



Land Use Bylaw



DRAFT – Version 1

Bylaw No. XXXX/ 2023
Adopted XXXX, 2023

AMENDMENTS & NOTES

List of Amendments:

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LAND USE BYLAW GUIDE

This guide is intended to provide clarity for the reader on how this document is structured and meant to be used to regulate subdivision and development. This guide does not form part of the Land Use Bylaw and may be updated without following amendment procedures identified in Section 1. This Bylaw is organized into Sections as follows:

SECTION	DESCRIPTION
Section 1	Administration: outlines the purpose of this Bylaw and the powers of subdivision and development authorities, including procedures for accepting, processing, and approving applications.
Section 2	General Land Use Regulations: outlines requirements for various development site characteristics, such as drainage and site development that must be read in conjunction with the applicable regulations from Sections 3, 4, 5 and 6. In some cases several subsections of Section 2 and Section 3 will be applicable to a development. For example, a set of standards exists for development near water, regardless of the specific use being residential, commercial, or industrial, and needs to be considered in conjunction with the parking subsection, as well as the applicable Land Use District provisions in Section 4.
Section 3	Specific Land Use Regulations: provides specialized subdivision and/or development requirements based on the defined use(s) in Section 6. For example, a development permit for a Shipping Container to support an industrial use must consider regulations in Section 3.1 in conjunction with several sections in Section 2, and the applicable district in Section 4.
Section 4	Land Use Districts: land use districts are key to providing clarity on whether a specific use is permitted, discretionary, or prohibited on a parcel of land. If, permitted or discretionary the applicable sections of Section 2 and Section 3 must be considered. If prohibited, a proponent would have to apply for a bylaw amendment to the Land Use Bylaw in order to redesignate (rezone) to a District that would allow it.
Section 5	Development Overlays: a development overlay indicates there are special development considerations in a certain area of the County that take precedence over the underlying land use district. For example, being in proximity to an aerodrome (airport), or flood hazard area.
Section 6	Definitions: All Specific Uses as well as general terms used to regulate subdivision and development of a site, are defined in Section 6. Definitions need to be understood to determine what sections of Section 2, 3 and 4 a decision-making authority must consider.
Section 7	Land Use District Map: The Map in Section 7 is the tool used to identify which Land Use District in Section 4 applies to a site.

1 Administration

1.1 TITLE

- 1.1.1 The title of this Bylaw shall be the '*Starland County Land Use Bylaw*' ('LUB').

1.2 PURPOSE

- 1.2.1 In accordance with Section 640 of the *Municipal Government Act (MGA or the "Act")*. The purpose of this Bylaw is to achieve the orderly, economic and beneficial development, use of land and patterns of human settlement in Starland County by regulating and controlling development, or where necessary, prohibiting development without infringing on the rights of individuals for any public interest except to the extent that is for the overall greater public interest.

1.3 APPLICATION

- 1.3.1 This Bylaw shall apply to the whole of Starland County, being all lands and ***buildings*** contained within its corporate limits.
- 1.3.2 No person shall commence any ***development*** within Starland County except in conformity with this Bylaw.
- 1.3.3 Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted statutory plan, including the County's *Municipal Development Plan (MDP)*, Intermunicipal Development Plans (IDP), Area Structure Plans (ASPs), and Area Redevelopment Plans (ARPs).
- 1.3.4 No ***development*** shall be undertaken within the Starland County unless an application for it has been approved and a ***development permit*** has been issued, except for those items listed in **Section 1.9 – Development Not Requiring a Development Permit**.

1.4 EFFECTIVE DATE OF TRANSITION

- 1.4.1 The Starland County Land Use Bylaw **xx-xxxx**, as amended, is hereby repealed and will cease to have effect on the day this Bylaw comes into force. This Bylaw comes into force **upon third reading**.
- 1.4.2 An application for a ***subdivision, development permit***, or amendment to this Bylaw submitted prior to the coming into force of this Bylaw shall be evaluated under the provisions of the *Starland County Land Use Bylaw No. 1125*, as amended.

1.5 OTHER LEGISLATIVE REQUIREMENTS

- 1.5.1 In addition to this Bylaw, an applicant is responsible for complying with any other applicable federal, provincial, or municipal legislation, bylaw or policy, licensing or permitting regime, or approval process. The applicant is also responsible for complying with the conditions of any caveat, covenant, ***easement*** or other instrument affecting a ***building*** or land.
- 1.5.2 The County is not responsible for nor does the County have any obligation whatsoever

to determine what other legislation may apply to a *development*, nor to monitor or enforce compliance with such legislation.

1.6 NON-CONFORMING BUILDINGS & USES

- 1.6.1 *Non-conforming buildings* and *non-conforming uses* shall be treated in accordance with the *Act*, and any amendments thereto.
- 1.6.2 A *non-conforming building* may continue to be used, and the building may be enlarged, added to, rebuilt or structurally altered, if at the discretion of the *Development Authority*, the alterations do not substantially increase the extent of non-conformance and are within all other requirements of the Bylaw.
- 1.6.3 Nothing in this Bylaw diminishes or in any way affects the power of the *Development Authority* to issue a *development permit* which makes a *non-conforming building* conforming through the granting of a relaxation of the requirements or rules to which the existing building does not conform.

1.7 SEVERABILITY

- 1.7.1 In the event any portion of this Bylaw is found invalid by a Court of Law or is overturned by a superior jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected.

1.8 RULES OF INTERPRETATION

- 1.8.1 Where a word is used in the singular, such a word may also mean plural.
- 1.8.2 Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective.
- 1.8.3 Where a word is used in the present tense, such a word may also mean the future tense.
- 1.8.4 The word “person” includes a corporation as well as an individual.
- 1.8.5 The words “shall” and “must” require mandatory compliance except where a variance or relaxation has been granted pursuant to the *Act* or this Bylaw. “May” means a choice is available, with no particular direction or guidance intended.
- 1.8.6 Words, phrases, and terms not defined in this Bylaw may be given their definition in the *Act* or the *Safety Codes Act*. Other words shall be given their usual and customary meaning.
- 1.8.7 Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
- 1.8.8 For ease of reference:
 - a) words that are **Capitalized and Bold** denote *uses* defined in **Section 6 Definitions**;
 - b) words that are *italicized and bold* denote general terms defined in **Section 6 Definitions**;
 - c) words that are *italicized* reference federal or provincial legislation or regulations thereunder; and

- d) all other words must be given the plain and ordinary meaning as the context requires.

- 1.8.9 When viewing the pdf. version of this Bylaw, words in **bold blue font** are interactive links to help navigate to sections of the Bylaw.
- 1.8.10 The system of measurement used in this Bylaw is the metric system (with the imperial system provided for convenience only) and are rounded to the nearest decimal place. For convenience, the following conversion factors are provided:

Metric	Imperial
1 square metre (m ²)	10.8 square feet (ft ²)
1 hectare (ha)	2.47 acres (ac)
1 kilometre (km)	0.6 mile (mi)
1 metre (m)	3.3 feet (ft)
1 centimetre (cm)	0.4 inch (in)
1 millimetre (mm)	0.04 inches (in)
1 kilogram (kg)	2.2 pounds (lb)

1.9 DEVELOPMENT PERMIT NOT REQUIRED

- 1.9.1 This Section does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* or any other provincial or federal statute.
- 1.9.2 The following **developments** shall not require a **development permit**:
- a) any **use** or **development** exempted under section 618(1) of the *Municipal Government Act*;
 - b) any **use** or **development** exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *Municipal Government Act*;
 - c) **Telecommunication Structures** regulated by Industry Canada;
 - d) **Small Modular Reactors** and other forms of nuclear energy generation or related activities regulated by the Canadian Nuclear Safety Commission (CNSC);
 - e) the completion of a **building** which was lawfully under construction at the date this Bylaw came into effect provided the **building** is completed in accordance with the terms and conditions of any **development permit(s)** granted;
 - f) the completion of a **building** that did not require a **development permit** under the previous land use bylaw and which was lawfully under construction provided the **building** is completed within twelve (12) months from the date this Bylaw came into effect.
 - g) the demolition or removal of any **building** or **structure** with an area 9.29 m² (100 ft²) or greater;

- h) an official notice, sign, placard, or bulletin required to be displayed pursuant to provisions of federal, provincial or municipal legislation; and
- i) the use of a **building** or part thereof for a federal, provincial, or municipal election, referendum, or plebiscite.

1.9.3 The following **developments** shall not require a **development permit**, but must otherwise comply with all other provisions of this Bylaw (example: setbacks, parking, building height, etc.):

- a) the carrying out of works, maintenance or repair to any **building** provided that such works
 - i. do not include structural alterations or major works of renovation,
 - ii. do not change the use of the **structure** or **building**, or
- b) interior renovations to a **building** which do not:
 - i. create another **Dwelling Unit**,
 - ii. increase parking stall requirements, or
 - iii. results in a change of use or the intensity of use of a **building**;
- c) the temporary placement or construction of a **building**, works, plants or machinery needed in connection with the construction of a development for which a **development permit** has been issued for the period of those operations;
- d) the use of land for, or the maintenance or repair of public works, services and **Utilities** on publicly owned or administered land carried out by or on behalf of federal, provincial, municipal or public authorities or private utilities under special agreement with the County;
- e) **landscaping** that was not required as part of the original **development permit**;
- f) the construction of uncovered decks or patios less than 0.6m (2 ft) above grade (a covered deck shall require a **development permit**);
- g) The erection, construction or maintenance of gates, fences, walls, or other means of enclosure in accordance with this Bylaw (see **Section 2.11 – Fences and Hedges**);
- h) a **temporary Shipping Container** in accordance with **Section 3.1 – Accessory Buildings, Structures and Shipping Containers**.
- i) permanent **Shipping Containers** in the in accordance with **Section 3.1 – Accessory Buildings, Structures and Shipping Containers** in the RAG – Rural Agricultural General District, RB – Rural Business District, AD – Airport District, and HI – Hamlet Industrial District. All other Districts require a **development permit** for permanent **Shipping Containers**;
- j) The construction, maintenance and repair of private walkways, pathways, driveways, and similar works that:
 - i. do not create additional access to a highway or municipal road; or
 - ii. that forms part of an active **development permit**;
- k) **Extensive Agriculture**;
- l) **Home Occupation – Phone & Desk**;

- m) A **Home Occupation – Minor**, in the RAG – Rural Agricultural General District, RB – Rural Business District, CR – Country Residential District, RR – Residential Resort District, or AD – Airport District;
- n) **Day Homes**;
- o) Within a Hamlet, parking a **Recreational Vehicle** on a *public street* in accordance with **Section 3.7 – Recreational Vehicles**.
- p) **Beekeeping**;
- q) The construction or placement of one (1) **Accessory Building** per *parcel*, provided it is:
 - i. no greater than 9.29 m² (100 ft²) in *floor area*, and
 - ii. no greater than 3.65 m (12 ft) in height, and
 - iii. it meets the *setback* and *parcel coverage* standards established in the relevant land use district.
- r) In addition to subsection q), when listed as a *permitted use* in a District, an **Accessory Farm Building or Structure** in accordance with **Section 3.1 – Accessory Buildings, Structures and Shipping Containers**;
- s) When listed as a *permitted use* in a District **Solar Energy System – Microgeneration**;
- t) The installation of a **Sign** that:
 - i. is displayed for the discretion of convenience of the public, including signs which identify restrooms, freight, entrance, signs identifying business hours, vacancies, a parking entrance or exit, or the like, not exceeding 0.5m² (5 ft²) in sign area.
 - ii. Does not exceed one (1) 3.0 m² (32 ft²) non-illuminated sign on a parcel in the RAG – Rural Agricultural General District, or RB- Rural Business.
 - iii. One **sign** per **Home Occupation**, or **Bed & Breakfast Establishment**, attached to the building with a maximum size of 1.0 m² (10 ft²).
 - iv. is located inside a *building* and is not visible from the exterior;
 - v. states the municipal address, owner or name of the *building*, to a maximum sign area of 0.2 m² for a residential *use* and 0.5 m² for a non-residential *use*;
 - vi. is for the purpose of warning or direction;
 - vii. relates to a political campaign for municipal, school board, regional health authority, provincial or federal elections; or
 - viii. is a temporary **sign** that relates to a real estate sale or a temporary event, provided the **sign** is removed immediately following the event or sale.

1.10 ADMINISTRATIVE AGENCIES

Development Approval Authorities

1.10.1 The ***Development Authority*** shall exercise powers and perform duties on behalf of the County in accordance with the *Act*.

1.10.2 The ***Development Authority*** is:

- a) the ***Development Officer*** while carrying out his or her functions or duties under this Bylaw and/or the *Act*;
- b) the ***Municipal Planning Commission*** while exercising development powers or duties under this Bylaw and/or the *Act*; or
- c) where the context of this Bylaw permits in Direct Control Districts, the ***Council***.

Development Officer

1.10.3 The office of the ***Development Officer*** is hereby established to *Act* on behalf of ***Council*** in those matters delegated by the Bylaw and in such matters as ***Council*** may instruct from time to time.

Municipal Planning Commission

1.10.4 The ***Municipal Planning Commission***, established by Bylaw in accordance with the *Act*, shall perform such duties as are specified in this Bylaw.

Subdivision Authority

1.10.5 The ***Subdivision Authority***, as established by bylaw, shall perform duties on behalf of the County in accordance with the *Act*, the Land Use Bylaw and all relevant County planning documents.

1.11 POWERS AND DUTIES OF ADMINISTRATIVE AGENCIES

Development Authority

1.11.1 The ***Development Authority*** must administer all ***development permit*** applications in accordance with this Bylaw and decide upon all ***development permit*** applications.

1.11.2 The ***Development Authority*** may refuse to accept or refuse to deem complete a ***development permit*** application where:

- a) the information required by this Bylaw is not provided;
- b) the quality is inadequate to properly evaluate the application; or
- c) the prescribed fee for a ***development permit*** has not been paid.
- d) The ***Development Authority*** must make available for inspection, during office hours, all applications and decisions for ***development permits***, subject to any legislation in force.
- e) The ***Development Authority*** must collect fees according to the schedule approved by ***Council***.
- f) The types of ***development permit*** applications a ***Development Authority*** may consider are a ***development permit*** for:
 - i. a ***permitted use*** that complies with all requirements of this Bylaw;

- ii. a *permitted use* that does not comply with all requirements of this Bylaw;
 - iii. a *discretionary use* that complies with requirements of this Bylaw; and
 - iv. a *discretionary use* that does not comply with all requirements of this Bylaw.
- g) As outlined in **Section 1.13 Referrals and Notices for Development Permit Applications**, the *Development Authority* must issue notices regarding the status of a *development permit* application in accordance with the *Act*.

Development Officer

1.11.3 The Development Officer shall:

- a) receive, consider and decide on an application for a development permit for those uses listed as a permitted use for the relevant Land Use District which comply with the minimum standards; and
- b) receive, and refer with recommendations to the Municipal Planning Commission for its consideration and decision, any application for a development permit which has been assigned to it for consideration and decision.

Municipal Planning Commission

1.11.4 The *Municipal Planning Commission* shall decide on an application for those *uses* listed as:

- a) a *discretionary use*,
- b) those listed as a *permitted use* and require a relaxation of any measurable standard in accordance with Subsection 1.14.7; and
- c) any application referred by the *Development Officer*.

Subdivision Authority

1.11.5 The *Subdivision Authority* must administer all *subdivision* applications in accordance with this Bylaw and decide upon all *subdivision* applications.

1.11.6 The *Subdivision Authority* must refuse to accept a *subdivision* application where the prescribed fee for a *subdivision* application has not been paid.

1.11.7 The *Subdivision Authority* may refuse to deem complete a *subdivision* application where:

- a) the information required is not provided; and/or
- b) the quality is inadequate to properly evaluate the application.

1.11.8 The Subdivision Authority shall:

- a) keep and maintain for the inspection of the public copies of all decisions and ensure that copies of same are available to the public at a reasonable charge;
- b) keep a register of all applications for *subdivision*, including the decisions therein and the reasons therefore;
- c) receive all applications for *subdivision* including the prescribed application fees and decide upon all applications in accordance with the *Regulation* and the Land Use Bylaw with consideration of all comments received through circulation;
- d) issue the following notices and acknowledgements on *subdivision* applications:
 - i. notice of complete application;

- ii. notice of incomplete application;
- iii. notice of decision; and
- iv. notice of refusal/deemed refusal of an application.

A notice shall be issued to the applicant on the form created by the **Subdivision Authority** and sent by email where consent has been granted by the applicant, otherwise it shall be sent by mail;

- e) excepting **subdivision** applications not requiring circulation under the *Act*, to circulate applications for **subdivision** for comments to an **adjacent** municipality when the original parcel boundaries are **adjacent** to the municipal boundary or where an intermunicipal development plan requires;
- f) prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the *Regulation*;
- g) ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality; and
- h) endorse Land Titles instruments to effect the registration of the **subdivision** of land.

1.12 APPLICATION FOR DEVELOPMENT

1.12.1 Except as provided in **Section 1.9** of this Bylaw, no person shall undertake any Development in the County unless:

- a) A **development permit** has first been issued pursuant to this Bylaw; and
- b) The Development proceeds in accordance with the terms and conditions of the **development permit** issued in respect of the Development.

1.12.2 An application for a **development permit** shall be completed and submitted to the **Development Authority** using the prescribed form(s), shall be accompanied by:

- a) Copies of a Site Plan or series of Site Plans of the land to be developed, drawn to scale, which shows the following:
 - i. legal description of the site with north arrow;
 - ii. area and dimensions of the land to be developed including **lot coverage**, and **setbacks**;
 - iii. area and external dimensions of all existing and proposed **buildings** and **structures**;
 - iv. any provisions for existing and proposed off-street loading and vehicle parking, including all access and exit points to the site;
 - v. any existing and proposed rights-of-way and easements;
 - vi. the location of any significant environmental features that may impact development, which may include water bodies, trees and other mature vegetation, flood prone areas, and significant changes in topographical slopes;
 - vii. the location of proposed fencing and **landscaping** intended for **screening** and/or buffering from **adjacent** properties;

- viii. locations and distances of on-site existing and proposed water, sewer connections, septic tanks, disposal fields, water wells, culverts and crossings;
- ix. site drainage and plans showing existing and finished lot grades;
- x. the location of any existing signage; and
- xi. the location of any proposed signage requiring a **development permit**.
- xii. Information to confirm the presence or absence of abandoned wells in accordance with Alberta Energy Regulator's '*Directive 079: Surface Development in Proximity to Abandoned Wells*';
- b) a statement of the proposed **use(s)** and any potential positive or negative impact on **adjacent** lands and how the **development** is designed to ensure or mitigate such impact;
- c) a statement of the previous known land **uses** and any known provincial approvals that have been obtained in the past;
- d) the **development permit** fee(s) as prescribed by **Council**;
- e) a copy of the Certificate of Title not older than 90 days, and copies of any restrictive covenants, utility rights-of-way easements, or Starland County caveats registered on the Title(s);
- f) if the form(s) are not signed by the landowner(s) of the land subject to the proposed **development**, then a statement signed by the landowner(s) authorizing the applicant(s) to apply for and be issued the **development permit**; and
- g) confirmation of corporate signing authority where the registered landowner(s) or applicant(s) is a corporation.

1.12.3 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, but is not limited to:

- a) Copies of floor plans, elevations, and sections of proposed **buildings** and **structures** including:
 - i. an indication of the exterior finishing materials and colour; and
 - ii. the height from grade.
- b) information on the method for the supply of potable water and disposal of waste;
- c) storm water management reports and plans that meet provincial requirements shall be submitted for all commercial and industrial development applications, if in the opinion of the **Development Authority**, the proposed **development** is likely to significantly alter the natural drainage on the site or increase run-off onto adjacent lands;
- d) a groundwater and / or geotechnical analysis to properly evaluate the **development**;
- e) a private sewage disposal system site evaluation to determine the site suitability and potential private sewage disposal system acceptable for the site;
- f) a traffic impact study or traffic impact assessment;

- g) a historical impact report identifying the absence or presence of archaeological sites;
 - h) environmental studies and/or assessments confirming the land is suitable for the proposed **development** and would not negatively impact lands of environmental significance;
 - i) information describing the handling, storage and disposal of any noxious, toxic, radioactive, flammable, or explosive materials that may be included in the proposed **development**;
 - j) information regarding fire suppression, emergency response protocols and/or on-site security; in the case of the placement of an 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) in the case of the placement of an 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;
 - l) an assessment by a **qualified professional** of any potential flooding or subsidence or slope stability hazard that may, in the sole opinion of the **Development Authority**, affect the subject **parcel**;
 - m) where a proposal is considered to have a significant environmental impact, the **Development Authority** may request the applicant to have an environmental evaluation or report (e.g., Biophysical Impact Assessment) prepared and submitted or undertake its own environmental evaluation regarding the proposed **development**, at the cost of the applicant;
 - n) a construction management plan;
 - o) when there is potential for major and/or phased **development** of a single **parcel**, a **Master Site Plan** demonstrating the remainder of the lands can be developed in accordance with this Land Use Bylaw and any other applicable plan, policy, or engineering standard;
 - p) the estimated commencement and completion dates of the proposed **development**;
 - q) the estimated cost of the project or contract price; and
 - r) a Real Property Report, prepared by an Alberta Land Surveyor, showing the location and distances of any existing buildings, waterbodies, trees or other physical features on or adjacent to the parcel being developed.
- 1.12.4 Notwithstanding Sections 1.12.1, 1.12.2, and 1.12.3 at the discretion of the **Development Authority**, additional information, plans, or reports, may be required to adequately render a decision on an application.
- 1.12.5 Where technical reports are required to support an application, the report shall be certified by a **qualified professional** who is accredited to practice in Alberta in the related field, to the satisfaction of the **Development Authority**.
- 1.12.6 The application shall not be deemed complete until the application contains the documents and other information necessary to review the application, as required by the **Development Authority**.

1.13 REFERRALS AND NOTICES FOR DEVELOPMENT PERMIT APPLICATIONS

1.13.1 The *Development Authority* shall:

- a) issue the following notices and acknowledgements on *development permit* applications:
 - i. notice of complete application;
 - ii. notice of incomplete application; and
 - iii. notice of decision/ deemed refusal.
- b) refer all *development permit* applications that are within 1.6 km (1 mile) of the boundary of an adjacent municipality (rural or urban) to that municipality for comments and recommendations, prior to a decision being made;
- c) refer, at his/her discretion, a permit application for any *development* for comments to those authorities whose interest or jurisdiction may be affected, for comments on the proposed *development*;
- d) notwithstanding the provisions of subsection (a), may refer any application to the *Municipal Planning Commission* at his/her discretion, which in his/her opinion should be decided by the *Commission*;
- e) notwithstanding the provisions of subsection (a), once a *development permit* application for a *discretionary use* or a *permitted use* that requires a relaxation (variance) has been deemed complete, the *Development Authority* may at their discretion provide a 'Notice of Application' to all *adjacent* landowners or a greater circulation area, if potential for conflict is deemed to be probable by the *Development Authority*.

1.14 DECISION PROCESS – DEVELOPMENT PERMIT APPLICATION

1.14.1 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.

Permitted Use Permits

- 1.14.2 Where a *development permit* application is for a *permitted use* in a building or on a parcel and the proposed development conforms to all of the applicable requirements and rules of this Bylaw, the *Development Authority* must approve the application and issue the *development permit*. The *Development Authority* may impose such conditions as required to ensure compliance with this Bylaw.

Permitted Use Permits Requiring a Relaxation

- 1.14.3 Where a *development permit* application is for a *permitted use* in a *building* or on a parcel and the proposed development does not conform to all of the applicable requirements and rules of this Bylaw, the *Development Authority* may:
- a) refuse to approve the *development permit* application; or
 - b) approve the *development permit* application; and may:
 - i. grant a relaxation of the requirement or regulation to which the proposed *use* does not conform; or
 - ii. impose such conditions as required to ensure compliance with this Bylaw.

Discretionary Use Permits

- 1.14.4 When making a decision on a *development permit* for a *discretionary use* the *Development Authority* must take into account:
- a) any statutory plans and municipal policies affecting the parcel;
 - b) the purpose statements in the applicable Land Use District;
 - c) the appropriateness of the location and parcel for the proposed use;
 - d) the compatibility and impact of the proposed development with respect to adjacent parcels and the neighbourhood;
 - e) the merits of the proposed development;
 - f) the utility servicing requirements;
 - g) access, parking and transportation requirements;
 - h) vehicle and pedestrian circulation within the *parcel*;
 - i) the impact on the public transportation system; and
 - j) sound planning principles.
- 1.14.5 The *Development Authority* may approve a *development permit* application for a *discretionary use*, and may impose such conditions considered appropriate or necessary, which may include:
- a) limiting hours of operation;
 - b) limiting number of patrons;
 - c) establishing landscaping requirements;
 - d) requiring noise attenuation;
 - e) requiring special parking provisions;
 - f) specifying the location, character and appearance of a *building*;
 - g) specifying the grading of a *parcel* or such other procedures as is necessary to minimize impact on adjacent parcels;
 - h) establishing the period of time during which a development may continue; and
 - i) ensuring the development is compatible with surrounding *uses*.
- 1.14.6 The *Municipal Planning Commission* may, as a condition of approving a *development permit* that does not comply with all of the applicable requirements and rules of this Bylaw require the applicant to conform to a higher standard than required by the applicable rules if, in the opinion of the *Development Authority*, conformance to a higher standard will off-set any impact of granting the relaxation.

- 1.14.7 The **Municipal Planning Commission** may approve an application for a **development permit** that is a **permitted use** or **discretionary use**, but that does not otherwise comply with the provisions of this Bylaw, if in the opinion of the **Municipal Planning Commission** 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 the neighbouring properties; and
 - c) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- 1.14.8 The **Municipal Planning Commission** may refuse a **development permit** application for a **discretionary use** even though it meets the requirements and rules of this Bylaw.

