, if the urban municipality so wishes. The results of this dialogue may be in the form of an Area Structure Plan, an informal Outline Plan, or a simple agreement respecting either land uses and/or the provision of municipal



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piped water supply and sewage disposal services and/or development consultation with the urban municipality.

- Policy 4.2.5.2** Notwithstanding that the use may be listed as a discretionary use in the District affecting the subject lands, the County shall discourage development within 1.6 km (1 mile) of a hamlet that would adversely affect the urban centre unless, in the opinion of the County, appropriate measures are taken to mitigate adverse effects.
- Policy 4.2.5.3** The County will only allow development in hamlet areas which will be compatible with the current capabilities and capacities for water supply and sewage disposal systems.
- Policy 4.2.5.4** Development in hamlets which do not have communal water supply and sewage disposal systems should be planned and designed so that the lots are of a size and the subsequent development is of a configuration which would permit re-subdivision to a higher density should communal water supply and sewage disposal systems eventually be available.
- Policy 4.2.5.5** Council may allow the expansion of hamlets, preferably onto lower capability agricultural land, if additional area is needed to accommodate growth. Council shall also encourage the development of vacant lots within hamlets provided that the infill development will not adversely affect the surrounding area.

### 4.3 Industrial Policy

For the purpose of this Municipal Development Plan the term "industry" refers to manufacturing or warehousing and storage, and includes both light and heavy industry. Industries that may have high levels of noxious emissions or noise are referred to as heavy industry. Light industry is not noxious and is generally compatible with other uses. Natural resource extraction industries, such as gravel pits and oil and gas wells, are addressed **Section 3.8**.

Industrial uses within the County can be classified as rural industrial or industrial.

Most of the County's economic base focuses on the agriculture and resource sectors. Historically, the continuation and expansion of the County's industrial base has been limited due to a finite land base and the non-renewable nature of the mining and petroleum resource



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sector. The County recognizes that industrial developments can be of benefit to the County by providing employment, tax dollars and services to County residents. If planned effectively, the negative impacts an industry may have on the surrounding area can be mitigated or minimized.

This Plan encourages the diversification of the County’s economic base by identifying land and policies to support the development of a diverse range of industrial developments within the County.

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**Objective 4.3.1 To encourage appropriate industrial development in environmentally and socially suitable locations at no cost to the County**

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**Policy 4.3.1.1** Industries shall be encouraged to avoid locating in areas of critical wildlife habitat or in the Victoria District Overlay Area wherever possible.

**Policy 4.3.1.2** Industries shall be encouraged to locate on lower capability agricultural land wherever possible.

**Policy 4.3.1.3** Before approving any development proposal for an industrial use, the County may require the provision of a Cumulative Effects Assessment including environmental impact information and a risk assessment (such as that provided for by the Major Industrial Accidents Council of Canada (MIACC)) to assist the County in assessing the impact of the proposed development in relation to the natural and human environments, and indicate both if and how any negative matters can be mitigated. The County may require the implementation of any mitigating actions indicated in the information and assessment as a condition of any development approval.

**Policy 4.3.1.4** All proposals for industrial development (including industrial parks) shall:

- (a) in the opinion of the Development Authority, NOT conflict or jeopardize with surrounding land uses;
- (b) be considered only in accordance with an Area Structure Plan or, at the discretion of Council, a Development Concept Plan that has been developed and approved in accordance with the Municipal Government Act, which Development Concept or Area Structure Plan will address:



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- (i) the impact on adjacent land uses;
- (ii) transportation;
- (iii) provision of water and sewer services;
- (iv) storm drainage;
- (v) the provision for municipal reserve;
- (vi) the impact on community services, such as fire protection;
- (vii) the municipal servicing costs associated with the development;
- (viii) landscaping and buffering;
- (ix) risk assessment; and
- (x) any other matters identified by the County.

not be allowed to locate in close proximity, as determined by the County, to a multi-lot residential subdivision;

- (c) be accompanied by an identification of all municipal costs associated with the proposal;
- (d) meet all provincial requirements and obtain a development permit from the County prior to construction; and
- (e) be encouraged to locate near or adjacent to provincial highways.

**Policy 4.3.1.5** No industrial development (including industrial parks) shall result in any additional costs to the County, unless the County agrees to share the costs.

<b>Objective 4.3.2</b>	<b>To ensure industrial development requiring municipal services to locate within urban areas</b>
------------------------	---

**Policy 4.3.2.1** Council shall encourage light industrial development that requires access to municipal services to locate within or near existing urban areas.



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**Policy 4.3.2.2** Council shall only consider proposals for the development of lands for industrial uses in a hamlet if the proposal is for a light industrial use.

#### **4.4 Commercial Policy**

The intent of the Plan is to accommodate commercial facilities, primarily adjacent to the highway, secondary road systems, within established hamlets, and in appropriate locations within multi-lot recreation residential developments. Commercial developments provide a service to the agricultural community, local residents, the highway traveling public, and tourists to the region. The County will not support commercial developments that adversely affect the standard of safety or convenience, or the functional integrity of any highway or road. The Plan also recognizes that specific commercial uses may require unique site locations in order to serve the rural community.

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<b>Objective 4.4.1</b>	<b>To minimize the impacts of commercial activities on working landscapes and cultural landscapes</b>
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**Policy 4.4.1.1** The County shall consider proposals for commercial development:

- (a) that will not unnecessarily fragment the working landscape; and
- (b) that do not conflict with adjacent land uses.

**Policy 4.4.1.2** Commercial uses shall be encouraged to avoid locating in areas of critical wildlife habitat wherever possible.

**Policy 4.4.1.3** Commercial uses operated as secondary uses to agricultural operations may be allowed.

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<b>Objective 4.4.2</b>	<b>To minimize conflicts with adjacent land uses</b>
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**Policy 4.4.2.1** Commercial development may be allowed to locate near urban areas in consultation with the affected urban area, as determined by the Development Authority.



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**Policy 4.4.2.2** The Development Authority shall require the developer to construct and/or maintain an appropriate buffer, as determined by the Development Authority, between the development and nearby lands.

**Policy 4.4.2.3** Council shall encourage commercial development in hamlets if the necessary servicing requirements do not exceed the servicing capabilities of the hamlet or negatively impact the character of the hamlet.

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<b>Objective 4.4.3</b>	<b>To minimize municipal servicing costs associated with commercial development</b>
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**Policy 4.4.3.1** The Development Authority shall require the developer of a commercial development to identify all municipal servicing costs associated with the development. The assignment of these costs between the County and the developer will be the basis of an agreement to be entered into prior to a subdivision approval or upon the issuance of a development permit. Normally, however, all development servicing costs associated with the development will be carried by the developer.



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## 5 Overlay Area Policies

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The Overlays in this Section apply to special areas, to which special objectives and policies are applied in addition to those of the underlying Land Use Areas. The additional special regulations and procedures may involve special processes and special interest groups. Also, development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites.

The overlay areas are shown on the Future Land Use Map of this Bylaw.

### 5.1 Victoria Overlay

The Victoria overlay identifies that area within the County identified as the Victoria District National Historic Site of Canada. The Victoria District is of national historic importance because of its cultural landscapes and highly visible and intact physical attributes. The Victoria District represents an exceptional illustration in one concentrated area of major themes in Prairie settlement. Smoky Lake County recognizes the significance of this unique cultural landscape.

Policies in this section apply to those lands shown within the Victoria Overlay on the Smoky Lake County Future Land Use Map.

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<b>Objective 5.1.1</b>	<b>To ensure that development within the Victoria District Overlay does not negatively impact the unique cultural landscape</b>
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<b>Policy 5.1.1.1</b>	The County shall not support resource extraction development proposals in areas that are known to possess unique historical and/or scientific or environmental features that would be disturbed or destroyed by resource extraction.
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<b>Policy 5.1.1.2</b>	The County will circulate development and subdivision applications to the Heritage Branch of the Alberta Government in order to determine if a Heritage Impact Assessment (HIA) is required as part of their application for subdivision or development.
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<b>Policy 5.1.1.3</b>	If a HIA is required, the developer shall be required to prepare a HIA for
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review by the Province and the County.

**Policy 5.1.1.4** If the HIA identifies the presence of heritage resources then the developer will be required to take appropriate mitigating measures, to the satisfaction of the appropriate provincial agency, prior to subdivision or development approval.

**Policy 5.1.1.5** The County will not support development proposals in locations within the Victoria Overlay that are known to possess unique historical and/or scientific or environmental features that would be negatively impacted or destroyed by the proposed development.

## 5.2 Statutory Plan Overlay

The Statutory Plan overlay identifies areas within the County where there are existing statutory plans such as area structure plans or area re-development plans. Developments in these areas are required to conform to all applicable policies within the relevant statutory plan as well as the objective and policies in the County's Municipal Development Plan.

Currently there are five (5) Statutory Plan Areas within the County. They are:

- Bonnie Lake Area Structure Plan
- Whitefish Lake Area Structure Plan
- Hanmore Lake Area Structure Plan
- Garner Lake Area Structure Plan
- Mons Lake Area Structure Plan

The Statutory Plan Overlay areas are shown on the Smoky Lake County Future Land Use Map.

## 5.3 Environmentally Sensitive Area Overlay

The Environmentally Sensitive Area Overlay identifies areas in Smoky Lake County where the physical characteristics of the land may make development difficult or unfeasible, and/or where developing the land would have a significant impact on recognized ecological features. Development in these areas may require additional information to be submitted by the applicant in order to ensure the suitability of potential development sites. The Environmentally Sensitive Area Overlay areas are shown on the Smoky Lake County Future Land Use Map.



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## 6 Plan Administration

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### 6.1 Authority of the Plan

Pursuant to the Municipal Government Act, R.S.A., 2000, this Plan shall be adopted by Smoky Lake County, as the Smoky Lake County Municipal Development Plan. Subdivision, development and re-development of lands within Smoky Lake County by the municipality and general public shall be in accordance with the provisions of this Plan. Council shall encourage the Provincial and Federal governments to have regard for the provisions of this Plan in the development and re-development of crown lands, and in the formulation and implementation of Provincial and Federal policies and programs, within Smoky Lake County.

<b>Objective 6.1.1</b>	<b>To ensure that all County statutory and regulatory planning documents are consistent and up-to-date and to conduct reviews and consider amendments to the Plan as required</b>
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<b>Policy 6.1.1.1</b>	When this Plan or any part thereof takes effect, the Land Use Bylaw of Smoky Lake County shall be amended, if necessary, to conform to this Plan.
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<b>Policy 6.1.1.2</b>	The Municipal Government Act outlines the procedure for an amendment to the Municipal Development Plan. When reviewing proposals for amendment, Council shall ensure that the change is in agreement with the plan goal and objectives. Council should require that a request for an amendment be made in writing. The submission should also address the reasons for the amendment and conformity with the Plan's goals and intent. When reviewing an amendment, Council should consult with any agencies it feels may be of assistance.
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<b>Policy 6.1.1.3</b>	Planning is a continuous process and it is important that the Municipal Development Plan be monitored, reviewed and updated in order to ensure that the planning needs of the County are being met. A review may be appropriate when: <ul style="list-style-type: none"><li>(a) changes in economic, social or technical developments occur,</li></ul>
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- (b) a new Council is elected, or
- (c) an amendment to the plan is made.

A major review should be undertaken at least once every five years.

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**Objective 6.1.2 To recognize the unincorporated urban areas within the County**

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**Policy 6.1.2.1** The Hamlets of Bellis, Spedden, Edward, and Warspite are recognized unincorporated urban areas within Smoky Lake County. Residential development is allowed within these areas. These areas are primarily residential communities which provide important social and commercial functions to the surrounding agricultural community.

**Policy 6.1.2.2** Within 3.2 km (2 miles) of incorporated urban centres within the County, development shall be promoted in consultation with neighbouring urban centres.

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**Objective 6.1.3 To engage in cooperative and collaborative communication with municipal, regional and provincial partners**

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**Policy 6.1.3.1** The planning process must include and involve neighbouring municipalities. To that end, Smoky Lake County will actively consult with any adjacent or nearby municipality during the consideration of amendments to this Plan, amendments to the Land Use Bylaw, proposed subdivisions, or significant discretionary development permits when the proposal is in close proximity to the adjacent municipality or when, in the opinion of Smoky Lake County, the proposal may impact the adjacent municipality, in order to obtain the adjacent municipality’s views on the proposal. The approving authority will give careful consideration to any matters raised during this consultation; however, Smoky Lake County will not be bound by the recommendations of the adjacent municipality.

**Policy 6.1.3.2** The County will also work with the urban municipalities within the County in the detailed planning of lands surrounding the urban centres, if the urban municipality so wishes. The results of this dialogue may be



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in the form of an Area Structure Plan, an informal Outline Plan, or a simple agreement respecting either land uses and/or the provision of municipal piped water supply and sewage disposal services and/or development consultation with the urban municipality.

**Policy 6.1.3.3** Prior to approving any subdivision or discretionary development, Municipal Development Plan or Area Structure Plan amendment, or Land Use Bylaw amendment within 1.6 km (1 mile) of an incorporated urban centre or an adjacent rural municipality, the County shall request comments from the adjacent municipality and shall give due consideration to such comments when evaluating a proposal.

**Policy 6.1.3.4** Council shall support only those annexation proposals that they feel are required and justified. In forming their position on an annexation proposal, Council shall consider the following:

- (a) Does the annexation proposal encompass lower capability agricultural land and, if not, is the expansion onto high capability agricultural land justified in light of existing growth direction options?
- (b) Has the urban centre planned its future land use and development through a municipal development plan or similar planning document?
- (c) Is the annexation required or does the urban centre have sufficient land within its boundaries to accommodate anticipated growth and development?



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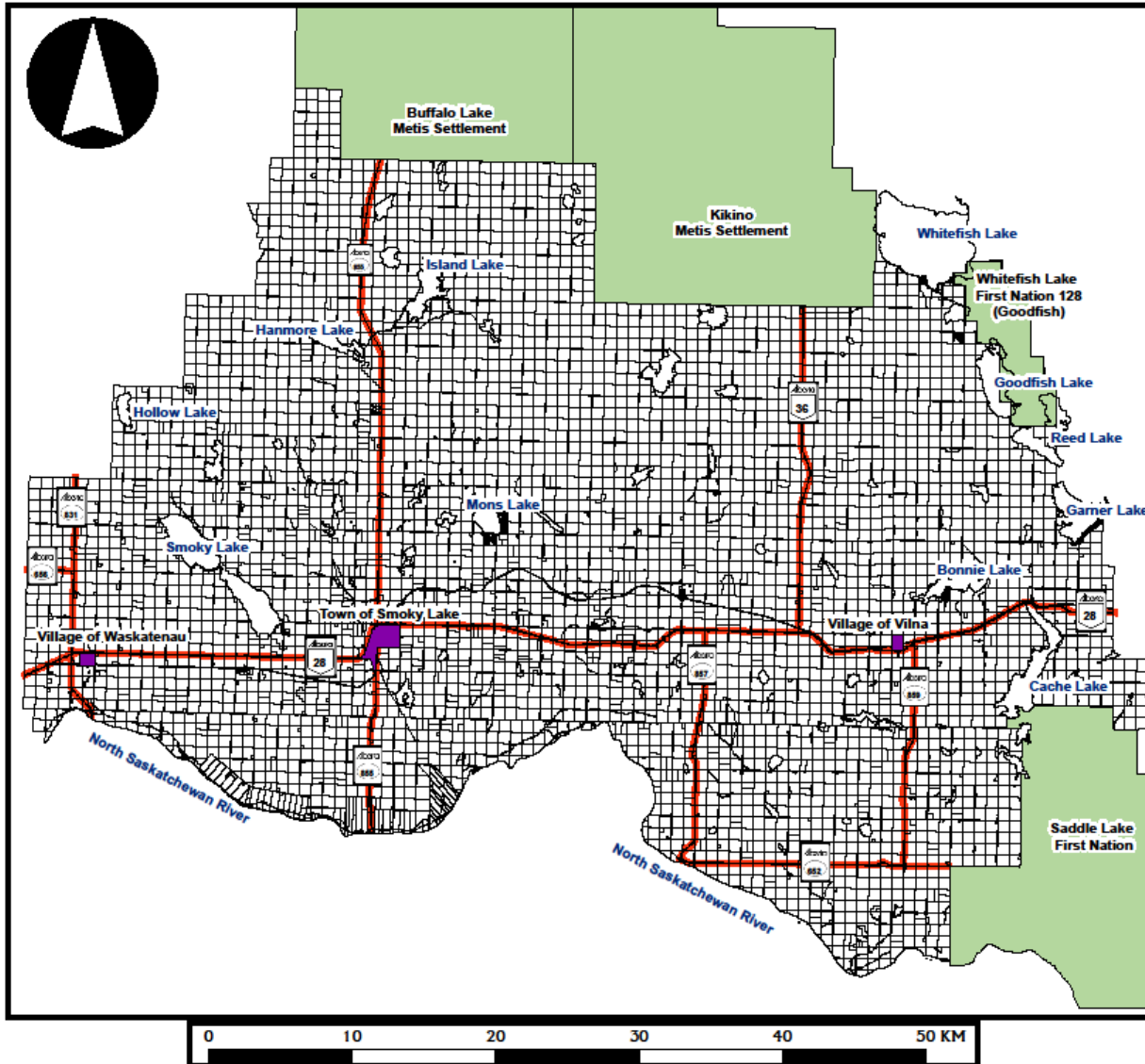
## 7 Municipal Development Plan Maps

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## 7.1 Regional Location Map



# Smoky Lake County

## Municipal Development Plan Figure 1 - Regional Location

### Legend

- Municipality
- Metis Settlement / First Nation Reserve
- Highway



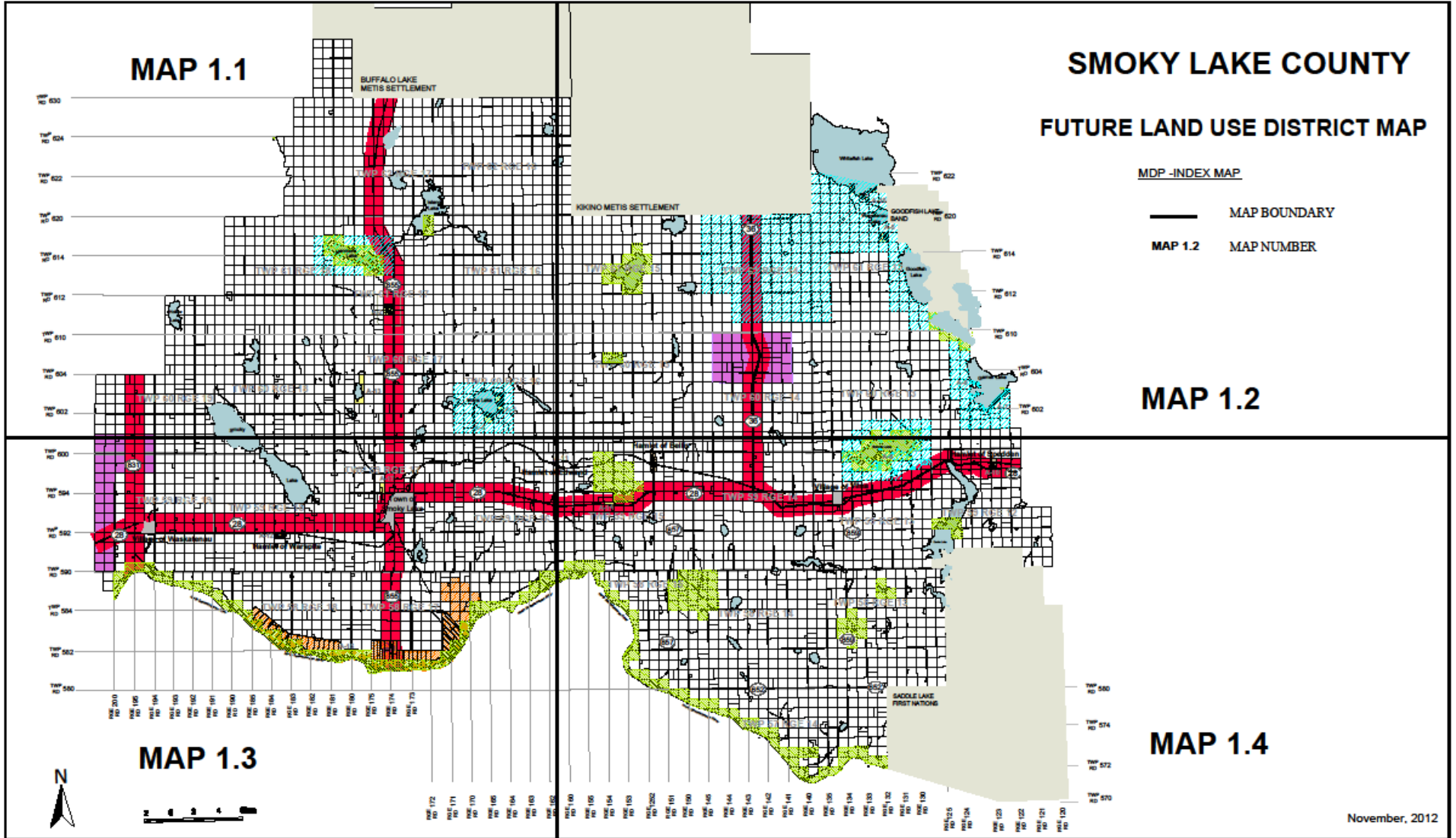
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Geographic coordinate system and projection: UTM, NAD 83 Datum: Zone 12 N