Similar Use Permits

- 1.14.9 Where the proposed **use** is not listed as a **permitted use** or **discretionary use** in a Land Use District and is not otherwise defined in **Section 6 Definitions**, the **Municipal Planning Commission** may consider it to be so listed as a **discretionary use** if, in its opinion, it is sufficiently similar in character and purpose to a listed **permitted use** or **discretionary use** and conforms to the purpose and intent of the Land Use District.

Temporary Use Permits

- 1.14.10 If an application is made for a **development** that is identified as a **Temporary Use** in this Bylaw, the **Development Authority** may consider and approve a development for a specific period of time, not exceeding one (1) year. The **Development Authority** may issue a permit for longer than one (1) year if deemed appropriate for the use or the parcel.
- 1.14.11 A **Temporary Use development permit** will state a date on which the development must cease.
- 1.14.12 Where a **Temporary Use development permit** is issued in accordance with this Bylaw and the specified time period lapses, it is the responsibility of the applicant to request extension or renewal of the permit.

Development Agreements

- 1.14.13 As per section 650 of the **MGA**, the **Development Authority** may require that as a condition of issuing a **development permit**, the applicant enter into an agreement with the County to do any or all of the following:
- a) to provide security to ensure that the terms of the agreement are carried out;
 - b) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - c) landscaping, screening and site development be required as per this Bylaw;
 - d) to construct or pay for the construction of a road to Starland County standards giving access to the development;

- e) to construct or pay for the construction of a pedestrian walkway system to serve the development, or pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;
 - f) to construct or pay for the construction of off-street or other parking facilities and for loading and unloading facilities;
 - g) to pay an off-site levy or redevelopment levy;
 - h) that the developer shall be responsible for obtaining their own assessment of soil conditions related to bearing capacities and consolidation in relation to the proposed **development**, and the **development** shall be designed, constructed and maintained in such a manner as to ensure the **development** is safe and stable on the subject lands;
 - i) that drainage from foundation to curb and the slope of the yard follows Starland County standards;
 - j) require that the applicant be held responsible, and pay for, all legal and engineering fees incurred by Starland County as a direct result of the application for **development permit** and during the implementation of the proposed **development**; and
 - k) other conditions as deemed necessary to evaluate the suitability of the proposed **development** on the subject **parcel**.
- 1.14.14 The County may register a caveat pursuant to the provisions of the *Act* and the *Land Titles Act* in respect of an agreement under Subsection 1.14.13 against the Certificate of Title for the land that is the subject of the **development**. Said caveat shall be discharged when the agreement has been complied with.
- 1.14.15 Where a **development permit** has been granted and as a condition of approval, the applicant shall be required to provide a cash security, in the sum outlined in the County's current Fees and Services Bylaw, to ensure the completion of any repairs to County property. The County may draw on this security to cover the costs of any repairs to County property in the event the applicant fails to complete the repairs within thirty (30) days of being notified by the County of the damages.
- 1.14.16 Where a **development permit** has been granted for the development of a housing unit consisting of two or less units, including for a duplex dwelling; manufactured dwelling, accessory dwelling unit; or detached dwelling as a condition of approval, the applicant shall be required to provide an irrevocable Letter of Credit, as a security, in the sum outlined in the County's current Fees and Services Bylaw, to ensure construction is completed to the satisfaction of the **Development Authority**.
- 1.14.17 In the case where an application for a **development permit** has been refused pursuant to this Bylaw or ultimately after appeal to an **Appeal Body**, the submission of a subsequent application for a permit on the same property and for the same or similar use of the land by the same or any other applicant need not be accepted by the **Development Authority** for at least six (6) months after the date of the previous refusal.

Applications the Development Authority Must Refuse

- 1.14.18 The **Development Authority** must refuse a **development permit** application when the proposed **development**:

- a) is for a use that is not listed as either a *permitted use* or *discretionary use* in the Land Use District; or
- b) is for a use containing a restriction in its definition that is not met by the proposed use.

1.15 ISSUANCE OF DEVELOPMENT PERMITS

- 1.15.1 A Notice of Decision by the *Development Authority* on an application for a *development permit* shall be given in writing by either mail or email to:
 - a) the applicant;
 - b) those referred the application pursuant to the *Act* and *Regulations*.
- 1.15.2 A *development permit* granted pursuant to this Land Use Bylaw for a *permitted use* where no provisions of this Land Use Bylaw have been relaxed or varied, is effective upon the Notice of Decision being communicated to the applicant.
- 1.15.3 A *development permit* granted pursuant to this Land Use Bylaw for a *discretionary use* or a *permitted use* where the provisions of this Land Use Bylaw have been relaxed or varied, does not come into effect until 21 days after the Notice of Decision is communicated per subsection (4) below.
- 1.15.4 When a *development permit* for a *discretionary use* or *permitted use* where the provisions of this Land Use Bylaw have been relaxed or varied has been granted, the *Development Officer* shall cause a notice to be published in a newspaper circulating in the County stating the location of the property for which the application has been made and the use approved. Further, the *Development Officer* may also:
 - a) conspicuously post a notice of the decision on the property for which the application has been made; and/or
 - b) mail a notice in writing to all adjacent landowners and all registered owners of land who in the opinion of the *Development Officer* may be affected.
- 1.15.5 For the purpose of this section, the date of receipt of a mailed Notice of Decision is deemed to be five (5) days from the date that the decision is mailed. Any *development* proceeded with by the applicant prior to the expiration of this period is done solely at the risk of the applicant.
- 1.15.6 Notwithstanding subsections (3), (4) and (5) where an appeal is made pursuant to this Land Use Bylaw, a *development permit* which has been granted shall not come into effect until the appeal has been determined and the permit is affirmed, modified, or nullified thereby.

1.16 COMMENCEMENT AND COMPLETION OF DEVELOPMENT

- 1.16.1 If the *development* authorized by a *development permit* is not commenced within **twelve (12) months** from the date granted or carried out with reasonable diligence the *development permit* is deemed to be void, unless an extension request for the time period is submitted in writing by the applicant and granted by the *Development Authority*. The extension request must provide reasons for the request.
- 1.16.2 If the *development* authorized by a *development permit* is not completed within **twenty-four (24)** of the date of issue or as otherwise specified within a *development permit*, the *development permit* is deemed to be void, unless an extension request for the time

period is submitted in writing by the applicant and granted by the **Development Authority**. The extension request must provide reasons for the request.

- 1.16.3 For the purposes of this Bylaw, commencement includes excavation, does not include **fencing**, or demolition on the **parcel**, or obtaining permits.
- 1.16.4 The approval or issuance of a **development permit** does not authorize commencement of construction except in conjunction with all other required permits and conditions of the **development permit**.

1.17 APPEALS

Development Appeals

- 1.17.1 Appeals in respect of decisions on **development permit** applications are governed by the *Act*.
- 1.17.2 Where the Development Authority:
 - a) refuses or fails to render a decision on an application for a **development permit**, or
 - b) approves an application for a **development**, or
 - c) issues an order under this Bylaw;the person applying for the permit or affected by the order, or any other affected person, as the case may be, may appeal to the **Appeal Body** within the dates outlined in the *Act*.

Subdivision Appeals

- 1.17.3 An appeal with respect to a decision on a **subdivision** application is governed by the *Act* and the *Regulation*.

1.18 BYLAW AMENDMENT PROCESS

- 1.18.1 **Council** may at any time initiate an amendment to this Bylaw.
- 1.18.2 Any owner of a parcel, his authorized agent, or other persons having legal or equitable interest in the parcel may apply to have the Land Use District of the parcel changed through an amendment to this Bylaw.
- 1.18.3 All applications for amendments of this Bylaw shall be made using the approved form, accompanied by:
 - a) the prescribed fee;
 - b) a statement of the applicant's interest in the land;
 - c) a title search for the land affected or other documents satisfactory to Starland County that supports the applicant's interest in the said land;
 - d) any drawings, plans or maps required by Starland County; and
 - e) any other documents as required by Starland County.
- 1.18.4 All amendments to this Land Use Bylaw shall be made by **Council** by bylaw and in accordance with the procedures set forth in the *Act*.

- 1.18.5 Prior to rendering a decision on an application that proposes to redesignate agricultural lands to the CR – Country Residential District, or RR – Residential Resort District **Council** should consider if the proposal complies with the agricultural and country residential policies of the *Municipal Development Plan*.
- 1.18.6 The **Council**, in considering an application for an amendment to this Land Use Bylaw, shall refer a copy of the proposed amendment to any agencies it considered necessary, including, but not limited to:
- a) Palliser Regional Municipal Services;
 - b) applications that are within 1.6 km (1 mile) of the boundary of an adjacent municipality (rural or urban); and
 - c) such other persons or agencies as it considers necessary for comment.
- 1.18.7 If an application for an amendment to this Bylaw has been refused by the Starland County **Council**, then the Starland County **Council** need not accept an application for an amendment for the same use on the same parcel of land for six (6) months from the date of the refusal.

1.19 DIRECT CONTROL DISTRICTS AND PERMITS

- 1.19.1 Direct Control Districts shall only be used for the purpose of providing for land or developments that, due to their unique characteristics or unusual site constraints, require specific regulation unavailable in other Land Use Districts.
- 1.19.2 Direct Control Districts shall not be used in substitution of any other Land Use District in this Bylaw that could be used to achieve the same result either with or without variances to this Bylaw.
- 1.19.3 Upon receipt of a completed application for a **development permit** pursuant to a Direct Control District, the **Council** may, prior to making a decision, refer the application to the **Development Authority**, any municipal department or external agency for comment.
- 1.19.4 Prior to deciding upon the **development permit** application before it, the **Council** may provide public notice through means and to whom it considers necessary, that a decision on a **development permit** pursuant to a Direct Control District is to be made and that **Council** may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

1.20 ENFORCEMENT

Offences

- 1.20.1 Any owner, lessee or occupant of land or a **building**, or the owner of a **structure** or a **Sign** thereon, who with respect to such land, **building**, **structure** or **Sign**, contravenes, uses, or allows a contravention of any provision of the Bylaw commits an offense.
- 1.20.2 Any person who commences or continues **development** for which a **development permit** is required but has not been issued, has expired, has been revoked or suspended, or which is in contravention of a condition of a **development permit** under the Bylaw commits an offense.
- 1.20.3 Any person who prevents or obstructs the **Development Authority** or a Designated

- Officer from carrying out any official duty under the Bylaw or the *Act* commits an offense.
- 1.20.4 A Designated Officer may enforce the provisions of the Bylaw, or the conditions of a ***development permit*** pursuant to the *Act*.
- 1.20.5 Nothing in this Bylaw diminishes or in any way affects the rights of Starland County pursuant to the *Act*, or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.

Entry and Inspection

- 1.20.6 Pursuant to the *Act*, an authorized person may only enter land or a building for the purpose of ensuring compliance with the *Act* and the *Regulation*, or this Bylaw if:
- a) the owner or person in possession of it gives his consent to the entry; or
 - b) the entry is authorized by an Order of the Court of Queen's Bench; and
 - c) only for the purpose of ensuring compliance with the *Act* and the *Regulation*, or this Bylaw.
- 1.20.7 The Designated Officer, or such other person appointed by resolution of ***Council***, is designated as the "authorized person".

Orders

- 1.20.8 Pursuant to Section 645 of the *Act* where an offense under the Bylaw occurs, the ***Development Officer*** may by written notice, order the owner or the person in possession of the land or ***buildings***, or the person responsible for the contravention to:
- a) stop the ***development*** or ***use*** of the land or ***buildings*** in whole or in part as directed by the notice; or
 - b) demolish, remove or replace the ***development***; or
 - c) carry out any other actions required by the notice so that the ***development*** or ***use*** complies with the Bylaw.
- 1.20.9 A person who receives an order referred to in subsection 1.20.8 above may appeal to the ***Appeal Body*** in accordance with **Section 1.17 – Appeals** of this Bylaw.
- 1.20.10 Where the ***Council*** or a person appointed by it carries out an order the ***Council*** shall cause the costs and expenses incurred in carrying out the order to be added to the tax roll of the ***parcel*** of land and the amount:
- 1.20.11 is deemed for all purposes to be a tax imposed under the *Act* from the date it was added to the tax roll; and
- 1.20.12 it forms a special lien against the ***parcel*** of land in favour of the ***Municipality*** from the date it was added to the tax roll.

Violation Tags and Penalties

- 1.20.13 The Designated Officer may issue a ***violation tag*** to any person who commits an offense.
- 1.20.14 The ***violation tag*** shall specify the alleged offence committed by the person to whom the ***violation tag*** is issued and require voluntary payment.
- 1.20.15 The ***violation tag*** shall be served upon the alleged offender personally, or if the defendant cannot be conveniently found, by leaving it for the defendant at the

defendant's place of residence with a person on the premises who appears to be at least 18 years of age, or by mailing a copy to such person at their last known address.

- 1.20.16 Where contravention of this Bylaw is of a continuing nature, further violation tags or a ***violation ticket*** may be issued by a Designated Officer or Peace Officer, provided that no more than one ***violation tag*** or ***violation ticket*** shall be issued for each calendar day that the contravention continues.
- 1.20.17 Where a ***violation tag*** is issued pursuant to this Bylaw, the person or company to whom the ***violation tag*** is issued may, in lieu of being prosecuted for the offense, pay to Starland County the minimum penalty specified in **Table 1 Minimum Specified Penalties**. If no penalty is specified in for the particular offence, the minimum specified penalty shall be \$500.00.

Table 1 Minimum Specified Penalties

Offence	First Offence	Second Offence and Additional Offences
Failure to obtain a development permit	\$250	\$500
Failure to obtain a development permit for a Sign	\$100	\$200
Failure to comply with development permit conditions	\$500	\$1000
Failure to comply with District regulations	\$500	\$1000
Failure to comply with any other regulation or standard of the Bylaw	\$250	\$500

- 1.20.18 Fines for second and additional offences noted in **Table 1 Minimum Specified Penalties** are for when the offence has occurred within a twelve (12) month period of the previous offence.

Violation tickets

- 1.20.19 Notwithstanding any other provision of this Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a ***violation ticket*** pursuant to the Provincial Offences Procedures Act, as amended, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 1.20.20 Nothing in this Bylaw shall prevent a Peace Officer from issuing Summons for the mandatory court appearance of any person or company who contravenes any provision of this Bylaw.
- 1.20.21 Any person who is guilty of an offence and is liable upon summary conviction to a fine not less than \$100.00 and not exceeding \$10,000 per violation after conviction and costs, and upon failure to pay the fine and costs, to imprisonment for a period not exceeding 30 days unless such fine and costs are sooner paid.

2 General Land Use Regulations

2.1 APPLICABILITY

- 2.1.1 These regulations within Section 2 – General Land Use Regulations, shall apply to all developments within the County, unless otherwise exempted.
- 2.1.2 Where any regulation in this section may be in conflict with any regulation of a given **Land Use District in Section 4** or the **Specific Use Regulations in Section 3**, the regulation in the District or Specific Use Regulation shall take precedence.

2.2 DESIGN, CHARACTER AND APPEARANCE

- 2.2.1 The design, use of materials, construction, character, location, and appearance all **developments**, including **buildings**, **structures**, and **Signs** must be to the satisfaction of the **Development Authority**, compatible and complementary with other **developments** in the area, unless the **development** is setting a new standard of design.
- 2.2.2 When reviewing the design, character, and appearance of **developments**, the **Development Authority** will take the following into consideration:
- a) how the **development** integrates with existing **developments** on the subject **parcel** and **adjacent** properties (i.e., if the building is proportionate in height);
 - b) how the **development** may impact the visibility of **viewpoints**;
 - c) if the **building** is proposed in a manner that visually retains, or is compatible with, the existing landscape; and
 - d) if sightlines from the subject **parcel** or **adjacent parcels** will be unduly obstructed.

2.3 DWELLING UNITS ON A PARCEL

- 2.3.1 No person shall construct or locate more than one **Dwelling Unit** on a **parcel** unless it is otherwise permitted in this Land Use Bylaw.

2.4 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- 2.4.1 No person shall keep or permit in any part of a yard on a **parcel** in a residential district or on a **parcel** where the **Development Authority** has deemed the **principal use** to be residential:
- a) Any dismantled or wrecked vehicle for more than fourteen (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;
 - c) Any excavation, storage or piling up of material required unless all necessary safety measures are undertaken; 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.
- 2.4.2 The following shall apply in all Land Use Districts:

- a) Outdoor storage of goods, materials or equipment shall require a ***development permit*** unless the ***Development Authority*** has deemed the storage to be integral to another use that has been approved or that does not require a ***development permit***;
- b) Outdoor storage areas may be required to be screened from view by means of fencing, shrubbery, trees, and other landscaping to the satisfaction of the ***Development Authority***;
- c) Outdoor storage shall not unduly interfere with amenities of the district or adversely affect neighboring lots by reason of excessive noise, smoke, steam, odor, glare, dust vibration, refuse matter or other emissions; and
- d) Outdoor storage areas shall be located, developed, and maintained in a neat and orderly manner to the satisfaction of the ***Development Authority***.

2.5 SCREENING

- 2.5.1 For commercial, industrial and **apartment dwelling** developments, garbage and waste material must be stored in weatherproof and animal proof containers. Garbage and waste material storage must be screened from public roads, excluding lanes.
- 2.5.2 Commercial and industrial developments abutting a residential district or a parcel with a residential use shall be screened from view on an interior side parcel line or rear parcel line, to the satisfaction of the ***Development Authority***.
- 2.5.3 Where permitted, outdoor storage areas of commercial and industrial materials and equipment shall be screened from adjacent parcels and public roads.
- 2.5.4 On corner lots within the **corner visibility setback** as shown in **Figure 2: Corner Visibility Triangle**, screening shall be a maximum of 1.0 m (3.3 ft) in height above grade to ensure public safety and/or good visibility for traffic and pedestrian purposes.

2.6 UTILITY SERVICES AND INFRASTRUCTURE

- 2.6.1 All ***developments*** shall install and maintain adequate sewage disposal systems, drainage, and potable water systems for all ***uses*** on-site, as approved by the appropriate authorities.
- 2.6.2 Prior to approving a ***development permit***, the ***Development Authority*** must confirm there is adequate sewage collection, treatment and disposal, water supply treatment and distribution, stormwater collection and storage and road capacity necessary to serve a ***development***.
- 2.6.3 A ***development*** shall not be permitted if the ***development*** is not served by:
 - a) the municipal sewer and water system; or
 - b) at the discretion of the ***Development Authority***, a provincially approved private system.
- 2.6.4 Where a proposed use may release contaminants or other deleterious substances into the municipal sewer system, the ***Development Authority*** may require an applicant to submit plans and reports prepared by a ***qualified professional*** to evaluate the potential impact on the sewer system and propose mitigations.
- 2.6.5 The ***Development Authority*** may require a fats, oil and grease (FOG) interceptor, an oil

and grit separator or other such interceptor, and/or a test manhole to be installed where a use may release contaminants or other deleterious substances into the municipal sewer system.

- 2.6.6 Stormwater run-off shall be contained on-site or disposed of in a manner acceptable to the County and/or as required in a stormwater management report prepared by a *qualified professional*.

2.7 SITE GRADING AND DRAINAGE

- 2.7.1 Parcel grades and building elevations shall be established to ensure effective drainage and prevent drainage from one parcel to another, except where drainage conforms to an approved subdivision drainage plan.
- 2.7.2 The owner of a parcel shall be responsible to ensure that grading is maintained over time to provide effective drainage. Where maintenance of a common drainage swale or path at a *property line* is required, the responsibility of maintenance lies with the owners of both parcels. Where a drainage swale or path is established within an easement or right-of-way on a parcel, swale grades shall be maintained, and the swale shall be kept free of any obstructions.
- 2.7.3 Where retaining walls are necessary or proposed in any development, such walls shall be developed with professional quality and shall not negatively affect adjacent parcels due to site elevations or drainage.

2.8 RELOCATION OF BUILDINGS

- 2.8.1 Notwithstanding **Section 1.9 Development Permit Not Required**, a *development permit* shall be required for the relocation of any building to any parcel in the County.
- 2.8.2 A *development permit* for the relocation of a building may include conditions of approval that:
- a) the building and the proposed location of the building meets the requirements of the Land Use District in which the building is to be located;
 - b) the building is compatible with the character of the neighbourhood in which the building is to be relocated to; and
 - c) the building be renovated to a satisfactory condition within a specified time.

2.9 DEMOLITION OF BUILDINGS

- 2.9.1 Notwithstanding **Section 1.9 Development Permit Not Required**, a *development permit* shall be required for the demolition of a building or structure where the waste materials are to be moved off of the parcel of land.
- 2.9.2 Waste materials shall be disposed of at a certified landfill or an approved Waste Management Facility.
- 2.9.3 Approval to demolish a building shall be subject to Subsection 1.14.13, where a development agreement and security is required to repair any damage to municipal roads, or other public property as a result of transporting waste.
- 2.9.4 Upon demolition or destruction of a building, the site shall be immediately fenced to the satisfaction of the Development Officer.

2.9.5 Upon demolition or destruction of a building, the site shall be cleaned up, including the removal of any cement foundation, within six (6) months of the demolition or destruction, to the satisfaction of the Development Officer.

2.9.6 All burning of waste materials requires a permit from the municipality.

2.10 PERMITTED PROJECTIONS INTO SETBACKS

2.10.1 In all districts, the minimum yard setbacks do not apply to:

- a) construction wholly beneath the surface of the ground;
- b) driveways, parking stalls and sidewalks;
- c) fences and retaining walls; and
- d) landscaping.

2.10.2 Residential building projections specified in **Subsections 2.9.3 to 2.9.8** into or over a required yard setback shall not require a variance (**Figure 1: Permitted Projections into Yard Setbacks**).

2.10.3 Where a building or buildings on the parcel are divided by condominium or subdivision such that the building contains units that are on separate lots or titles, the district yard setbacks do not apply within the development but shall apply from the *property line* of abutting lots.

Front Yard

2.10.4 The following projections may be permitted to a maximum of 0.6 m (2 ft.) into the required front yard setback:

- a) eaves,
- b) bay windows,
- c) shade projections, and
- d) chimneys.

2.10.5 The following projections may be permitted to a maximum of 1.8 m (6 ft.) into the required front yard setback:

- a) balconies,
- b) stairways and landings, and
- c) uncovered decks.

Side Yard

2.10.6 The following projections may be permitted to a maximum of 0.6 m (2 ft.) into the required side yard setback:

- a) eaves,
- b) shade projections,
- c) stairways and landings greater than 0.6 m (2 ft.) above grade, and
- d) chimneys.

2.10.7 The following projections may be permitted to a maximum of 100% of the required side yard setback:

- a) stairways and landings no more than 0.6 m (2 ft.) above grade.

Rear Yard

2.10.8 The following projections may be permitted to a maximum of 2.0 m (6.5ft.) into the required rear yard setback

- a) eaves,
- b) balconies,
- c) bay windows,
- d) uncovered decks
- e) stairways/ landings;
- f) chimneys, and
- g) shade projections.

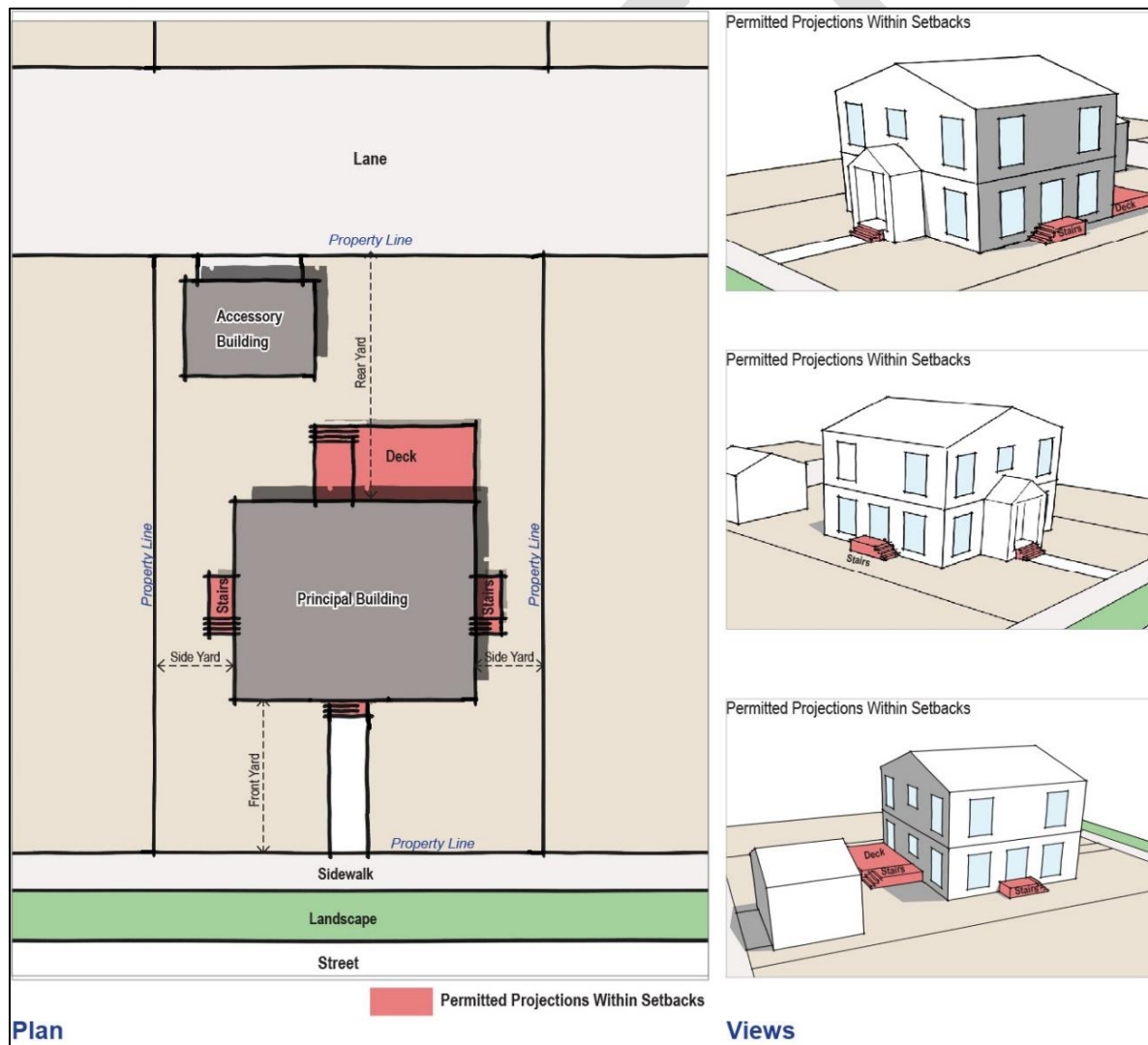


Figure 1: Permitted Projections into yard setbacks

2.11 FENCES AND HEDGES

2.11.1 The following regulations apply to all Parcels:

- a) Along provincial highways, shelterbelts, corrals, and fences greater than 2 m (6.5 ft.) in height shall be set back as required by Alberta Transportation
- b) Shelterbelts and fences of at least 2.0 m (6.5 ft.) in height shall be set back 7.5 m (25 ft.) from the right-of-way of all county roads, unless otherwise approved by the *Municipal Planning Commission*.