Municipal Planning Services (2009) Ltd.  
www.munplan.ab.ca  
#208 17511-107 Avenue, Edmonton, AB, T5S 1E5  
Phone: 780-486-1991

March 5, 2012



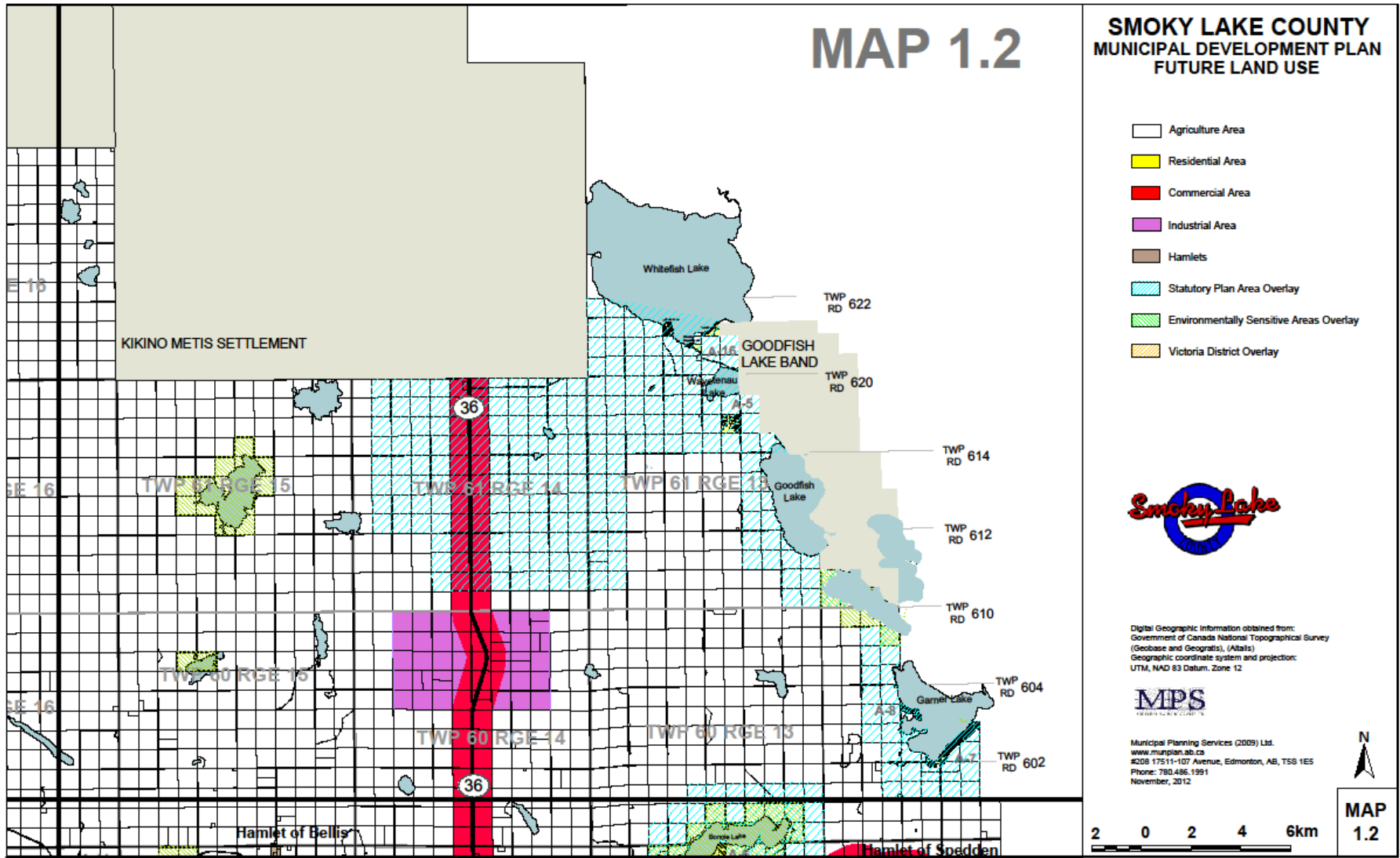
## 7.2 Future Land Use Map



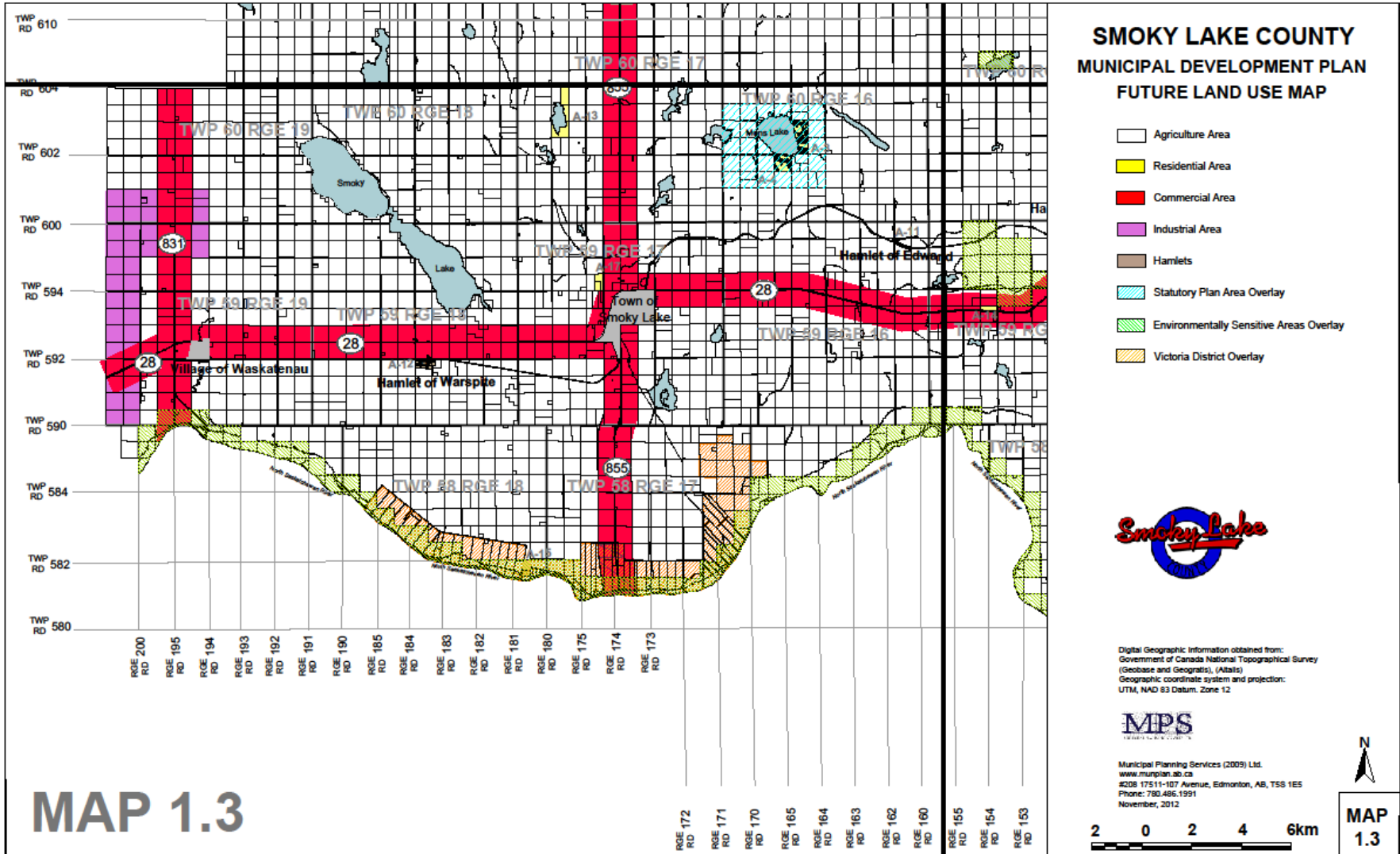




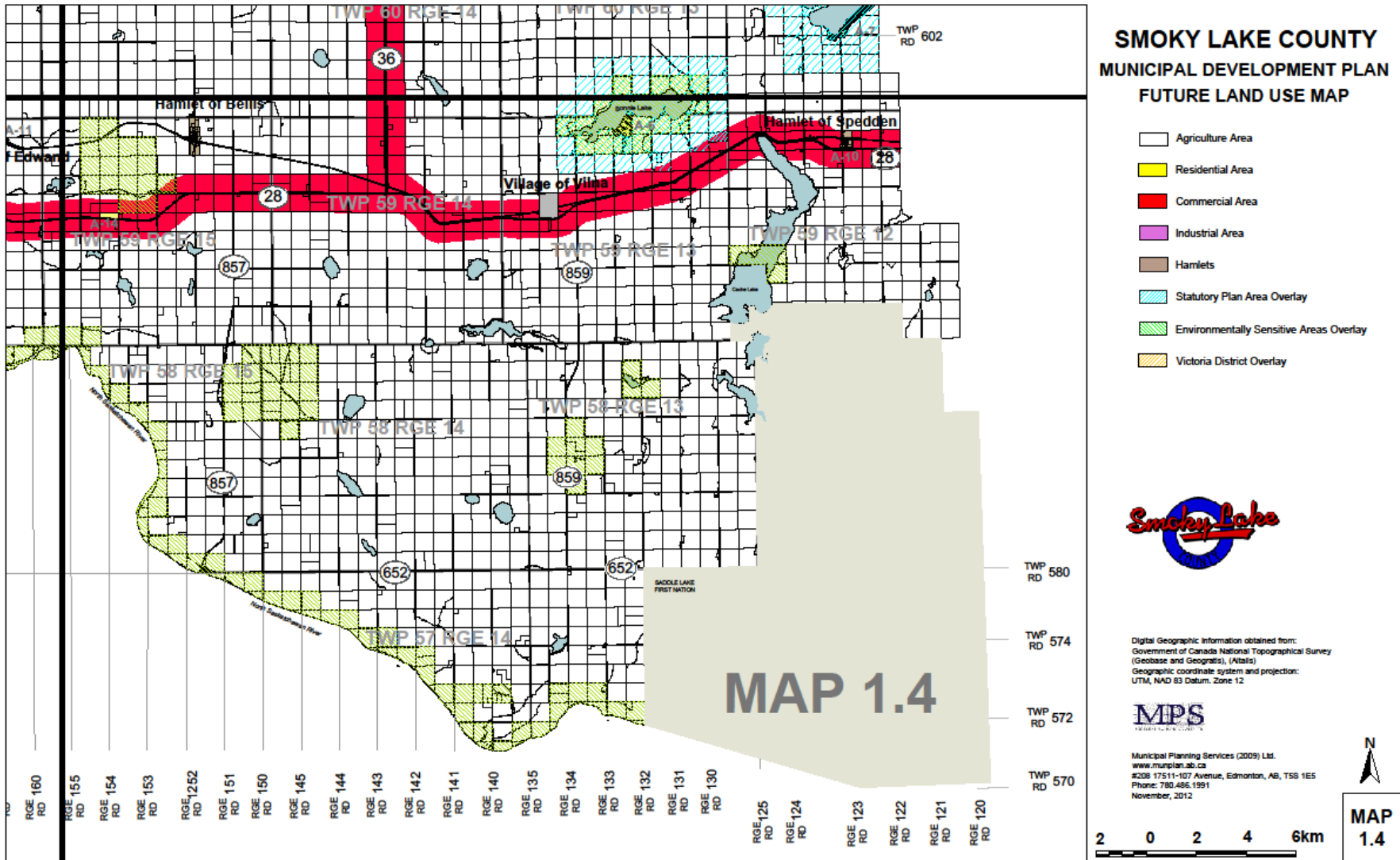
7.2.2 MDP 1.2



### 7.2.3 MDP 1.3



### 7.2.4 MDP 1.4



## 8 Definitions

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**“Mini Transfer Station”** means a waste storage site as defined in the **Waste Management Regulation** for the disposal of household waste;

**“Moderate Transfer Station”** means a waste storage site as defined in the **Waste Management Regulation** for the disposal of household garbage, burnables, and metal;

**“Major Transfer Station”** means a Class II landfill as defined in the **Waste Management Regulation** with an onsite operator. Major transfer stations accept all waste except contaminated or hazardous materials;



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## 9 Appendixes

### 9.1 Appendix A: SRD Environmental Reserve Guidelines

#### Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths

In reference to Section 664 of the *Municipal Government Act*, the following are recommended where a boundary to a proposed subdivision is a water body or watercourse.

**Table 1. Standard recommended minimum widths for Environmental Reserves or Environmental Reserve Easements based on type of water feature.**

Water Feature	Minimum ER Width <sup>2</sup>	Notes
Reservoirs & Regulated Lakes	30 m from right of way or easement boundary	A regulated lake is a lake where water levels are established to a predetermined elevation and actively managed through use of a licensing requirement (e.g. to pump water into the water body).
Lake (natural & controlled)	30 m from natural boundary	On controlled lakes, 30 m from sill elevation of licensed control structure.
Swamp/wetland <sup>1</sup>	Variable, include wet meadow zone	Wet meadow zone can be extensive in some situations, and in these instances the ER should be wide enough to preserve ecological function.
Large River (≥ 15m width)	30+ m	See additional requirements for hazardous lands.
Small River/Large Stream (6-15 m)	15 m	See additional requirements for hazardous lands.
Medium Stream (3 - 6 m)	10 m	See additional requirements for hazardous lands.
Small Stream (≤ 3 m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use bylaw to regulate tree cutting within a defined distance from feature to maintain riparian vegetation and drainage.
Braided Stream	10 m from outside boundary of active floodway	

<sup>1</sup> Sustainable Resource Development views the term "swamp" to mean any area with hydrological conditions of sufficient duration to have developed saturated soils and hydrophytic vegetation (i.e. wetlands or peatlands).  
<sup>2</sup> In addition to the recommended ER width for the water feature itself, associated landscape features may require the ER width to be modified to factor in additional inherent hazards to development.

For lands described in section 664(1)(b) of the *Municipal Government Act* (unsuitable for development because they are subject to flooding, have high risk of erosion, or have existing topographical or geo-technical constraints) the following are recommended.

**Table 2. Additional factors that may necessitate an increase in the width of an Environmental Reserve or Environmental Reserve Easement.**

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> <li>The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less.</li> <li>The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley.</li> </ul>	<ul style="list-style-type: none"> <li>Residential development within a floodplain is discouraged.</li> <li>Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines).</li> <li>The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.</li> </ul>
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes (>15%)	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	

September 2007

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## 9.2 Appendix B: Information Maps

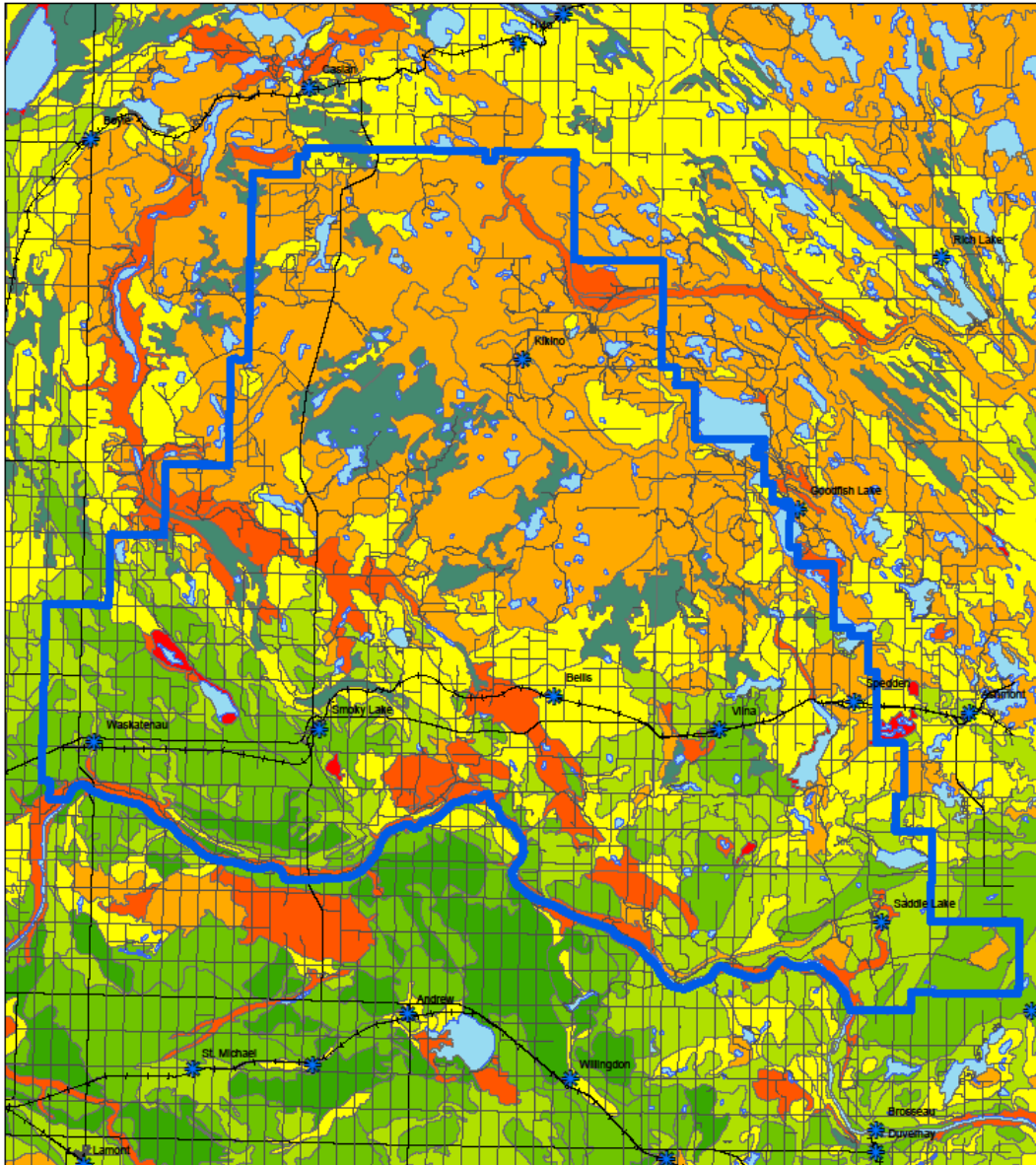
The following maps are not approved as a part of this bylaw, and are for information purposes only.