2.11.2 The following regulations apply to Hamlets only:

- a) In residential districts or a parcel with a residential use as the principal use, the maximum height above grade of a fence located within a yard shall be in accordance with **Table 2: Maximum Fences Heights in a Residential Yard**.

Table 2: Maximum Fences Heights in a Residential Yard

Location	Maximum height from grade:
Rear or side yard (interior)	2m (6 ft.)
Front yard	1m (3 ft.)
Side yard (exterior)	1.2m (4 ft.)

- b) To determine the *front yard* for a *corner parcel*, see **Section 2.13 – Corner Parcels and Reverse Corner Parcels**.
- c) On corner lots within the *corner visibility setback* regulated in **Section 2.12 Corner Visibility Triangle Setback** (see **Figure 2: Corner Visibility Triangle**), hedges and trees shall be planted and trimmed to a maximum of 1.0 m (3.3 ft.) in height to ensure public safety and/or good visibility for traffic and pedestrian purposes.
- d) Materials used to construct *fences* may be wood, brick, stone or concrete, or metal and shall be aesthetically acceptable and in general conformity with *adjacent* properties.

2.12 CORNER VISIBILITY TRIANGLE SETBACK

2.12.1 In any Hamlet District, on a **corner parcel**, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections 1.0 m (3.3 ft.) above the centre line grades of the intersecting streets in the area bounded by the *property lines* of such corner lots and a line joining points along the said *property line* 6.1 m (20 ft) from the point of intersection. See **Figure 2: Corner Visibility Triangle** below.

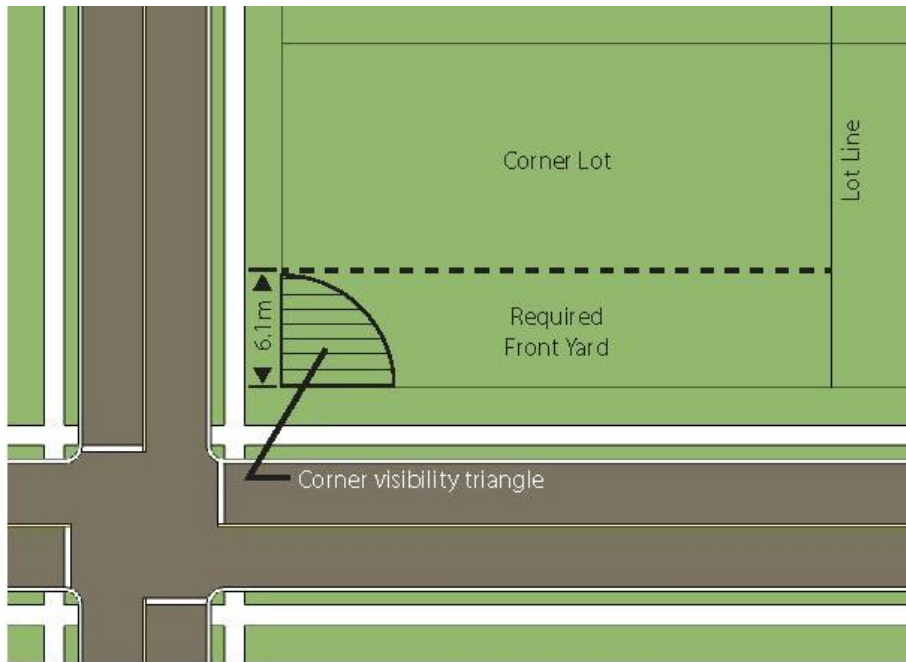


Figure 2: Corner Visibility Triangle

2.13 CORNER PARCELS AND REVERSE CORNER PARCELS

2.13.1 The parcel lines and yards of corner lots shall be determined by the following (**Figure 3: Corner Lot and Reverse Corner Lot**):

- a) the front parcel line of a corner lot is the shortest *property line* abutting a road;
- b) the exterior side parcel line of a corner lot is the longest *property line* abutting a road;
- c) the interior side parcel line of a corner lot is the longest *property line* abutting a parcel; and
- d) the rear parcel line of a corner lot is the shortest *property line* abutting a parcel or lane.

2.13.2 Notwithstanding subsection (1) above or anything else in this Bylaw, the *Development Authority* may determine a corner lot to be a reverse corner lot (**Figure 3: Corner Lot and Reverse Corner Lot**).

2.13.3 The *Development Authority* shall determine the front, rear and side yards of a reverse corner lot by taking into account:

- a) the general pattern and location of existing buildings on adjacent parcels;
- b) the size and geometry of the corner lot;
- c) the ability to create sufficient privacy on the parcel and privacy for adjacent parcels;
- d) ensuring safe traffic movement at the intersection, considering the primary flow of traffic and access to the parcel; and

- e) the general aesthetics, considering the location and height of fencing and hedges.

2.13.4 For parcels other than corner lots which have frontage on two roads, or for parcels which are not rectangular in shape, the *Development Authority* shall determine the yard designations.

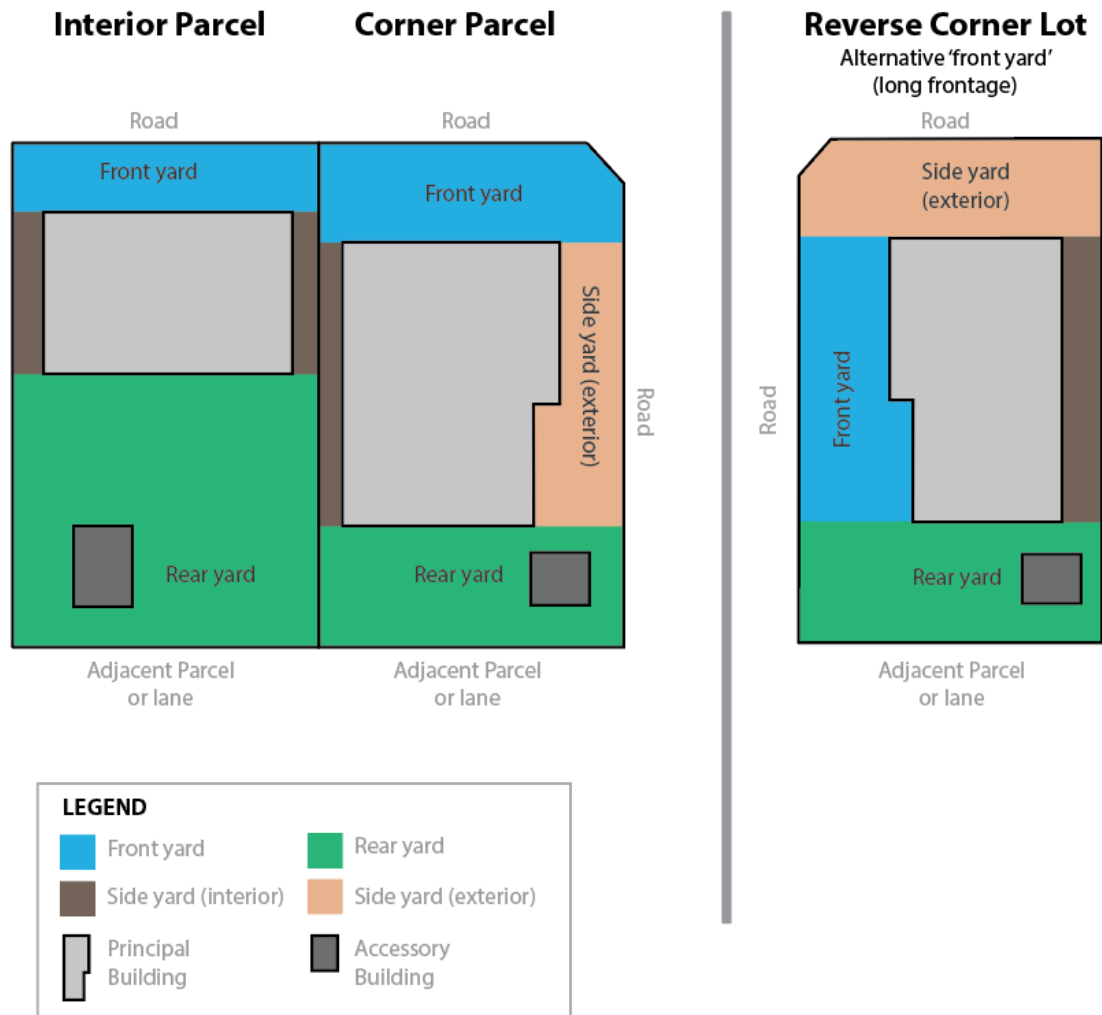


Figure 3 Alternative Front Yard for Corner Parcels.

2.13.5 No variance to this Land Use Bylaw is required if the *Development Authority* determines an alternative **Front Yard** based on **Section 2.13 Corner Parcels and Reverse Corner Parcels**.

2.14 PARKING AND LOADING

- 2.14.1 On-site *parking stalls* shall be provided in accordance with [Table 3: On-site Parking Requirements](#).

Table 3: On-site Parking Requirements

Use	Minimum number of parking stalls
Bed and Breakfast Establishment	1 <i>parking stall</i> per owner; and 1 <i>parking stall</i> per guest room
Special Care Housing	0.5 <i>parking stalls</i> per resident room or Dwelling Unit
Drinking Establishment Eating and Drinking Establishment Indoor Recreation or Culture Facility	1 <i>parking stall</i> per 4 seats
Dwelling, Detached Dwelling, Duplex Dwelling, Accessory Unit	1 <i>parking stall</i> per Dwelling Unit
Hotels & Motels Tourist Lodge Facility	1 <i>parking stall</i> per guest suite
Manufactured Home Park Dwelling, Apartment Dwelling, Attached	1 <i>parking stall</i> per Dwelling Unit/ lot; and 1 <i>visitor parking stall</i> per every 5 units/ lots. <i>Developments</i> with 4 or less Dwelling Units do not require <i>visitor parking stalls</i> .
Educational Institution	High School – 4 <i>parking stalls</i> per classroom All others: 1 <i>parking stall</i> per classroom

Data Centre	
Hospital	
Vehicle Sales & Service	1 <i>parking stall</i> per 93 m ² (1,000 ft ² .) of <i>gross floor area</i>
Manufacturing, Light	
Kennel	
Agricultural Supply Depot	
Bulk Oil and Fuel Depot and Sales	
Manufacturing, Light	
Service, Repair, and Equipment Rental Shop	2 <i>parking stalls</i> per 93 m ² (1,000 ft ² .) of <i>gross floor area</i>
Child Care Facility	
Veterinary Clinics	
Warehousing and Distribution	
Car Wash	
Financial Institution	
Indoor Recreation or Cultural Facility	3 <i>parking stall</i> per 93 m ² (1,000 ft ² .) of <i>gross floor area</i>
Professional Office	
Retail and Service	
Service Station	
All other <i>discretionary uses</i>	At the discretion of the <i>Development Authority</i> .

- 2.14.2 For multiple use sites, parking requirements shall be based on the sum of the calculation of parking required for each individual *use*.
- 2.14.3 *Parking stalls* shall be provided for all *developments* in accordance with **Table 3: On-site Parking Requirements**; and:
- shall be calculated on the basis of number of **Dwellings Units**, or *gross floor area*, or where the term “seats” is used shall be calculated on the basis of fire occupancy ratings;
 - where the calculation of the required number of *parking stalls* results in a fractional number, the requirements shall be rounded up to the nearest full stall; and

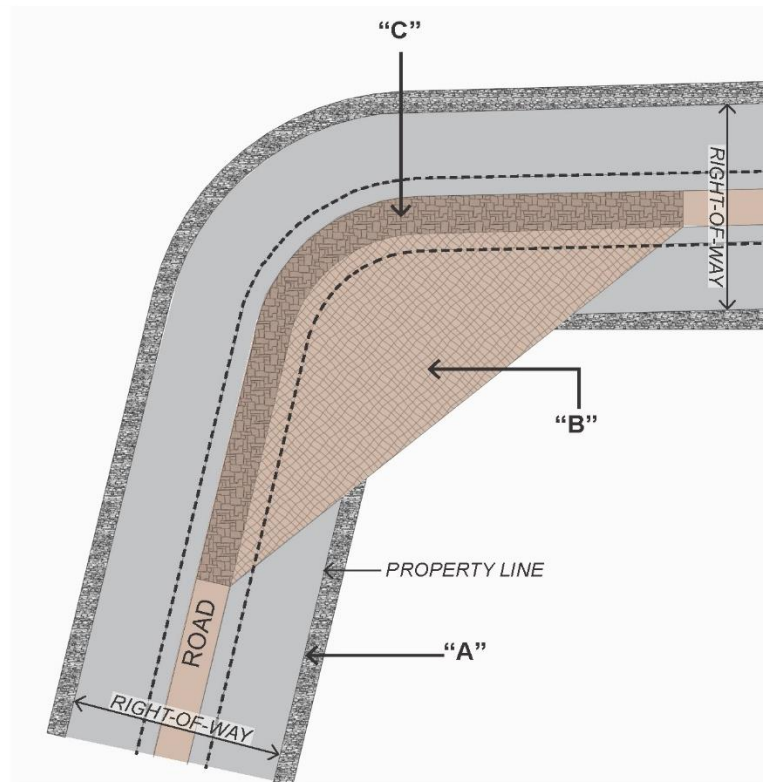
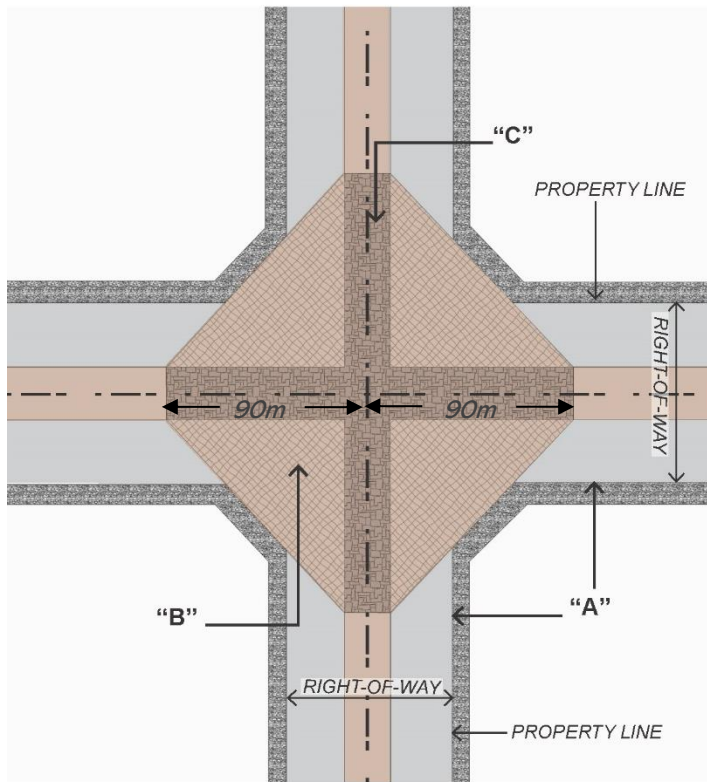
- c) where the ***parking stall*** requirements of a ***development*** are not specified in this Bylaw, the ***Development Authority*** shall be guided by the standards for similar ***uses***.
- 2.14.4 A ***parking space*** shall not be less than 15m² (160 ft²) in area and shall not be less than 2.5 metres (8 ft) wide.
- 2.14.5 All ***parking stalls*** and ***loading stalls*** shall have direct access to a public ***road*** or maneuvering aisle with adequate access to a public ***road***.
- 2.14.6 ***Parking stalls*** and ***loading stalls*** must not be provided as tandem parking unless otherwise allowed in this Bylaw.
- 2.14.7 ***Parking Areas*** for an apartment ***building*** shall not be located in the ***front yard***.
- 2.14.8 The ***Development Authority*** may reduce or waive parking requirements where:
 - a) The configuration of the ***building(s)***;
 - b) Access requirements;
 - c) Site dimensions; or
 - d) A parking study provided by the applicant/developer are determined by the ***Development Authority*** to justify a variance is warranted.
- 2.14.9 All new non-residential ***development*** (e.g. commercial, industrial, institutional) or an expansion of an ***existing development*** shall provide and maintain off-street loading and unloading spaces in accordance with the following:
 - a) A minimum of one (1) ***loading stall*** shall be required per non-residential ***building***, unless it can be otherwise demonstrated to the ***Development Authority*** that loading can reasonably take place on the ***parcel*** without a dedicated ***loading stall***, or that it can be shared amongst multiple developments and/or tenants to minimize the number of ***loading stalls*** required;
 - b) Every ***loading stall*** shall not be less than 3.5m (10 ft.) wide and shall provide no less than 4.3m (14 ft.) overhead clearance;
 - c) The ***loading stall*** shall be hard surfaced if the access is from a ***public street*** or ***lane*** which is hard surfaced;
 - d) All ***loading stalls*** shall have direct access to a public ***road*** or maneuvering aisle with adequate access to a public ***road***; and
 - e) Access to the ***loading stall*** shall be such that no backing and turning movements of vehicles cause interference with traffic on the ***abutting public streets*** or ***lanes***.

2.15 VEHICLE ENTRANCES AND EXISTS

- 2.15.1 In Hamlets, vehicle entrances and exits shall be located at least 6.0 m (20 ft) from the corner along a ***property line*** at the intersection of two (2) or more ***roads***.
- 2.15.2 All vehicle entrances and exits onto a ***highway*** shall be approved by the Provincial ***highway*** authority, or as approved within a ***comprehensively planned area***.
- 2.15.3 The ***Development Authority*** may require that entrances and exists for vehicles be separate, one-directional, and/or adequately signed.
- 2.15.4 For all rural municipal ***roads***.

- a) All **development** and vehicle entrances and exits (“access points”) shall abide by the **setbacks** shown in **Figure 4 – Setback Distances and Access Restrictions on Rural Roads**, unless otherwise approved by the **Development Authority**. For added clarity, this means:
 - i. as measured from the center line of the rural municipal road vehicle access points and all shall be **setback** 90 m (300 ft.) from an intersection or blind corner; and **development** (i.e., **buildings**, fences, trees, shelterbelts, corrals, dugouts, septic systems, etc.) 1.0 m (3.3 ft.) above road **grade** shall be located within 90 m (300 ft.) of an intersection or blind corner; and
 - ii. as measured from the edge of the rural municipal road right-of-way shelterbelts and fences of at least 2.0 m (6.0 ft) in height shall be **setback** a minimum of 7.5 m (25 ft.).
 - b) Notwithstanding subsection a) above, the **Subdivision Authority** or **Development Authority** may permit vehicle access points **adjacent** to blind corners, hills, bridges, railway crossings or any other obstruction, should the applicant provide information to its satisfaction that an unobstructed view can be provided for the safe maneuvering of all vehicle routes.
 - c) The **Development Authority** or **Subdivision Authority** may limit the number of vehicle access points and may require joint access.
- 2.15.5 To ensure future subdivision and development applications will be compliant with this Land Use Bylaw, prior to rendering a decision on an application for development adjacent to a rural municipal road or provincial highway, the **Development Authority** or **Subdivision Authority**, whichever is applicable, may require at their discretion:
- a) the dedication of a road allowance;
 - b) the submission of a statutory plan, such as an **Area Structure Plan** or **Area Redevelopment Plan**;
 - c) the submission of a non-statutory plan, such as a **Concept Plan**; and/or
 - d) the submission of a **Master Site Plan**.

Figure 4: Setback Distances and Access Restriction on Rural Roads



- "A"** Shelterbelts and fences of at least 2m (6ft) in height shall be setback a minimum of 7.5m (25ft.) from the road right-of-way.
- "B"** No development (i.e., buildings, fences, trees, shelterbelts, corrals, dugouts, septic systems, etc.) or similar obstructions to visibility more than 1.0 m (3.3 ft.) above road grade shall be located within 90 m (300 ft.) of an intersection or blind corner.
- "C"** No vehicle access shall be permitted within 90m (300ft.) of an intersection or blind corner.

2.16 SLOPE STABILITY AND FLOOD HAZARD

Slope Stability

- 2.16.1 The following regulations pertain to development in and around topographical features, including hills, escarpments, slopes, and valleys.
- 2.16.2 Definitions:

Figure 5 – Topographic Features, illustrates the terms defined in this subsection;

- a) "*Bench*" means a plateau or level (slope, typically between 1% and 15%) occurring between the brink of one slope and the toe of another;

- b) "Brink of slope" means the point where a slope begins to fall off steeper than 20%;
- c) "Escarpment" means a river valley wall, typically up to 90 metres (300 ft.) high;
- d) "Escarpment Protrusion" means the projection of the brink of an escarpment slope by at least 30 metres (100 ft.) into a valley; and
- e) "Height of slope" means the point where a slope begins to rise steeper than 20%.
- f) Isolated features:
 - i. For isolated land projections such as hummocks and buttes:
 - ii. slopes greater than 20% shall not be developed unless otherwise approved by the *Development Authority*; and
 - iii. slopes greater than 15% may require special engineering or other treatment to be developed.
 - iv. If such isolated features are to be leveled;
 - v. the resulting slopes shall not exceed 20%; and
 - vi. the contours, leveling, compaction and other engineering and environmental aspects shall be satisfactory to the *Development Authority* and other relevant authorities.
- g) Escarpment Protrusions:
 - i. Escarpment protrusions wider than 90 metres (300 ft.) at their widest point shall not be removed.
 - ii. Removed or leveled escarpment protrusions shall result in slopes of no more than 15% and of no more than 33% at the adjoining escarpment wall.
- h) Minimum Setback Requirements
 - i. No part of any building or any form of development shall be within the following minimum setbacks, unless otherwise determined by the *Development Authority* in consideration of a report provided from a professional engineer permitted to practice in Alberta;
 - ii. Setbacks from toes of slopes shall be the greater of:
 - iii. 9 metres (30 ft.) where the slope height exceeds 3 metres (10 ft.);
 - iv. one-third the slope height, where the slope height exceeds 30 metres (100 ft.).
 - v. Setbacks from brinks of slopes:
 - vi. equal to the average depth of the valley; or
 - vii. a distance which is deemed sufficient by a geotechnical report prepared by a professional engineer.
 - viii. Setbacks on benches shall be determined using subsections (ii) and (iii) where:
 - ix. the slope above the bench determines the setback from the toe; and
 - x. the slope below the bench determines the setback from the brink.

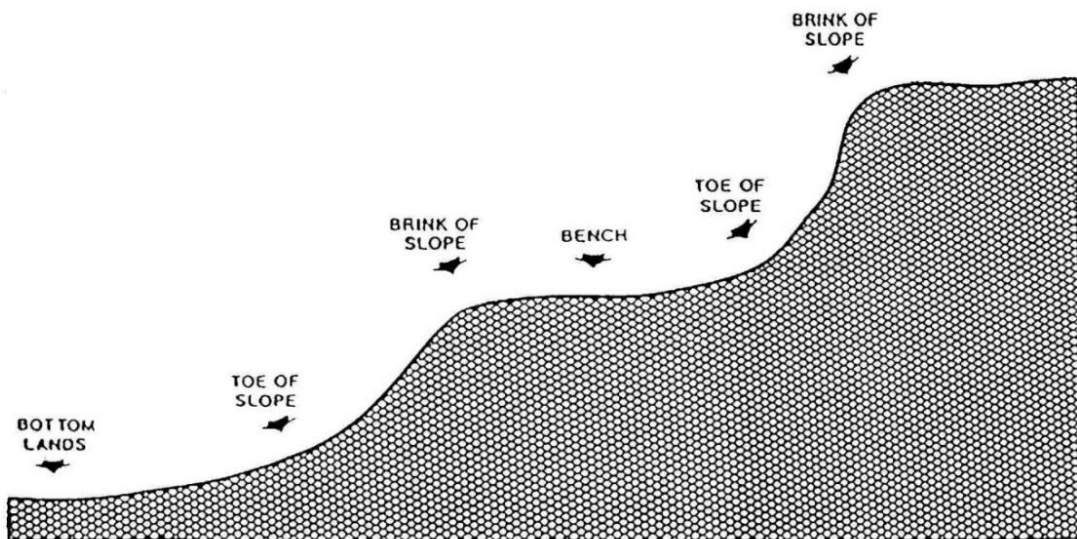
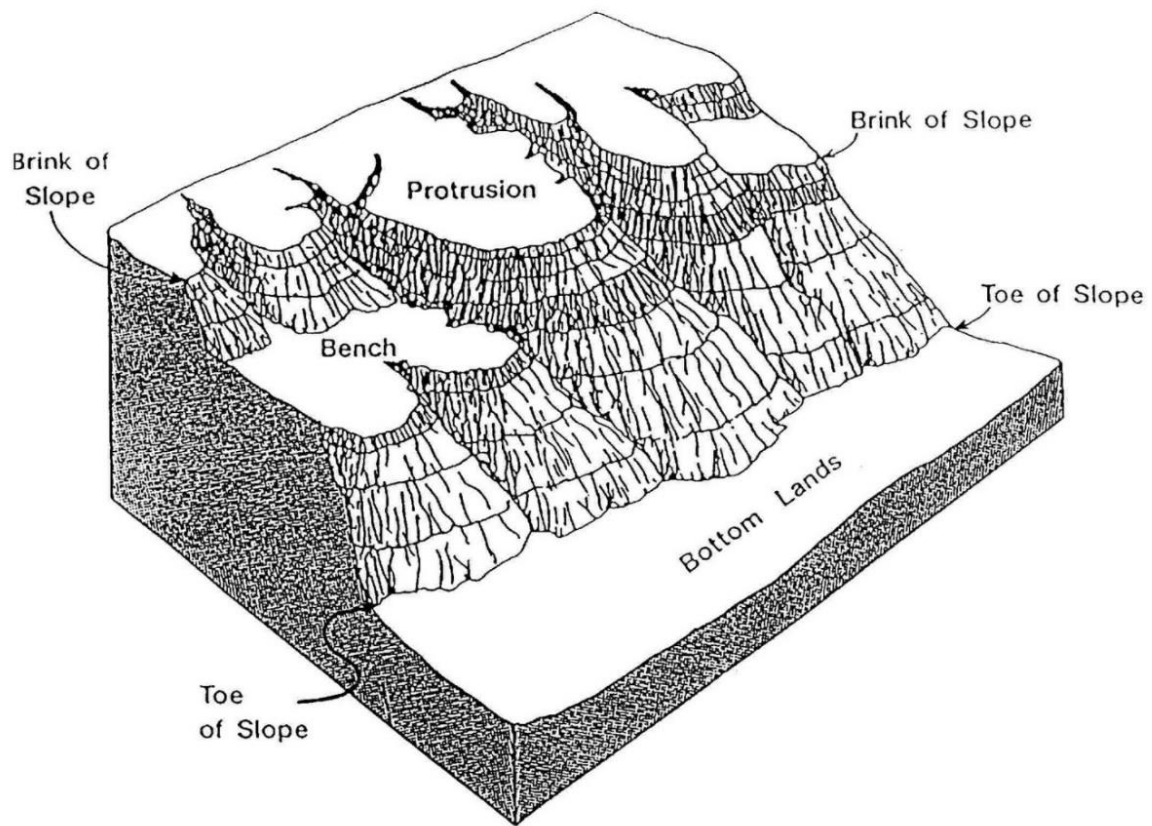


Figure 5: Topographic Features

Flood Hazard

- 2.16.3 Where the *Development Authority* suspects a flood hazard may exist, but no floodway or flood fringe have been identified, the *Development Authority* may require the applicant to undertake technical studies with the services of a *qualified professional* to delineate the **floodway** and **flood fringe of the design flood**.

Floodway

- 2.16.4 Except for **Utilities**, no new *buildings* or *outdoor storage* shall be allowed in the **floodway**.
- 2.16.5 Excepting *flood mitigation infrastructure*, no alterations shall be made to a **floodway**.
- 2.16.6 No *structures* shall be constructed on, in, or under a **floodway**, unless, in the opinion of the *Development Authority*, there will be no obstruction to floodwaters and no detrimental effect on the hydrological system or water quality, including the natural interface of the riparian and aquatic habitat. Such *structures* include, but are not limited to, riprap, berms, *fences*, walls, gates, *patios*, docks or *decks*.

Flood Fringe

- 2.16.7 All electrical, heating, air conditioning and other mechanical equipment shall be located at or above the **design flood** level.
- 2.16.8 All buildings shall be designed and constructed with the ground floor elevation at or above the **design flood** level.
- 2.16.9 The requirements of Subsection 2.15.8 are encouraged, but not required, in the following situations:
- a) construction of an Accessory Building, provided that the Accessory Building is not an Accessory Dwelling Unit;
 - b) attached garages, where work is conducted in accordance with the recommendations of the *Alberta Building Code* STANDATA relating to flood mitigation;
 - c) renovations and repairs to an *existing building*; and
 - d) where the *Development Authority* deems it unreasonable to meet the requirements due to site specific constraints and where work is conducted in accordance with the recommendations of the *Alberta Building Code* STANDATA relating to flood mitigation.
- 2.16.10 Notwithstanding 2.15.9 **basements** or an addition to a **building** below the **design flood** level shall not be allowed.

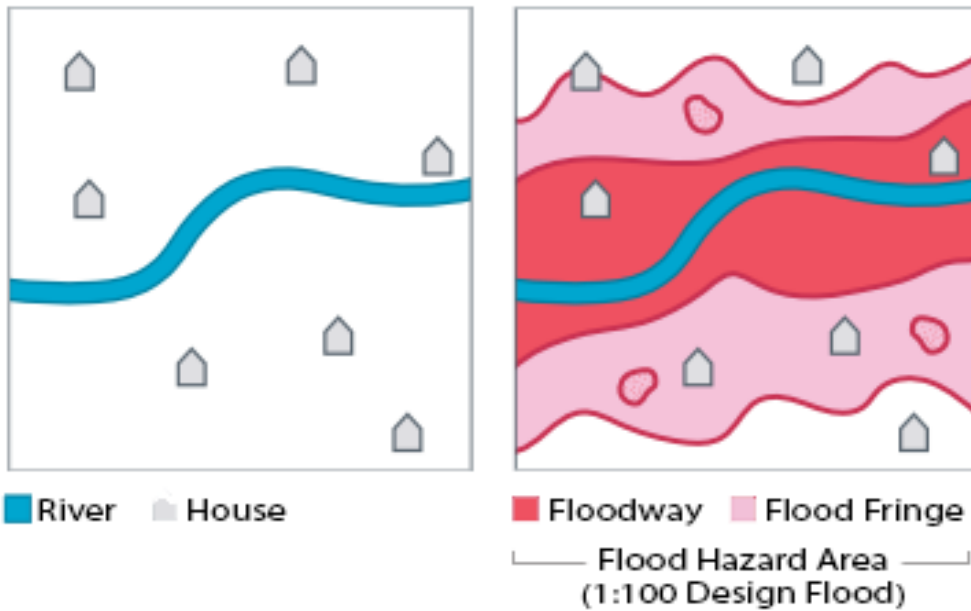


Figure 6: Provincially Defined Flood Areas

- 2.16.11 The **Development Authority** shall consider the potential risk of groundwater contamination when reviewing proposed developments. The **Development Authority** may require the developer to have a water study undertaken to determine the potential risk of groundwater contamination.
- 2.16.12 The **Development Authority** shall consider the environmental impact of any proposed development within an area that has been identified as environmentally significant in “*Environmentally Significant Areas in the Palliser Region – M.D. of Starland No. 47*” (March 1991) or the successor thereto.

2.17 SUBDIVISION

Rural Subdivision

- 2.17.1 A **development** requiring **subdivision** of land shall not be issued a **development permit** until such time as **subdivision** approval has been received from:
- the **Subdivision Authority**, or
 - the applicable **Appeal Body**.
- 2.17.2 80-acre **subdivisions** are prohibited in all Land Use Districts.
- 2.17.3 **Subdivisions** for estate sale purposes will not be approved unless the application and proposed **use(s)** are compliant with this Bylaw.
- 2.17.4 A **subdivision** for non-agricultural purposes may be approved in a rural district provided that:
- In the opinion of the Subdivision Authority, the subdivision:
 - contains a buildable site (when the **parcel** is vacant);

- ii. development of the *parcel* would not have a detrimental effect on an environmentally significant area, hydrological system, water quality, *existing development*, or *viewpoints*;
- iii. the proposed *parcel* and residual *parcel* will both have direct legal and physical access to a public roadway;
- iv. the proposed access is to the satisfaction of Alberta Transportation when it is in proximity to a provincial *highway*;
- v. The **Vacant Parcel** can be serviced with potable water and sewage to the satisfaction of the *Development Authority*;
- vi. The *parcel area* of the **Vacant Parcel** conforms to the requirements of the applicable Land Use District;
- vii. **Better Agricultural Land** removed from production is minimized.

2.17.5 Prior to rendering a decision on a *subdivision* application proposing a to create one (1) or more additional parcels within 800m (0.5 miles) of a Provincial Highway, the *Subdivision Authority* may require, at their own discretion:

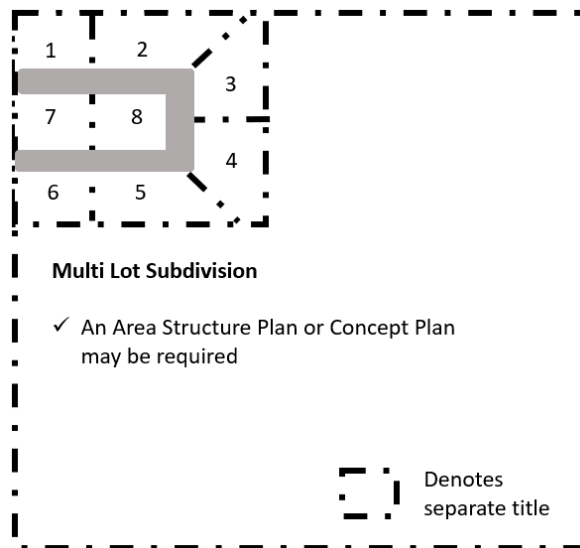
- a) the dedication of a road allowance; and/or
- b) the *subdivision* be within a *Comprehensively Planned Area* (i.e., ASP or ARP); and/or
- c) the submission of a *Master Site Plan* to ensure future subdivision and development applications will be compliant with this Land Use Bylaw.

Comprehensively Planned Area	means areas of the County that are guided by a comprehensive plan such as an Area Structure Plan (ASP) or Area Redevelopment Plan (ARP) . These plans recognize the physical, economic, social, political, aesthetic, and related factors of the community involved.
Master Site Plan	means a plan that provides design guidance for the development of a large area of land with little or no anticipated subdivision. The purpose of the Master Site Plan is to prove that future phases of development can occur in compliance with this Land Use Bylaw and other applicable Municipal standards, but does not constitute an approval, endorsement, permit, or guarantee of such for future phases. Each phase of development requires a new <i>development permit</i> application.

2.18 MULTI-LOT SUBDIVISION

- 2.18.1 The County may require multi-lot subdivisions that proposes to create between two (2) and four (4) new parcels be within a **Comprehensively Planned Area** prior to rendering a decision on a subdivision application.
- 2.18.2 The County shall require multi-lot subdivisions that propose to create five (5) or more new parcels be within a **Comprehensively Planned Area** prior to rendering a decision on a subdivision application.
- 2.18.3 An **Area Structure Plan** or **Area Redevelopment Plan** for a **Comprehensively Planned Area** shall consider the following:

- a) the phasing of **development**;
- b) the size and number of parcels proposed;
- c) the installation and construction of roads and utilities;
- d) the types of **uses** to be contained on the site, with particular specificity provided in the case of any use involving the storage and/or transportation of explosives;
- e) potential impact on adjacent land **uses**, and proposed measures to reduce those impact;
- f) Any applicable provincial and federal regulations (i.e. *Private Sewage Disposal Regulation, Explosives Act*, and the *Regulations*);
- g) the environmental suitability of the site with particular consideration to soils, slopes, drainage and any hazard lands; and,
- h) any other matters Starland County considers necessary.



2.19 RESIDENTIAL DEVELOPMENT

- 2.19.1 In addition to the general requirements for an application listed in this Bylaw, the *Development Authority*, or *Subdivision Authority* may require for an application which propose a *residential use* to submit a *Country Residential Declaration*, signed by the landowner/ applicant that acknowledges non-residential land *uses* with off-site impact may be in proximity to their development.
- 2.19.2 No new residential development should be approved in the County unless development of **Better Agricultural Land** is minimized.
- 2.19.3 The following *floor areas* for residential developments shall apply in all Districts:

Use	Minimum Floor Area per Dwelling Unit	Maximum Floor Area per Dwelling Unit
Dwelling, Detached	46m ² (500 ft ²)	N/A
Dwelling, Duplex		
Dwelling, Attached	65 m ² (700 ft ²)	N/A
Dwelling, Apartment		
Mixed Use Development		
Dwelling, Tiny Home	23 m ² (250 ft ²)	46m ² (500 ft ²)
Dwelling, Accessory Unit Attached	38 m ² (400 ft ²)	Less than or equal to the floor area of the Principal Building
Dwelling, Accessory Unit Detached	38 m ² (400 ft ²)	93 m ² (1000ft ²)
Dwelling, Manufactured	28 m ² (300 ft ²)	N/A
All other dwelling types	At discretion of <i>Development Authority</i>	N/A

2.20 INDUSTRIAL DEVELOPMENT

- 2.20.1 Industrial *uses* and industrial parks shall not be located on lands having a potential for flooding, erosion, subsidence, steep slopes or otherwise containing adverse physical features.
- 2.20.2 Industrial development in the County may be permitted provided that:
- shall be kept in an orderly and well-maintained state;
 - Should have good access to well-developed local roads or provincial highways;

- c) Shall not be source of inconvenience, or materially interfere with or affect the use, enjoyment, or value of neighbouring properties by way of excessive noise, odours, dust, or refuse matter beyond what is commonly found in the district; and
- d) A minimum of **Better Agricultural Land** is removed from production.

2.20.3 The *Development Authority* may revise or revoke a *development permit* if complaints are registered with one or more affected landowners.

DRAFT

3 Specific Land Use Regulations

This Section of the Land Use Bylaw contains regulations for specific land **uses**. Regulations for the following **uses** can be found in this section:

- | | |
|------|--|
| 3.1 | Accessory Buildings, Structures, and Shipping Containers |
| 3.2 | Accessory Dwelling Units |
| 3.3 | Home Occupations |
| 3.4 | Bed & Breakfast Establishments |
| 3.5 | Manufactured Dwellings |
| 3.6 | Manufactured Home Parks |
| 3.7 | Recreational Vehicles |
| 3.8 | Pet Care Services |
| 3.9 | Kennels |
| 3.10 | Vehicle Sales and Service |
| 3.11 | Service Stations |
| 3.12 | Car Washes |
| 3.13 | Natural Resource Extraction and Processing Facilities |
| 3.14 | Waste Management Facilities |
| 3.15 | Wrecking Yard |
| 3.16 | Work Camps |
| 3.17 | Small Wind Energy System |
| 3.18 | Large Wind Energy System |
| 3.19 | Solar Energy Systems – Commercial |
| 3.20 | Cannabis Regulations |
| 3.21 | Signs |

3.1 ACCESSORY BUILDINGS, STRUCTURES, AND SHIPPING CONTAINERS

- 3.1.1 **Accessory Buildings and Structures** must be secondary and subordinate to the principal *building* or *principal use* on the same *parcel*.
- 3.1.2 The determination of whether a use, *building* or *structure* is considered accessory shall be at the discretion of the *Development Authority*.
- 3.1.3 An enclosed *structure* which is attached to the principal *building* by a roof, a floor or a foundation is not an **Accessory Building** and is to be considered part of the *principal building*.
- 3.1.4 An **Accessory Building** shall not be used as a **Dwelling Unit** unless approved in accordance with the provisions of this Bylaw.
- 3.1.5 In a Hamlet, no **Accessory Building** shall be located in the *front yard* of a *parcel* in a residential district or a *parcel* with a *residential use*.
- 3.1.6 Unless otherwise allowed in a Land Use District, the maximum height of an **Accessory Building** in a residential district or on a *parcel* with a *residential use* shall be 4.5 m (14.8 ft.).
- 3.1.7 The minimum *yard setbacks* of an **Accessory Building** in any District shall be 1.0 m (3.3 ft.) in the *rear yard* and *side yards*, except:
- a) on *corner lots*, where the minimum *side yard setback* shall be 3.0m (10.0 ft.) from the *exterior side parcel line*; and
 - b) where vehicle access to an **Accessory Building** is from a *lane*, the minimum *setback* from a *property line* shall be 2.0 m (6.5 ft.).
- 3.1.8 For the purpose of this Bylaw, the following are considered *accessory structures*:
- a) Free standing satellite dishes; and
 - b) **Solar Energy System – Microgeneration**.
- 3.1.9 A **Solar Energy System – Microgeneration**, or a **Small Wind Energy System** attached to a principal *building* or *accessory building* shall:
- a) not extend above the peak of a roof;
 - b) not project past a roof by 1.5 m (4.9 ft.) at any point;
 - c) not generate noise, or glare in the opinion of the *Development Authority*, which affects the amenity or enjoyment of an adjacent residential use.
- 3.1.10 A **Solar Energy System – Microgeneration**, that is freestanding must meet all the regulations for an **Accessory Building** within the applicable Land Use District.
- 3.1.11 **Fabric Covered Accessory Buildings** shall be:
- a) *setback* a minimum of 3.0 m (9.8 ft.) from any *structure* or equipment that contains open flames (i.e. burning barrels, fire pits, or other open flame accessories);
 - b) kept in good condition and the fabric not frayed or damaged; and
 - c) fully enclosed with closable doors on the ends.
 - d) In Hamlets,, **Fabric Covered Accessory Buildings** must not:
 - i. exceed one (1) **Fabric Covered Accessory Building** per *parcel*;

- ii. be connected to any **Utilities**;
 - iii. exceed 20.5 m² (220 ft²) in **floor area**; and
 - iv. be used in a manner that would cause or create a nuisance by way of noise, vibration or dust to impact the privacy and enjoyment of **adjacent residential uses** or the amenities of the neighbourhood.
- e) For non-residential **uses** in districts other than hamlet districts, **Fabric Covered Accessory Buildings** may, at the discretion of the **Development Authority**:
- i. be connected to **Utilities**.
- f) A **development permit** for an **Fabric Covered Accessory Buildings** may be **temporary** with a specified maximum time limit for up to three (3) years.

Shipping Containers

- 3.1.12 A **Shipping Container** may be used as an **Accessory Building** for temporary storage subject to the following conditions:
- a) The **Shipping Container** is only used during the construction of a building or development;
 - b) All required permits have been obtained for construction of the building or development on the site; and
 - c) The **Shipping Container** is removed within 15 days of the end of the construction period.
- 3.1.13 In Hamlets, a **Shipping Container** may be used as an **Accessory Building** for permanent storage subject to the following:
- a) adherence to **Section 2.2 – Design, Character, and Appearance**, the *Alberta Building Code*, and all legislation applicable to electrical and fire safety; and
 - b) the **Shipping Container** shall not:
 - i. be used for the housing of animals, storage of refuse, or for contaminated or hazardous material;
 - ii. be used for fencing, screening, or for advertising;
 - iii. be stacked or otherwise raised on a structure; or
 - iv. occupy required on-site parking and/or loading spaces or interfere with the circulation of vehicle or pedestrians.

3.2 ACCESSORY DWELLING UNITS

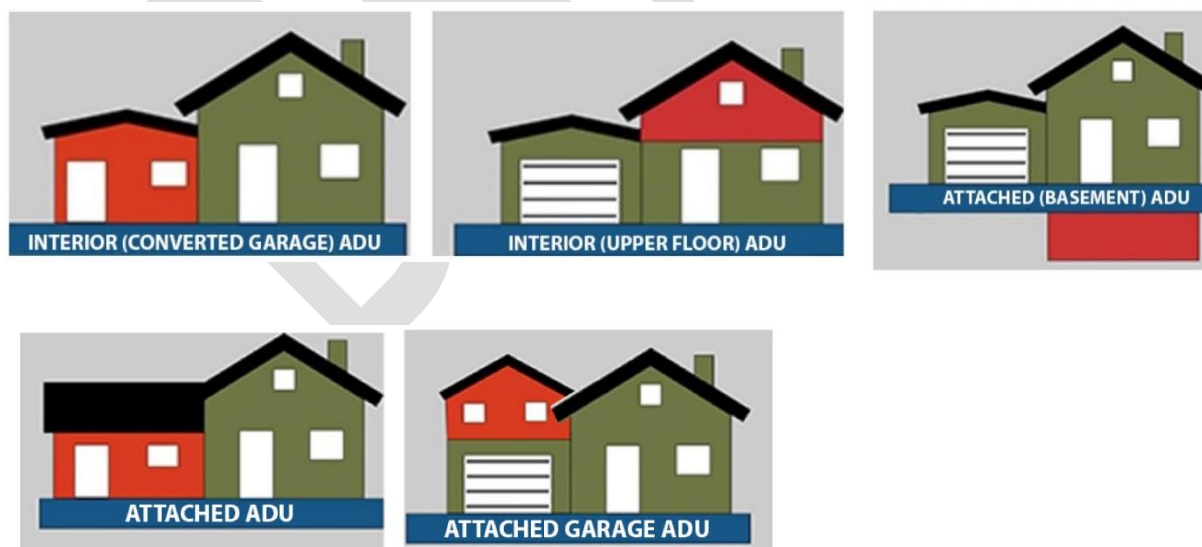
- 3.2.1 An **Accessory Dwelling Unit** may be developed only in those Land Use Districts where it is listed as a **permitted use** or **discretionary use**.
- 3.2.2 The issuance of a **development permit** in no way exempts the applicant from obtaining a building permit for an **Accessory Dwelling Unit**.
- 3.2.3 A maximum of one (1) **Accessory Dwelling Unit** is allowed per parcel.
- 3.2.4 An **Accessory Dwelling Unit** shall not be less than 37.2 m² (400ft²) in **floor area**. An **Accessory Dwelling Unit** must not be separated from the principal residential use on a parcel by the registration of a condominium or subdivision.

- 3.2.5 Where a parcel is serviced by municipal water and sanitary systems, an **Accessory Dwelling Unit** must be serviced from the connection to the **Principal Dwelling Unit**.
- 3.2.6 An **Accessory Dwelling Unit** shall not be used as a **Bed and Breakfast Establishment**, **Home Occupation – Phone & Desk** or **Minor**, or **Vacation Rental**.
- 3.2.7 Detached Accessory Dwelling Units



- The maximum floor area of an **Accessory Dwelling Unit, Detached** shall not exceed 93.0 m² (1001 sq. ft.) excluding any internal area for stairways and landings or common areas that are accessible and intended to be used by residents of both Dwelling Units.
- Where an **Accessory Dwelling Unit, Detached** is located on the second storey of an Accessory Building, the maximum building height shall be 6.0 m (20 ft.) and shall not exceed the height of the principal building.
- The minimum separation between a **Principal Dwelling Unit** and an **Accessory Dwelling Unit, Detached** shall be 3.0 m (10 ft.).

3.2.8 Attached Accessory Dwelling Units



- The maximum floor area of an **Accessory Dwelling Unit, Attached** shall not exceed 40% of the gross floor area of the **Principal Dwelling Unit** or 93.0 m² (1001 sq. ft.).

ft.) whichever is the lesser. Internal areas for stairways and landings or common areas that are accessible and intended to be used by residents of both **Dwelling Units** shall not be included in the floor area of the **Accessory Dwelling Unit**.

- b) Notwithstanding subsection a), where an **Accessory Dwelling Unit, Attached** occupies:
- i. the basement within a one-storey **Detached Dwelling**; or
 - ii. the second storey of a two-storey **Detached Dwelling**;
 - iii. the **Accessory Dwelling Unit, Attached** may occupy a maximum of 50% of the gross floor area of the building.

3.3 HOME OCCUPATIONS

- 3.3.1 As per **Section 1.9 – Development Permit Not Required**, a Home Occupation – Phone & Desk that meets all the requirements in **Table 4: Home Occupation Requirements**, does not require a *development permit*.
- 3.3.2 Where a home occupation does not meet the requirements of a Home Occupation – Phone & Desk in this Bylaw and therefore requires a *development permit*, the **Development Authority** shall decide whether it is a Home Occupation – Minor, or Home Occupation – Major, based on **Table 4: Home Occupation Requirements**.

Table 4: Home Occupation Requirements

Requirement	Home Occupation Classifications		
	Phone & Desk	Minor	Major
<i>Development</i> permit required?	No	No: RAG, AI, RB, CR, RR, and AD Districts Yes: HR, HC, and HI Districts	Yes
Use of Accessory Building ?	No	No	Yes
On-premises sales or customer visits?	No	Max. 10 per week	Max. 20 per week
Commercial deliveries?	No	No	Yes
On-site storage of commercial vehicles?	No	No	Max. 2
Food prepared and/or sold on site?	No	No	Yes
Off-site employees? (Persons not living in the Dwelling Unit)	No	No	Yes
Outdoor storage or display of materials, commodities or finished products related to the use?	No	No	Yes
On-site advertising?	No	1 non-illuminated sign or name plate not exceeding 1 sq.m. (10 sq.ft.)	

- 3.3.3 No more than one (1) **Home Occupation – Major** or **Home Occupation – Minor** shall be permitted per parcel.
- 3.3.4 The *Development Authority* may issue a temporary *development permit* for a home occupation.
- 3.3.5 A home occupation shall not include any use or operations which will cause or create a nuisance by way of dust, noise, smell, smoke, or traffic generation.
- 3.3.6 For a **Home Occupation – Major**, the *Development Authority* may restrict:
- the location, scale and visibility of outdoor storage areas to ensure the residential and/or agricultural character of the area is maintained and does not negatively impact neighbouring properties; and
 - the number, size, location, and visibility of commercial vehicles allowed to be stored on-site.

3.4 BED & BREAKFAST ESTABLISHMENT

- 3.4.1 In addition to compliance with applicable subsections from Sections 2, 3 and 4 of this Bylaw, a **Bed and Breakfast Establishment** shall:
- a) not provide cooking facilities in guest rooms;
 - b) not change the residential character or external appearance of the building; and
 - c) have a maximum of four (4) guest rooms.
- 3.4.2 The *Development Authority* may issue a temporary *development permit* for a Bed and Breakfast.
- 3.4.3 The issuance of a *development permit* in no way exempts the applicant from obtaining a business license from the municipality and any other provincial approvals that may be required.

3.5 MANUFACTURED DWELLINGS

- 3.5.1 In determining the suitability of a **Manufactured Dwelling** for placement on a parcel, consideration shall be given to its condition and appearance in context with the adjacent parcels. In addition to general application requirements, **Manufactured Dwellings** constructed greater than ten (10) years at the time of *development permit* application shall submit to the *Development Authority*.
- a) a completed home inspection report prepared by a *qualified professional*; and
 - b) photos of the Dwelling in its current state.
- 3.5.2 The undercarriage of a **Manufactured Dwelling** shall be screened from view by the foundation or by skirting within 30 days of placement of the **Manufactured Dwelling**.
- 3.5.3 All accessory structures such as stairways and landings, patios, decks, and skirting shall be of complementary quality and design to the **Manufactured Dwelling**.
- 3.5.4 All **Manufactured Dwellings** shall be provided with stairways and landings to all entrances within 45 days of their placement.