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


## 9.2.1 Agriculture

### Agricultural Capability












### Smoky Lake County

#### Legend

-  County Boundary
-  Railways
-  Minor Roads
-  Major Roads

#### Agricultural Capability

- |   |  |
|---|--|
|  No significant limitations    |  Perennial forage crops |
|  Moderate limitations          |  No capability          |
|  Moderately severe limitations |  Organic soils          |
|  Severe limitations            |  Water area             |
|  Very severe limitations       |  |



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Kilometers

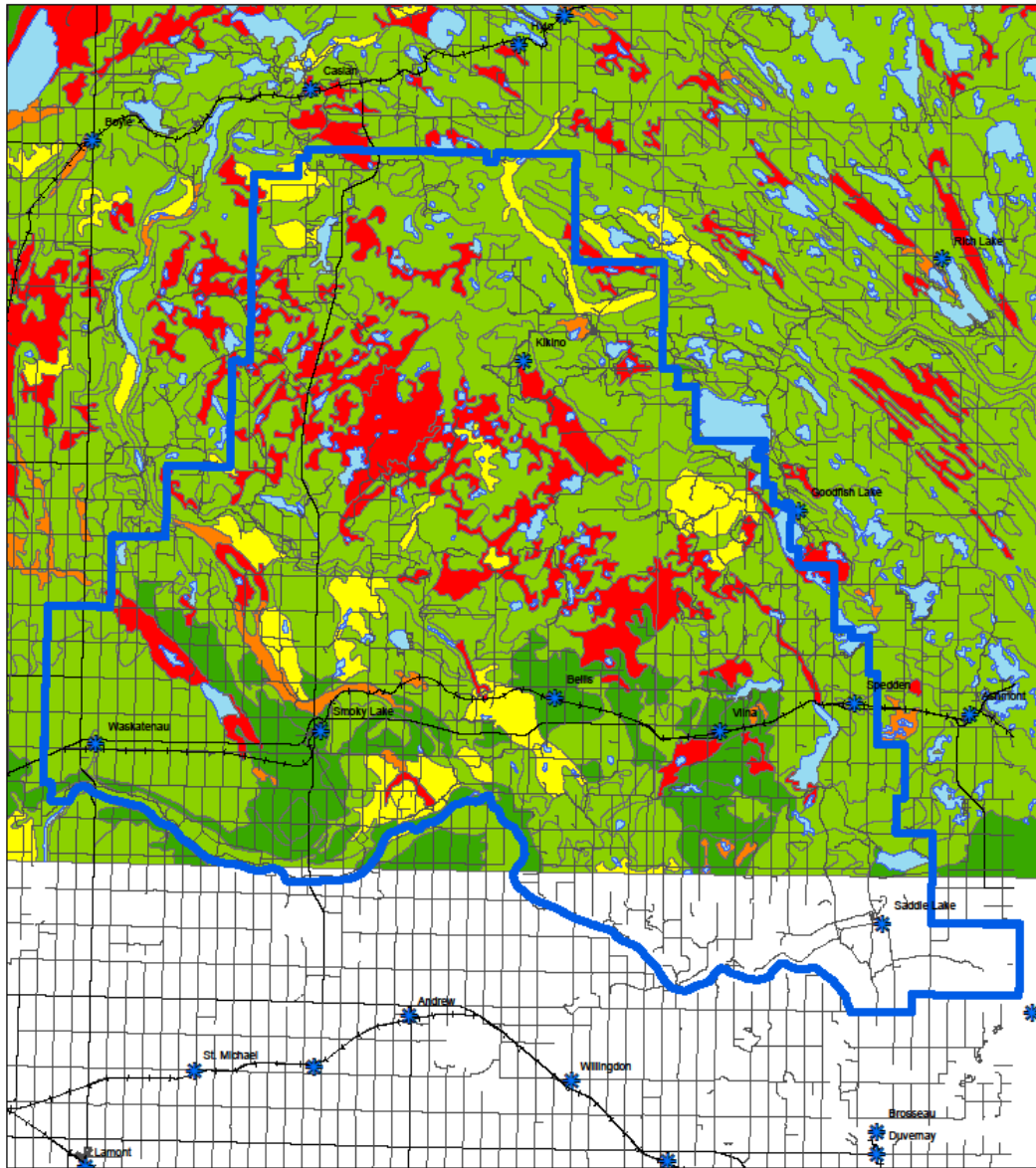
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Data provided by: Canada Land Inventory and Altalis  
Map created by: Jordan Widmer, Municipal Planning Services (Alberta) Ltd.







## 9.2.2 Forestry

### Forestry Capability



### Smoky Lake County

#### Legend

-  County Boundary
-  Railways
-  Minor Roads
-  Major Roads

#### Forestry Capability

- |   |  |
|---|--|
|  Slight limitations            |  Severe limitations     |
|  Moderate limitations          |  Limitations too severe |
|  Moderately severe limitations |  Water areas            |



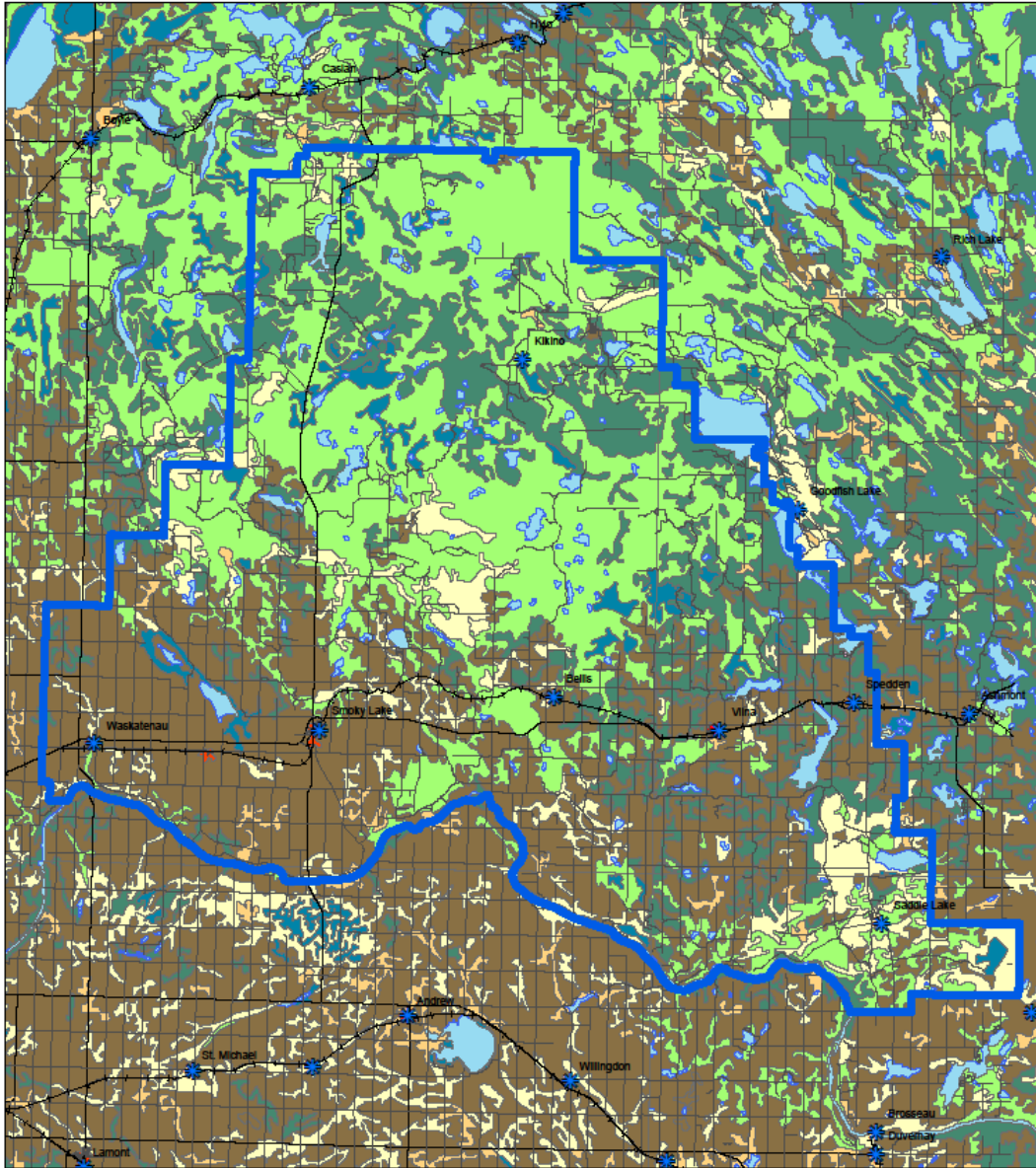
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Map created by: Jordan Widmer, Municipal Planning Services (Alberta) Ltd.





### 9.2.3 Land Use






### Land Use







### Smoky Lake County

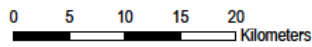
#### Legend

-  County Boundary
-  Railways
-  Minor Roads
-  Major Roads

-  Cropland
-  Built-up areas
-  Rough grazing and rangeland
-  Swamp, marsh, or bog
-  Outdoor recreation

#### Land Use

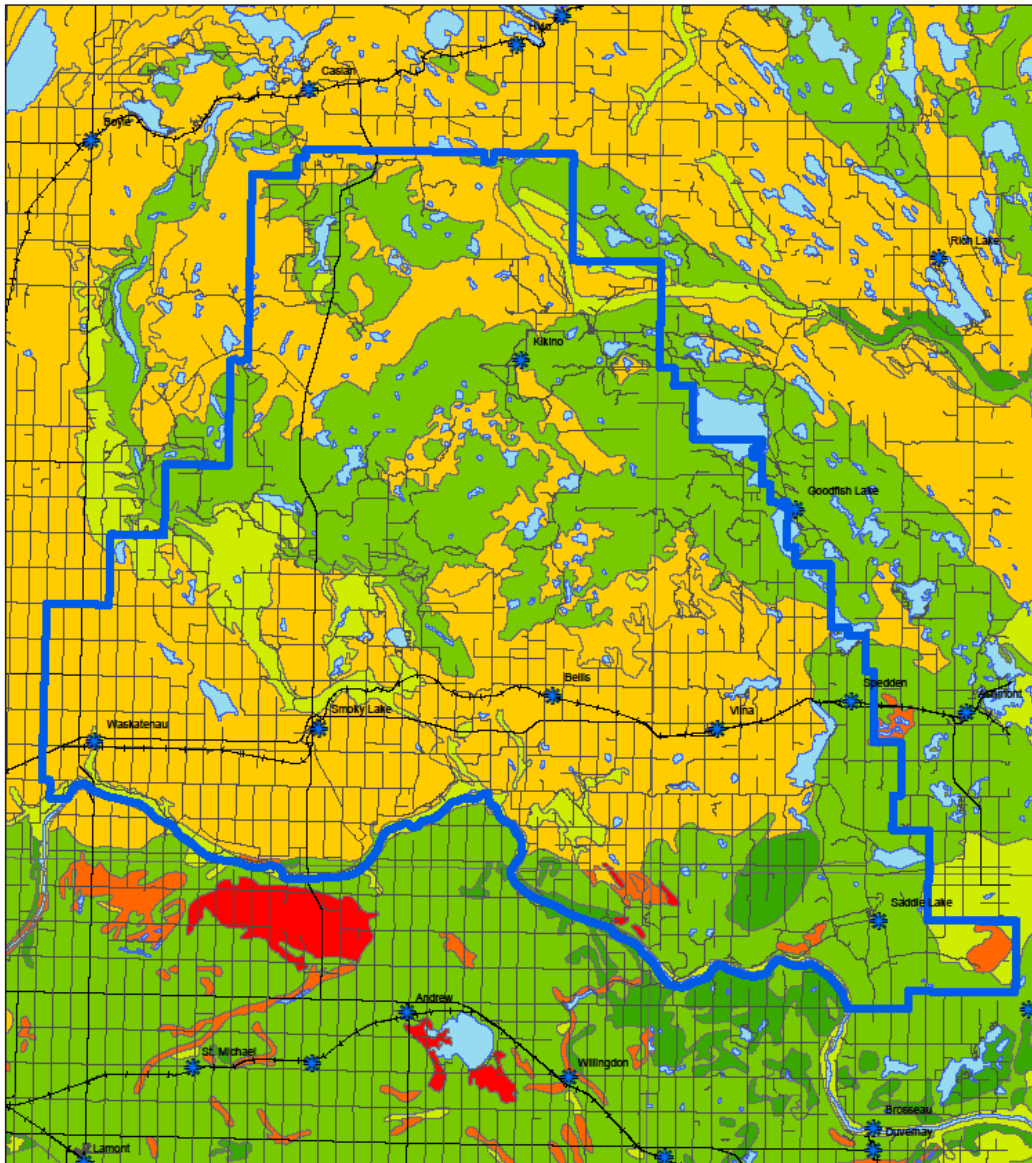
-  Improved pasture and forage crops
-  Productive woodland
-  Non-productive woodland
-  Water area



Data provided by: Canada Land Inventory and Altalis  
 Map created by: Jordan Widmer, Municipal Planning Services (Alberta) Ltd.





## 9.2.4 Ungulates

### Ungulates



### Smoky Lake County

#### Legend

-  County Boundary
-  Railways
-  Minor Roads
-  Major Roads

#### Ungulates

-  No significant limitations
-  Very slight limitations
-  Slight limitations
-  Moderate limitations
-  Moderately severe limitations
-  Severe Limitations
-  Water Area



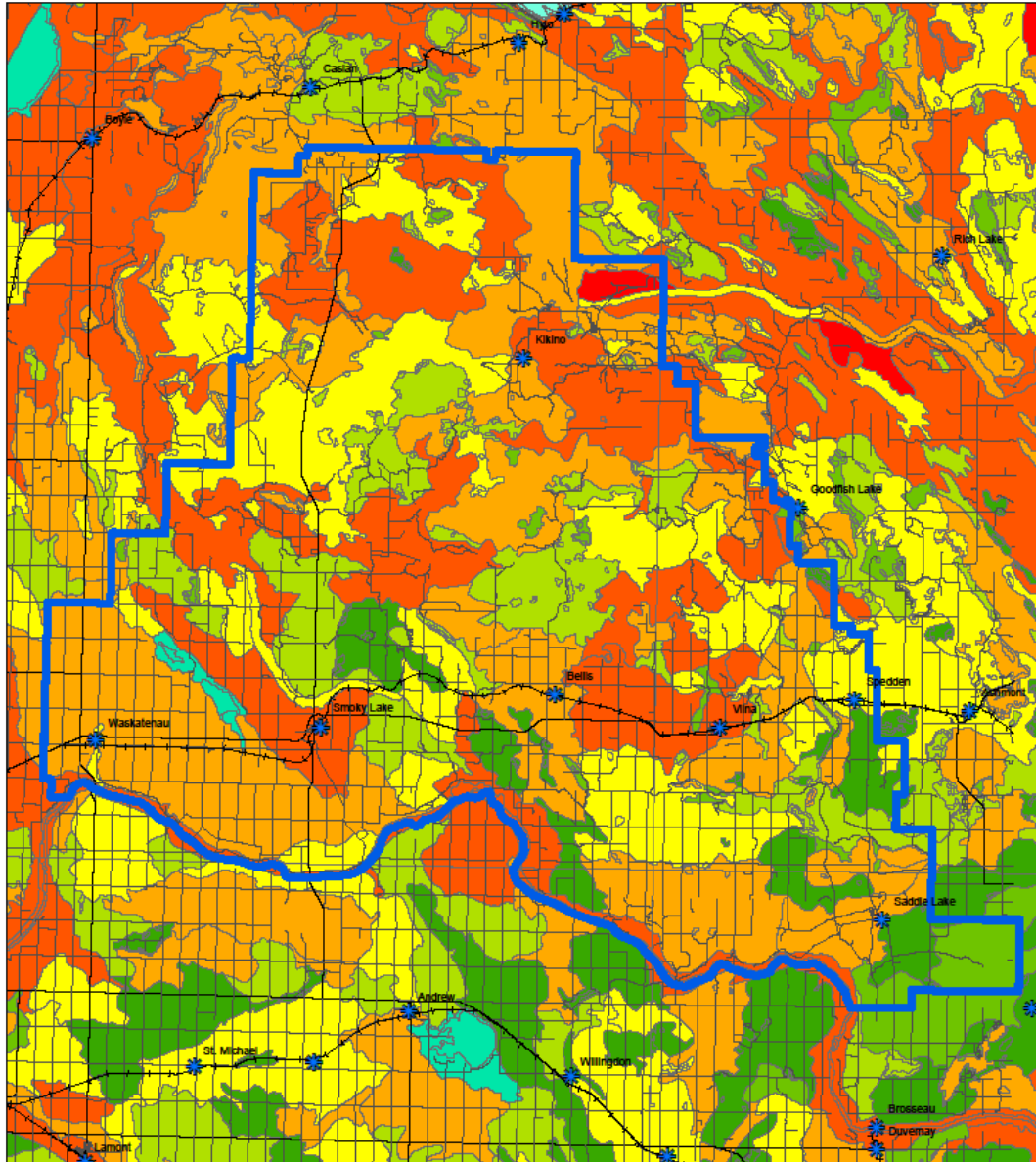
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Kilometers



Data provided by: Canada Land Inventory and Altalis  
Map created by: Jordan Widmer, Municipal Planning Services (Alberta) Ltd.

## 9.2.5 Waterfowl

### Waterfowl



### Smoky Lake County

#### Legend

- County Boundary
- Railways
- Minor Roads
- Major Roads



#### Waterfowl

- No significant limitations
- Moderate limitations
- Class 1 migration stops
- Moderately severe limitations
- Very slight limitations
- Class 2 migration stops
- Severe limitations
- Limitations too severe
- Slight limitations



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 Map created by: Jordan Widmer, Municipal Planning Services (Alberta) Ltd.

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BYLAW NO. 1282-15**

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A BYLAW OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING PUBLIC HEARING PROCEDURES FOR PLANNING AND DEVELOPMENT HELD BY THE COUNCIL OF SMOKY LAKE COUNTY.

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**WHEREAS**, Sections 184, 197, 198, 200, 230 and 606 inclusive of the *Municipal Government Act*, and amendments thereto, deal with public hearing and meetings of Council.

**WHEREAS**, the purpose of this bylaw is to meet the statutory duty to provide members of the public with the opportunity to be heard before Council.

**WHEREAS**, the Council of Smoky Lake County, wishes to develop a clear and concise procedure for organizing and conducting public hearings, and establishing the process for handling oral and written submissions with regards to public hearings for planning related bylaws or bylaw amendments.

**NOW THEREFORE**, under the authority and pursuant to the provisions of the *Municipal Government Act*, and by virtue of all other enabling powers, the Municipal Council of Smoky Lake County, duly assembled, enacts as follows:

**1. TITLE:**

- 1.1 This Bylaw shall be known as the “**Planning and Development: Public Hearing Procedures**”.

**2. DEFINITIONS:**

- 2.1 **Advertising:** notice of the public hearing regarding a bylaw, or amendment must be (a) published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates, or in which the hearing is to be held, and (b) **mailed or delivered to residences within 500m of the subject property to which the proposed bylaw relates.**
- 2.2 **Chairperson:** shall be the Reeve appointed by Council at the time of the hearing.
- 2.3 **Notice:** a notice must contain:
- (a) a statement of the general purpose of the proposed public hearing,
  - (b) the address where a copy of the proposed bylaw and any document relating to it or to the meeting or public hearing may be inspected, and
  - (c) the date, time and place where the public hearing will be held.
- 2.4 **Public Hearing:** is a hearing whereby Council hears from members of the public on a proposed bylaw or resolution.
- 2.5 **Public Hearing Background Report:** is a report prepared by the Planning and Development Manager and presented at the beginning of the public hearing. The Report shall include the applicant's/landowner's name, the proposed bylaw number, the legal description of the subject property and the requested amendment. The Report must also contain, the date when first reading was given, the date of advertisement of the public hearing, the intent of the amendment, the size and location of the parcel of land, the nature of the use or development proposed by the developer, and the appropriate statutory plan (if any) and Land Use Bylaw sections.
- 2.6 **Public Participation:** any person who believes their interest will be affected by a proposed bylaw or resolution has an opportunity to address Council at a public hearing in an orderly fashion as determined by the Chairperson. Individuals are encouraged to submit written submissions to the Attention of the Planning & Development Manager for Smoky Lake County at [pd@smokylakecounty.ab.ca](mailto:pd@smokylakecounty.ab.ca), as set out in the Guidelines.
- 2.7 **Record of Public Hearing:** the proceedings of public hearings shall be recorded in writing. All written letters of correspondence shall be copied into to the written record, and oral submissions shall be summarized in the written record.
- 2.8 **Secretary:** shall be the Chief Administrative Officer or designate.

- 2.9 Timing of public hearing:** means that County Council must hold a public hearing before second reading of the bylaw.
- 2.10 Voting:** in accordance with Section 184 of the Municipal Government Act: Abstention from voting on a matter discussed at public hearing. When a public hearing on a proposed bylaw is held, a councillor a) must abstain from voting on subsequent readings of the bylaw if the councillor was absent from all of the public hearing, and b) may abstain from voting on subsequent readings of the bylaw if the councillor was only absent from a part of the public hearing.