3.6 MANUFACTURED HOME PARKS

- 3.6.1 In addition to any other application requirements within this Bylaw all new **Manufactured Home Parks** or existing **Manufactured Home Parks** proposed to be redeveloped shall provide a **Master Site Plan** which shall detail the following to the satisfaction of the *Development Authority*.
- a) Minimum separation distances between buildings;
 - b) Total parcel size and Manufactured Home pad size(s);
 - c) Servicing strategy for water, sewer and storm;
 - d) Storage and common amenity areas;
 - e) Vehicle and pedestrian circulation routes;
 - f) Parking areas;
 - g) Landscaping of common areas;
 - h) Screening and fencing;

- i) Internal addressing system; and
- j) Any other matter the **Development Authority** considers necessary to assess the application.

3.6.2 In addition to **Section 3.5 Manufactured Dwellings** and Subsection 3.6.1, where a **Manufactured Home Park** is listed as a *permitted use* or *discretionary use*, the following regulations shall apply:

- a) No on-street parking shall be permitted within the **Manufactured Home Park**.
- b) All roads in a Manufactured Home Parks shall be least 10 metres (33 ft.) in width;
- c) Internal pedestrian pathways shall have a minimum width of 1.0m (3.3 ft.) and be surfaced to the satisfaction of the **Development Authority**.
- d) Not less than 5% of the gross site area of a **Manufactured Home Park** shall be devoted to outdoor amenity space and recreational *uses* in a convenient and accessible location to residents. This outdoor amenity space shall be landscaped to the satisfaction of the **Municipal Planning Commission** within one year of the start of construction of the **Manufactured Home Park**.
- e) All setbacks from *property lines* will adhere to the setbacks required in the applicable land use district.
- f) Separation distances between buildings, including Manufactured Homes, within the **Manufactured Home Park** shall be a minimum of 3.0 m (10 ft.).
- g) A screened storage compound shall be provided within the Manufactured Home Park for trucks, campers, travel trailers, snowmobiles, boats, etc. to the satisfaction of the **Development Authority**.
- h) All **Manufactured Home Park** lots within a **Manufactured Home Park** shall be clearly defined on the ground by permanent flush stakes or markers with a lot number or other address system.

3.7 RECREATIONAL VEHICLES

3.7.1 A recreational vehicle shall not be used as a **Dwelling Unit** unless the applicable Land Use District allows for a **Recreational Vehicle** as either a *permitted use* or *discretionary use* and a *development permit* for said use has been approved and issued by the **Development Authority**.

3.7.2 A **Recreational Vehicle** shall not be stored or parked on a **Vacant Parcel** unless a *development permit* for a **Recreational Vehicle Storage Facility** has been issued by the **Development Authority**.

3.7.3 A **Recreational Vehicle Storage Facility** must be screened in accordance with **Section 2.5 - Screening**. Further, the *development* must:

- a) include an occupied dwelling on the subject property;
- b) include storage areas located beside or to the rear of the dwelling;
- c) remove all topsoil and provide a four-inch minimum gravel base to minimize site contamination; and
- d) not provide an on-site sani-pump or allow washing of vehicles.

3.8 PET CARE SERVICES

- 3.8.1 **Pet Care Services** shall be designed, constructed and operated in a manner to prevent a nuisance to any *adjacent residential use* or other *adjacent uses* in regard to factors such as noise, odors and waste. Outside enclosures, pens, runs or exercise areas may be allowed at the discretion of the *Development Authority*.
- 3.8.2 The *Development Authority* may, as a condition of a *development permit* for a **Pet Care Service**, limit the maximum number of animals that may be kept at any one time.

3.9 KENNELS

- 3.9.1 In addition to any other application requirements within this Bylaw an application for a *development permit* for a **Kennel** shall include:
- a) a site plan indicating the size and location of all **Kennel buildings** and facilities (e.g. outdoor enclosures, pens, runs or exercise areas, waste (feces) management areas);
 - b) the distance between any *buildings* or facilities used for the **Kennel** operation to any *residential uses* within a 150 m (492 ft.) radius; and
 - c) proposed *screening* and noise attenuation measures.
- 3.9.2 No *buildings* or exterior exercise area(s) to be used to accommodate dogs shall be allowed within 150 m (492 ft.) of any **Dwelling Unit** located on an *adjacent parcel*.
- a) All dog facilities, including any **Accessory Buildings** and exterior exercise areas, shall be located to the rear of the *parcel*.
- 3.9.3 The *Development Authority* may, as a condition of a *development permit* for a **Kennel**, limit the maximum number of animals that may be kept at any one time.
- a) The *Development Authority*, at its discretion, may:
 - i. require pens, rooms, exercise runs, and holding stalls be soundproofed where the noise from the **Kennel** may adversely affect the amenities of the area. In making its determination, the *Development Authority* may consider the number of animals to be kept at the **Kennel**, the proximity of the **Kennel** to other *uses*, and/or the recommendations of an acoustic study; and
 - ii. limit the times at which the animals are allowed outdoors. In particular, all dogs may be required to be kept indoors between the hours of 10:00 p.m. and 7:00 a.m.
- 3.9.4 **Kennels** shall be screened by both a visual and sound barrier, by fences and/or *landscaping*, from existing *residential uses* on *adjacent parcels* to the satisfaction of the *Development Authority*.

3.10 VEHICLE SALES AND SERVICE

- 3.10.1 All *buildings* and *outdoor storage* areas related to the **Vehicle Sales and Service** must be oriented on the *parcel* to minimize any potential adverse effects on *adjacent uses*. In particular, service bay doors must be oriented away from adjacent *residential uses*.
- 3.10.2 An **Vehicle Sales and Service** may include Activities associated with the *use* located outside of a building provided any areas of the *parcel* used for *outdoor storage* are *fenced* to a height of 2.4 m (8 ft.), and the *fence* is a solid *fence* of either metal or wood

to the satisfaction of the *Development Authority*.

- 3.10.3 Vehicles awaiting repair shall not be parked outside of a *building* or *screened* area for a period of greater than 24 hours.

3.11 SERVICE STATIONS

- 3.11.1 **Service Stations** shall comply with the following standards

- a) no part of a service station *building* or any pump island shall be within 6.0 m of *front, side* or *rear parcel* lines;
- b) a *front yard* of no less than 12.0m (40 ft.);
- c) no pumping island closer than 4.5m (15 ft.) to a *building*;
- d) vehicle entrances from a *road* shall be located at the discretion of the *Development Authority* and shall not exceed 10.7m (35 ft.) in width; and
- e) the *parcel* boundaries of a **Service Station**, other than those fronting a *road*, shall be appropriately *screened* to the satisfaction of the *Development Authority*.

3.12 CAR WASHES

- 3.12.1 **Car Washes** shall comply with the following standards:

- a) the minimum *parcel area* shall be 557m² (6,000 sq. ft.) In the case of **Service Stations** including **Car Washes**, the minimum *parcel area* shall be 1,115m² (12,000 sq. ft.).
- b) receptacles for the purpose of disposing of garbage and waste shall be provided to the satisfaction of the *Development Authority*; and
- c) all parts of the *parcel* to which vehicles may have access shall be hard surfaced and drained.

- 3.12.2 All *buildings* and outside *Activity* areas related to the **Car Wash** must be oriented on the *parcel* to minimize any potential adverse effects on *adjacent uses*. In particular, bay doors and vacuums must be oriented away from an *adjacent residential use*.

3.13 NATURAL RESOURCE EXTRACTION AND PROCESSING FACILITIES

- 3.13.1 A *development permit* for aggregate Extraction shall not be issued for a period greater than 5 years. The applicant may apply thereafter to renew the *development permit*.

- 3.13.2 A new *Development Permit* shall not be issued on a site to the same or different Applicant or owner, unless or until any conditions of a previous *Development Permit* for aggregate Extraction have been fulfilled to the satisfaction of the *Development Authority*, or it has been determined by the *Development Authority* that the conditions are no longer required to be fulfilled.

- 3.13.3 All *development permit* applications for aggregate Extraction operations within 300m (1,000 ft.) of a dwelling shall be referred to the adjacent landowners for comment prior to the *Development Authority* rendering a decision. The distance shall be measured from the nearest part of the operations area to the nearest part of the dwelling.

- 3.13.4 The following setbacks apply to aggregate Extraction and other natural resource Extraction operations:

- a) Sorting, screening, crushing, loading machinery or operations shall be a minimum of 300m (1,000 ft.) from the nearest **Dwelling Unit** not occupied by the owner/operator of the gravel pit.
 - b) Excavating shall be a minimum separation distance of 150m (500 ft.) between the excavating area and the nearest part of a dwelling unit.
 - c) The setbacks in subsections a) and b) above may be reduced where noise and visual mitigation measures, such as berming and screening, are provided to the satisfaction of the *Development Authority*.
- 3.13.5 Aggregate or other natural resource Extraction operations shall not excavate slopes that are steeper than 33.3% where adjacent to existing roads, a proposed road widening, or service road, except where it can be demonstrated that a steeper slope can be safely achieved.
- 3.13.6 In addition to other *development permit* application requirements stated in this Bylaw, the *Development Authority* may request any of the following to support an application for **Natural Resource Extraction and Processing Facilities**:
 - a) An Extraction phasing plan;
 - b) An environmental or biophysical impact assessment;
 - c) A plan to buffer the impact to adjacent developments through the use of berms, screening or means of buffering;
 - d) A haul route plan;
 - e) A traffic impact assessment; and
 - f) A reclamation plan in accordance with Section 3.13.7.
- 3.13.7 Where a reclamation plan for aggregate Extraction is not required by the Province, the *Development Authority* may:
 - a) require submission of a reclamation plan prepared by a qualified third party prior to commencement of excavation; and
 - b) require the applicant enter into a development agreement with the County, providing a refundable security deposit to ensure that reclamation is completed as per the approved reclamation plan, the amount of which shall be as recommended by the third party engaged in the preparation of the reclamation plan.
- 3.13.8 As a condition of *Development* Permit approval, the applicant shall enter into a road use/development agreement with the County to ensure road conditions are not negatively affected by the traffic generated by an aggregate Extraction facility and to provide dust control requirements. This includes, but is not limited to:
 - a) All haul roads located on the site within 800m (0.5 mile) of a Residential District/ Dwelling, and all entrances onto a public road shall be dust proofed with either oil, water, or other treatment acceptable to the *Development Authority*.
 - b) Any County roadway used as a haul road that is within 150m (500 ft.) of an existing dwelling or recreational development, shall be dust proofed for a minimum distance of 300m (1,000 ft.) on either side of the development.
- 3.13.9 If upon removal of any aggregate or other natural resource, the operator encounters the water table at a level other than set out in the *development permit* application or which

was not disclosed in the application, the operator shall cease operations and submit a revised plan complete with a hydrologist's report which shall outline any mitigative measures for approval by the *Development Authority* and/or the appropriate provincial authority.

- 3.13.10 Notwithstanding any other provision within this Bylaw, the obligation of the *development permit* holder or the owner of the site to comply with the regulations of this Bylaw or to fulfill any conditions of a *development permit* does not expire if the aggregate Extraction use ceases for any period of time or the site changes ownership.
- 3.13.11 The failure of the *development permit* holder who is not the owner of the site shall not release the owner from complying with this Bylaw or fulfilling any conditions of a *development permit*.

3.14 WASTE MANAGEMENT FACILITIES

- 3.14.1 **Waste Management Facilities** will only be permitted on a temporary basis for the disposal of material from a demolition project. On completion of the demolition project, the private landfill site shall be closed and capped.
- 3.14.2 **Waste Management Facilities** developments may be permitted under the following conditions:
- a) The landfill is used solely for the burial of demolition waste from buildings or other structures;
 - b) No hazardous materials or chemicals of any kind are buried in the landfill site;
 - c) Permission from the relevant Provincial agency has been granted prior to any excavation;
 - d) Permission from the registered landowner in writing has been provided to the *Development Authority*;
 - e) The proposed landfill site shall be located at least 300.00 metres (1,000 feet) from the nearest school, hospital, dwelling or food establishment, unless the owner of the affected development gives written permission for a lesser distance.
- 3.14.3 As a condition of approval for a permit for a private landfill, Starland County **Council** may enter into an agreement with the landowner with respect to the location and operation of such development. Such agreement may be registered as a Caveat or Restricted Covenant against the title of the parcel on which the landfill is located. The agreement may alert potential owners of the parcel as to the location and type of material that was deposited into the landfill and may limit the type of development that may take place around the *Actual* area of the landfill.

3.15 WRECKING YARD

- 3.15.1 A **Wrecking Yard** site:
- a) shall be located a minimum of 800 m (0.5 miles) from any existing dwelling and/or provincial highway;
 - b) shall have a maximum area of 2 ha (5 acres) for a storage enclosure, which shall be completely fenced and screened to a height of 2.5 m (8 ft.) or as required by the *Development Authority*;

- c) shall have all vehicles stored within the enclosure;
- d) shall be maintained in accordance with any conditions deemed necessary for the use of the site in an acceptable manner at the discretion of the *Development Authority*.

3.16 WORK CAMPS

- 3.16.1 A *temporary development permit* for a **Work Camp** may be issued for up to one (1) year, unless otherwise approved by the *Development Authority* as a condition in a *development permit*.
- 3.16.2 In addition to the requirements in **Section 1.12 Application for Development**, an application for a **Work Camp** shall include:
 - a) a description of the location, type and purpose of the **Work Camp**;
 - b) a plan showing the location, number and type of accommodations;
 - c) a plan showing the *adjacent* land *uses*, and any proposed *screening* or *fencing*;
 - d) a plan and/or description of the method of supplying water, sewage and solid waste disposal to the **Work Camp**;
 - e) the number of persons proposed to reside in the **Work Camp**;
 - f) the anticipated start date of construction of the **Work Camp**, date of occupancy and removal date; and
 - g) reclamation measures once the **Work Camp** is completed and removed.
- 3.16.3 A **Work Camp** must be directly associated with the construction of an industrial or commercial *development* within the municipal boundary or the *adjacent* area and must be located in close proximity to the *development*.
- 3.16.4 Once completed, a **Work Camp** site must be:
 - a) reclaimed to its original condition; or
 - b) reclaimed to a state where sediment and dust are controlled, and the aesthetics are returned to an acceptable condition, to the satisfaction of the *Development Authority*
- 3.16.5 Prior to the expiration of the *development permit*, an applicant may apply for a continuance of the use for an additional 12 months. After 24 months a new *development permit* approval is required.
- 3.16.6 An applicant for a **Work Camp** shall be subject to Subsection 1.14.13, where a development agreement and security is required as a condition of approval to ensure reclamation is properly carried out and any damages can be rectified.

3.17 SMALL WIND ENERGY SYSTEM

- 3.17.1 Upon deeming an application for a or **Small Wind Energy System** complete, the *Development Authority* shall circulate a notification of the proposal to adjacent parcels prior to making a decision.
- 3.17.2 The maximum height of a tower shall be:

- a) 25.0 m (82 ft.) where the *parcel area* is no less than 0.2 ha (0.5 acres) and no greater than 0.4 ha (1 acre); and
 - b) no maximum tower height for *parcels* that are greater than 0.4 ha (1 acre) in area.
- 3.17.3 The tower base of a or **Small Wind Energy System** shall be no closer to the *property line* of a parcel than the total system height. No part of the tower structure, including guy wire anchors, shall extend closer than 3.0 m (10 ft.) to the *property line* of the parcel.
- 3.17.4 The tower base of a or **Small Wind Energy System** shall be no closer to a Dwelling Unit or Public Building on an adjacent parcel than the total system height of the or **Small Wind Energy System**.
- 3.17.5 Notwithstanding subsections (3) and (4) above, the *Development Authority* may grant a relaxation to the setback requirements if the adjacent parcel owner(s) grant an easement for the or **Small Wind Energy System**.
- 3.17.6 Notwithstanding subsection (4), the *Development Authority* may require a greater setback where shadow flicker will negatively impact the use and enjoyment of an adjacent parcel.
- 3.17.7 Noise from a or **Small Wind Energy System** shall not negatively impact the use and enjoyment of an adjacent parcel by increasing the ambient background noise, in the opinion of the *Development Authority*. A report, prepared by a *qualified professional*, may be required to determine the sound level of the or **Small Wind Energy System** measured at the *property line*.
- 3.17.8 The *Development Authority* may consider visual impact concerns where there is significant historical or scenic value associated with the proposed siting of a or **Small Wind Energy System**.
- 3.17.9 If the Active production of electricity from a or **Small Wind Energy System** is discontinued for two years or more, the or **Small Wind Energy System** shall be removed. Upon termination of the use, the entire facility shall be removed, and the installation site shall be restored to a natural state.

3.18 LARGE WIND ENERGY SYSTEM

- 3.18.1 Structures and facilities associated with a Large Wind Energy System shall not be utilized for advertising purposes.
- 3.18.2 Prior to applying for a *development permit*, an applicant proposing to develop a **Large Wind Energy System** shall obtain all necessary approvals from the Alberta Utilities Commission (AUC).
- 3.18.3 Notwithstanding any other sections in this Bylaw, an application proposing to develop a **Large Wind Energy System** shall include:
 - a) A copy of all project-related approval(s) from the Alberta Utilities Commission (AUC), including but not limited to:
 - i. copies of public engagement invitations to adjacent landowners, information provided at the meeting(s), and a summary of the feedback received;
 - ii. a copy of the report submitted to the AUC and their compliance approval pertaining to noise generation as identified in AUC Rule 012, or any successor thereto, relative to notification of potentially impacted residents;

- iii. a detailed site plan showing the location of all towers, supporting buildings, utility lines, access roads, setbacks, and topographical features;
 - iv. drawings identifying the finish and appearance of all structures within the proposed development area in order to minimize any obtrusive impact on the community;
 - v. plans for future phases of development;
 - vi. post-construction reclamation plans; and
 - vii. decommissioning plans.
- 3.18.4 In accordance with Section 1.14.13, the ***Development Authority*** may require the applicant:
 - a) enter into a development agreement to ensure municipal engineering standards are adhered to;
 - b) enter into a road use agreement to mitigate impact to the community; and
 - c) provide a means of security to the satisfaction of the ***Development Authority*** to ensure conditions of the development are complied with.

3.19 SOLAR ENERGY SYSTEMS – COMMERCIAL

- 3.19.1 Structures and facilities associated with a Solar Energy System – Commercial shall not be utilized for advertising purposes.
- 3.19.2 Prior to applying for a ***development permit***, an applicant proposing to develop a Solar Energy System – Commercial shall obtain all necessary approvals from the Alberta Utilities Commission (AUC).
- 3.19.3 Notwithstanding Section 1.12 – Application for Development, an application proposing to develop a **Solar Energy System - Commercial** shall include:
 - a) A copy of all project-related approval(s) from the Alberta Utilities Commission (AUC), including but not limited to:
 - i. copies of public engagement invitations to adjacent landowners, information provided at the meeting(s), and a summary of the feedback received;
 - ii. a copy of the report submitted to the AUC and their compliance approval pertaining to noise generation as identified in AUC Rule 012, or any successor thereto, relative to notification of potentially impacted residents;
 - iii. a detailed site plan showing the location of all towers, supporting buildings, utility lines, access roads, setbacks, and topographical features;
 - iv. drawings identifying the finish and appearance of all structures within the proposed development area in order to minimize any obtrusive impact on the community;
 - v. plans for future phases of development;
 - vi. post-construction reclamation plans; and
 - vii. decommissioning plans.
- 3.19.4 In accordance with Section 1.14.13, the ***Development Authority*** may require the applicant:

- a) enter into a development agreement to ensure municipal engineering standards are adhered to;
- b) enter into a road use agreement to mitigate impact to the community; and
- c) provide a means of security to the satisfaction of the **Development Authority** to ensure conditions of the development are complied with.

3.20 CANNABIS REGULATIONS

- 3.20.1 The issuance of a **development permit** in no way exempts the applicant from obtaining any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- 3.20.2 As a condition of a **development permit** and prior to the operation of the facility, the developer must provide a copy of the current license for all *Activities* associated with cannabis production as issued by Health Canada.
- 3.20.3 **Cannabis Retail Sales** must not have any part of an exterior wall that is located within 100 m (328 ft.) of:
 - a) An approved hospital as defined in the *Hospitals Act* or a **property line** of the **parcel** of land on which the facility is located;
 - b) A **building** containing a school as defined in the *Schools Act* or a **property line** of a **parcel** of land on which the **building** is located; or
 - c) A **property line** of a **parcel** of land that is designated as school reserve or municipal and school reserve under the *Act*.
- 3.20.4 The **Development Authority** may require for a complete application for a **Cannabis Production Facility**, the submission of a Waste Management Plan completed by a **qualified professional**, which includes but is not limited to:
 - a) the quantity and characteristics of liquid and solid waste material discharged by the facility;
 - b) the method and location of collection and disposal of liquid and solid waste material discharged by the facility; and
 - c) the incineration of waste products and method of treatment of airborne emissions, including odours.
- 3.20.5 All processes and functions related to a **Cannabis Production Facility** must be fully contained within a building including all loading stalls and docks, garbage receptacles and waste material.
- 3.20.6 A **Cannabis Production Facility** shall not include outdoor storage of goods, materials, or supplies.
- 3.20.7 A **Cannabis Production Facility** shall not be allowed to operate on a parcel with any other use.
- 3.20.8 A **Cannabis Production Facility** must include equipment in the ventilation system designed and intended to remove odours from the air where it is discharged from the building.

3.21 SIGNS

3.21.1 Sign *Authority* and Administration

- a) Except as stated in **Section 1.9 – Development Permit Not Required**, no **sign** shall be erected on land or affixed to any exterior surface of a building or structure unless a *development permit* for this purpose has been issued by the *Development Authority*.
- b) A *development permit* is not required for maintenance, repair, changing the **sign** content, or reducing the **sign** content area of an approved **sign**.
- c) The issuance of a *development permit* for a **sign** located adjacent to a highway does not preclude any approvals or permits required by the Provincial highway authority.
- d) No **sign** shall be erected on or affixed to municipal property without the prior consent of the County.
- e) Variances may be granted to sign area where the sign scale and design integrates with the architectural elements and scale of the building and adjacent buildings.
- f) Where a **sign** is no longer related to a business, product or event located on the same parcel as the **sign**, the **sign** must be removed by the owner of the **sign** or the owner of the parcel on which the **sign** is located.
- g) Where a **sign** contravenes the regulations of this Bylaw or the terms of a *development permit*, the owner of the parcel or the owner of the **sign** shall remove the Sign or relocate or repair the **sign** such that it complies with the Bylaw or the *development permit* within the timelines specified in the written warning or order.
- h) The County may remove any **sign** that remains in contravention of this Bylaw and an order, and/or may refuse to issue a *development permit* for a **sign** on the parcel for a period of three (3) months.

Sign Application Requirements

3.21.2 An application for a *development permit* for a **sign** shall be completed and submitted to the *Development Authority* in writing, in the form required by the *Development Authority*, and shall be accompanied by:

- a) authorization of the registered landowner;
- b) a site plan (drawn to scale) showing the following:
 - i. legal description and north arrow;
 - ii. area and dimensions of the *parcel* boundaries, including the *front*, *rear*, and *side yards*, if any;
 - iii. existing and proposed *easements* and rights-of-way, including dimensions and type of *easement*, if applicable;
 - iv. the location and dimensions of all existing and proposed **Signs**, *buildings*, *structures*, or *uses* on the *parcel*;
 - v. identification of existing and proposed *roads* or *lanes* that will provide access to the *development*;

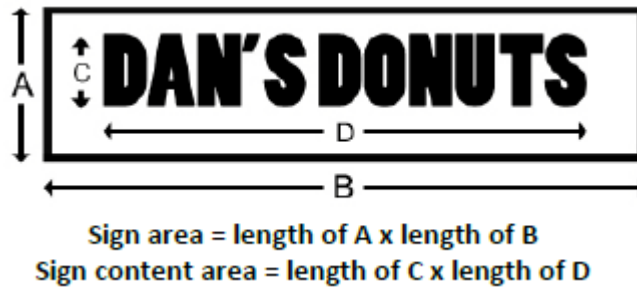
- vi. any provision for *off-street parking stalls* and *loading stalls*; and vehicle entrances to and exits from the *parcel*; and
- c) a drawing showing the width, height and *sign area* of the **Sign**, including the proposed *sign content* and *sign content area*;
- d) a description or drawing showing the **Sign** materials and colors; and
- e) the prescribed *development permit* fee.

3.21.3 Sign definitions

- a) For the purposes of this Bylaw, the following definitions are related to **Signs**:

<i>sign</i>	means any device or fixture intended to convey information or to advertise or attract attention to any person, business, matter, message, object or event.
<i>sign area</i>	means the entire area of a sign on which <i>sign content</i> is intended to be placed. In the case where a sign has <i>sign content</i> on more than one side of the sign , <i>sign area</i> means the average total area of all sides of the sign See Sign Figure 3: Sign Area and Sign Content Area.
<i>sign content</i>	means the wording/lettering, message, graphics or content displayed on a sign .
<i>sign content area</i>	means a rectangular area formed by the extreme limits of the <i>sign content</i> , including graphics related to the specific nature of the <i>sign content</i> . See Figure 3: Sign Area and Sign Content Area.

Figure 7 Sign Area and Sign Content Area



<i>sign height</i>	means the vertical distance measured from the highest point of the sign or Sign structure to <i>grade</i> .
<i>sign illumination</i>	means the lighting or exposure of a sign to artificial lighting either by lights on or in the sign or directed toward the sign .
<i>temporary sign</i>	means any sign designed or intended to be displayed for a short period of time, including balloon signs, construction signs, political poster signs, banner signs or any other sign that is not permanently attached to a supporting <i>structure</i> or <i>building</i> .