### 3. GUIDELINES:

- 3.1** Staff will manage written correspondence received (by letter or email) for a public hearing as follows:
- 3.1.1** Correspondence received prior to the bylaw being considered for 1<sup>st</sup> reading:
- If addressed to Staff, retain in the file.
  - If addressed to Council, circulate to Council as general correspondence.
  - Does not form part of the public hearing record.
- 3.1.2** Correspondence received after 1<sup>st</sup> Reading and/or authorization to proceed to public hearing and prior to public hearing:
- Compiled and made available for public review at the public hearing (included in the public hearing background).
  - Forms part of the public hearing record.
  - Deadline for receipt of correspondence set for Wednesday at 12 noon, one week prior to the County Council meeting at which the public hearing will be held. This is to ensure that there is sufficient time to include the correspondence in Council's agenda package.
- 3.1.3** Correspondence received after deadline in subsection 3.1.2:
- Recommendation is for the public to attend the meeting to present their submission.
  - Forms part of the public hearing record.
- 3.1.4** Correspondence received after the closing of the public hearing:
- Cannot be received by Council.
  - Does not form part of the public hearing record.

### 4. PROCEDURES:

- 4.1** Smoky Lake County will conduct public hearings as per Section 230 of the *Municipal Government Act*.
- 4.2** Smoky Lake County will ensure the advertising/notification of public hearing is as per Section 606 of the *Municipal Government Act*.
- 4.3** Landowners within a 500m radius of the subject land(s) will be mailed or delivered a written notice of a public hearing (if the amendment relates to a specific property).
- 4.4** The Planning and Development Manager shall prepare a Public Hearing Background report consisting of the proposed bylaw number, applicant/owner, land location, requested amendment, and the background. The background information must contain, when first reading was given, the date of advertisement, the intent of the amendment, the size and location of the parcel of land, what the developer is proposing to do, and the appropriate Land Use Bylaw sections. The standardized form is attached forming **Schedule A: Public Hearing Background**.
- 4.5** After the agenda package is released to County Council, staff may circulate the Public Hearing Background to members of the public, the applicant and/or landowner.

#### At the public hearing:

- 4.6** A sign-in sheet will be provided for all public hearings. The standardized form is attached forming **Schedule B – Public Hearing Sign In Sheet**. Anyone attending the

hearing who wishes to speak must sign in and enter their mailing or email address on the sheet. Attendees who wish to receive a copy of the minutes following the hearing must sign in and enter their mailing address on the sheet. Those who wish to oppose the Bylaw will speak first, followed by those who support the Bylaw. Speakers will be called upon by the Chairperson in the order that they appear on the list. The Chairperson shall allow any affected person who has not signed the sign in sheet to speak after all those who have signed in have been heard.

- 4.7** Those in attendance at the public hearing will refrain from applause or other expressions of emotion whether in favour of, or opposition to, any particular submission or argument. Inappropriate language, outbursts or criticisms aimed at individuals or groups is not permitted.
- 4.8** If a group of persons or neighbourhood is at the meeting to present the same case, they should designate a speaker to represent them.
- 4.9** Presentations should be brief and communicate concerns that relate only to the bylaw before Council. Speakers should not repeat matters or information raised by others, except to express support. Presentations are limited to a maximum of 10 minutes per speaker unless a majority vote of Council agrees to extend this time limit for a speaker. Questions asked by Council members may extend the time limit.
- 4.10** Council's role at a public hearing is to listen to the public. Council does not debate or challenge the comments being offered, but may question what they hear to make sure they understand what is being said. All comments presented to Council should address the merits of the bylaw before Council.
- 4.11** The Planning and Development Manager will make available a Public Hearing Script for the Chairperson. A standardized form is attached forming **Schedule C: Public Hearing Script**.

**After the public hearing is closed:**

- 4.12** After the public hearing has been closed upon declaration by the Chairperson, Council may consider the bylaw at that meeting (if applicable), at the next meeting, or a specified meeting of Council, with or without a request for further information from staff. No other submission from the public or applicant may be received by Council on the bylaw.
- 4.13** Upon conclusion of the public hearing, Council may discuss the proposed bylaw. Council discussion usually starts with a motion from a member of Council to:
- a) consider 2<sup>nd</sup> reading and/or 3<sup>rd</sup> reading of the proposed bylaw, or
  - b) defeat 2<sup>nd</sup> reading of the proposed bylaw, or
  - c) defer further readings of the proposed bylaw to a future Council meeting, or
  - d) approve the proposed bylaw in an amended form.

Some or all members of Council may comment on the proposed bylaw or resolution, providing reasons why they agree or disagree with the motion. Additionally, Council members may ask for clarification or technical advice from the applicant and/or staff in response to the possible decision Council may be considering.

**Note:** A separate Request For Decision is not required if County Council considers further readings of the bylaw at the same meeting as the public hearing, as the contents (attachments) would be available for review in the Public Hearing Background.

- 4.14** If Council so chooses, it may recess after holding a public hearing, although during this period Council members cannot discuss the bylaw with the applicant or the public. This is to prevent Council receiving information that would otherwise be unavailable to either the applicant or the public.
- 4.15** If Council votes to approve the proposed bylaw (with or without amendments), the approval commonly requires that various reports or steps (ie. Geotechnical Report, Water Study, Historical Resources Act Clearance, Storm water Management Plan, Traffic Impact Assessment etc.) must be fulfilled by an applicant before the Subdivision Authority can consider a Subdivision Application (if applicable).

**5. EFFECTIVE DATE:**

**5.1** This Bylaw comes into effect after third and final reading.

READ A **FIRST TIME** IN COUNCIL THIS 25<sup>th</sup> DAY OF June, AD 2015.

READ A **SECOND TIME** IN COUNCIL THIS 25<sup>th</sup> DAY OF June, AD 2015.

READ A **THIRD AND FINAL TIME** IN COUNCIL THIS 25<sup>th</sup> DAY OF June, AD 2015.

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Ron Bobocel  
Reeve

**S E A L**

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Cory Ollikka  
Chief Administrative Officer



**SCHEDULE 'A': PUBLIC HEARING BACKGROUND**



**Public Hearing Date:** \_\_\_\_\_  
**Public Hearing Time:** 9:15 a.m.

**PUBLIC HEARING BACKGROUND**

**PROPOSED BYLAW NO.:** XXXX-XX

**APPLICANT:** \_\_\_\_\_

**PROPOSAL:** (Insert text from the bylaw)

**BACKGROUND:**

- The application was submitted on \_\_\_\_\_.
- Agencies were sent letters via mail on \_\_\_\_\_.
- Bylaw XXXX-XX was presented for 1<sup>st</sup> Reading on \_\_\_\_\_.
- Neighbouring landowners within +/- 500m radius were sent letters via mail on \_\_\_\_\_.
- A notice has also been posted on the County's website since \_\_\_\_\_.
- The Public Hearing Notices were advertised in the Smoky Lake Signal and Redwater Review the weeks of \_\_\_\_\_ and \_\_\_\_\_. The proposed bylaws were advertised and notice has been provided in accordance with the applicable legislation.
- This hearing has been scheduled to obtain public input on proposed Bylaw in accordance with Section 230 of the Municipal Government Act.
- Intention of Developer.
- The letters below have been received from the public:
  1. Name, Date Received.

**ATTACHMENTS:**

1. Draft Bylaw XXXX-XX with Schedules
2. Application
3. General Location Map
4. Relevant Legislation
5. Certificate of Title (if applicable)
6. Copies of letters from the public

**SCHEDULE 'B': PUBLIC HEARING SIGN IN SHEET**

**SMOKY LAKE COUNTY  
PUBLIC HEARING - PROPOSED BYLAW \_\_\_\_\_ : \_\_\_\_\_  
DATE AND TIME**

Name (Print)	Signature	Mailing Address & Legal Description
<b>OPPOSED TO PROPOSED BYLAW:</b>		
Name (Print)	Signature	Mailing Address & Legal Description
<b>IN SUPPORT TO PROPOSED BYLAW:</b>		

\*\*Your name will be called upon by the chairperson to speak to the proposed bylaw.

**SCHEDULE 'C': PUBLIC HEARING SCRIPT**

**REEVE'S SCRIPT FOR PUBLIC HEARING  
DATE AND TIME**

(BYLAW \_\_\_\_\_ : \_\_\_\_\_)

Action	✓	Statements
<b>1.0 Opening</b>		
Reeve:		<p>I, _____, the Reeve for the Smoky Lake County will proceed with discussion on proposed bylaw _____:</p> <p>_____.</p> <p>The Public Hearing open at _____. (any time after 9:15 a.m. <u>not</u> before)</p> <p>Planning advice will be provided by _____ and/or _____, Planning and Development Manager.</p> <p>All persons wishing to be heard at this public hearing should sign in on the sign in sheet (in the foyer) giving their name.</p> <p>Persons who do not sign in shall speak only after all those who signed in have given their presentations. We ask that anyone who wishes to speak but has not yet signed in, please sign in now.</p> <p><b>(Pause to allow people to sign in if they have not already done so).</b></p>
Reeve:		<p>I would, at this time, ask the CAO to confirm whether or not this Public Hearing has been advertised and notice has been provided in accordance with the applicable legislation.</p>
Secretary:		<p>Yes, it has Mr. Chairman.</p>
Reeve:		<p>I would ask the CAO to summarize the purpose of the Hearing.</p>
Secretary:		<p>The purpose of this hearing is for the Council of Smoky Lake County to obtain <b>public input</b>, in favour and opposed to proposed Bylaw _____: _____.</p> <p><b>Read into record the Public Hearing Background.</b></p>
Reeve:		<p>The ground rules of the hearing and the order of speaking will be:</p> <ul style="list-style-type: none"> <li>a) planner and/or planning staff will speak first to outline facts and present her recommendation on the proposed bylaw (if <b>necessary</b>),</li> <li>b) members of the public, who have signed in will be given the opportunity to speak in the order they signed in,</li> <li>c) anyone else, who did not sign in will be given the opportunity to speak,</li> <li>d) planner and/or planning staff will be given the opportunity to present closing remarks or address any of the issues presented,</li> <li>e) Councillors will be given the opportunity to ask questions,</li> <li>f) Council will then end the Hearing and consider the information received at the public hearing,</li> <li>g) only Councillors may ask questions of speakers during the Hearing. If any persons wish to ask questions of a speaker, they must ask Council to ask the question on their behalf during their presentation, and Council will only ask the</li> </ul>

Action	✓	Statements
		question if a Councillor wishes to have an answer.  h) Council will consider the representations made regarding the bylaw and any other matter Council considers appropriate.
<b>2.0 Staff Presentation</b>		
<i>The Reeve announces:</i>		Before hearing from the public, I would ask _____ (County's planner) and/or planning staff to present a report on the proposed bylaw.
<i>After the Planner/ staff representative is finished, the Reeve asks:</i>		Does Council have any questions or points of clarification they wish to ask of the planner and/or planning staff?
<b>3.0 Public Presentations via Written Submissions</b>		
<i>The Reeve announces:</i>		Before hearing from the public present today, I would ask _____ (County's planner) and/or planning staff to advise of any written submissions received. (Read all written submissions into record).
<i>After the Planner is finished the Reeve asks:</i>		Does Council have any questions or points of clarification they wish to ask of the planner and/or planning staff?
<b>4.0 Public Presentations at the Public Hearing</b>		
<i>Then announce:</i>		I will now call upon persons signed up on the sign-in sheet whom are <b>in opposition to the proposed bylaw</b> . Please state your <u>name</u> for the record. Please note that each party wishing to speak will have only one opportunity to do so, and their time will be limited to 10 minutes. Council Members may ask presenters questions for the purpose of clarifying the speaker's comments. Council will not debate this matter during the hearing. The decision(s) regarding whether or not to approve the bylaw(s) further readings will be dealt with later in the meeting.
<i>Public – Opposed of proposed Bylaw:</i>		Record names here: _____ _____ _____
<i>After each speaker is finished the Chair asks Council:</i>		Does Council have any questions or points of clarification?
<i>Reeve:</i>		I will now call upon persons signed up on the sign-in sheet whom are <b>in support of the proposed bylaw</b> . Please state your <u>name</u> for the record. Please note that each party wishing to speak will have only one opportunity to do so, and their time will be limited to 10 minutes. Council Members may ask presenters questions for the purpose of clarifying the speaker's comments. Council will not debate this matter during the hearing. The decision(s) regarding whether or not to approve the bylaw(s) further readings will be dealt with later in the meeting.
<i>Public – In</i>		Record names here:

<b>Action</b>	✓	<b>Statements</b>
<i>Favor of proposed Bylaw:</i>		<hr/> <hr/> <hr/>
<i>After each speaker is finished the Chair asks Council:</i>		Does Council have any questions or points of clarification?
<i>After all who signed in have spoken, say:</i>		Is there anyone else who has not spoken and wishes to speak?
<i>After each speaker the Chair asks Council:</i>		Does Council have any questions or points of clarification?
<b>5.0 Questions and Answers</b>		
<i>Following all comments from the public, the Reeve asks Council:</i>		At this time, does any Council member have any additional questions of any speaker or of the staff or planner?
<b>6.0 Closing Remarks</b>		
<i>The Reeve announces:</i>		<p>There being no further presentations. I would like to thank all presenters for their comments. Council will take your comments into consideration when deciding on this matter.</p> <p>I declare the public hearing on proposed bylaw _____ closed at _____.</p>

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1387-20**

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**A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA,  
TO ESTABLISH FEES FOR PLANNING AND DEVELOPMENT FOR SMOKY LAKE COUNTY.**

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**WHEREAS**, Smoky Lake County deems it expedient to set and review, as necessary, from time to time various fees and fines related planning and development within the Municipality; and

**WHEREAS** Council has adopted Smoky Lake County Bylaw 1272-14 to be the Land Use Bylaw;

**WHEREAS** Council may in a bylaw provide for a system of licences, permits or approvals, including establishing fees for licences, permits and approvals, in accordance with Section 8 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, and amendments thereto;

**WHEREAS**, the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended from time to time, authorizes an accredited municipality to make bylaws respecting fees for anything issued or any material or service provided pursuant to the *Safety Codes Act*;

**NOW THEREFORE** under the authority and subject to the provisions of the *Municipal Government Act*, and by virtue of all other enabling powers, the Council of Smoky Lake County, duly assembled, enacts as follows:

**1. NAME:**

- i. This Bylaw may be referred to as the "Smoky Lake County Planning and Development Fees Bylaw."

**2. FEES ESTABLISHED:**

- i. **Schedule A** attached herein forms a part of this Bylaw.
- ii. The Subdivision Authority under the *Municipal Government Act* as appointed by Council may establish related fees.
- iii. The Accredited Agency under the *Safety Codes Act* as appointed by Council may establish related fees.

**3. FINES RELATED TO OFFENCES AND PENALTIES:**

a. Any person who:

- i. Contravenes or fails to comply with any provision of this Bylaw and/or the Smoky Lake County Land Use Bylaw 1274-12 the "Land Use Bylaw";
- ii. Uses land in a manner contrary to the provisions of this Bylaw or any subdivision or development permit for such land;

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1387-20**

- iii. Contravenes or fails to comply with any development permit or subdivision approval, or conditions forming part thereof;
  - iv. Contravenes or fails to comply with a decision of the Subdivision and Development Appeal Board;
  - v. Obstructs or otherwise hinders in any manner any person in the exercise or performance of that person's powers authorized under this or any other Bylaw or enactment; or,
  - vi. Contravenes or fails to comply with a stop order issued pursuant to the *Municipal Government Act*; is guilty of an offence and is liable on summary conviction to a fine.
- b. A person who contravenes or who fails to comply with any other provision of the Land Use Bylaw is guilty of an offence and is liable to a penalty for a first and each subsequent offence in the amount specified in **Schedule A** of this Bylaw.
- c. If a person is found guilty of an offence under the Land Use Bylaw, the court may, in addition to any other penalty imposed, order the person to comply with the Land Use Bylaw or a permit issued under that Bylaw, or a condition of any of them.
- d. A Peace Officer may issue a Municipal Tag where it is reasonably determined that a person has contravened any provision of the Land Use Bylaw.
- e. Where a contravention or offence is of a continuing nature, further Municipal Tags may be issued by a Peace Officer for each day the offence continues.
- f. A person named on a Municipal Tag may, in lieu of being prosecuted, plead guilty to the offence by signing the Municipal Tag and paying the specified penalty at the location indicated on the Municipal Tag.
- g. If payment of a Municipal Tag is not made within the time specified, a Peace Officer may issue a Violation Ticket under the *Provincial Offences Procedures Act* requiring the person named to appear in court on the date indicated in the Violation Ticket.
- h. Nothing in this Bylaw shall prevent or restrict a Peace Officer from immediately issuing a Violation Ticket under the *Provincial Offences Procedures Act* for a mandatory court appearance of any person who contravenes this Bylaw or the Land Use Bylaw.

**4. RIGHT OF ENTRY**

- i. For the purpose of entering and inspecting land or structures as described in section 542, Part 13, Division 4 of the *Municipal Government Act*, RSA 2000, Chapter M-26, a Development Officer or the Development Compliance Officer, and

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1387-20**

any other persons appointed by Council, are hereby declared to be "designated officers"

**5. REVIEW:**

- i. This Bylaw shall be reviewed every two years or as deemed necessary from time to time.

**6. SEVERABILITY:**

- ii. If any part of this Bylaw is found to be invalid, the remaining sections remain in force.


**7. EFFECTIVE DATE:**

- i. This Bylaw comes into force and effect upon it receiving Third Reading.
- ii. **Smoky Lake County Planning & Development Fees Policy 61.11** is hereby rescinded.

READ A FIRST TIME IN COUNCIL THIS 10<sup>th</sup> DAY OF DECEMBER, AD 2020.

READ A SECOND TIME IN COUNCIL THIS 10<sup>th</sup> DAY OF DECEMBER, AD 2020.

READ A THIRD AND FINAL TIME IN COUNCIL 10<sup>th</sup> DAY OF DECEMBER, AD 2020.

  
Craig Lukinuk  
Reeve

**SEAL**  
  
Gene Sobolewski  
Chief Administrative Officer



**SCHEDULE A**

ITEM DESCRIPTION	FEE
<b>DEVELOPMENT PERMITS</b>	
Permitted Use – Residential District	\$100.00
Permitted Use – Commercial / Industrial District / Public Institutional	\$1.00 / \$1,000.00 value of construction Minimum \$300.00
Discretionary Use / Variances	\$200.00
Extension Request / Renewals	\$50.00
Resource Extraction	\$750.00 / acre
Resource Extraction – Reclamation Fees (Reclamation Fees are exempt when the responsibility of Reclamation is of the Province of Alberta on Crown Land Only.)	\$2,000.00 / acre
Heritage Resource Intervention Permit	\$100.00
Landscaping, Deck, and Signs	\$100.00
Development Occurring prior to submitting Development Permit Application	\$500.00 <u>in addition</u> to the normal Permit Fee
<b>AMENDMENTS</b>	
Application to Amend the Land Use Bylaw (Map of Text Amendment)	\$1,000.00 + cost of advertising
Application to Amend the Municipal Development Plan	\$1,000.00 + cost of advertising
Application to Amend an Area Structure Plan	\$1,000.00 + cost of advertising
<b>NEW STATUTORY PLANS</b>	
New Area Structure Plan (proposed by a Developer)	\$2,000.00 + cost of advertising
<b>OTHER</b>	
Compliance Certificate	\$125.00
Letter confirming zoning of a parcel (Zoning can be confirmed without charge on Munisight ES)	\$50.00
Encroachment or License Agreement	\$500.00 or legal fees whichever is greater.
Road Closure	\$500.00 + cost of advertising
<b>OTHER</b>	
Business Licence	No Charge
<b>WITHDRAWALS OR REFUNDS</b>	
Development Permit Application Withdrawal	Before decision of Development Authority – 50% of Application Fee  After decision of Development Authority – No refund
New Statutory Plan or Plan Amendment Withdrawal	Prior to 1 <sup>st</sup> reading – 75% of Application Fee  Prior to advertising – 50% of Application Fee after Public Hearing

**SCHEDULE A**

	<p>After Public Hearing – No refund</p> <p>If the County incurs costs (planning, engineering, lawyer fees, etc.) – No refund</p>
<b>APPEAL FEES</b>	
Subdivision Appeal Fee	\$250.00
Development Appeal Fee	\$250.00
<b>PLANNING DOCUMENTS COPY FEES</b>	
Land Use Bylaw – Hard Copy	\$50.00
Municipal Development Plan – Hard Copy	\$50.00
Area Structure Plan – Hard Copy	\$25.00
USB drive with LUB / MDP / ASP(s) or any combination of more than 1 (one) Planning Document	\$ 25.00
<p><b>NOTE: The Planning Documents noted above are available electronically without charge on the County's website.</b></p>	

This document is consolidated into a single publication for the convenience of users. The Official Bylaw and all amendments thereto are available from the Legislative Services Department and should be consulted in interpreting and applying this Bylaw. In the case of any dispute, the original Bylaw and amendments must be consulted.

**BYLAW 1564/21 CONSOLIDATED WITH BYLAW 1595/22**  
**SCHEDULE OF FEES AND CHARGES**  
**STURGEON COUNTY, MORINVILLE, ALBERTA**

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A BYLAW OF STURGEON COUNTY IN THE PROVINCE OF ALBERTA, TO ESTABLISH RATES, FEES, AND CHARGES FOR SERVICES PROVIDED BY THE MUNICIPALITY.

**WHEREAS** the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended from time to time, authorizes Council to establish and adopt bylaws for municipal purposes respecting the following matters:

- a) services provided by or on behalf of the municipality;
- b) the establishment of fees for licenses, permits and approvals.

**WHEREAS** the Act provides for the provision of municipal utility services subject to the terms, costs or charges established by Council; and,

**WHEREAS** the Safety Codes Act, R.S.A. 2000, Chapter S-1, as amended or repealed and replaced from time to time, authorizes an accredited municipality to make bylaws respecting fees for anything issued or any material or service provided pursuant to the Safety Codes Act; and,

**WHEREAS** the Freedom of Information and Protection of Privacy (FOIP) Act, R.S.A. 2000, Chapter F-25, as amended from time to time, authorizes a local public body to by bylaw set any fees the local public body requires to be paid under the FOIP Act, which must not exceed the fees provided for in the regulations;

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

**1. Name of Bylaw**

- 1.1. This Bylaw may be cited as the “2022 Fees and Charges Bylaw” or the “2022 Fees and Charges Schedule”.

**2. Definitions**

2.1. In this Bylaw:

- i. “Bylaw” means this Fees and Charges Bylaw;
- ii. “County” means the Municipality of Sturgeon County; and
- iii. “County Commissioner” means the person appointed as the County Commissioner for Sturgeon County.

**3. Application**

- 3.1. The rates, fees, and charges payable for municipal services provided by the County shall be outlined in the Schedules, which are attached to and form part of this Bylaw.
  - i. Schedule “A” - Administrative Services
  - ii. Schedule “B” - Agriculture Services
  - iii. Schedule “C” - Development Services
  - iv. Schedule “D” - Protective Services

- v. Schedule "E" - Solid Waste
- vi. Schedule "F" - Transportation Services
- vii. Schedule "G" - Water Services
- viii. Schedule "H" - Wastewater Services
- ix. Schedule "I" – Broadband Initiatives

- 3.2. Bylaw 1525/20 is repealed.
- 3.3. Bylaw 1539/21 is repealed.
- 3.4. Bylaw 1554/21 is repealed.
- 3.5. Policy ADM-INT-1 (Interest on Security or Compliance Deposits) is rescinded.

#### **4. Severability**

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

#### **5. Effective Date**

- 5.1. This Bylaw shall come into force and take effect on January 1, 2022.

**NOTE: Consolidation created under Section 69 of the *Municipal Government Act*, RSA 2000, C.M-26 and Bylaw 1473/20, printed under the authority of Legislative Services.**

**Bylaw 1564/21, passed by Council December 14, 2021.**

**Amendments: Bylaw 1595/22, passed by Council April 12, 2022.**

**Schedule “C”**

Under this section, please note:

- Applicants are responsible for the payment of any additional costs incurred by the County for the review of any application by a third-party consultant.
- Permit renewals are charged at the same price as a new permit.

*All fees are GST exempt, unless otherwise indicated (“G” indicates GST applicable; “I” indicates GST included in the price) Any refunds will be issued in the same method as the original payment*

<b>DEVELOPMENT SERVICES</b>		<b>Price</b>
<b>1. Agreements</b>		
Development Agreement for construction of municipal infrastructure (including any levies if applicable) – administration and registration		
Major Development Agreement		5000.00
Minor Development Agreement		500.00
Development Agreement for payment of off-site levy only - administration and registration		500.00
Development Agreement for payment of deposit/security - administration and registration		100.00
Amendment of an executed DA		1,000.00
Encroachment agreement – minor		100.00
Encroachment agreement – major		500.00
<b>2. Development Permits – Zoning district and specific land uses</b>	<b>Permitted Use</b>	<b>Discretionary Use</b>
AG	110.00	310.00
<u>Except for the following uses:</u>		
Agriculture support services	\$570.00 + \$0.11/\$1,000 of project value up to \$100 Million + \$0.04/\$1,000 of remaining project value over \$100 Million	
Grading, stripping, and stockpiling	250.00	N/A
Secondary dwelling	N/A	350.00
Single detached dwelling	200.00	N/A
R1, R2, R3, R4, R5 & HR	110.00	310.00
<u>Except for the following uses:</u>		
Apartment	N/A	200.00/ dwelling unit
Duplex	200.00	N/A
Mixed use development	N/A	800.00
Recreational vehicle storage facility		\$570.00 + \$0.11/\$1,000 of project

DEVELOPMENT SERVICES		Price
		value up to \$100 Million + \$0.04/\$1,000 of remaining project value over \$100
Semi-detached dwelling	200.00	N/A
Single detached dwelling	200.00	N/A
Townhouse	200.00/ dwelling unit	N/A
RE	1,000.00	300.00
<u>Except the following uses:</u>		
Accessory Building/Use	150.00	200.00
C1, C2, C3, I1, I2, I3, I4, I5, IR, AP, INS, REC & RVS	\$570.00 + \$0.11/\$1,000 of project value up to \$100 Million + \$0.04/\$1,000 of remaining project value over \$100 Million	
Change of Use	110.00	110.00
<u>Except for the following uses:</u>		
Accessory Building/Use in INS and Rec	150.00	350.00
Grading, stripping, and stockpiling	1,000.00	N/A
Surveillance suite	N/A	400.00
EP, PU & POS	200.00	400.00
	MPC/Dev Off	Council
DC	300.00	600.00
	Permitted Use	Discretionary Use
Cannabis related use development permit	\$570.00 + \$0.11/\$1,000 of project value up to \$100 Million + \$0.04/\$1,000 of remaining project value over \$100 Million	
<u>Change of use (not listed above)</u>		
Home Based Business	110.00	310.00
Residential addition, deck, ramp	110.00	N/A
Retaining wall (exceeding 1.2m in height)	150.00	N/A
Sign	100.00	N/A
	Dev. Off.	MPC
Variances	100.00	250.00
<b>3. Penalties</b>		
Development that occurs prior to Development Permit issuance	Double the current application fee	

<b>DEVELOPMENT SERVICES</b>	<b>Price</b>
<b>4. Miscellaneous Services</b>	
Compliance Certificate	180.00
Letter of Concurrence	
Cell/Internet/Communication Tower	1,000.00
Amateur/Ham Tower	300.00
Road allowance closure fee	2,500.00
An application for a development permit submitted by a recognized community association	N/C
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Special events licenses	
Non-profit organizations	75.00
Profit making organizations, medium event	250.00
Profit making organizations, large event	2,000.00
Heartland Incentive Application Fee	5,000.00
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<b>5. Approach</b>	
Base course and pavement deposit	8,000.00
Gravel deposit	2,000.00
Driveway approach inspection fee	200.00
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<b>6. Securities</b>	
Grading deposit	
Residential	3,000.00/lot
All other districts excluding AG	4,940.00/ha
Landscaping deposit	100% of construction costs
Removal of dwelling deposit	5,000.00
Septic system upgrade deposit	Greater of 7,500 or 25% of a qualified contractor's quote
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<b>7. Statutory Documents, Growth Plan, and LUB</b>	
Amendment to the Land Use Bylaw	3,000.00
Amendment to an approved Statutory Plan or Outline Plan	3,000.00
Amendment to the LUB or ASP for Resource Extraction back to Agriculture	1,500.00
Application for an Area Structure Plan	10,000.00 plus \$200.00/ha to a maximum of \$35,000.00
Application for an Outline Plan	5,00.00 plus \$200.00/ha to a maximum of \$25,000.00
Preparation of application to the Capital Region Board under the Regional Evaluation Framework	2,000.00
Re-referral of Application	1,000.00
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<b>8. Subdivision and Endorsement</b>	
Single lot subdivision (less than 5 lots)	

<b>DEVELOPMENT SERVICES</b>		<b>Price</b>
Application to subdivide one lot		1,175.00
Additional fee per lot		200.00
Application amendment (i.e.: when application amends proposal during or after the review stage of the application and before a decision is made.)		250.00
Multi-lot subdivision (5 lots or more)		
Application to subdivide		200.00
Additional fee per lot		600.00
Application amendment (i.e.: when applicant amends proposal during or after the review stage of the application and before a decision is made)		500.00
Endorsement		
Application		250.00
Additional fee per lot		600.00
Extension of subdivision approval		
First subdivision extension		25.00
Second or further subdivision extension		250.00
Safety Code Fees		
All fees will have a 4% Provincial Levy added to the price of the permit. The minimum levy is \$4.50, and the maximum levy is \$560.00.		
<b>9. Building Permits</b>		
New dwelling	Sq. ft	0.50
Foundation	Each	150.00
Basement – development	Sq. ft	0.25 (min. fee \$125.00)
Deck	Sq. ft	0.20 (min. fee \$125.00)
Special Events – temporary		
Tent, over 120 square feet	Sq. ft	0.20 (min. fee \$125.00)
Stage, over 4 feet in height	Sq. ft	0.25 (min. fee \$125.00)
Relocatable trailers	Per Event	200.00
Residential additions	Sq. ft	0.50 (min. fee \$125.00)
Residential structural renovations or the finishing of a development from a previously expired permit	5.50/\$1,000 of construction value	(min. fee \$125.00)
Fireplaces (solid fuel burning)	Each	125.00
Pools:		
Hot Tubs/Above ground pools (2ft. + depth)	Each	125.00



<b>DEVELOPMENT SERVICES</b>		<b>Price</b>
In-ground pools	Sq. ft	0.40 (min. fee \$125.00)
Demolition		
Residential	Each	125.00
Non-Residential	Each	200.00
Attached or detached garages	Sq. ft	0.25 (min. fee \$125.00)
Accessory Buildings (garden sheds, greenhouse, etc.)		
Up to 500 ft <sup>2</sup>	Each	125.00
Over 501 ft <sup>2</sup>	Sq. ft	0.25
Relocation of building mobile, manufactured, or modular home	Sq. ft	0.32 (min. fee \$200.00)
Change of Use		
Residential or accessory	Each	250.00
From Residential or Farm to Commercial Use		5.50/\$1,000 of construction value (min. fee \$250.00)
Commercial, Industrial, Institutional, Cannabis, RVS		
Project Value* of \$1 Million or less	Value	8.50/\$1,000 (min. fee \$400.00)
Project Value* over \$1 Million		
Project Value of \$1 Million, plus	Value	8.50/\$1,000
Remaining Project Value over \$1 Million	Value	7.50/\$1,000
*Project Value is based on the actual cost of material and labour. Verification of cost may be requested prior to permit issuance		
Additional Services (all disciplines and levels)		
Site inspection services	Hour	95.00 G
Consultative services	Hour	95.00 G
Plan reviews	Hour	95.00 G
Order issuance/appeal services	Hour	95.00 G
Accident investigations	Hour	100.00 G
Monthly building permit listing	Each	20.00 G
Re-Inspection fee	Each	150.00
Construction without building permit issuance	Each	Penalty double the current fee
<b>10. Electrical Permits</b>		
New single family residential (including attached and/or detached garages) and additions		
Up to 1,200 square feet	Each	135.00
1,201 to 1,500 square feet	Each	160.00
1,501 to 2,000 square feet	Each	185.00

<b>DEVELOPMENT SERVICES</b>		<b>Price</b>
2,001 to 2,500 square feet	Each	210.00
Over 2,500 square feet	Each	260.00 plus \$0.10/ft <sup>2</sup>
Manufactured home/mobile home connection only	Each	85.00
Non-Residential installation cost & residential renovations cost		
\$0 – \$500.00	Each	75.00
\$500.01 – \$1,000.00	Each	75.00
\$1,000.01 – \$1,500.00	Each	80.00
\$1,500.01 – \$2,000.00	Each	90.00
\$2,000.01 – \$2,500.00	Each	100.00
\$2,500.01 – \$3,000.00	Each	105.00
\$3,000.01 – \$3,500.00	Each	110.00
\$3,500.01 – \$4,000.00	Each	115.00
\$4,000.01 – \$4,500.00	Each	120.00
\$4,500.01 – \$5,000.00	Each	125.00
\$5,000.01 – \$5,500.00	Each	130.00
\$5,500.01 – \$6,000.00	Each	135.00
\$6,000.01 – \$6,500.00	Each	140.00
\$6,500.01 – \$7,000.00	Each	145.00
\$7,000.01 – \$7,500.00	Each	150.00
\$7,500.01 – \$8,000.00	Each	155.00
\$8,000.01 – \$8,500.00	Each	160.00
\$8,500.01 – \$9,000.00	Each	165.00
\$9,000.01 – \$9,500.00	Each	170.00
\$9,500.01 – \$10,000.00	Each	175.00
\$10,000.01 – \$20,000.00	Each	230.00
\$20,000.01 – \$30,000.00	Each	285.00
\$30,000.01 – \$40,000.00	Each	330.00
\$40,000.01 – \$50,000.00	Each	425.00
\$50,000.01 – \$60,000.00	Each	450.00
\$60,000.01 – \$70,000.00	Each	480.00
\$70,000.01 – \$80,000.00	Each	525.00
\$80,000.01 – \$90,000.00	Each	560.00
\$90,000.01 – \$100,000.00	Each	580.00
\$100,000.01 – \$110,000.00	Each	620.00
\$110,000.01 – \$120,000.00	Each	650.00
\$120,000.01 – \$130,000.00	Each	680.00
\$130,000.01 – \$140,000.00	Each	710.00
\$140,000.01 – \$150,000.00	Each	740.00

<b>DEVELOPMENT SERVICES</b>		<b>Price</b>
\$150,000.01 – \$160,000.00	Each	770.00
\$160,000.01 – \$170,000.00	Each	800.00
\$170,000.01 – \$180,000.00	Each	830.00
\$180,000.01 – \$190,000.00	Each	860.00
\$190,000.01 – \$200,000.00	Each	890.00
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\$200,000.01 – \$210,000.00	Each	920.00
\$210,000.01 – \$220,000.00	Each	950.00
\$220,000.01 – \$230,000.00	Each	980.00
\$230,000.01 – \$240,000.00	Each	1,050.00
\$240,000.01 – \$250,000.00	Each	1,150.00
\$250,000.01 – \$300,000.00	Each	1,250.00
\$300,000.01 – \$350,000.00	Each	1,350.00
\$350,000.01 – \$400,000.00	Each	1,450.00
\$400,000.01 – \$450,000.00	Each	1,550.00
\$450,000.01 – \$500,000.00	Each	1,650.00
\$500,000.01 – \$550,000.00	Each	1,750.00
\$550,000.01 – \$600,000.00	Each	1,850.00
\$600,000.01 – \$650,000.00	Each	1,950.00
\$650,000.01 – \$700,000.00	Each	2,050.00
\$700,000.01 – \$750,000.00	Each	2,150.00
\$750,000.01 – \$800,000.00	Each	2,300.00
\$800,000.01 – \$850,000.00	Each	2,400.00
\$850,000.01 – \$900,000.00	Each	2,500.00
\$900,000.01 – \$950,000.00	Each	2,650.00
\$950,000.01 – \$1,000,000.00	Each	2,800.00
For installations, greater than \$1,000,000	Each	2,800.00 plus \$50.00/\$50,000 of project value
Temporary power & underground services	Each	85.00
Annual electrical maintenance	Each	350.00
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<b>11. Gas Permits</b>		
Residential installations		
Number of outlets		
1	Each	75.00
2	Each	85.00
3	Each	95.00
4	Each	105.00
5	Each	125.00
6	Each	135.00

<b>DEVELOPMENT SERVICES</b>		<b>Price</b>
7	Each	150.00
8	Each	180.00
9	Each	190.00
10	Each	200.00
Over 10	Each	200.00 plus \$10.00 per outlet
Propane tank set (does not include residential connection to appliance)	Each	100.00
Additional tank set	Each	50.00
Temporary heat	Each	100.00
Propane cylinder refill centers	Each	250.00
Non-Residential (BTU Input)		
0 - 150,000 BTU	Each	75.00
150,000 to 250,000 BTU	Each	100.00
250,000 to 350,000 BTU	Each	130.00
350,000 to 500,000 BTU	Each	175.00
500,000 to 750,000 BTU	Each	220.00
750,000 to 1,000,000 BTU	Each	225.00
Over 1 Million BTU	Each	225.00 plus \$5.50/100,000 BTU
<b>12. Plumbing Permits</b>		
Residential and Non-Residential		
Number of fixtures		
1	Each	75.00
2	Each	85.00
3	Each	95.00
4	Each	100.00
5	Each	105.00
6	Each	110.00
7	Each	115.00
8	Each	120.00
9	Each	125.00
10	Each	130.00
11	Each	135.00
12	Each	140.00
13	Each	145.00
14	Each	150.00
15	Each	155.00
16	Each	160.00
17	Each	165.00

<b>DEVELOPMENT SERVICES</b>			<b>Price</b>
18	Each	170.00	
19	Each	175.00	
20	Each	180.00	
Over 20	Each	180.00 plus \$5.00/fixture	
Holding tanks & septic tanks for low pressure sewer line		Each	150.00
<b>13. Private Sewage Disposal System</b>			
Septic fields, open discharge, mounds, lagoons		Each	250.00
Any system with a treatment plant		Each	300.00

**Planning and Development**

2(a)	Land Use Bylaw Amendment	\$1,000.00
2(b)	Municipal Development Plan Amendment	\$1,000.00
2(c)	New Area Structure Plan Application, Development Concept Plan or Outline Plan	\$1,000.00
2(d)	Area Structure Plan Amendment	\$1,000.00
2(e)	Encroachment Agreement Application	\$200.00
2(f)	Development Permit	
	i) Permitted use, when no relaxation or variance any regulation of the Land Use Bylaw is being requested	\$70.00
	ii) Discretionary use, or for a permitted use when a relaxation or variance of any regulation of the Land Use Bylaw is being requested	\$200.00



	iii) Discretionary Use – Natural Resource Extraction Under 5 Hectares	\$1,500.00
	iv) Discretionary Use – Natural Resource Extraction Over 5 Hectares	\$2,500.00
	v) Demolition or Removal	\$15.00
	vi) Development prior to Development Permit	Double the fee in i) and ii) above; not applicable to iii), iv) & v)
2(g)	Subdivision Fees – First parcel out (i.e. first-time property subdivision – 10 acres out of 160 acres)	
	i) Application Fee	\$500.00
	ii) Endorsement Fee (per lot)	\$150.00
2(h)	Subdivision Fees – Two lots (i.e. first-time property subdivision – 80/80 acre split)	
	i) Application Fee	\$600.00
	ii) Endorsement Fee (per lot)	\$150.00
2(i)	Subdivision Fees – Three or more lots (i.e. two lots with a remaining parcel)	
	i) Application Fee	\$400.00
	ii) Per lot with Application Fee	\$250.00
	iii) Endorsement Fee (per lot)	\$150.00
2(j)	Subdivision Extensions	\$250.00
2(k)	Subdivision Approach Deposits	
	i) Deposit – includes one inspection	\$2,000.00
	ii) Inspection fee for each additional inspection as required	\$100.00
2(l)	Compliance Certificate	
	i) Simple	\$100.00
	ii) Complex	\$100.00

	iii) Express (within 3 business days)	\$150.00
2(m)	Development Appeal Hearing	\$200.00
2(n)	Development Agreements	
	i) Major: Multi-lot residential, commercial or industrial	\$1,000.00
	ii) Minor: Commercial or industrial	\$500.00
2(o)	Application for Road Closure	\$450.00
2(p)	Municipal Addressing Signs	\$42.00 Rural (large 30x60) \$21.00 Hamlet (small 30x20)
2(q)	Building Permit Fee – Residential Installations	
	i) New Construction	
	a. Main level	\$0.40/sq. foot
	b. Additional storeys	\$0.30/sq. foot
	c. Developed basement (if developing at time of construction)	\$0.20/sq. foot
	ii) Relocation of a building (on crawlspace or basement)	\$0.30/sq. foot \$150.00 (min)
	iii) Garage, addition, renovation, basement development	\$0.25/sq. foot
	iv) Manufactured/mobile home (on blocking or piles)	\$150.00
	v) Decks, solid fuel burning appliances, demolition	\$150.00
2(r)	Building Permit Fee - Commercial/Industrial/Institutional/Oil & Gas	
	i) New, renovation, addition	\$5.50 per \$1,000 of Project Value \$300.00 (minimum)
	ii) Change of occupancy (no structural changes)	\$150.00
	iii) Demolition	\$150.00