3.21.4 General Sign Regulations

- a) No **sign** shall resemble or conflict with a traffic sign, signal or device.
- b) All **signs** shall be designed and Manufactured to a professional standard of quality, to the satisfaction of the *Development Authority*.
- c) The design and location of a **sign** on a building shall complement the architectural elements and materials of the building.
- d) Buildings shall be designed to incorporate **signs** into the building as an integrated architectural element.
- e) All **sign** lighting shall be designed to illuminate the **sign** only.
- f) A **sign** shall not be located to obstruct the movement or free and clear vision of a pedestrian or motorist, or cause conflict with any required parking area.
- g) All **signs** shall be kept in a safe, clean, tidy and legible condition and may, at the discretion of the *Development Authority*, be required to be renovated or removed if not kept in a safe, clean, tidy or legible condition.
- h) A maximum of one (1) **Sign** for a **Home Occupation**, or **Bed and Breakfast** may be displayed with a maximum *sign area* of 1m² (10 ft²).

4 Land Use Districts

4.1 ESTABLISHMENT OF DISTRICTS

4.1.1 For the purpose of this Bylaw, Starland County is divided into the following Districts:

Short Title	District Name	Purpose
RAG	Rural Agricultural General District	The purpose and intent of this District it to accommodate agricultural land <i>uses</i> that support the goals and objectives of the <i>Municipal Development Plan</i> and maintain the rural character of the community.
HR	Hamlet Residential District	The purpose and intent of Hamlet Residential District is to provide residential neighbourhoods with a variety of housing options in accordance with the <i>Municipal Development Plan</i> .
HC	Hamlet Commercial District	The purpose of this District is to provide for a range of commercial <i>uses</i> within Hamlets.
HI	Hamlet Industrial District	The purpose and intent of this district is to provide for a range of manufacturing, warehousing, and other industrial land <i>uses</i> within Hamlets.
RB	Rural Business District	The purpose of this District is to provide for commercial and industrial <i>uses</i> that promote or are compatible with the agrarian character of the community.
CR	Country Residential District	The purpose and intent of this District is to accommodate grouped/multi-lot residential development in rural areas with consideration of existing agricultural <i>Activities</i> in the surrounding area.
RR	Residential Resort District	The purpose of this District is to provide for residential development in the rural setting that may be for seasonal or year-round occupancy and that is compatible with the natural environment and surrounding land <i>uses</i> .
AD	Airport District	The purpose of the AD – Airport District is to provide regulations and standards for the coordinated development of ancillary <i>uses</i> that are not integral to the aeronautical operations of the Drumheller Airport.

4.2 DISTRICT BOUNDARIES

- 4.2.1 The locations and boundaries of the Land Use Districts are shown on the Land Use District Maps, which form **Section 7** of this Land Use Bylaw.
- 4.2.2 The locations of boundaries shown on the Land Use District Maps shall be governed by the following rules:
- a) **RULE 1.** Where a boundary is shown as following a street, lane, stream, or canal, it shall be deemed to follow the centre line 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 by Rules 1 and 2, the location of the district boundary shall be determined:
 - i. using any dimensions given on the map, or
 - ii. where no dimensions are given, measurement using the scale shown on the map.
- 4.2.3 Where the exact location of the boundary of a Land Use District cannot be determined, using the rules in subsection (2), Starland County **Council**, on its own motion or on a written request, shall fix the location:
- a) in a manner consistent with the provisions of this Bylaw; and
 - b) with the appropriate degree of detail required.
- 4.2.4 In the case of water bodies, streams, rivers or other cases, the municipal boundary shall be as determined in accordance with the *Municipal Government Act*.
- 4.2.5 The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.
- 4.2.6 Starland County **Council** shall keep a list of its decisions adjusting the locations of district boundaries.



4.3 RAG – RURAL AGRICULTURAL GENERAL DISTRICT

4.3.1 Purpose

The purpose and intent of this District is to accommodate agricultural land **uses** that support the goals and objectives of the County's *Municipal Development Plan* and maintain the rural character of the community.

4.3.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a **development permit** in the RAG – Rural Agricultural General District.

4.3.3 Permitted Uses

Within the RAG – Rural Agricultural General District the following are **permitted uses**.

Accessory Buildings and Structures **

Home Occupation – Phone & Desk **

Accessory Farm Buildings **

Passive Outdoor Recreation Area

Beekeeping *

Playground

Day Home *

Shipping Container **

Dwelling, Rural (First) ***

Shipping Container (*temporary*) **

Dwelling, Rural (Second) ***

Solar Energy System – Microgeneration **

Extensive Agriculture *

Utilities **

Fabric Covered Buildings **

Veterinary Clinic- Class 1 (Small Animal)

Farmers Market

Veterinary Clinic- Class 2

Home Occupation – Minor **

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.3.4 Discretionary Uses

Within the RAG – Rural Agricultural General District the following are *discretionary uses*:

Abattoir	Educational Institution
Active Outdoor Recreation Facility	Government Institution
Agricultural Processing Facility	Home Occupation – Major *
Agricultural Supply Depot and Sales	Indoor Recreation or Cultural Facility
Artist Studio	Kennel *
Auction Facility	Manufacturing, Light
Bed & Breakfast Establishment *	Microbrewery And Craft Distillery
Bulk Oil and Fuel Depots & Sales	Natural Resource Extraction and Processing Facility *
Campground	Signs **
Cannabis Production Facility *	Special Care Housing
Cemetery	Tourist Lodge Facility
Commercial Fertilizer Supply and Sales	Vacation Rental
Commercial Horticulture	Warehousing and Distribution
Dwelling, Accessory Unit *	Waste Management Facility *
Dwelling, Additional Rural *	Wind Energy System, Large *
Dwelling, Attached *	Wind Energy System, Small *
Dwelling, Manufactured *	
Dwelling, Tiny Home *	

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.3.5 Parcel Area

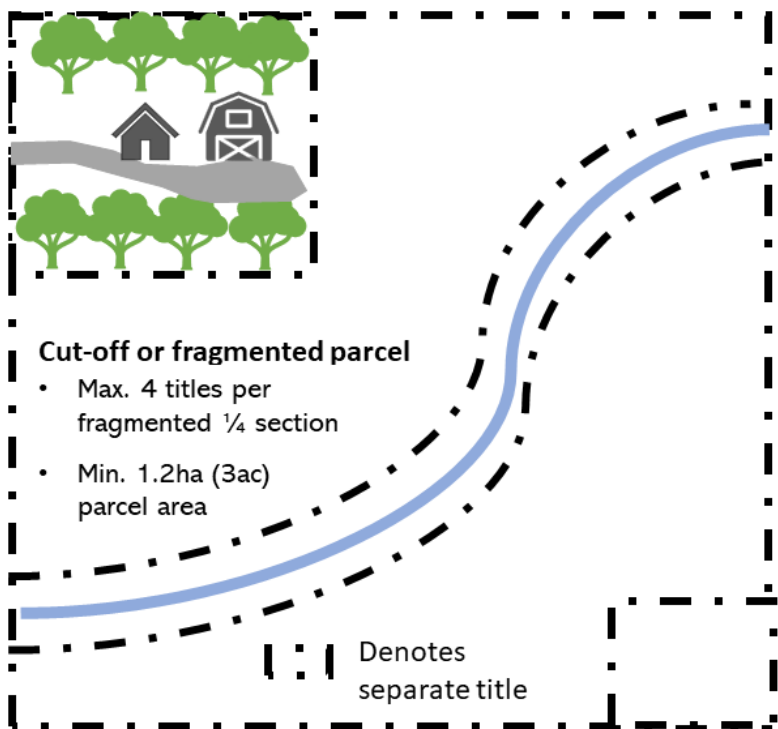
The parcel area requirements for the RAG – Rural Agricultural General District shall be as follows:

Use

Parcel Area Requirements

Extensive Agriculture

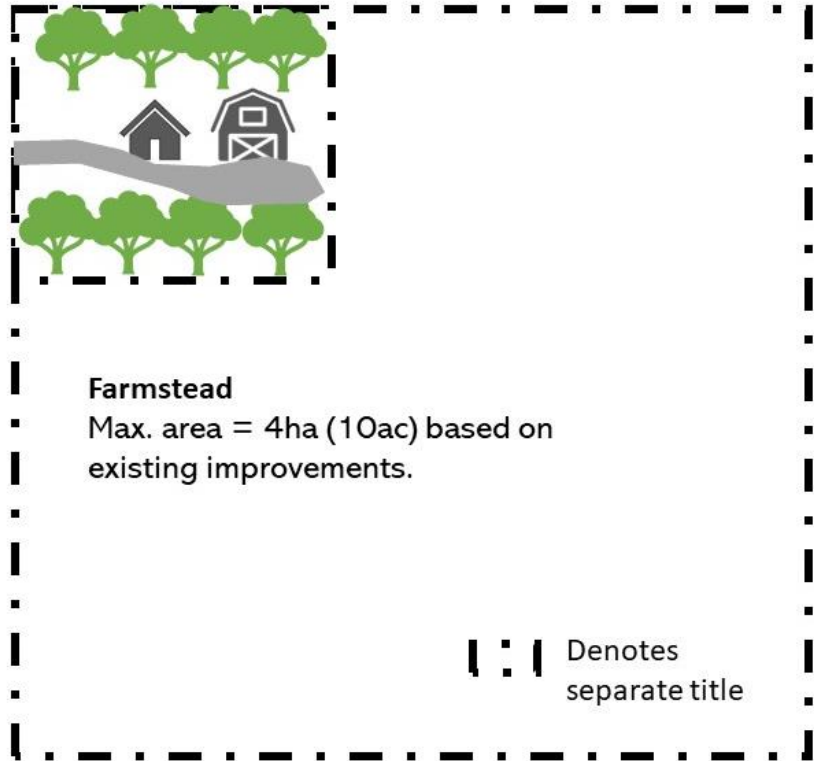
- a) **Parcel area** shall be a minimum of an **unsubdivided quarter section** 64.7 ha (160 acres), more or less, except, where the quarter is fragmented or reduced by:
 - i. natural barriers such as water bodies or ravines;
 - ii. physical man-made barriers such as registered public roadways and railways; and/or
 - iii. a previously separated parcel for an institutional or public use, or public utility facility;
- b) in which case the **Development Authority** or **Subdivision Authority** may permit a lesser site area that shall not be less than 1.2 ha (3.0 acres).
- c) 80-acre **subdivisions** are prohibited.
- d) **Subdivisions** for estate sale purposes will not be approved unless the application and proposed **use(s)** are compliant with this Bylaw.



Subdivision of an Existing Farmstead

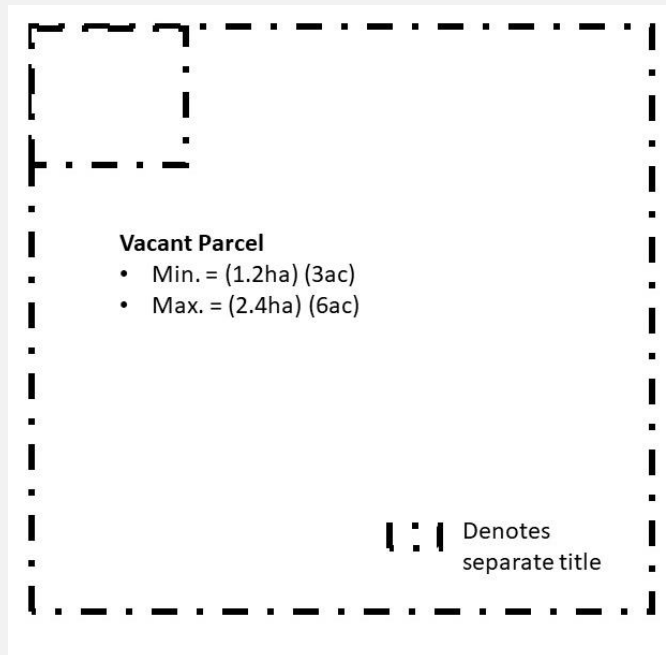
- e) ***Parcel area*** shall not exceed 4.0 ha (10 acres); or
- f) the minimum area required to subdivide out an existing dwelling and related improvements (shelterbelts, corrals, barns, sheds, wells, septic systems etc.) which normally are associated with a Farmstead;

 whichever is less.
- g) Shall minimize the amount of productive agricultural land included in the ***subdivision***.



Vacant Parcel
(all other *uses*)

- h) **Parcel area** shall not be less than 1.2 hectares (3 acres).
- i) **Parcel area** shall not exceed 2.4 hectares (6 acres).



- j) Notwithstanding the above, development on existing parcels on record at the Land Titles Office prior to the date this Bylaw came into effect may be permitted provided that requirements regarding setbacks, floor areas, and applicable sections from Section 2 and 3 are complied with.

4.3.6 Principal Building Setbacks

Minimum Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	Abutting another Parcel
Front Yard	30 m (100 ft.)	As required by Alberta Transportation	N/A
Rear Yard	30 m (100 ft.)	As required by Alberta Transportation	30 m (100 ft.)
Side Yard	30 m (100 ft.)	As required by Alberta Transportation	30 m (100 ft.)

4.3.7 Accessory Building/ Structure Setbacks

Minimum Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	Abutting another Parcel
Front Yard	30m (100 ft.)	As required by Alberta Transportation	N/A

Rear Yard	30m (100 ft.)	As required by Alberta Transportation	7.5m (25 ft.)
Side Yard	30m (100 ft.)	As required by Alberta Transportation	7.5m (25 ft.)

4.3.8 Accessory Building/ Structure Maximum Height

Notwithstanding Section 3.1.6, there is no maximum height for Accessory Farm Buildings in the Rural Agricultural General District.

4.3.9 Density:

Density	Maximum	Additional Requirements
Parcels per quarter section	2 parcels	<ul style="list-style-type: none"> a) Two (2) parcels per quarter section may be subdivided for any combination of the following purposes: <ul style="list-style-type: none"> i. Extensive Agricultural; ii. Farmstead Separation; and/or iii. Vacant Parcel for a proposed use that complies with this Land Use District and deemed suitable by the Subdivision Authority. b) The Subdivision Authority may, at its discretion, relax the provisions of subsection 4.3.8(a)(i) above, to accommodate additional subdivisions for Involuntary Severances such as public utilities, schools, government institutions, and oil and gas facilities. c) For clarity, if only a portion of a quarter section remains designated under the Rural Agricultural General District, that portion of the quarter section may contain up to two (2) parcels in accordance with Subsection a) above. d) Subdivision beyond two (2) parcels will first require that portion of land be redesignated to an appropriate district in this Land Use Bylaw.
Parcels per cut-off or fragmented quarter section	4 parcels	<ul style="list-style-type: none"> e) Notwithstanding Section 4.3.8(a)(i), the maximum number of Parcels per cut-off or fragmented quarter section shall be four (4).
Dwelling Units per Parcel		<ul style="list-style-type: none"> f) In accordance with the permitted uses in this District up to two (2) Dwelling Units are permitted per parcel.

- g) In accordance with the *discretionary uses* in this District the *Municipal Planning Commission* may allow three (3) or more **Dwelling Units** on a parcel.

DRAFT

HR



HAMLET RESIDENTIAL

4.4 HR – HAMLET RESIDENTIAL DISTRICT

4.4.1 Purpose

The purpose and intent of Hamlet Residential District is to provide residential neighbourhoods with a variety of housing options in accordance with the *Municipal Development Plan*.

4.4.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a **development permit** in the HR – Hamlet Residential District.

4.4.3 Permitted Uses

Within the HR – Hamlet Residential District, the following **uses** are **permitted uses**:

Accessory Building, Structure or Use **	Home Occupation – Phone & Desk **
Beekeeping *	Shipping Container (<i>temporary</i>) **
Day Home *	Solar Energy System – Microgeneration **
Dwelling, Detached ***	Passive Outdoor Recreation Area
Dwelling, Duplex ***	Playground
Extensive Agriculture *	Utilities **

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.4.4 Discretionary Uses

Within the HR – Hamlet Residential District, the following *uses* are *discretionary uses*.

Active Outdoor Recreation Facility	Indoor Recreation or Cultural Facility
Artist Studio	Home Occupation – Major *
Bed & Breakfast Establishment *	Home Occupation – Minor *
Dwelling, Apartment *	Community Garden
Dwelling, Attached *	Manufactured Home Park *
Dwelling, Manufactured *	Shipping Container *
Dwelling, Accessory Unit *	Signs **
Dwelling, Tiny Home *	Special Care Housing
Educational Institution	Vacation Rental
Government Institution	Wind Energy System, Small *

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.4.5 Minimum Parcel Area

a) General Requirements

Based on the *principal use* and level of servicing of the *parcel*, the following minimum parcel areas shall apply:

Principle Use	Minimum Parcel Area	
	m ²	ft ²
Residential		
Unserviced	1,858	20,000
Piped Sewer	930	10,000
Fully Serviced (Piped Water and Sewer)	116	1,250

b) Non-Residential Parcel Requirements

Unserviced	At the discretion of the Development Authority	
Piped Sewer	930	10,000
Fully Serviced (Piped Water and Sewer)	186	2,000

c) fully serviced residential parcel requirements

Principle Use	Minimum Parcel Area	
	m ²	ft ²
Dwelling, Tiny Home	116	1,250
Dwelling, Detached	464	5,000
Dwelling, Manufactured		
Dwelling, Duplex (2 Units on Separate Title)	456	4,910
Dwelling, Duplex (2 Units on One Title)	228	2,450
Interior Unit: Dwelling, Ground-Oriented Multi-Unit	183	1,970
Exterior Unit: Dwelling, Ground-Oriented Multi-Unit	228	2,450
Dwelling, Apartment	650	7,000

4.4.6 Minimum Parcel Dimensions

Based on the *principal use* of the *parcel*, the following minimum *parcel* dimensions are required in the HR – Hamlet Residential District:

Principal Use	Minimum Width		Minimum Length	
	m	ft	m	ft
Dwelling, Tiny Home				
Dwelling, Detached or Manufactured	15.2	50	30.5	100
Dwelling, Duplex	18 per unit	59 per unit	30.5	100
Dwelling, Attached	Interior Unit: 4.9 End Unit: 7.6	Interior Unit: 16 End Unit: 25	30.5	100
Dwelling, Apartment	24.4	80	30.5	100
Non-residential	10	33	30.5	100

4.4.7 Minimum Setbacks

The following minimum setbacks apply to residential buildings in the HR – Hamlet Residential District:

Building Type	Front		Rear		Side (Interior)		Side (exterior)	
	m	ft	m	ft	m	ft	m	ft
Single Detached								
Duplex								
Manufactured	6	20	7.6	25	1.2*	4	4.5	15
Tiny Home								
Apartment								
Attached Housing	6	20	6.1	20	3	10	4.5	15
Accessory Buildings	Greater than principal building		1 or 2 with access to a lane	3 or 6 with access to a lane	1	3	3	10

* For a laneless *parcel*, the *Development Authority* may require one *side yard setback* to be a minimum of 3 m (10 ft.) to provide vehicle access to the rear of the *parcel*.

4.4.8 Maximum Building Height

The following maximum height shall apply to ***buildings*** in the HR – Hamlet Residential District:

Use	Maximum Height	
	m	ft
Dwelling, Apartment	14	45
All other <i>Residential Uses</i>	10	33 (2½ storeys)
Accessory Buildings	4.5	15
All other <i>uses</i>	10	33

4.4.9 Maximum Parcel Coverage

The following maximum ***parcel coverage*** shall apply in the HR – Hamlet Residential District:

Building Type	Maximum Parcel Coverage
<i>Principal building</i>	40%
All Accessory Buildings/ Structures	15%
All <i>buildings</i> and <i>structures</i>	55%

4.4.10 Amenity Areas

- a) For ***developments*** with multiple Dwelling Units (i.e., Apartments, Manufactured Home Parks, Attached Housing, etc.) A minimum of 10% of the site area shall be ***landscaped*** or developed in order that it may be utilized as an ***amenity area*** for the residents.
- b) ***Balconies*** and ***patios*** may be considered as part of the ***amenity area***.

HC



HAMLET COMMERCIAL

4.5 HC – HAMLET COMMERCIAL DISTRICT

4.5.1 Purpose

The purpose of this District is to provide for a range of commercial *uses* within Hamlets.

4.5.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a *development permit* in the HC– Hamlet Commercial District.

4.5.3 Permitted Uses

Within the HC– Hamlet Commercial District, the following *uses* are *permitted uses*.

Accessory Building, Structure or Use **

Accessory Farm Building **

Beekeeping *

Community Garden

Day Home *

Eating And Drinking Establishment

Extensive Agriculture *

Farmers Market

Financial Institution

Government Institution

Home Occupation – Minor **

Home Occupation – Phone & Desk **

Passive Outdoor Recreation Area

Playground

Personal Service

Professional Office

Retail & Service, General

Shipping Container (*temporary*) **

Solar Energy System – Microgeneration **

Utilities **

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.5.4 Discretionary Uses:

Within The HC– Hamlet Commercial District, the following *uses* are *discretionary uses*.

Active Outdoor Recreation Facility	Manufacturing, Light
Artist Studio	Tourist Lodge Facility
Cannabis Café	Mixed Use Development
Cannabis Retail Sales	Pet Care Service *
Car Wash *	Retail & Service, Heavy
Commercial Horticulture	Service, Repair, And Equipment Rental Shop
Data Center	Service Station *
Day Care Centre	Signs **
Drinking Establishment	Shipping Container *
Dwelling, Detached *	Solar Energy System – Commercial *
Dwelling, Accessory Unit *	Special Care Housing
Educational Institution	Vacation Rental
Home Occupation – Major *	Vehicle Sales and Service
Hospital	Veterinary Clinic- Class 1 (Small Animal)
Hotel/Motel	Veterinary Clinic- Class 2
Indoor Recreation or Cultural Facility	Wind Energy System, Small *

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.5.5 Minimum Parcel Area:

A. General Requirements

Based on the *principal use* and level of servicing of the *parcel*, the following minimum *parcel areas* shall apply:

Principle Use	Minimum Parcel Area	
	m ²	ft ²
Residential		
Unserviced	1,858	20,000
Piped Sewer	930	10,000
Fully Serviced (Piped Water and Sewer)	116	1,250
Non-Residential		
Unserviced	At the discretion of the Development Authority	
Piped Sewer	930	10,000
Fully Serviced (Piped Water and Sewer)	186	2,000

B. Fully Serviced Residential Parcels

Principle Use	Minimum Parcel Area	
	m ²	ft ²
Dwelling, Single-Detached	464	5,000
Dwelling, Manufactured		
Mixed Use Development	650	7,000

4.5.6 Parcel Dimensions

The minimum parcel dimensions in the HC- Hamlet Commercial District are as follows:

<i>Principal Use</i>	Minimum Width	
	m	ft
<i>All Uses</i>	6.1	20

4.5.7 Setbacks

The following minimum setbacks apply to all Buildings in the HC– Hamlet Commercial District:

Building Type	Front		Rear		Side (Interior)		Side (exterior)	
	m	ft	m	ft	m	ft	m	ft
<i>Principal building</i>	0	0	6.1	20	1.5*	5	4.5	15
<i>Accessory Buildings</i>	Greater than principal building		1 or 2 with access to lane	3 or 6 with access to a lane	1.5*	5	Greater than principal building	

* *Side yard setbacks* may be reduced to 0 m when *adjacent* to non-residential *developments*.

4.5.8 Maximum Building Height

The following maximum height shall apply to *buildings* in the HC– Hamlet Commercial District:

Use	Maximum Height	
	m	ft
<i>Principal building</i>	10	33
<i>Accessory Building/ Structure</i>	6	20

4.5.9 Minimum Floor Area

The following minimum *floor area* shall apply to *buildings* in the HC– Hamlet Commercial District:

Use	Minimum Floor Area	
	m ²	ft ²
<i>Principal building</i>	46	500

4.5.10 Maximum Parcel Coverage

The following maximum *parcel coverage* shall apply in the HC– Hamlet Commercial District:

Use	Maximum Parcel Coverage
<i>Principal Building</i>	80%
All Accessory Building and Structures	10%
All Buildings and Structures	80%

4.5.11 Amenity Areas

- a) For *developments* with multiple **Dwelling Units** (i.e., **Mixed Use Developments**) a minimum of 10% of the site area shall be landscaped or developed in order that it may be utilized as an *amenity area* for the residents.
- b) *Balconies* and *patios* may be considered as part of the *amenity area*.

4.5.12 Landscaping

All areas of the *front yard* not covered by *buildings*, circulation routes, or parking and loading areas shall be landscaped to the satisfaction of the *Development Authority*.



4.6 HI – HAMLET INDUSTRIAL DISTRICT

4.6.1 Purpose

The purpose and intent of this district is to provide for a range of manufacturing, warehousing, and other industrial *uses* within Hamlets.

4.6.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a *development permit* in the HI – Hamlet Industrial District:

4.6.3 Permitted Uses

Within the HI– Hamlet Industrial District, the following *uses* are *permitted uses*:

Accessory Building, Structure or Use **

Accessory Farm Building **

Beekeeping *

Day Home *

Extensive Agriculture *

Manufacturing, Light

Passive Outdoor Recreation Area

Playground

Shipping Container **

Shipping Container (*temporary*) **

Solar Energy System – Microgeneration **

Utilities **

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.6.4 Discretionary Uses:

Within The HI– Hamlet Industrial District, the following *uses* are *discretionary uses*:

Active Outdoor Recreation Facility

Agricultural Processing Facility

Agricultural Supply Depot & Sales

Artist Studio

Bulk Oil and Fuel Depots & Sales

Car Wash *

Commercial Fertilizer Supply and Sales

Data Center

Indoor Recreation or Cultural Facility

Industrial Storage Yard

Kennel *

Manufacturing, heavy

Microbrewery And Craft Distillery

Personal Service

Recreational Vehicle Storage Facility *

Recycling Depot

Retail & Service, Heavy

Self-Storage Yard

Service Station *

Service, Repair, And Equipment Rental Shop

Signs **

Solar Energy System – Commercial *

Vehicle Sales and Service

Veterinary Clinic- Class 1 (Small Animal)

Veterinary Clinic- Class 2

Warehousing and Distribution

Large Wind Energy System *

Small Wind Energy System *

Wrecking Yard *

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.6.5 Minimum Parcel area

No *parcel* shall be created in this District which is less than:

Principle Use	Minimum Parcel area	
	m ²	ft ²
All <i>uses</i>	1,858	20,000

4.6.6 Parcel Dimensions

The following parcel dimensions apply in the HI – Hamlet Industrial District:

Principal Use	Minimum Width		Minimum Length	
	m	ft	m	ft
All <i>uses</i>	30.5	100	61	200

4.6.7 Setbacks

The following minimum **setbacks** apply to all **buildings** in this District:

Building Type	Front		Rear		Side (Interior)		Side (exterior)	
	m	ft	m	ft	m	ft	m	ft
<i>Principal Building</i>	20	66	6.1	20	1.5*	5	4.5	15
Accessory Buildings	Greater than principal building		1 or 2 with access to lane	3 or 6 without access to a lane	1.5*	5	Greater than principal building	

* **Side yard setbacks** may be reduced to 1.0 m (3.0 ft) when **adjacent** to non-residential developments.