2(s)

Electrical Permit Fee Schedules

i) Residential Installations:

<b>Single Family Dwellings, Additions</b>			
<b>Square Footage</b>	<b>Permit Fee</b>	<b>SCC Levy*</b>	<b>Total Fee</b>
Up to 1200	\$130.00	\$5.20	\$135.20
1201 – 1500	\$150.00	\$6.00	\$156.00
1501 – 2000	\$170.00	\$6.80	\$176.80
2001 – 2500	\$190.00	\$7.60	\$197.60
2501 – 3500	\$250.00	\$10.00	\$260.00
Over 3500	\$250.00 plus \$0.10 per square foot		

**Homeowner Permits - add \$50.00**

<b>Other than New Single Family Residential (basement development, garage, renovation, minor work)</b>			
<b>Installation Cost</b>	<b>Permit Fee</b>	<b>SCC Levy*</b>	<b>Total Fee</b>
\$0 - \$500	\$100.00	\$4.50	\$104.50
\$501 - \$1000	\$130.00	\$5.20	\$135.20
\$1001 - \$2000	\$150.00	\$6.00	\$156.00
\$2001 - \$3000	\$160.00	\$6.40	\$166.40
\$3001 - \$4000	\$170.00	\$6.80	\$176.80
\$4001 - \$5000	\$180.00	\$7.20	\$187.20

**Homeowner Permits - add \$50.00**

*Installation costs greater than \$5,000 use the square footage fee schedule above*

<b>Description</b>	<b>Permit Fee</b>	<b>SCC Levy*</b>	<b>Total Fee</b>
Permanent Service Connection Only	\$85.00	\$4.50	\$89.50
Temporary Power/Underground Service	\$85.00	\$4.50	\$89.50

**\* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560.00**

ii) Commercial, Industrial, Institutional:

Installation Cost	Permit Fee	SCC Levy*	Total Fee
0 - 1,000.00	\$75.00	\$4.50	\$79.50
1,001.00 - 1,500.00	\$80.00	\$4.50	\$84.50
1,500.01 - 2,000.00	\$85.00	\$4.50	\$89.50
2,000.01 - 2,500.00	\$90.00	\$4.50	\$94.50
2,500.01 - 3,000.00	\$95.00	\$4.50	\$99.50
3,000.01 - 3,500.00	\$100.00	\$4.50	\$104.50
3,500.01 - 4,000.00	\$105.00	\$4.50	\$109.50
4,000.01 - 4,500.00	\$110.00	\$4.50	\$114.50
4,500.01 - 5,000.00	\$115.00	\$4.60	\$119.60
5,000.01 - 5,500.00	\$120.00	\$4.80	\$124.80
5,500.01 - 6,000.00	\$125.00	\$5.00	\$130.00
6,000.01 - 6,500.00	\$130.00	\$5.20	\$135.20
6,500.01 - 7,000.00	\$135.00	\$5.40	\$140.40
7,000.01 - 7,500.00	\$140.00	\$5.60	\$145.60
7,500.01 - 8,000.00	\$145.00	\$5.80	\$150.80
8,000.01 - 8,500.00	\$150.00	\$6.00	\$156.00
8,500.01 - 9,000.00	\$155.00	\$6.20	\$161.20
9,000.01 - 9,500.00	\$160.00	\$6.40	\$166.40
9,500.01 - 10,000.00	\$165.00	\$6.60	\$171.60
10,000.01 - 11,000.00	\$170.00	\$6.80	\$176.80
11,000.01 - 12,000.00	\$175.00	\$7.00	\$182.00
12,000.01 - 13,000.00	\$180.00	\$7.20	\$187.20
13,000.01 - 14,000.00	\$185.00	\$7.40	\$192.40
14,000.01 - 15,000.00	\$190.00	\$7.60	\$197.60
15,000.01 - 16,000.00	\$195.00	\$7.80	\$202.80
16,000.01 - 17,000.00	\$200.00	\$8.00	\$208.00
17,000.01 - 18,000.00	\$205.00	\$8.20	\$213.20
18,000.01 - 19,000.00	\$210.00	\$8.40	\$218.40
19,000.01 - 20,000.00	\$215.00	\$8.60	\$223.60

Installation Cost	Permit Fee	SCC Levy*	Total Fee
38,000.01 - 39,000.00	\$310.00	\$12.40	\$322.40
39,000.01 - 40,000.00	\$320.00	\$12.80	\$332.80
40,000.01 - 41,000.00	\$330.00	\$13.20	\$343.20
41,000.01 - 42,000.00	\$340.00	\$13.60	\$353.60
42,000.01 - 43,000.00	\$350.00	\$14.00	\$364.00
43,000.01 - 44,000.00	\$360.00	\$14.40	\$374.40
44,000.01 - 45,000.00	\$370.00	\$14.80	\$384.80
45,000.01 - 46,000.00	\$380.00	\$15.20	\$395.20
46,000.01 - 47,000.00	\$390.00	\$15.60	\$405.60
47,000.01 - 48,000.00	\$400.00	\$16.00	\$416.00
48,000.01 - 49,000.00	\$410.00	\$16.40	\$426.40
49,000.01 - 50,000.00	\$420.00	\$16.80	\$436.80
50,000.01 - 60,000.00	\$430.00	\$17.20	\$447.20
60,000.01 - 70,000.00	\$440.00	\$17.60	\$457.60
70,000.01 - 80,000.00	\$465.00	\$18.60	\$483.60
80,000.01 - 90,000.00	\$590.00	\$23.60	\$613.60
90,000.01 - 100,000.00	\$630.00	\$25.20	\$655.20
100,000.01 - 110,000.00	\$655.00	\$26.20	\$681.20
110,000.01 - 120,000.00	\$680.00	\$27.20	\$707.20
120,000.01 - 130,000.00	\$705.00	\$28.20	\$733.20
130,000.01 - 140,000.00	\$730.00	\$29.20	\$759.20
140,000.01 - 150,000.00	\$755.00	\$30.20	\$785.20
150,000.01 - 160,000.00	\$780.00	\$31.20	\$811.20
160,000.01 - 170,000.00	\$805.00	\$32.20	\$837.20
170,000.01 - 180,000.00	\$830.00	\$33.20	\$863.20
180,000.01 - 190,000.00	\$855.00	\$34.20	\$889.20
190,000.01 - 200,000.00	\$880.00	\$35.20	\$915.20
200,000.01 - 210,000.00	\$905.00	\$36.20	\$941.20
210,000.01 - 220,000.00	\$955.00	\$38.20	\$993.20

20,000.01 - 21,000.00	\$220.00	\$8.80	\$228.80	220,000.01 - 230,000.00	\$1,005.00	\$40.20	\$1,045.20
21,000.01 - 22,000.00	\$225.00	\$9.00	\$234.00	230,000.01 - 240,000.00	\$1,055.00	\$42.20	\$1,097.20
22,000.01 - 23,000.00	\$230.00	\$9.20	\$239.20	240,000.01 - 250,000.00	\$1,105.00	\$44.20	\$1,149.20
23,000.01 - 24,000.00	\$235.00	\$9.40	\$244.40	250,000.01 - 300,000.00	\$1,155.00	\$46.20	\$1,201.20
24,000.01 - 25,000.00	\$240.00	\$9.60	\$249.60	300,000.01 - 350,000.00	\$1,205.00	\$48.20	\$1,253.20
25,000.01 - 26,000.00	\$245.00	\$9.80	\$254.80	350,000.01 - 400,000.00	\$1,280.00	\$51.20	\$1,331.20
26,000.01 - 27,000.00	\$250.00	\$10.00	\$260.00	400,000.01 - 450,000.00	\$1,355.00	\$54.20	\$1,409.20
27,000.01 - 28,000.00	\$255.00	\$10.20	\$265.20	450,000.01 - 500,000.00	\$1,470.00	\$58.80	\$1,528.80
28,000.01 - 29,000.00	\$260.00	\$10.40	\$270.40	500,000.01 - 550,000.00	\$1,545.00	\$61.80	\$1,606.80
29,000.01 - 30,000.00	\$265.00	\$10.60	\$275.60	550,000.01 - 600,000.00	\$1,620.00	\$64.80	\$1,684.80
30,000.01 - 31,000.00	\$270.00	\$10.80	\$280.80	600,000.01 - 650,000.00	\$1,720.00	\$68.80	\$1,788.80
31,000.01 - 32,000.00	\$275.00	\$11.00	\$286.00	650,000.01 - 700,000.00	\$2,070.00	\$82.80	\$2,152.80
32,000.01 - 33,000.00	\$280.00	\$11.20	\$291.20	700,000.01 - 750,000.00	\$2,170.00	\$86.80	\$2,256.80
33,000.01 - 34,000.00	\$285.00	\$11.40	\$296.40	750,000.01 - 800,000.00	\$2,270.00	\$90.80	\$2,360.80
34,000.01 - 35,000.00	\$290.00	\$11.60	\$301.60	800,000.01 - 850,000.00	\$2,370.00	\$94.80	\$2,464.80
35,000.01 - 36,000.00	\$295.00	\$11.80	\$306.80	850,000.01 - 900,000.00	\$2,520.00	\$100.80	\$2,620.80
36,000.01 - 37,000.00	\$300.00	\$12.00	\$312.00	900,000.01 - 950,000.00	\$2,670.00	\$106.80	\$2,776.80
37,000.01 - 38,000.00	\$305.00	\$12.20	\$317.20	950,000.01 - 1,000,000.00	\$2,820.00	\$112.80	\$2,932.80

For installations greater than \$1,000,000.00 please contact Superior Safety Codes for a quote.

**\* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560.00**

iii) Annual Electrical Permits:

Description	Permit Fee	SCC Levy*	Total Fee
Annual Electrical Maintenance	\$350.00	\$14.00	\$364.00

**\* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560.00**

2(t)

Gas Permit Fee – Residential Installations:

Number of Outlets	Permit Fee	SCC Levy*	Total Fee
1	\$75.00	\$4.50	\$79.50
2	\$85.00	\$4.50	\$89.50
3	\$95.00	\$4.50	\$99.50
4	\$105.00	\$4.50	\$109.50
5	\$125.00	\$5.00	\$130.00
6	\$135.00	\$5.40	\$140.40
7	\$150.00	\$6.00	\$156.00
8	\$180.00	\$7.20	\$187.20
9	\$190.00	\$7.60	\$197.60
10	\$200.00	\$8.00	\$208.00
Over 10	\$200.00 plus \$10.00/outlet over 10		

Description	Permit Fee	SCC Levy*	Total Fee
Propane Tank Set (does not include connection to appliance)	\$100.00	\$4.50	\$104.50
Temporary Heat	\$100.00	\$4.50	\$104.50

**\* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560.00**

2(u)

Gas Permit Fee – Commercial, Industrial, Institutional:

**Commercial, Industrial, Institutional  
(Contractors Only)**

BTU Input	Permit Fee	SCC Levy*	Total Fee
0 to 150,000	\$75.00	\$4.50	\$79.50
150,001 to 250,000	\$100.00	\$4.50	\$104.50
250,001 to 350,000	\$130.00	\$5.20	\$135.20
350,001 to 500,000	\$175.00	\$7.00	\$182.00
500,001 to 750,000	\$200.00	\$8.00	\$208.00
750,001 to 1,000,000	\$225.00	\$9.00	\$234.00
Over 1,000,000	\$275.00 plus \$5.00 per 100,000 (or portion of) over 1,000,000 BTU		

<b>Propane Tank Sets (does not include connection to appliance)</b>			
<b>Description</b>	<b>Permit Fee</b>	<b>SCC Levy*</b>	<b>Total Fee</b>
Propane Tank Sets	\$100.00	\$4.50	\$104.50
<i>Add \$50.00 for each additional tank set</i>			
Propane Cylinder Refill Centre	\$175.00	\$7.00	\$182.00
Grain Dryers	\$250.00	\$10.00	\$260.00

<b>Temporary Heat</b>			
<b>BTU's</b>	<b>Permit Fee</b>	<b>SCC Levy*</b>	<b>Total Fee</b>
0 to 500,000	\$85.00	\$4.50	\$89.50
5000,001 to 1,000,000	\$125.00	\$5.00	\$130.00
Over 1,000,000	\$125.00 plus \$10.00 per 100,000 BTU (or portion of) over 1,000,000 BTU		

**\* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560.00**

2(v)

**Plumbing Permit Fee Schedule**

i) Residential & Non-Residential Installations:

<b>Number of Fixtures</b>	<b>Permit Fee</b>	<b>SCC Levy*</b>	<b>Total Fee</b>
1	\$75.00	\$4.50	\$79.50
2	\$85.00	\$4.50	\$89.50
3	\$95.00	\$4.50	\$99.50
4	\$100.00	\$4.50	\$104.50
5	\$105.00	\$4.50	\$109.50
6	\$110.00	\$4.50	\$114.50
7	\$115.00	\$4.60	\$119.60
8	\$120.00	\$4.80	\$124.80
9	\$125.00	\$5.00	\$130.00
10	\$130.00	\$5.20	\$135.20
11	\$135.00	\$5.40	\$140.40

12	\$140.00	\$5.60	\$145.60
13	\$145.00	\$5.80	\$150.80
14	\$150.00	\$6.00	\$156.00
15	\$155.00	\$6.20	\$161.20
16	\$160.00	\$6.40	\$166.40
17	\$165.00	\$6.60	\$171.60
18	\$170.00	\$6.80	\$176.80
19	\$175.00	\$7.00	\$182.00
20	\$180.00	\$7.20	\$187.20
Over 20	\$200.00 plus \$5.00 per fixture over 20		

**Homeowner Permits - add \$50.00 for greater than 5 fixtures**

**\* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560.00**



**COUNTY OF ST. PAUL NO. 19**  
**2021 FEE SCHEDULE**

**DEVELOPMENT PERMIT FEES**

Does not comply with Land Use Bylaw	\$200.00
Does Comply with Land Use Bylaw	\$100.00
Park Model, Portable Accessory Building, Deck	\$50.00
Minor Home Occupation	\$50.00
Signs	\$25.00
Change of Use Permit	\$200.00
Access Development on Municipal Reserve less than 5 meters in length	\$50.00
Access Development on Municipal Reserve more than 5 meters in length	\$100.00

**Temporary Work Camp**

Discretionary Use - \$200.00 + \$50.00/RV &/or \$100.00/ Prefabricated Mobile Unit

**Other Fees**

Compliance Certificates	\$125.00
Copy of AER Abandoned Well Records	\$20.00
Title Search	\$20.00

**RESIDENTIAL BUILDING FEES**

Description of Work	Permit Fee
New Single Family Dwelling ( <i>Total Developed Area</i> )	\$0.50/sq.ft. + SCC levy
New Single Family Dwelling ( <i>Attached Garage at time of new construction</i> )	\$0.15/sq.ft. + SCC levy
Home Relocation on Foundation, Basement, or Crawl Space (Min. Fee \$350.00)	\$0.35/sq.ft. + SCC levy
Modular/RTM on Foundation, Basement, or Crawl Space (Min. Fee \$300.00)	\$0.30/sq.ft. + SCC levy
Manufactured/ Mobile Home on blocking or piles	\$225.00 + SCC levy
Additions (Minimum Fee \$125.00)	\$0.30/ sq.ft. + SCC levy
Renovations/Basement Development (Minimum Fee \$125.00)	\$0.25/sq.ft. + SCC levy
Garage/ Shop / Pole Shed (Minimum Fee \$125.00)	\$0.25/ sq.ft. + SCC levy
Bunkhouses (Minimum fee \$200.00)	\$0.25/sq.ft. + SCC levy
Carport (Minimum Fee \$100.00)	\$0.18/ sq.ft. + SCC levy
Storage Shed ( <i>sheds less than 10' x 10' do not require a building permit</i> )	\$100.00 + SCC levy
Decks ( <i>if not included at time of new construction</i> )	\$100.00 + SCC levy
Gazebo (Minimum Fee \$100.00)	\$0.25/ sq.ft. + SCC levy
Wood Burning Stove/Fireplace ( <i>if not included at time of new construction</i> )	\$100.00 + SCC levy
Demolition	\$100.00 + SCC levy

**COMMERCIAL BUILDING FEES**

<i>Minimum Fee: \$350.00</i>	Total Permit Fee ( Per \$1,000.00 Value)
First \$1,000,000	\$5.25 + SCC levy
Over \$1,000,000 (\$5,000 plus)	\$3.25 + SCC levy
Commercial Demolition - Remove - no charge for demolition permits	\$5.25 + SCC Levy

**Please Note: Permit Fees will be doubled if enforcement action is taken and not complied with on development which commenced without approval.**

**SCC LEVY FEE: 4% SAFETY CODES COUCIL FEE FOR EVERY BUILDING PERMIT ISSUED WITH A MINIMUM OF \$4.50 AND A MAXIMUM OF \$560.00**



**ELECTRICAL PERMIT FEES**  
**New- Single Family Dwellings Attached Garage**

<b>Square Footage</b>	<b>Home Owner Fee</b>	<b>Contractor Fee</b>
Up to 1200	\$150.00 + SCC levy	\$130.00 + SCC levy
1201- 1500	\$165.00 + SCC levy	\$135.00 + SCC levy
1501- 2000	\$180.00 + SCC levy	\$140.00 + SCC levy
2001- 2500	\$195.00 + SCC levy	\$150.00 + SCC levy
2501- 3500	\$210.00 + SCC levy	\$160.00 + SCC levy
Over 3500	\$210.00 plus \$0.10/ sq.ft.	\$160.00 plus \$0.10/ sq.ft.
Manufactured Home Connection Only	\$100.00 + SCC Levy	\$100.00 + SCC levy

**Detached Garage/Accessory Buildings**

<b>Square Footage</b>	<b>Home Owner Fee</b>	<b>Contractor Fee</b>
Up to 750	\$125.00 + SCC levy	\$100.00 + SCC levy
Over 750	\$125.00 plus \$0.10/ sq.ft.	\$100.00 plus \$0.10/ sq.ft.

**Basement Development/ Renovations/ Additions**

<b>Square Footage</b>	<b>Home Owner Fee</b>	<b>Contractor Fee</b>
Up to 1000	\$125.00 + SCC levy	\$100.00 + SCC levy
Over 1000	\$125.00 plus \$0.10/ sq.ft.	\$100.00 plus \$0.10/ sq.ft.