4.6.8 Maximum Building Height

The following maximum height shall apply to **buildings** in this District:

Use	Maximum Height	
	m	ft
Principal Building	13.7	45
Accessory Building/ Structure	6.1	20

4.6.9 Minimum Floor Area

The following minimum **floor area** shall apply to **buildings** in this District:

Use	Minimum Floor Area	
	m ²	ft ²
<i>Principal building</i>	46	500

4.6.10 Maximum Parcel Coverage

The following maximum *parcel coverage* shall apply in this District:

Use	Maximum Parcel Coverage
<i>Principal building</i>	60%
All Accessory Building and Structures	10%
All <i>buildings</i> and <i>structures</i>	60%

4.6.11 Landscaping

All *developments* shall have a minimum of 5% of the *front yard landscaped* to the satisfaction of the *Development Authority*.



4.7 RB – RURAL BUSINESS DISTRICT

4.7.1 Purpose

The purpose of this District is to provide for commercial and industrial *uses* that promote or are compatible with the agrarian character of the community.

4.7.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a *development permit* in RB– Rural Business District.

4.7.3 Permitted Uses

Within the RB– Rural Business District, the following *uses* are *permitted uses*.

Accessory Building, Structure or Use **

Accessory Farm Building **

Beekeeping *

Day Home *

Extensive Agriculture *

Home Occupation – Minor **

Home Occupation – Phone & Desk **

Passive Outdoor Recreation Area

Playground

Shipping Container **

Shipping Container (*temporary*) **

Solar Energy System –
Microgeneration **

Utilities **

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.7.4 Discretionary Uses

Within The RB– Rural Business District, the following *uses* are *discretionary uses*.

Abattoir	Natural Resource Extraction and Processing Facility *
Active Outdoor Recreation Facility	Personal Service
Agricultural Processing Facility	Pet Care Services *
Agricultural Supply Depot & Sales	Professional Office
Artist Studio	Recreational Vehicle *
Auction Facility	Recreational Vehicle Storage Facility
Bulk Oil and Fuel Depots & Sales	Recycling Depot
Campground	Retail & Service, General
Cannabis Café	Retail & Service, Heavy
Cannabis Retail Sales	Self-Storage Yard
Cannabis Production Facility	Service, Repair, And Equipment Rental Shop
Car Wash *	Service Station *
Commercial Fertilizer Supply and Sales	Signs **
Commercial Horticulture	Solar Energy System – Commercial *
Data Center	Vacation Rental
Dwelling, Accessory Unit *	Vehicle Sales and Service
Eating And Drinking Establishment	Veterinary Clinic- Class 1 (Small Animal)
Farmers Market	Veterinary Clinic- Class 2
Government Institution	Warehousing and Distribution
Indoor Recreation or Cultural Facility	Waste Management Facility *
Industrial Storage Yard	Wind Energy System, Large *
Kennel *	Wind Energy System, Small *
Manufacturing, Heavy	Work Camp *
Manufacturing, Light	Wrecking Yard *
Microbrewery And Craft Distillery	

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.7.5 Parcel Area

The *Parcel area* requirements for the RB– Rural Business District shall be as follows:

Use	<i>Parcel area</i> Requirements
All uses	a) <i>Parcel area</i> shall not be less than 0.8 hectares (2.0 acres) b) <i>Parcel area</i> shall not exceed 12.14 hectares (30.0 acres).
	c) Notwithstanding the above, <i>development</i> on <i>existing parcels</i> on record at the Land Titles Office prior to the date this Bylaw came into effect may be permitted provided that requirements regarding <i>setbacks</i> , <i>floor areas</i> , and applicable sections from Part 2 and 3 are complied with.

4.7.6 Building Setbacks

The following minimum *setbacks* apply to *buildings* in this district:

Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	From Service Road
Front Yard	30m (100 ft.)	As required by Alberta Transportation	7.5m (25ft.)
Rear Yard	30m (100 ft.)	As required by Alberta Transportation	7.5m (25ft.)
Side Yard	30m (100 ft.)	As required by Alberta Transportation	7.5m (25ft.)

4.7.7 Maximum Building Height

The following maximum height shall apply to *buildings* in the RB– Rural Business District:

Use	Maximum Height	
	m	ft
Accessory Farm Buildings	14	45
All other <i>Uses</i>	10	33 (2½ <i>storeys</i>)
Accessory Buildings	8	26

4.7.8 Density

Density

Additional Requirements

Parcels per Quarter Section

- i. In accordance with the *permitted uses* in this district up to two (2) **Dwelling Units** are permitted per *parcel*.
- ii. In accordance with the *discretionary uses* in this district the *Municipal Planning Commission* may allow three (3) or more **Dwelling Units** on a *parcel*.

CR



COUNTRY RESIDENTIAL

4.8 CR – COUNTRY RESIDENTIAL DISTRICT

4.8.1 Purpose

The purpose of this District is to accommodate single lot and multi-lot residential *development* in rural areas with consideration of existing agricultural activities in the surrounding area.

4.8.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a *development permit* in the CR– Country Residential District.

4.8.3 Permitted Uses

Within the CR– Country Residential District, the following *uses* are *permitted uses*:

Extensive Agriculture *

Accessory Building, Structure or Use **

Accessory Farm Building **

Beekeeping *

Day Home *

Dwelling, Detached ***

Dwelling, Duplex ***

Home Occupation – Minor **

Home Occupation – Phone & Desk **

Solar Energy System – Microgeneration **

Shipping Container (*temporary*) **

Passive Outdoor Recreation Area

Playground

Utilities **

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.8.4 Discretionary Uses:

Within the CR– Country Residential District, the following *uses* are *discretionary uses*

Active Outdoor Recreation Facility

Bed & Breakfast Establishment *

Community Garden

Commercial Horticulture

Dwelling, Manufactured *

Dwelling, Accessory Unit *

Dwelling, Tiny Home *

Home Occupation – Major *

Indoor Recreation or Cultural Facility

Manufactured Home Park *

Signs **

Shipping Container *

Solar Energy System – Commercial *

Special Care Housing

Tourist Lodge Facility

Vacation Rental

Wind Energy System, Small *

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.8.5 Parcel Area

Principle Use	Minimum Parcel Area		Maximum Parcel Area	
	ha	ac	ha	ac
All <i>uses</i>	0.5	1.0	2.02	5.0

4.8.6 Parcel Dimensions

Principle Use	Minimum Parcel Width	
	m	ft
Residential	30.5	100

4.8.7 Principal Building Setbacks

The following minimum **setbacks** apply to **principal buildings** in the CR – Country Residential District:

Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	Abutting another Parcel
Front Yard	30 m (100 ft.)	As required by Alberta Transportation	N/A
Rear Yard	30 m (100 ft.)	As required by Alberta Transportation	30 m (100 ft.)
Side Yard	30 m (100 ft.)	As required by Alberta Transportation	30 m (100 ft.)

4.8.8 Accessory Building/ Structure Setbacks

The following minimum **setbacks** apply to **Accessory Buildings and Structures** in the CR – Country Residential District:

Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	Abutting another Parcel
Front Yard	30 m (100 ft.)	As required by Alberta Transportation	N/A
Rear Yard	30 m (100 ft.)	As required by Alberta Transportation	7.5 m (25 ft.)
Side Yard	30 m (100 ft.)	As required by Alberta Transportation	7.5 m (25 ft.)

4.8.9 Maximum Building Height

The following maximum **building height** applies within the CR– Country Residential District:

Use	Maximum Height	
	m	ft
Accessory Farm Buildings	14	45
All other <i>uses</i>	10	33 (2½ <i>storeys</i>)
Accessory Buildings	8	26

RR



RESIDENTIAL RESORT

4.9 RR – RESIDENTIAL RESORT DISTRICT

4.9.1 Purpose

The purpose of this District is to provide for residential development in the rural setting for seasonal or year-round occupancy and that is compatible with the natural environment and surrounding *uses*.

4.9.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a *development permit* in the RR – Residential Resort

4.9.3 Permitted Uses

Within the RR – Residential Resort District, the following *uses* are *permitted uses*:

Extensive Agriculture *

Accessory Building, Structure or Use **

Accessory Farm Building **

Beekeeping *

Day Home *

Dwelling, Detached ***

Dwelling, Duplex ***

Home Occupation – Minor **

Home Occupation – Phone & Desk **

Passive Outdoor Recreation Area

Playground

Shipping Container (*temporary*) **

Solar Energy System – Microgeneration **

Utilities **

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.9.4 Discretionary Uses:

Within the RR – Residential Resort District, the following *uses* are *discretionary uses*:

Active Outdoor Recreation Facility

Community Garden

Commercial Horticulture

Day Care Centre

Dwelling, Accessory Unit *

Dwelling, Attached *

Dwelling, Manufactured *

Dwelling, Tiny Home *

Government Institution

Home Occupation – Major *

Hotel/Motel

Indoor Recreation or Cultural Facility

Mixed Use Development

Manufactured Home Park *

Pet Care Services *

Professional Office

Recreational Vehicle *

Recreational Vehicle Storage Facility

Retail & Service, General

Self-Storage Yard

Signs **

Special Care Housing

Tourist Lodge Facility

Vacation Rental

Wind Energy System, Small *

* See Specific Regulations in Section 3 | ** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.9.5 Parcel Area

All *parcels* in the RR– Residential Resort District shall meet the following *parcel area* requirements:

Principle Use	Minimum Parcel Area		Maximum Parcel Area	
All <i>uses</i>	0.5 ha	1 ac	2.02 ha	5 ac

4.9.6 Minimum Parcel Dimensions

All *parcels* in the RR– Residential Resort District shall meet the following *parcel* width requirements:

Principle Use	Minimum Parcel Width	
Residential	30.5 m	100 ft.

4.9.7 Principal Building Setbacks

The following minimum setbacks apply to Principal Buildings in the RR – Residential Resort District:

Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	Abutting another Parcel
Front Yard	30 m (100 ft.)	As required by Alberta Transportation	N/A
Rear Yard	30 m (100 ft.)	As required by Alberta Transportation	30 m (100 ft.)
Side Yard	30 m (100 ft.)	As required by Alberta Transportation	30 m (100 ft.)

4.9.8 Accessory Building and Structure Setbacks

The following minimum **setbacks** apply to **Accessory Buildings and Structures** in the RR – Residential Resort District:

Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	Abutting another Parcel
Front Yard	30 m (100 ft.)	As required by Alberta Transportation	N/A
Rear Yard	30 m (100 ft.)	As required by Alberta Transportation	7.5 m (25 ft.)
Side Yard	30 m (100 ft.)	As required by Alberta Transportation	7.5 m (25 ft.)

4.9.9 Maximum Building Height

The following maximum **building height** applies within the RR – Residential Resort District:

Use	Maximum Height	
	m	ft
Accessory Farm Buildings	14	45
All other uses	10	33 (2½ storeys)
Accessory Buildings	8	26

AD



AIRPORT

4.10 AD – AIRPORT DISTRICT

4.10.1 Purpose

The purpose of the AD – Airport District is to provide regulations and standards for the coordinated **development** of ancillary **uses** that are not integral to the aeronautical operations of the Drumheller Airport.

4.10.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a **development permit** in the AD – Airport District.

4.10.3 Permitted Uses

Within the AD – Airport District, the following **uses** are **permitted uses**.

Accessory Building, Structure or Use **	Home Occupation – Phone & Desk **
Accessory Farm Building **	Passive Outdoor Recreation Area
Beekeeping *	Shipping Container **
Day Home *	Shipping Container (<i>temporary</i>) **
Extensive Agriculture *	Utilities **
Home Occupation – Minor **	

* Does not require a permit. See **Section 1.9** – Development Permit Not Required

** May not require a permit. See **Section 1.9** and Specific Regulations in **Section 3**

*** See Specific Regulations in **Section 3**

4.10.4 Discretionary Uses

Within the AD – Airport District the following are *discretionary uses*:

Artist Studio	Retail & Service, General
Eating And Drinking Establishment	Retail & Service, Heavy
Drinking Establishment	Self-Storage Yard
Hotel/Motel	Shipping Container *
Mixed Use Development	Signs **
Recreational Vehicle *	Solar Energy System – Microgeneration **
Recreational Vehicle Storage Facility	Warehousing and Distribution

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

4.10.5 Maximum Height

The *Development Authority* may issue a *development permit* if no point of the *development* will exceed the height of the following, as demonstrated in Figure 8 – Airport Height Limitations Diagram:

- the *take-off / approach* surfaces of the runway of the airport;
- the *transitional surfaces* of the runway of the airport; and
- the *outer surface*.

4.10.6 Setbacks

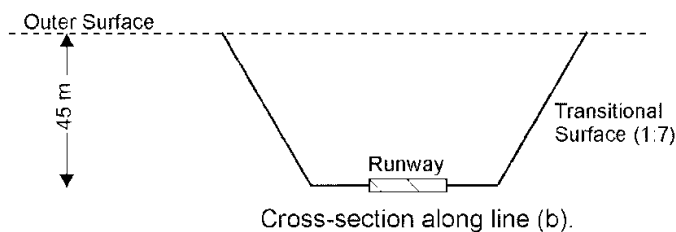
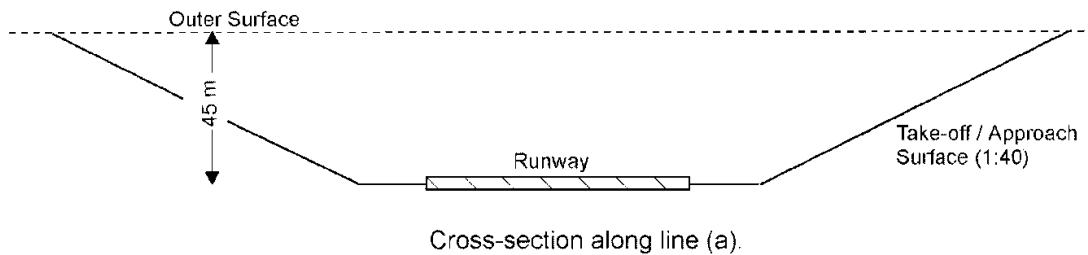
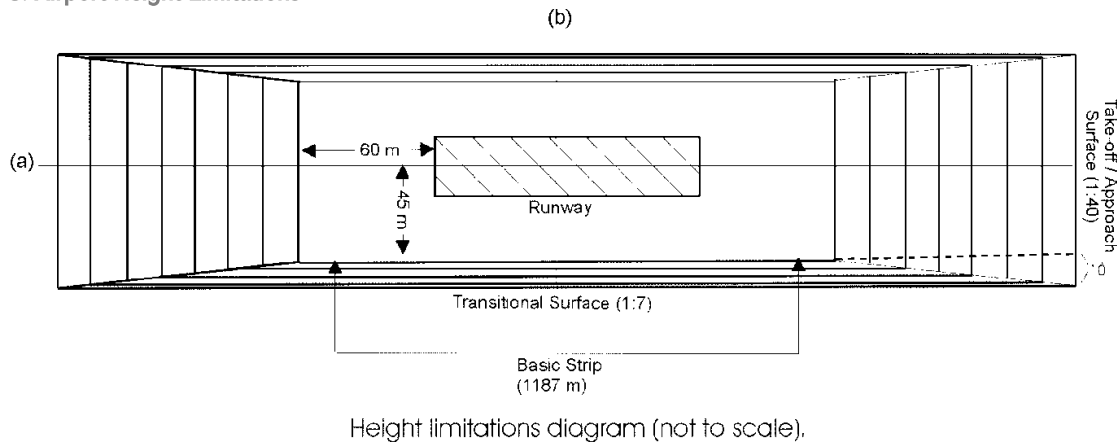
The following minimum *setbacks* apply to *buildings* in the AD – Airport District:

Setback	From developed or undeveloped municipal road right-of-way	From Provincial Highway	Abutting another Parcel or internal Road
Front Yard	48.0 m (158 ft.)	40.0 m (131 ft.) from the ultimate right of way; or	5.0 m (16.5 ft.)
Rear Yard	30.5 m (100 ft.)	70.0 m (230 ft.) from the centerline, whichever is greater	30.5 m (100 ft.)
Side Yard	30.5 m (100 ft.)		30.5 m (100 ft.)

4.10.7 Additional Requirements

- a) Any new development shall not be permitted if, in the opinion of the **Development Authority**, it generates a large amount of smoke/ dust, attracts birds, creates glare, or otherwise has the potential to create a conflict with airport operations.
- b) Construction shall conform to the exterior acoustic insulation requirements of the *Alberta Building Code*.
- c) The **Development Authority** may refer applications to Transport Canada and other agencies for comment prior to rendering a decision.
- d) The **Development Authority** may consider any airport facility, **structure**, or **building** which has received provincial and/or federal approval to be a **permitted use**.
- e) The **Development Authority** shall not grant a variance to **Section 4.10.5 – Maximum Height**.

Figure 8: Airport Height Limitations



5 Development Overlays

5.1 PURPOSE AND AUTHORITY

5.1.1 The purpose of a Development Overlay is:

- a) to facilitate the implementation of specific goals and objectives contained in adopted statutory plans, including the *Municipal Development Plan*, Area Structure and Redevelopment Plans or ***Master Site Plans***, including the protection of preservation of areas having topographical or environmental features or hazards that encompass large areas of the County; or
- b) for any other purpose deemed necessary by ***Council***.

5.1.2 All Development Overlays shall be applied and interpreted such that the underlying Land Use District and its regulations are read in conjunction with the Development Overlay, but that the underlying Land Use District is considered subordinate when there is a discrepancy between the two.

5.1.3 Lands subject to a Development Overlay are indicated on the Overlay Maps provided in this section of this Bylaw.

5.2 AI – AGRICULTURAL INTENSIVE OVERLAY

5.2.1 Purpose

In order to mitigate the potential for land use conflicts with developments under the County's jurisdiction, the purpose of this overlay is to identify confined feeding operations (CFOs) approved by the province under the *Agricultural Operations and Practices Act (AOPA)*.

5.2.2 Development Permit Not Required

Uses listed in **Section 1.9**, as applicable, do not require a ***development permit*** in the AI – Agricultural Intensive Overlay.

5.2.3 Permitted Uses

Within the AI – Agricultural Intensive Overlay the uses listed as permitted uses in the underlying land use district are permitted in the AI – Agricultural Intensive Overlay.

5.2.4 Discretionary Uses

Within the AI – Agricultural Intensive Overlay the uses listed as discretionary uses in the underlying land use district are discretionary in the AI – Agricultural Intensive Overlay.

5.2.5 Regulations

The regulations of the underlying land use district shall apply to all developments within the AI – Agricultural Intensive Overlay.

5.3 AVO – AIRPORT VICINITY OVERLAY

5.3.1 Purpose

The purpose of the AVO – Airport Vicinity Overlay is to limit the potential for land use conflicts between the operations of the Drumheller Airport and surrounding lands in accordance with Transport Canada's *TP1247E Aviation – Land Use in the Vicinity of Aerodromes* (9th edition).

5.3.2 Development Permit Not Required

Uses listed in [Section 1.9](#), as applicable, do not require a **development permit** in the AVO – Airport Vicinity Overlay.

5.3.3 Permitted Uses

Within the AVO – Airport Vicinity Overlay, the following **uses** are **permitted uses**.

Accessory Building, Structure or Use **

Home Occupation – Minor **

Accessory Farm Building **

Home Occupation – Phone & Desk **

Beekeeping *

Passive Outdoor Recreation Area

Day Home *

Shipping Container (*temporary*) **

Extensive Agriculture *

Utilities **

* Do not require a permit. See [Section 1.9](#) – Development Permit Not Required

** May not require a permit. See [Section 1.9](#) and Specific Regulations in [Section 3](#)

*** See Specific Regulations in [Section 3](#)

5.3.4 Discretionary Uses

Within the AVO – Airport Vicinity Overlay the following are **discretionary uses**.

Abattoir

Cemetery

Active Outdoor Recreation Facility

Commercial Horticulture

Agricultural Processing Facility

Dwelling, Detached *

Agricultural Supply Depot and Sales

Dwelling, Manufactured *

Artist Studio

Dwelling, Additional Rural *

Auction Facility

Dwelling, Rural *

Bed & Breakfast Establishment *

Educational Institution

Government Institution

Home Occupation – Major *

Indoor Recreation or Cultural Facility

Kennel *

Manufacturing, Light

Recreational Vehicle *

Recreational Vehicle Storage Facility

Self-Storage Yard

Service, Repair, And Equipment Rental Shop

Signs **

Shipping Container *

Veterinary Clinic- Class 1 (Small Animal)

Veterinary Clinic- Class 2

Warehousing and Distribution

* See Specific Regulations in Section 3

** See Section 1.9 and Specific Regulations in Section 3

In accordance with Section 1.14.9 – Similar Use Permits those *uses* which, in the opinion of the *Municipal Planning Commission*, are similar to a *permitted use* or *discretionary use* listed in this District.

5.3.5 Parcel Area and Parcel Dimensions

Parcel area and *parcel* dimension requirements are per the underlying Land Use District.

5.3.6 Setbacks

Setback requirements are per the underlying Land Use District.

5.3.7 Density

Density requirements are per the underlying Land Use District.

5.3.8 Additional Requirements

- a) Prior to rendering a decision, the *Development Authority* may refer any subdivision or development application to the *Drumheller Airport Operator* for comment.
- b) Any new *development* shall not be permitted if, in the opinion of the *Development Authority*, it generates a large amount of smoke/ dust, attracts birds, creates glare, or otherwise has the potential to create a conflict with airport operations.
- c) Construction shall conform to the exterior acoustic insulation requirements of the *Alberta Building Code*.
- d) The *Development Authority* may refer applications to Transport Canada and other agencies for comment prior to rendering a decision.
- e) The *Development Authority* may consider any airport facility, *structure*, or *building* which has received provincial and/or federal approval to be a *permitted use*.

6 Definitions

The following definitions pertain to terms and words used within the Land Use Bylaw.

G **General Definitions** (Related to individual site developments – e.g., setbacks, parking or general terms that are not land uses)

L **Land Use Definitions** (Permitted or Discretionary Uses)

Terms in **Blue are cross-references for convenience only.

Disclaimer: The following table contains definitions for terms and words used within this Land Use Bylaw. The column on the far right is for information purposes only to assist with navigating the Bylaw.

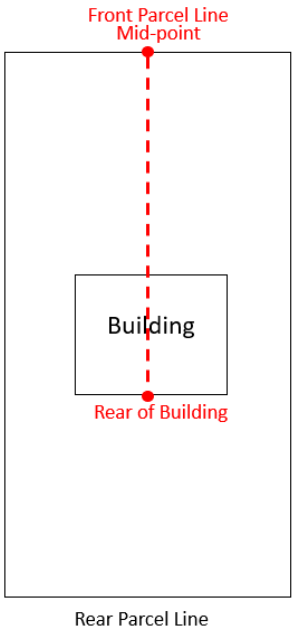
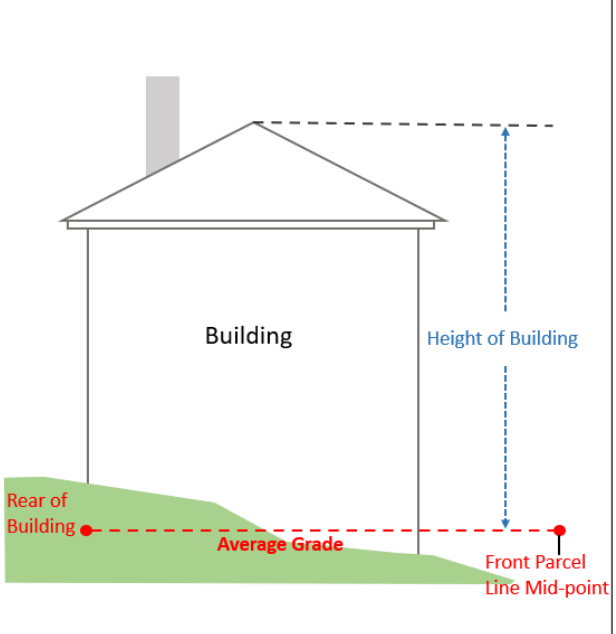
Quick links – click on the letter to jump to the definitions.