**Other Electrical Fees**

<b>Description of Work</b>	<b>Permit Fee</b>
Permanent Service Connection Only	\$75.00 + SCC levy
Temporary Power/ Underground Service	\$75.00 + SCC levy
Panel Change or Service Upgrade Only	\$75.00 + SCC levy
Air Conditioning Units or Hot Tubs	\$75.00 + SCC levy
Annual Electrical Permit	\$400.00 + SCC levy

**Please allow up to five business days for permits to be issued.**

**Please Note: Permit Fees will be doubled if enforcement action is taken and not complied with on development which commenced without approval.**

**SCC LEVY FEE: 4% SAFETY CODES COUCIL FEE FOR EVERY PERMIT ISSUED WITH A A MINIMUM OF \$4.50 AND A MAXIMUM OF \$560.00**

**COUNTY OF ST. PAUL NO. 19**

**2021 FEE SCHEDULE**

**GAS PERMIT FEES**  
**Residential Installations**

<b>Number of Outlets</b>	<b>Home Owner Fee</b>	<b>Contractor Fee</b>
1 to 2	\$125.00 + SCC levy	\$100.00 + SCC levy
3	\$130.00 + SCC levy	\$105.00 + SCC levy
4	\$135.00 + SCC levy	\$110.00 + SCC levy
5	\$140.00 + SCC levy	\$115.00 + SCC levy
6	\$145.00 + SCC levy	\$120.00 + SCC levy
7	\$150.00 + SCC levy	\$125.00 + SCC levy
8	\$155.00 + SCC levy	\$130.00 + SCC levy
9	\$160.00 + SCC levy	\$135.00 + SCC levy
10	\$165.00 + SCC levy	\$140.00 + SCC levy
Over 10	\$165.00 plus \$10.00/outlet over 10	\$140.00 plus \$10.00/outlet over 10

**Other Gas Fees**

<b>Description of Work</b>	<b>Permit Fee</b>
Residential Propane Tank Set (does not include connection to appliance)	\$75.00 + SCC levy
Temporary Heat	\$75.00 + SCC levy

**Please allow up to five business days for permits to be issued.**

**Please Note: Permit Fees will be doubled if enforcement action is taken and not complied with on development which commenced without approval.**

**SCC LEVY FEE: 4% SAFETY CODES COUCIL FEE FOR EVERY PERMIT ISSUED WITH A  
A MINIMUM OF \$4.50 AND A MAXIMUM OF \$560.00**

**PLUMBING PERMIT FEES**

**Residential & Non Residential Installations**

<b>Number of Fixtures</b>	<b>Home Owner Fee</b>	<b>Contractor Fee</b>
1	\$130.00+scc levy	\$105.00+scc levy
2	\$130.00+scc levy	\$105.00+scc levy
3	\$130.00+scc levy	\$105.00+scc levy
4	\$130.00+scc levy	\$105.00+scc levy
5	\$130.00+scc levy	\$110.00+scc levy
6	\$135.00+scc levy	\$115.00+scc levy
7	\$140.00+scc levy	\$120.00+scc levy
8	\$145.00+scc levy	\$115.00+scc levy
9	\$150.00+scc levy	\$125.00+scc levy
10	\$155.00+scc levy	\$130.00+scc levy
11	\$160.00+scc levy	\$135.00+scc levy
12	\$165.00+scc levy	\$140.00+scc levy
13	\$170.00+scc levy	\$145.00+scc levy
14	\$175.00+scc levy	\$150.00+scc levy
15	\$180.00+scc levy	\$155.00+scc levy
16	\$185.00+scc levy	\$160.00+scc levy
17	\$195.00+scc levy	\$170.00+scc levy
18	\$200.00+scc levy	\$175.00+scc levy
19	\$205.00+scc levy	\$180.00+scc levy
20	\$210.00+scc levy	\$185.00+scc levy
Over 20	\$210.00 plus \$5.00 per fixture over 20	\$185.00 plus \$5.00 per fixture over 20

**Please allow up to five business days for permits to be issued.**

**Please Note: Permit Fees will be doubled if enforcement action is taken and not complied with on development which commenced without approval.**

**SCC LEVY FEE: 4% SAFETY CODES COUCL FEE FOR EVERY PERMIT ISSUED WITH A A MINIMUM OF \$4.50 AND A MAXIMUM OF \$560.00**

**PRIVATE SEWAGE PERMIT FEE**

<b>Description</b>	<b>Home Owner Fee</b>	<b>Contractor Fee</b>
Holding Tank	\$125.00 + SCC levy	\$100.00 + SCC levy
Fields/Mounds /Open Surface Discharge / Lagoons	\$300.00 + SCC levy	\$250.00 + SCC levy
Any System with Treatment Plant	\$400.00 + SCC levy	\$300.00 + SCC levy

**Please Note: Permit Fees will be doubled if enforcement action is taken and not complied with on development which commenced without approval.**

# COUNTY OF ST. PAUL NO. 19

## 2021 FEE SCHEDULE

### ELECTRICAL - NON RESIDENTIAL INSTALLATIONS

Installation Cost (Labour & Materials)	Permit Fee - Not Including SCC levy	Installation Cost (Labour & Materials)	Permit Fee - Not Including SCC levy
0 - 1,000.00	\$90.00	38,001.00 - 39,000.00	\$445.00
1,001 - 1,500.00	\$100.00	39,001.00 - 40,000.00	\$460.00
1,500.01 - 2,000.00	\$105.00	40,001.00 - 41,000.00	\$475.00
2,000.01 - 2,500.00	\$110.00	41,001.00 - 42,000.00	\$490.00
2,500.01 - 3,000.00	\$115.00	42,001.00 - 43,000.00	\$505.00
3,000.01 - 3,500.00	\$120.00	43,001.00 - 44,000.00	\$520.00
3,500.01 - 4,000.00	\$130.00	44,001.00 - 45,000.00	\$535.00
4,000.01 - 4,500.00	\$135.00	45,001.00 - 46,000.00	\$550.00
4,500.01 - 5,000.00	\$140.00	46,001.00 - 47,000.00	\$565.00
5,000.01 - 5,500.00	\$145.00	47,001.00 - 48,000.00	\$580.00
5,500.01 - 6,000.00	\$150.00	48,001.00 - 49,000.00	\$595.00
6,000.01 - 6,500.00	\$155.00	49,001.00 - 50,000.00	\$610.00
6,500.01 - 7,000.00	\$160.00	50,001.00 - 60,000.00	\$625.00
7,000.01 - 7,500.00	\$175.00	60,001.00 - 70,000.00	\$640.00
7,500.01 - 8,000.00	\$180.00	70,001.00 - 80,000.00	\$655.00
8,000.01 - 8,500.00	\$185.00	80,001.00 - 90,000.00	\$670.00
8,500.01 - 9,000.00	\$190.00	90,001.00 - 100,000.00	\$695.00
9,000.01 - 9,500.00	\$195.00	100,001.00 - 110,000.00	\$720.00
9,500.01 - 10,000.00	\$205.00	110,001.00 - 120,000.00	\$745.00
10,000.01 - 11,000.00	\$215.00	120,001.00 - 130,000.00	\$770.00
11,000.01 - 12,000.00	\$225.00	130,001.00 - 140,000.00	\$795.00
12,000.01 - 13,000.00	\$230.00	140,001.00 - 150,000.00	\$820.00
13,000.01 - 14,000.00	\$235.00	150,001.00 - 160,000.00	\$845.00
14,000.01 - 15,000.00	\$240.00	160,001.00 - 170,000.00	\$870.00
15,000.01 - 16,000.00	\$245.00	170,001.00 - 180,000.00	\$895.00
16,000.01 - 17,000.00	\$255.00	180,001.00 - 190,000.00	\$920.00
17,000.01 - 18,000.00	\$260.00	190,001.00 - 200,000.00	\$945.00
18,000.01 - 19,000.00	\$265.00	200,001.00 - 210,000.00	\$970.00
19,000.01 - 20,000.00	\$270.00	210,001.00 - 220,000.00	\$1,020.00
20,000.01 - 21,000.00	\$275.00	220,001.00 - 230,000.00	\$1,070.00
21,000.01 - 22,000.00	\$280.00	230,001.00 - 240,000.00	\$1,120.00
22,000.01 - 23,000.00	\$285.00	240,001.00 - 250,000.00	\$1,170.00
23,000.01 - 24,000.00	\$290.00	250,001.00 - 300,000.00	\$1,220.00
24,000.01 - 25,000.00	\$295.00	300,001.00 - 350,000.00	\$1,270.00
25,000.01 - 26,000.00	\$300.00	350,001.00 - 400,000.00	\$1,345.00
26,000.01 - 27,000.00	\$310.00	400,001.00 - 450,000.00	\$1,420.00
27,000.01 - 28,000.00	\$320.00	450,001.00 - 500,000.00	\$1,495.00
28,000.01 - 29,000.00	\$330.00	500,001.00 - 550,000.00	\$1,570.00
29,000.01 - 30,000.00	\$340.00	550,001.00 - 600,000.00	\$1,645.00
30,000.01 - 31,000.00	\$350.00	600,001.00 - 650,000.00	\$1,745.00
31,000.01 - 32,000.00	\$360.00	650,001.00 - 700,000.00	\$1,845.00
32,000.01 - 33,000.00	\$370.00	700,001.00 - 750,000.00	\$1,945.00
33,000.01 - 34,000.00	\$380.00	750,001.00 - 800,000.00	\$2,045.00
34,000.01 - 35,000.00	\$390.00	800,001.00 - 850,000.00	\$2,145.00
35,000.01 - 36,000.00	\$400.00	850,001.00 - 900,000.00	\$2,295.00
36,000.01 - 37,000.00	\$410.00	900,001.00 - 950,000.00	\$2,445.00
37,000.01 - 38,000.00	\$420.00	950,001.00 - 1,000,000.00	\$2,595.00

For projects over \$1,000,000 divide the total installation cost by \$1,000 and multiply by 2.595 + SCC Levy

**SCC LEVY FEE: 4% SAFETY CODES COUCL FEE FOR EVERY PERMIT ISSUED WITH A  
A MINIMUM OF \$4.50 AND A MAXIMUM OF \$560.00**

**COUNTY OF ST. PAUL NO. 19**

**2021 FEE SCHEDULE**

**GAS - NON RESIDENTIAL INSTALLATIONS**

<b>BTU Input</b>	<b>Permit Fee</b>
0 to 150,000	\$110.00 + SCC levy
150,001 to 250,000	\$120.00 + SCC levy
250,001 to 350,000	\$130.00 + SCC levy
350,001 to 500,000	\$150.00 + SCC levy
500,001 to 750,000	\$170.00 + SCC levy
750,001 to 1,000,000	\$190.00 + SCC levy
Over 1,000,000	\$190.00 plus \$50.00 per 1,000,000 (or portion of) over 1,000,000 BTU

**Other Non Residential Gas Fees**

<b>Description of Work</b>	<b>Permit Fee</b>
Propane Tank Set (does not include connection to appliance)	\$100.00 + SCC levy
Add \$50.00 for each additional tank set	
Add \$50.00 when connecting a vaporizer	

**Temporary Heat Non Residential**

<b>BTU Input</b>	<b>Permit Fee Not including SCC levy</b>
0 to 250,000	\$100.00
250,001 to 500,000	\$225.00
Over 500,000	\$225.00 plus \$10.00 per 100,000 BTU (or portion of) over 500,000 BTU

**Please Note: Permit Fees will be doubled if enforcement action is taken and not complied with on development which commenced without approval.**

**SCC LEVY FEE: 4% SAFETY CODES COUCIL FEE FOR EVERY PERMIT ISSUED WITH A  
A MINIMUM OF \$4.50 AND A MAXIMUM OF \$560.00**

**LAMONT COUNTY**  
**Bylaw Number 857.22**  
**Fees and Charges Bylaw**

**A BYLAW OF LAMONT COUNTY IN THE PROVINCE OF ALBERTA TO SET THE FEES, RATES AND CHARGES BYLAW 857.22.**

**WHEREAS** the *Municipal Government Act*, R.S.A. 2000, c.M-26, (hereinafter referred to as "the Act"), as amended, provides that a municipality may pass bylaws for municipal purposes respecting services provided by the municipality; and

**The Act** provides for the establishment of fees for licenses, permits and approvals by bylaw; and

**The Act** provides for the provision of municipal utility services subject to the terms, costs or charges established by Council; and

**The Act** provides that a municipality can provide copies of the information on payment of reasonable fees as established by bylaw.

**NOW THEREFORE** the Council of Lamont County, duly assembles, hereby enacts as follows:

1. That the Fees, Rates, and Charges attached hereto and forming part of this Bylaw as attached as Schedule A represents the fees, rates, and charges for 2022 applicable to the municipal services provided by Lamont County
2. That Bylaw 854.22 is hereby repealed.
3. That this Bylaw comes into effect August 23, 2022.

Read a first time on this 23<sup>rd</sup> day of August 2022.

Read a second time on this 23<sup>rd</sup> day of August 2022.

Read a third time and passed on this 23<sup>rd</sup> day of August 2022.

  
\_\_\_\_\_  
REEVE

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

2022-08-23  
\_\_\_\_\_  
DATE

## Fees and Charges

### Administration - Office of CAO

Good/Service	Unit	GST	2022 Fees
<b>FOIP</b>			
FOIP Request			In accordance with FOIP Regulations
<b>Governance Documents</b>			
Minutes	Per Page	Taxable	\$0.50 (Black & White Copy Only)
Policies	Per Page	Taxable	\$0.50 (Black & White Copy Only)
Bylaws	Per Page	Taxable	\$0.50 (Black & White Copy Only)
<b>Research</b>			
Research Fee	Per Hour		\$25.00
Research Fee - Deposit			\$100.00



**Fees and Charges**  
**Administration - Finance**

Good/Service	Unit	GST	Current Fee
<b>Administration Fees</b>			
Finance Charge - all outstanding other Accounts Recievable	Monthly	Exempt	1.50%
Maps	Each	Taxable	\$15.00
NSF Charge	Each	Exempt	\$25.00
Research Fee	Hour	Taxable	\$25.00
Research Fee - Deposit *Required only if more than 3 hours is estimated.*	One Time	Exempt	\$100.00
Shipping & Handling Fees	Each	Taxable	At Cost
<b>Assessment Fees</b>			
Assessment Sheets (Note: Free for Landowner)	Each	Taxable	\$25.00
Inspection of Assessment Roll * fee waived during 60 day complaint period (Note: Free for Landowner)	Each	Exempt	\$25.00
<b>Assessment Complaint Fees</b>			
Commerical & Industrial	Each	Exempt	\$250.00
Residential & Farmland	Each	Exempt	\$50.00
**Fee is refunded if the LARB or CARB decides in favor of the Complaint.**			
<b>Faxing Fees</b>			
Local	Per Page	Taxable	\$0.50
Long Distance	Per Page	Taxable	\$1.00
<b>Garbage Fees - Hamlet of Hilliard</b>			
Garbage Collection	Monthly		\$28.38
<b>Photocopying Fees</b>			
Black & White Copies	Per Page	Taxable	\$0.50
Color Copies	Per Page	Taxable	\$1.00
<b>Taxation Fees</b>			
Tax Certificate (Note: Free for Landowner)	Each	Taxable	\$50.00
Tax Notification - Addition	Each		At Cost
Tax Notification - Discharge	Each		At Cost
<b>Water Fees - Truck Fills</b>			
Heartland Truck Fill - Potable Water	m3	Exempt	\$4.00
Hilliard Truck Fill - Potable Water	m3	Exempt	\$4.29
St. Micahel Truck Fill - Non-Potable Water	m3	Exempt	\$2.75
St. Michael Truck Fill - Replacement Keys	Each	Taxable	\$40.00
St. Michael Truck Fill - Set Up Account Fee & Key Deposit *Returned to Customer when Key is returned to County.*	One Time	Exempt	\$50.00
**Bulk Water Access May Be Disconnected after 30 Days of Non-Payment.**			
<b>Water Fees - Hamlet of St. Michael</b>			
Residential Water - Non Metered	Quarterly	Exempt	\$171.60
Commerical Water - Non Meter (Hall and Hotel)	Quarterly	Exempt	\$314.60
Reconnection Fee - After Discontinued from Non-Payment	Each		\$50.00
Residential Water - New Service	Once	Taxable	At Cost
Commerical Water - New Service	Once	Taxable	At Cost
<b>Water Fees - Commercial &amp; Industrial</b>			
Industrial Water - Metered	m3	Exempt	Pre 2019 Accounts - \$2.46 plus line fee Post 2019 Accounts - \$2.57 plus line fee
Commerical Water - Metered	m3	Exempt	\$2.46
Village of Andrew - Metered	m3	Exempt	\$2.29 plus line fee

Industrial Water Line Fee	Monthly	Exempt	\$420.75
<b>Water Fees - Penalties</b>			
All Water Accounts Recivable Accounts	Monthly	Exempt	1.50%
<b>Water Fees - Users Directly Connected to the JSB Waterline</b>			
Industrial Water - Metered	m3	Exempt	\$4.00
Commercial Water - Metered	m3	Exempt	\$4.00
Industrial & Commerical Water Line Fee	Monthly	Exempt	NIL

## Fees and Charges

### Protective Services - Fire Services

Good/Service	Unit	GST	2022 Fees
<b>Administration</b>			
Fire File Search	Hour		\$50.00
Fire Report Copy	Each		\$25.00
<b>Fire Inspections</b>			
Initial Inspection of an Occupancy	Each		No Charge
1st Reinspection of an Occupancy	Each		No Charge
2nd Reinspection of an Occupancy	Each		\$200.00
3rd and Subsequent Reinspections of an Occupancy	Each		\$400.00
Fire Inspection Letter	Hour		\$50.00
Occupant Load Certificate	Each		\$50.00
Occupant Load Certificate - Non-Profit Community Group	Each		No Charge
<b>Fire Investigations</b>			
Letters of Investigation Summary	Each		\$100.00
Fire Investigation - Incident	Each		\$150.00
Fire Investigation - Incident After 3rd Hour	Hour		\$50.00
<b>Incident Response to Structure Fires, Wildland Fires &amp; Vehicle Incidents</b>			
<i>*Minimum one hour charge, per unit.</i>			
Any unit response on Provincial Highway			As Per Alberta Infrastructure and Transportation Policy
Pumper (Engine) Truck	Hour		\$450.00
Tender (Tanker) Truck	Hour		\$300.00
Brush (Wildland) Truck	Hour		\$450.00
ATV/UTV/Other Specialty Equipment	Hour		\$150.00
Command Vehicle	Hour		\$185.00
Rescue Truck	Hour		\$450.00
<b>Permits/Fire Prevention</b>			
Low Hazard Fireworks Permit (Per Event)	Each		No Charge
High Hazard Fireworks Permit (Per Event) - Including Pyrotechnics	Each		\$150.00
- Public Displays involving Non-Profit Organizations	Each		No Charge
Fire Permit (Burn Permit)	Each		No Charge
<b>False Alarm Fees</b>			
1st False Alarm	Each		Warning (No Charge)
2nd False Alarm	Each		\$150.00
3rd False Alarm	Each		\$250.00
4th and Subsequent False Alarms	Each		\$400.00
<b>Miscellaneous</b>			
Third Party Service Cost Recovery			Cost Recovery PLUS 10%
<i>*(I.e., cellulose removal, security, heavy equipment, etc.)</i>			

## Fees and Charges Community Peace Officer

Good/Service	Unit	GST	Current Rate
<b>Roadata Services</b>			
Transportation Routing & Vehicle Information System - Multi Jurisdictional - Application Fee	Each		\$15.00
Multiple Legal Loads	Each		\$225.00
Service Rig & All Overweight Permits	Each		\$150.00
<b>Road Use Aggreements</b>			
Administration Fee	Each		\$50.00
Pre Inspection of Roads	Each		\$150.00
Post Inspection of Roads	Each		\$150.00
<b>Drilling Rig Well Site Inspections</b>			
Equipment Move Ins	Each		\$225.00
Equipment Move Outs	Each		\$225.00
<b>Aggregate Levy</b>			
Clay Levy (Policy 4205: Mineral Soils Extraction Reseve Levy) Per Road Use Agreement	Per Tonne	Exempt	\$0.40

## Fees and Charges

### Public Works

Good/Service	Unit	GST	Current Rate
<b>Grader Flags</b>			
Regular Flags	Each	Taxable	\$125.00
Medical Flags	Yearly	Taxable	\$100.00
Senior Flags	Yearly	Taxable	\$200.00
<b>Signage</b>			
Children at Play Signs	Each		\$600.00
<b>Inspections &amp; Permits</b>			
Approach Inspections (Pre & Post included)	Each		\$350.00
Pipelines Crossings on Right of Ways	Each		\$250.00
Seismic Operations Permit	Each		\$250.00
Right of Access and/or Waiver Request for Existing Approaches	Each		\$250.00
Right of Access and/or Waiver Request for Utility Company & Poles on Right of Way	Each		\$250.00
Road Closure Application	Each		\$3,000.00
<b>Approach Refundable Deposits</b>			
7, 8, or 9 Meter Approach (*See Note 1)	Each	Exempt	\$3,500.00
10, 11, or 12 Meter Approach (*See Note 1)	Each	Exempt	\$4,720.00

**Note 1:**

When a landowner applies for a 2nd (or more) or expanded approach, an agreement will be entered into. A security deposit will be provided in the form of a cheque or other negotiable instruments & will be held for a maximum of six months, at which time a new cheque (or negotiable instrument) must be provided.

## Fees and Charges Planning & Development

Good/Service	Unit	GST	Current Rate
<b>Compliance Certificate</b>			
Standard	Each		\$180.00
Commerical/Industrial	Each		\$250.00
<b>Development Permits</b>			
Residential	Each		\$250.00
Accessory to Residential	Each		\$250.00
Additions & Renovations	Each		\$250.00
Manufactured Homes	Each		\$250.00
Not for Profit	Each		No charge
Commerical/Industrial	Each		\$800.00 Flat Fee PLUS \$1.00/1,000 of development costs to a max of \$12,000 (max does not include flat fee)
Light, Medium, & Heavy Industrial	Each		\$1,500.00 Flat Fee PLUS \$1.00/1,000 of development costs to a max of \$15,000 (max does not include flat fee) \$5,000.00 Deposit is required.
Natural Resource Extraction	Each		\$2,500.00 Flat Fee PLUS \$100.00 per hectare to a max of \$5,000.00 (max does not include flat fee) Re-application fee - \$1,500.00
Uses Other Than Res/Com/Ind/Inst	Each		\$1,000.00
Major Home Occupation	Each		\$300.00 Plus Discretionary
Discretionary Uses	Each		\$250.00 additional to regular permit fee
Variances	Each		\$250.00 additional to regular permit fee
Permit Renewals/Revisions - Residential	Each		\$150.00
Permit Renewals/Revisions - Non-Residential	Each		\$350.00
Dev. Prior to DP Application	Each		Permit fee x 2
Communication Towers	Each		\$1,000.00
Amateur/Ham Towers	Each		\$300.00
Demolition Permits			As per permit fees.
<b>Development Agreements</b>			
Residential	Each		\$500.00
Commerical/Institutional	Each		\$1,000.00
Industrial	Each		\$3,000.00
<b>Subdivision Fees</b>			
*Note: Fees are non-refundable and subject to change without notice.			
Standard Subdivision Fee at Application	Each		\$900.00 PLUS \$250.00 per lot created. Ex First Parcel out is \$900 + \$250 for new lot + \$250 for remnant lot, for a total of \$1,400
Boundary Adjustment	Each		\$600.00/lot PLUS \$250.00/lot

Extension	Each		\$250.00 for the 1st Extension \$500.00 for the 2nd Extension
Re-circulation	Each		\$250.00
Current Land Title Certificate	Each		\$20.00 per title
Final Endorsement Fee	Each		\$1,000.00
Approach Refundable Deposit	Each	Exempt	\$3,500.00
<b>Amendments Fees</b>			
Area Structure Plan	Each		\$7,000.00 PLUS \$1,000.00 advertising costs
Municipal Development Plan	Each		\$7,000.00 PLUS \$1,000.00 advertising costs
Land Use Bylaw	Each		\$7,000.00 PLUS \$1,000.00 advertising costs
<b>Other Fees</b>			
Business Licence	Yearly		\$30.00
ISDAB Appeal Fee	Each		\$300.00 (non-refundable)
New Area Structure Plan	Each		\$10,000 PLUS \$200 per hectare to a max of \$35,000
New Development Concept Plan	Each		\$7,000.00 PLUS referral & advertising costs \$10,000 deposit required (\$5,000 is non-refundable)
File Search	Each		\$150.00 PLUS extra charge for photocopies

## Fees and Charges

### Agricultural Services Board

Good/Service	Unit	GST	Current Rate
<b>Administration Fees</b>			
Cleaning Charge - For Each Piece of Equipment which has been Returned in a Condition Requiring cleaning by ASB Staff	Each		\$50.00
Handling Charge - For Each Piece of Equipment which the ASB Staff must return to PW Yard.	Each		\$50.00
Snaps & Clotter Pins - All Equipment is Supplied with Safety Snaps & Clotter Pins. If Equipment is Returned with these items missing, a Fee is Charged.	Each		\$3.00
Age Verification for Animals			
<b>Rental Equipment Fees</b>			
*Deposits will be refunded after equipment has been inspected, found to be in good working order, and returned within the specified time. Weekends are determined from 2:00 P.M., Friday to 9:00 A.M. the following Monday and are considered as one day rental period.*			
Unit #4508 - Trailer Sprayer	Day		\$50.00 with \$300 Deposit
Unit #4509 - Trailer Sprayer	Day		\$50.00 with \$300 Deposit
Unit #4520 - Pasture/Range Sprayer	Day		\$50.00 with \$300 Deposit
Unit #4521 - Morand Cattle Squeeze	Day		\$50.00 with \$300 Deposit
Unit #4519 - Morand Cattle Squeeze with Palp	Day		\$50.00 with \$300 Deposit
Unit #4512 - Paul Scale	Day		\$50.00 with \$150 Deposit
Unit #4511 - Hoof Trimming Turntable	Day		\$30.00 with \$150 Deposit
Unit #4514 - Tree Planter	Day		\$15.00 with \$150 Deposit
Scare Cannons	Day		No Daily Fee with \$300 Deposit
Grain Bag Roller	Day		No Daily Fee with \$300 Deposit
*The following below items require refundable deposit if returned within 10 days. Deposit is non-refundable if equipment is damaged or not returned within 10 days.			
Backpack Sprayer	1 available		\$100 Deposit
Soil Sampler	1 available		\$100 Deposit
Feed Samplers	2 available		\$100 Deposit
Skunk Traps	3 available		\$100 Deposit
Magpie Traps	3 available		\$100 Deposit
Raccoon Traps	4 available		\$100 Deposit
<b>Rural Address Signs Fees</b>			
New & Replacement Signs	Each		\$60.00





<b>Title:</b> Designated Recreational Trails	<b>Policy No.:</b> 01-01
<b>Section:</b> 07	<b>Code:</b> <b>Page No.:</b> 1 of 4 <b>E</b>

<b>Legislation Reference:</b>	Alberta Provincial Statutes
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<b>Purpose:</b>	To ensure the quality of and reduce hazards on trails.
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**Policy Statement and Guidelines:**

**1. STATEMENT:**

- 1.1 Smoky Lake County recognizes the benefits of trails within the municipality encourages physical activity and supports alternative ways to get around.
- 1.2 Enjoying the trails can enhance mental health and family bonding.
- 1.3 A trail network of multi-use trails linked to the Regional Iron Horse Trail is a highly valued recreational feature within our municipality and can contribute to economic development and environmental awareness within the County.
- 1.4 Trail systems also have ecological benefits by control access to habitat and allows more diverse wildlife and vegetation to flourish.

**2. DEFINITIONS:**

- 2.1 **Regional Trail:** Iron Horse Trail is a formation of North East Muni-Corr Ltd., a partnership of 10 municipalities that own and manage abandoned rail lines in the region.
- 2.2 **Multi-Use Trails:** Trails developed within the Smoky Lake County boundaries, as indicated below:

<b>Bonnie Lake</b>	RR 133 from Twp Rd 594 to Twp Rd 595.5 RR 132A from Twp Rd 595 to Twp Rd 595.5 Twp Rd 595 from RR 132A to RR 133
<b>Mons Lake</b>	RR 164 from Twp Rd 600 to Twp Rd 602
<b>Sandy Lane</b>	<b>See Mons Lake</b>
<b>Garner Lake</b>	Twp Rd 602 from RR 122 to RR 123 RR 122 from Twp Rd 595.5 to Twp Rd 602

- 2.3 **Facilities:** Staging areas in the Hamlets of Warspite, Bellis, and Spedden: Toilets, fire rings, tables, litter containers, signs and barriers.

<b>Title:</b> Designated Recreational Trails	<b>Policy No.:</b> 01-01
<b>Section:</b> 07	<b>Code:</b>
<b>Page No.:</b> 2 of 4 <b>E</b>	

Policy Statement and Guidelines:

**3. MANDATE:**

- 3.1 Maintenance of recreation sites, trails and facilities involves cleaning, inspecting, repairing, replacing and removing structures and natural hazards.
- 3.2 Maintenance consists of inspections and any follow-up actions (further visits or services) that may be necessary to maintain safe, sanitary, socially acceptable and environmentally sound conditions in accordance with the type of environment and the level of use of the site, trail or facility.
- 3.3 The objectives of maintenance are to provide user safety, provide sanitary conditions, protect the environment, provide user access and convenience, and protect investment in infrastructure.
  - 3.3.1 Safety considerations of the public shall always be the first priority.
  - 3.3.2 Sanitary considerations will be inspected to correct potentially unhealthy conditions, (e.g. toilet facilities).
  - 3.3.3 Environmental damage will be corrected and actions taken to prevent further damage.
  - 3.3.4 User convenience will be considered.
- 3.4 Specific maintenance activities and frequency of service visits on the recreation trail or facility will depend on the types of structures, environmental conditions and level of use.

**4. PROCEDURES:**

- 4.1 Semi-annual inspections will be completed on all trails by May 10<sup>th</sup> and October 30<sup>th</sup> by the Parks and Recreation Manager.
- 4.2 Inspections will be completed using the attached ***Schedule "A": Trail System Maintenance and Safety Inspection Form.***
  - 4.2.1 Maintenance of the multi-use trails will be the responsibility of the County.
- 4.3 The inspector will date and sign each inspection on the date of completion.

<b>Title:</b> Designated Recreational Trials	<b>Policy No.:</b> 01-01
<b>Section:</b> 07	<b>Code:</b> <b>Page No.:</b> 3 of 4 <b>E</b>

Policy Statement and Guidelines:	
4.4	All required follow-up repairs or maintenance will be noted under “ <i>Action Required</i> ” on the inspection form and will be the responsibility of the Parks and Recreation Manager.
4.5	Inspections will be reviewed by the Parks and Recreation Manager to attempt to identify any trends and areas of concern.

	Date	Resolution Number
Approved	May 15, 2008	# 492-08 - Page # 8675
Amended		
Amended		



**SCHEDULE "A"**

**TRAIL SYSTEM MAINTENANCE AND SAFETY INSPECTION**

Trail: \_\_\_\_\_  
 Date of Inspection: \_\_\_\_\_ Time of Inspection: \_\_\_\_\_  
 Trail Inspector: \_\_\_\_\_

<b>INSPECTION REPORT</b>			
	Check	Action Required	Action Confirmed
<b>INSPECTION: Items</b>			
<b>Trail Surface:</b> Is in good repair: free of any debris, glass discarded metal, or any other garbage of foreign objects.			
<b>Ditches:</b> Check for any foreign material.			
<b>Drainage:</b> Check to ensure standing water does not cover the trail.			
<b>Tripping hazards:</b> Check for exposed concrete footings, tree stumps, rocks, tree limbs and overhanging branches.			
<b>Elevated surfaces:</b> Make sure platforms and ramps have guardrails to prevent falls, <i>if applicable</i> .			
<b>Proper signage:</b> Is in good repair and visible.			
<b>Facility:</b> Check toilets, fire rings, tables, litter containers, signs, barriers are in place and properly maintained.			
<b>Vegetation Control:</b> Condition of mowing, noxious weeds.			

\_\_\_\_\_  
**Parks and Recreation Manager: *Signature***

# SMOKY LAKE COUNTY



<b>Title: Flags: Half Mast</b>	<b>Policy No.:</b> 35-01
<b>Section: 01</b>	<b>Page No.:</b> 1 of 1

<b>Legislation Reference:</b>	Municipal Government Act
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<b>Purpose:</b>	Smoky Lake County deems it appropriate to lower flags as a sign of respect and mourning for dignitaries, or other individuals significant to the County, the region, or the Province.
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## Policy Statement and Guidelines:

### 1. STATEMENT:

- 1.1 The Chief Administrative Officer or his designate shall cause flags on County property to be lowered to half mast on the following occasions:
  - 1.1.1 On the death of a current County employee or County Councillor.
  - 1.1.2 On the death of a current Mayor or Councillor of any municipality within the boundaries of Smoky Lake County.
  - 1.1.3 On the death of the Prime Minister, the Premier of Alberta, or the Member of Parliament or MLA representing Smoky Lake County.
  - 1.1.4 On the death of any volunteer Firefighter with Smoky Lake County when the death occurs in the line of duty.
  - 1.1.5 On the death of any R.C.M.P. member serving the detachment within the Smoky Lake County when the death occurs in the line of duty.
  - 1.1.6 On the death of a serving member of the Canadian Armed Forces that hails from Smoky Lake County (if/when known) when the death occurs in the line of duty.
  
- 1.2 Flags shall be lowered to half mast in recognition of Remembrance Day.
  
- 1.3 Flags shall be lowered on the Provincial Declaration “Day of Mourning” for remembering workers injured or killed on the job.
  
- 1.4 The Reeve and/or Deputy Reeve and/or the Chief Administrative Officer may designate flags to be flown at half mast in other circumstances as they deem appropriate.
  
- 1.5 “Death” may be taken to include the day of death and subsequent days up to and including the day of the funeral.

	Date	Resolution Number
Approved	September 23, 2010	# 891-10 - Page # 9455
Amended		
Amended		



<b>Title: Surface Lease of Municipal Owned Properties</b>	<b>Policy No.: 01-02</b>
<b>Section: 13</b>	<b>Page No.: 1 of 4</b> <i>E</i>

<b>Legislation Reference:</b>	Alberta Provincial Statutes
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<b>Purpose:</b>	To provide an agreement for lease of Municipal owned/Tax Recovery properties and establish a per annum lease payment.
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<b>Policy Statement and Guidelines:</b>													
<p>That Smoky Lake County lease the following properties for the consideration of a per annum lease payment to equal three and half (3.5%) percent of the assessed value of the said properties, payable for an annual period subject terms and conditions of the accompanying</p> <p align="center"><b><u>“Surface Lease Agreement”</u></b></p> <p>↗ Property may be subject to assessment changes. ↗ All properties shall in addition be levied property taxes payable by the leasee.</p> <table border="0"> <tr> <td style="vertical-align: top;">1.</td> <td style="vertical-align: top;"> <b>SW 12-61-16-W4</b>                      160.00 acres                      Assessment: 6,170                 </td> <td style="vertical-align: top;"> <b>Clear Hills Grazing Reserve</b>                      Box 717, Smoky Lake, Alberta                      T0A 3C0                 </td> </tr> <tr> <td style="vertical-align: top;">2.</td> <td style="vertical-align: top;"> <b>NE 23-60-13-W4</b>                      160.00 acres                      Assessment: 3,710                 </td> <td style="vertical-align: top;"> <b>Marianne, Adrian &amp; Aldon Mazur</b>                      Box 364, Vilna, Alberta                      T0A 3L0                 </td> </tr> <tr> <td style="vertical-align: top;">3.</td> <td style="vertical-align: top;"> <b>SW 34-61-13-W4</b>                      160.00 acres                      Assessment: 5,270                 </td> <td style="vertical-align: top;"> <b>Alfred Romaniuk</b>                      Box 173, Vilna, Alberta                      T0A 3L0                 </td> </tr> <tr> <td style="vertical-align: top;">4.</td> <td style="vertical-align: top;"> <b>SW 8-62-13-W4</b>                      160.00 acres                      Assessment: 3,930                 </td> <td style="vertical-align: top;"> <b>John Romaniuk</b>                      Box 276, Vilna, Alberta                      T0A 3L0                 </td> </tr> </table>		1.	<b>SW 12-61-16-W4</b> 160.00 acres Assessment: 6,170	<b>Clear Hills Grazing Reserve</b> Box 717, Smoky Lake, Alberta T0A 3C0	2.	<b>NE 23-60-13-W4</b> 160.00 acres Assessment: 3,710	<b>Marianne, Adrian &amp; Aldon Mazur</b> Box 364, Vilna, Alberta T0A 3L0	3.	<b>SW 34-61-13-W4</b> 160.00 acres Assessment: 5,270	<b>Alfred Romaniuk</b> Box 173, Vilna, Alberta T0A 3L0	4.	<b>SW 8-62-13-W4</b> 160.00 acres Assessment: 3,930	<b>John Romaniuk</b> Box 276, Vilna, Alberta T0A 3L0
1.	<b>SW 12-61-16-W4</b> 160.00 acres Assessment: 6,170	<b>Clear Hills Grazing Reserve</b> Box 717, Smoky Lake, Alberta T0A 3C0											
2.	<b>NE 23-60-13-W4</b> 160.00 acres Assessment: 3,710	<b>Marianne, Adrian &amp; Aldon Mazur</b> Box 364, Vilna, Alberta T0A 3L0											
3.	<b>SW 34-61-13-W4</b> 160.00 acres Assessment: 5,270	<b>Alfred Romaniuk</b> Box 173, Vilna, Alberta T0A 3L0											
4.	<b>SW 8-62-13-W4</b> 160.00 acres Assessment: 3,930	<b>John Romaniuk</b> Box 276, Vilna, Alberta T0A 3L0											

<b>Title: Surface Lease of Municipal Owned Properties</b>	<b>Policy No.: 01-02</b>
<b>Section: 13</b>	<b>Page No.: 2 of 4</b>

<b>Policy Statement and Guidelines:</b>		
5.	<b>SE 8-62-13-W4</b> 160.00 acres Assessment: 3,350	<b>John Romaniuk</b> Box 276, Vilna, Alberta T0A 3L0
6.	<b>NE 30-59-14-W4</b> 40.00 acres Assessment: 1,110	<b>Helmut &amp; Beverly Rompfer</b> Box 79, Bellis, Alberta T0A 0J0
7.	<b>NW 2-61-18-W4</b> 160.00 acres Assessment: 12,580	<b>Kevin Wawrynychuk</b> Box 458, Smoky Lake, Alberta T0A 3C0
8.	<b>SW 11-61-18-W4</b> 160.00 acres Assessment: 5,320	<b>Kevin Wawrynychuk</b> Box 458, Smoky Lake, Alberta T0A 3C0
9.	Unsurveyed property intersecting river road trails located in the South East of the <u>SW 3-58-15-W4</u> bordered by S.H. 857 to the west side of S.H. 652 to the north side <b>Plan 5022 MC</b> .82 acres Assessment: 4,050	<b>Eugene and Larry Minailo</b> R.R. #1, Willingdon, Alberta T0B 4R0
10.	<b>NE 32-59-14-W4</b> 160.00 acres Assessment: 4,660	<b>Agnes Amberson</b> Box 465, Vilna, Alberta T0A 3L0

	<b>Date</b>	<b>Resolution Number</b>
<b>Approved</b>	<b>March 20, 2001</b>	<b># 338 - Page # 7053</b>
<b>Amended</b>	<b>April 25, 2002</b>	<b># 319 - Page # 7253</b>
<b>Amended</b>		

**SURFACE LEASE AGREEMENT**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D.,

BETWEEN:

**SMOKY LAKE COUNTY**  
(hereinafter called the "County")

OF THE FIRST PART;

AND

\_\_\_\_\_  
Address: \_\_\_\_\_  
(hereinafter called the "Leasee")

OF THE SECOND PART.

**WHEREAS** the County is the owner of the property legally described as:

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

**AND WHEREAS** the Leasee has made a request to lease the above said land for the purpose of grazing domestic livestock.

**NOW THEREFORE BE IT RESOLVED** that each of the parties to this Agreement agrees with the other to understand and adhere to the following conditions:

1. Pursuant to Section 61 and 425 of the *Municipal Government Act*, R.S.A. September 1, 2000, Chapter M-26, this lease shall be for a minimum period of **(1) one year**, terminating **December 31<sup>st</sup>** of each year and be renewed indefinitely subject to Clause 2 of this agreement.
2. The County does have the option to not renew and/or cancel the period remaining on this Surface Lease Agreement at any time.



- 3. The Lessee does have permission to erect a fence on the said property to contain livestock:
  - a. any brush clearing and other land improvements shall require specific Council permission.
- 4. This lease shall be solely for agricultural purposes.
- 5. Should the County wish to exercise Clause #2 of this Agreement and if the Lessee has erected a fence, the County shall ask to be removed, as well as any / all other improvements be removed:
  - a. The County shall not be responsible in any manner whatsoever to reimburse the Lessee for any improvements.
- 6. The Lessee shall not have any right or permission to enter into any Agreement with any other person or Company in respect of this property, nor have any right to any monies or minerals and the right to work same.
- 7. The Lessee shall be required to pay an annual lease payment, in advance, to the County prior to **November 1<sup>st</sup>** of each year based upon **THREE AND ONE-HALF PERCENT (3.5%)** of the properties assessed value, subject to reassessment.
  - a. At present the property is assessed at \_\_\_\_\_ and the lease payment is \$\_\_\_\_\_ **per year.**
- 8. The Lessee shall be required to pay all property taxes on the said lease.
- 9. This agreement shall continue in force for an undetermined period, but may be terminated by the leasee giving notice in writing to the County at least **THREE (3) MONTHS** prior to the desired termination date. The County shall have the privilege of canceling this Agreement at any time.

**IN WITNESS WHEREOF** this Agreement has been duly executed by the parties hereto.

\_\_\_\_\_  
LEASEE -

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

\_\_\_\_\_  
Date