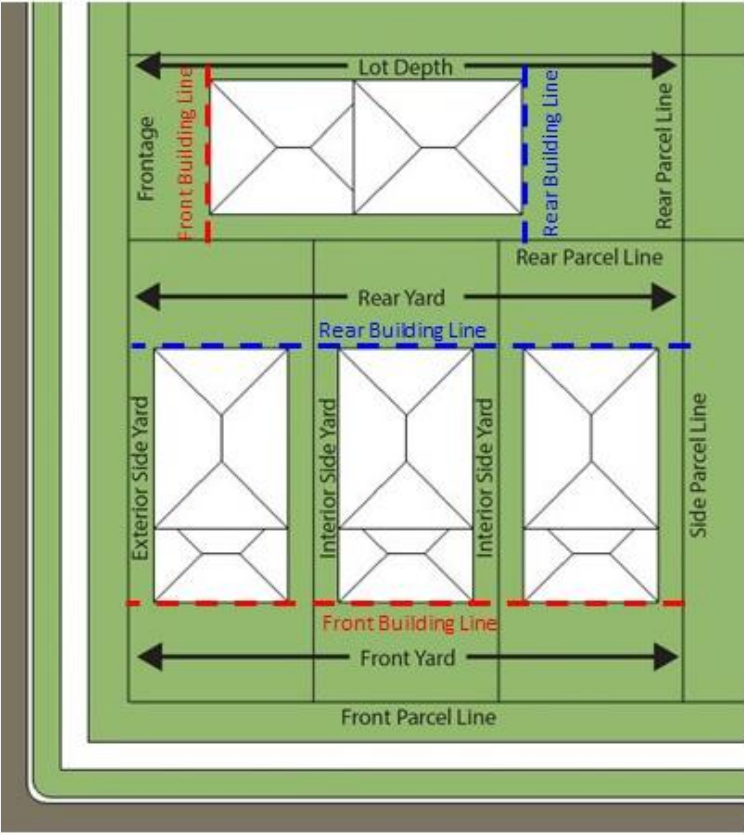
A	B	C	D	E	F	G	H	I
J	K	L	M	N	O	P	Q	R
S	T	U	V	W	X	Y	Z	

TERM	DEFINITION	
A	(Click here to return to Definitions Index)	
ABATTOIR	means the <i>use</i> of land, <i>buildings</i> , or <i>structures</i> for the slaughtering of animals and processing of meat products.	L
ABUT OR ABUTTING	means immediately contiguous to, or physically touching, and when used with respect to a <i>lot</i> or a <i>parcel</i> , means that the <i>lot</i> or <i>parcel</i> physically touches another <i>lot</i> , <i>parcel</i> , or <i>development</i> , and shares a <i>property line</i> with it.	
ACCESSORY BUILDING OR ACCESSORY USE	means a <i>building</i> or <i>use</i> , separate and subordinate or incidental to the <i>principal building</i> or <i>use</i> located on the same site.	L

ACCESSORY BUILDING, FABRIC COVERED	means a <i>use</i> where a structure accommodates a use which is related to, but is incidental or subordinate to, the use of the <i>principal building</i> located on the same <i>parcel</i> . An Accessory Building, Fabric Covered is designed by virtue of easy assembly and dismantling, commercially constructed of metal or synthetic tube and fabric, plastic or similar materials, and covered with waterproof sheeting, synthetic sheeting or plastic film.	L
ACCESSORY DWELLING UNIT	See Dwelling, Accessory Unit .	L
ACCESSORY FARM BUILDING OR STRUCTURE	means <i>buildings</i> and/or <i>structures</i> used for storing grain, equipment, livestock, and anything else incidental to the agricultural operation of the <i>parcel</i> , but does not include a Dwelling, Accessory Unit , retail component, commercial storage of fertilizer, or facilities used for the processing of livestock or crops.	L
<i>ACT</i>	means the <i>Municipal Government Act</i> RSA 2000 c. M-26, as amended.	G
ACTIVE OUTDOOR RECREATION FACILITY	means land requiring substantial alteration or <i>development</i> to support sports and active recreation conducted outdoors, but not primarily to support tourism. Typical <i>uses</i> include sports fields, outdoor tennis courts, athletic fields, bowling greens, riding stables, racetracks, horseshoe pits, golf courses, skateboard parks, volleyball courts, and includes accessory <i>uses</i> such as park maintenance and service facilities, but does not include a Tourist Lodge Facility, Viewpoint, or Playground .	L
<i>ADJACENT</i>	means land that is contiguous to a <i>parcel</i> of land and includes land that would be contiguous if not for a <i>highway, road, river, stream, or railway</i> .	G
AGRICULTURAL PROCESSING FACILITY	means a facility where cleaning, drying, and other processes are used to prepare seed, grains, and other crops, not including cannabis, for agricultural purposes or consumption by humans or animals. An Agricultural Processing Facility may include warehousing of raw farm products and a retail component to wholesalers or consumers.	L
AGRICULTURAL SUPPLY DEPOT AND SALES	means a facility that specializes in the bulk storage of agricultural products and farm supplies and may include a retail component, but does not include sale or storage of fertilizers, or the processing of agricultural products.	L
AIRPORT ZONING REFERENCE POINT ELEVATION	in the case of airports, means 789.1 m (2640 ft.) above sea level, and is used to establish the height of the outer surface.	G
<i>AMENITY AREA</i>	means an indoor or outdoor space provided for the active or passive recreation and enjoyment of the occupants of a <i>development</i> , which may be for private or communal use and owned individually or in common.	G
<i>APPEAL BODY</i>	means the board hearing a <i>subdivision</i> or <i>development permit</i> appeal in accordance with the <i>Municipal Government Act</i> .	G

AREA REDEVELOPMENT PLAN	means a statutory plan adopted by bylaw in accordance with the <i>Municipal Government Act</i> . An Area Redevelopment Plan provides the framework to guide future redesignation, subdivision, and development permit applications on an area of land that must consider existing developments .	G
AREA STRUCTURE PLAN	Means a statutory plan adopted by bylaw in accordance with the <i>Municipal Government Act</i> . An Area Structure Plan provides the framework to guide future redesignation, subdivision, and development permit applications on and area of land that has little to no existing development .	G
ARTIST STUDIO	means a use : (a) where art is produced by individuals; (b) that may include the instruction of art to individuals or groups; and that may include the sale of art pieces produced by that use.	L
AUCTION FACILITY	means development specifically intended for the auctioneering of livestock, goods, and/or equipment, including temporary storage of such goods and may include the temporary holding of the livestock. This use does not include on-site slaughtering, such as an abattoir, or one-time on-site estate auction sales.	L
AUTO SALES AND SERVICE	See Vehicle Sales and Service .	L
AUTOMOBILE WRECKER/ SALVAGE ESTABLISHMENT	See Wrecking Yard .	L
AVERAGE GRADE	See Grade, Average .	
B	(Click here to return to Definitions Index)	
BALCONY	means an extension of a floor projecting from the wall of a Building and enclosed by a parapet or railing.	G
BANK	See Financial Institution .	L
BASEMENT	means that portion of a building between two floor levels which is partly underground, but which has a portion of its height from finished floor to finished ceiling above the adjacent finished grade.	G
BASIC STRIP	in the case of airports, means a rectangular area measured as 60 m (200 ft.) out from each end of the runway, 45 m (150 ft.) on each side of the centre line of the runway, and with a total length of 1187 m (3900 ft.).	G
BED AND BREAKFAST ESTABLISHMENT	means a lodging facility within an owner-occupied dwelling having no more than three guest rooms and providing common dining facilities, but no cooking facilities in guest rooms.	L

BEEKEEPING	means the raising of honeybees for commercial purposes and may include onsite sales. All <i>Activity</i> related to beekeeping must comply with the <i>Bee Act</i> .	L
<i>BENCH (TOPOGRAPHICAL)</i>	means a plateau or level (slope, typically between 1% and 15%) occurring between the brink of one slope and the toe of another.	G
<i>BETTER AGRICULTURAL LAND</i>	means Canada Land Inventory (CLI) Capability for Agricultural Classifications 1 to 4. The CLI rating is subject to confirmation from site inspection, land assessment records or other detailed soil investigations.	G
BIOGAS	See Waste Management Facility .	L
BULK FERTILIZER STORAGE AND SALES	See Commercial Fertilizer Supply and Sales .	L
BULK OIL AND FUEL DEPOTS & SALES	means land, <i>buildings</i> and equipment used for the bulk storage, dispensing and sale in bulk quantities of liquid or gaseous fuel but does not include a Service Station .	L
<i>BRINK OF SLOPE</i>	As shown on Figure 1: Topographical features , means the point where a slope begins to fall off steeper than 20%.	G
<i>BUILDING</i>	means a roofed <i>structure</i> with solid exterior walls and which is used or intended to be used as shelter for persons, animals, equipment, or goods and services.	G
<i>BUILDING HEIGHT</i>	means the vertical distance measured from the <i>average grade</i> and the highest point of a <i>building</i> , excluding a roof, stairway entrance, elevator shaft, ventilating fan, skylight, steeple, chimney, smoke stack, <i>fire wall</i> or parapet, flagpole, or similar devices not structurally essential to the <i>building</i> .	G
<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;">  <p>Front Parcel Line Mid-point</p> <p>Building</p> <p>Rear of Building</p> <p>Rear Parcel Line</p> </div> <div style="text-align: center;">  <p>Building</p> <p>Height of Building</p> <p>Rear of Building</p> <p>Average Grade</p> <p>Front Parcel Line Mid-point</p> </div> </div>		

BUILDING LINE	<p>means the extended line of the wall of the building or any portion of the building which faces the line of the parcel.</p> 	G
BUILDING LINE, FRONT	means a line parallel to the Front Parcel Line drawn across the parcel through the point where a Building on the parcel is closest to the Front Parcel Line.	G
BUILDING LINE, REAR	means a line parallel to the Rear Parcel Line drawn across the parcel through the point where a Principal Building on the parcel is closest to the Rear Parcel Line.	G
C	(Click here to return to Definitions Index)	
CAMPGROUND	means a recreational development for the purpose of providing temporary accommodation mainly for recreational vehicles and tents and may include other camp-style accommodations such as yurts and small seasonal cabins. A campground is not construed to mean a development for the purpose of accommodating long-term or permanent occupancy by recreational vehicles or Manufactured Homes.	L
CANNABIS ACCESSORY	means cannabis accessory as defined in the <i>Cannabis Act</i> (Canada) and its regulations, as amended from time to time.	G

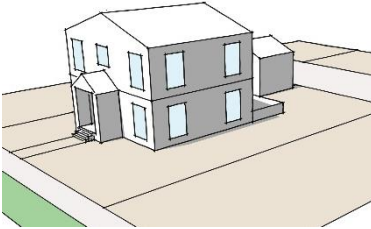
CANNABIS CAFÉ	means a development where the primary purpose of the facility is the sale of Cannabis to the public, for consumption within the premises and which is authorized by provincial and federal legislation.	L
CANNABIS PRODUCTION FACILITY	means a facility providing for the production, storage, processing and/ or distribution of cannabis and which is owned or operated by a licensed cannabis producer or distributor.	L
CANNABIS RETAIL SALES	means a retail store licensed by the Province of Alberta where Cannabis and Cannabis Accessories are sold to individuals who attend the premises.	L
CAR WASH	means an establishment for the washing of motor vehicles, which may employ production-line methods, mechanical devices, staffed hand wash facilities, or unstaffed self-wash facilities, and may include washing stations for pets.	L
CEMETERY	means a use of land that may include structures and buildings to accommodate ceremonies and/ or remains of the deceased.	L
CHURCH	See Indoor Recreation or Cultural Facility .	L
COMMENCEMENT OF DEVELOPMENT	means the moment construction is started on a site (e.g. excavation, mobilizing machinery on site) or the land use has begun.	G
COMMERCIAL FERTILIZER SUPPLY AND SALES	A facility that specializes in the bulk storage and sale of solid and liquid fertilizers and includes other agricultural chemicals.	L
COMMERCIAL HORTICULTURE	means the production of crops that does not require large areas of land and/or large amounts of water to support cultivation, and may include greenhouse structures, but does not include a Cannabis Production Facility .	L
COMMERCIAL RIDING STABLES	See Indoor Recreation or Cultural Facility .	L
COMMERCIAL TOURIST FACILITY	See Tourist Lodge Facility .	L
COMMUNICATION FACILITY	See Data Centre .	L
COMMUNITY GARDEN	means land used for agricultural activities conducted at a neighbourhood scale and where the produce is not primarily intended for commercial sale.	L
COMPREHENSIVELY PLANNED AREA	means an area of the County that is guided by a comprehensive statutory plan inclusive of an Area Structure Plan or Area Redevelopment Plan in accordance with the provisions of the <i>Act</i> . These plans recognize the physical, economic, social, political, aesthetic, and related factors of the community involved.	G
CONCEPT PLAN	means a non-statutory plan adopted by resolution.	G

COMMUNITY HALL	See Indoor Recreation or Cultural Facility .	L
CONFINED FEEDING OPERATION	means an <i>Activity</i> on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the <i>Agricultural Operations Practices Act</i> through the Natural Resources Conservation Board.	L
CONVENIENCE STORE	See Retail & Service, General	L
CONVENTION FACILITY	See Indoor Recreation or Cultural Facility and/or Hotel/Motel .	L
CORNER PARCEL	See Parcel, Corner	G
COUNCIL	means the elected <i>Council</i> of Starland County	G
COUNTRY RESIDENTIAL	means a Dwelling Unit situated on a parcel of land used principally for private residential purposes within an otherwise rural area.	G
COUNTRY RESIDENTIAL DECLARATION	means a form provided by the Municipality as part of a residential application for development or subdivision. The form contains a statement asking the applicant to acknowledge non-residential land <i>uses</i> with off-site impact may be in proximity to their development.	G
COUNTRY RESIDENTIAL – GROUPED	means 2 or more parcels of land used principally for residential purposes within an otherwise rural area and are situated within the same quarter section.	G
D	(Click here to return to Definitions Index)	
DATA CENTRE	means a building or group of buildings housing computer systems that provide processing, storage, or distribution services.	L
DAY HOME	means a childcare facility operated from a private residence for up to and including 6 non-resident children between the ages of 0 and 12 and complies with the Alberta Family Day Home Standards.	L
DAYCARE CENTRE	means a facility providing group day care, family daycare, nursing school, child minding, out of school care, or specialized daycare for more than six non-resident children between the ages of 0 and 12.	L
DECK	means a flat, floored concrete or wooden structure, usually elevated above grade level and usually adjoining a dwelling and accessory to the principal residential use or building. A deck may consist of roofing and means of vertical enclosure but will not include any insulation or heating apparatus contained within the structure.	G
DENSITY	means a measure of <i>development</i> intensity expressed as a ratio of the number of Dwelling Units to <i>parcel area</i> .	
DETACHED DWELLING	See Dwelling, Detached	L

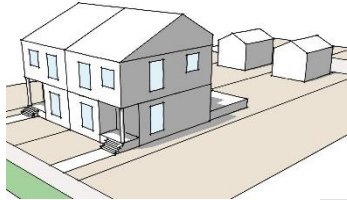
DEVELOPMENT	<p>means:</p> <ul style="list-style-type: none"> a) an excavation or stockpile and the creation of either of them; or b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on or under land of any of them; or c) a change of use of land or a building, or an <i>Act</i> done in relation to land or a building that results or is likely to result in a change in the land or the building; or d) a change in the intensity of use of land or building that results in or is likely to result in a change in the intensity of use of the land or building. 	G
DEVELOPMENT AUTHORITY	means a person, or persons, appointed as the <i>Development Authority</i> by Bylaw.	G
DEVELOPMENT COMMENCEMENT	means the moment construction is started on site (i.e., Excavation) or the land use has begun for the purposes of the <i>development permit</i> application.	G
DEVELOPMENT COMPLETION	means the moment the required building/ <i>development permit</i> conditions and requirements have been met for the purposes of the <i>development permit</i> application and/ or the final inspection reports have been received (as required for the project).	G
DEVELOPMENT OFFICER	means a person appointed by <i>Council</i> via bylaw for performing <i>Development Authority</i> duties on behalf of Starland County.	G
DEVELOPMENT PERMIT	means a document authorizing development issued under this Land Use Bylaw.	G
DISCRETIONARY USE	means a use for which a <i>development permit</i> <u>may</u> be issued at the discretion of the <i>Development Authority</i> .	G
DISTILLERY	See Microbrewery & Craft Distillery .	L
DRINKING ESTABLISHMENT	means an establishment licensed by the Alberta Gaming, Liquor and Cannabis (AGLC) Commission, in which alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto. This term refers to bars, taverns, pubs and lounges.	L

Dwelling Unit Types

The following images are provided for convenience only.
Where there is a conflict between the image and the text, the text prevails.



DWELLING, DETACHED



DWELLING, DUPLEX



DWELLING, ATTACHED



DWELLING, MANUFACTURED
or



DWELLING,
MANUFACTURED

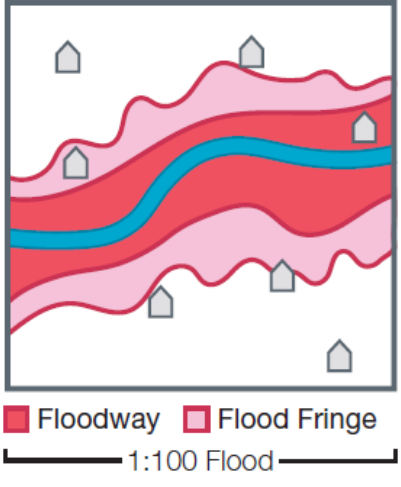


DWELLING, TINY HOME

DWELLING, ACCESSORY UNIT	means a self-contained Dwelling Unit that is subordinate to and under one title with the principal <i>residential use</i> .	L
DWELLING ACCESSORY UNIT, ATTACHED	means a <i>use</i> where an Accessory Dwelling Unit is located within or attached to the <i>building</i> containing the principal <i>residential use</i> .	L
DWELLING ACCESSORY UNIT, DETACHED	means a <i>use</i> where an Accessory Dwelling Unit is located on the same <i>parcel</i> as, but within a separate <i>building</i> , from the principal <i>residential use</i> .	L
DWELLING, ADDITIONAL RURAL	means the third or more Dwelling Unit on a parcel. At the discretion of the <i>Development Authority</i> , an Additional Rural Dwelling Unit may be in one or more of the following forms: Detached, Duplex, Manufactured, Attached, or Dwelling, Accessory Unit.	L
DWELLING, APARTMENT	means a building designed for residential use that is divided into five (5) or more Dwelling Units and where two or more Dwelling Units share a common entrance.	L
DWELLING, ATTACHED	means a building designed for residential use consisting of three (3) or more Dwelling Units , each of which has an individual entrance to the outdoors. This includes townhouse <i>uses</i> , rowhouse <i>uses</i> , triplexes and fourplexes, but does not include an apartment.	L

DWELLING, DETACHED	means a building that contains one Dwelling Unit and is physically detached from any other Dwelling Unit. A Detached Dwelling does not include a Dwelling, Manufactured; Dwelling, Dwelling, Accessory Unit; or Recreational Vehicle.	L
DWELLING, DUPLEX	means a building consisting of two Dwelling Units . Each dwelling shall have separate, individual, and direct access to grade, with no interior access connections/ access between Dwelling Units. A Dwelling, Duplex does not include a Dwelling, Accessory Unit.	L
		L
DWELLING, MANUFACTURED	means a <i>use</i> where a transportable, single or multiple section <i>building</i> conforming to CSA standards at the time of construction that contains a Dwelling Unit and when placed on a permanent foundation is ready for <i>residential use</i> and occupancy. A Manufactured Dwelling includes such styles known as modular homes, manufactured homes and Ready to Move (RTM) Homes.	L
DWELLING, MOBILE	See Dwelling, Manufactured .	L
DWELLING, MODULAR HOME	See Dwelling, Manufactured .	L
DWELLING, READY-TO-MOVE (RTM)	See Dwelling, Manufactured .	L
DWELLING, RURAL (FIRST)	means the first Dwelling Unit on a rural parcel not in a hamlet in one or more of the following forms: Detached Dwelling, Duplex Dwelling, Manufactured Dwelling, or Dwelling, Accessory Unit.	L
DWELLING, RURAL (SECOND)	means the second Dwelling Unit on a rural parcel not in a hamlet in one or more of the following forms: Detached Dwelling, Duplex Dwelling, Manufactured Dwelling, or Dwelling, Accessory Unit.	
DWELLING, SEMI-DETACHED	See Dwelling, Duplex	L
DWELLING, TINY HOME	A Tiny Home means: <ul style="list-style-type: none"> a) A <i>building</i> that conforms to the <i>Alberta Building Code</i>; b) a <i>principle building</i> that is residential in appearance and character; c) used as a <i>temporary</i> or permanent Dwelling Unit; d) is between 23m² (250 ft² and 65 m² (700 ft²) <i>in floor area</i>; e) is physically detached from any other Dwelling Unit on the property; and f) conforms to Section 3.5 – Manufactured Dwellings. 	L
DWELLING UNIT	means a <i>building</i> or a self-contained portion of a <i>building</i> for the <i>residential use</i> of one or more people living as a single housekeeping unit, and containing complete sleeping, cooking and toilet facilities.	L

E	(Click here to return to Definitions Index)	
EASEMENT	means the right to use land generally for access to other property or as a right-of-way for a public utility .	G
EATING AND DRINKING ESTABLISHMENT	means a development where food and beverages are prepared and served and may include supplementary alcoholic beverage service licensed by the Alberta Gaming, Liquor and Cannabis (AGLC) Commission. This term refers to such uses as restaurants, cafes, lunch and tearooms, ice cream parlors, banquet facilities and take-out restaurants.	L
EAVE	means the edges of the roof that overhang past the walls of a building that primarily function to protect a building from rain and to provide ventilation.	G
EDUCATIONAL INSTITUTION	means buildings and structures used for the assembly of persons for educational purposes, where classrooms, libraries, offices, recreational facilities, and other related facilities are provided for course participants and staff, and where dormitory accommodations and common kitchen and dining facilities may also be provided.	L
EXISTING	means existing as of the date of adoption of this Land Use Bylaw.	G
EXTENSIVE AGRICULTURE	means the production of crops and/or raising of livestock that requires large areas of land and/or large amounts of water to support operations, but does not include Confined Feeding Operations , residential uses , or a Cannabis Production Facility .	L
F	(Click here to return to Definitions Index)	
FABRIC COVERED BUILDING	See Accessory Building or Structure and Accessory Farm Building or Structure .	G
FARM AND INDUSTRIAL MACHINERY SALES AND SERVICE	See Service, Repair and Equipment Rental Shop .	L
FARM ANIMAL UNITS	means for a type of Farm Animal , the number determined by dividing the number of individuals of the type of Farm Animal by the factors listed in Table 5: Farm Animal Units for that type of Farm Animal .	G
FARM BUILDING	See Accessory Farm Building or Structure .	L
FARM DWELLING	See Dwelling, Rural or Dwelling Additional Rural .	L
FARMERS MARKET	A temporary, seasonal, or occasional market held in an open area or in a structure where groups of individual sellers offer for sale to the public items such as fresh farm produce, food, beverages, arts, crafts and other retail goods.	L

FARMSTEAD SEPARATION	means the approval by the <i>Subdivision Authority</i> to subdivide out a <i>parcel</i> of land for an <i>existing Dwelling Unit</i> and related improvements (shelterbelts, corrals, barns, sheds, wells, septic systems etc.) which normally are associated with a farm operation.	G
FEED MILL	See Agricultural Processing Facility .	L
FENCE	means a physical barrier constructed to restrict visual intrusion or unauthorized access or both.	G
FERTILIZER STORAGE AND DISTRIBUTION	See Commercial Fertilizer Storage and Sales .	L
FINANCIAL INSTITUTION	means a business that is open to the public and engaged in banking and that performs closely related functions such as making loans, and investments, and may include the provision of automatic teller machines.	L
FLOOD, DESIGN	<p>means the minimum design standard in Alberta for <i>floodproofing</i>, which is a 1:100 flood event. A 1:100 event is defined as 'a flood whose magnitude has a 1% chance of being equaled or exceeded in any year'. The design flood can also reflect 1:100 ice jam flood levels and is based on historical flood events.</p> 	G
FLOOD FRINGE	means the portion of the <i>flood hazard area</i> outside of the <i>floodway</i> . Water in the <i>flood fringe</i> is generally shallower and flows more slowly than in the <i>floodway</i> .	G
FLOOD HAZARD AREA	means an area of land that will be inundated with water during a high-water event that meets or exceeds the 1:100 design flood. The <i>flood hazard area</i> is divided into two zones, the <i>floodway</i> and the <i>flood fringe</i> , and may also include areas of <i>overland flow</i> .	G

FLOOD, OVERLAND FLOW	means areas of land where surface water drains towards the <i>floodway</i> during a high-water event. Lands impacted by overland flows may form part of a <i>flood hazard area</i> , as determined by a <i>qualified professional</i> engineer.	G
FLOODPROOFING	means the alteration of land, or construction of <i>buildings</i> and <i>structures</i> to mitigate flood damage to a <i>parcel</i> , which may include but is not limited to: altering <i>grade</i> elevations, discouraging <i>development</i> in <i>flood hazard areas</i> to maintain flood flows, erosion control measures, floodgates, etc.	G
FLOODWAY	means the portion of the <i>flood hazard area</i> where flows are deepest, fastest and most destructive. The <i>floodway</i> typically includes the main channel of a stream and a portion of the <i>adjacent</i> overbank area.	G
FLOOR AREA	means the total <i>floor area</i> of every room and passageway contained in a <i>building</i> , not including the floor areas of <i>basements</i> , attached garages, sheds, open porches, <i>patios</i> , open <i>decks</i> , verandas or breezeways.	G
FLOOR AREA RATIO (FAR)	means the ratio between the <i>gross floor area</i> of all the <i>buildings</i> or <i>structures</i> on the <i>parcel</i> and the total area of the <i>parcel</i> upon which all the <i>buildings</i> or <i>structures</i> are situated.	G
FOOD PROCESSING, STORAGE, AND SALES	means a facility in which raw farm products combined with other consumable ingredients to produce marketable products for consumption that can be easily prepared and served by the consumer, and where raw farm products may be warehoused prior to being sold either directly to consumers or for wholesale, and the selling of raw farm products either directly to consumers or for wholesale. See Agricultural Processing Facility.	L
FRONT BUILDING LINE	See Building Line, Front.	G
FRONT LOT LINE	See Parcel Line, Front.	G
FRONT SETBACK	See Setback, Front.	G
FRONTAGE	means the distance along the <i>property line adjacent</i> to a <i>highway</i> or <i>public street</i> .	G
G	(Click here to return to Definitions Index)	
GOLF COURSE	See Active Outdoor Recreation Facility.	L
GOVERNMENT INSTITUTION	means a use where municipal, provincial or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property. Typical facilities would include police stations, fire stations, courtho <u>uses</u> , post offices, municipal offices, social service offices, and employment offices.	L

GRADE	means the geodetic elevation of the existing ground in an undisturbed natural state or an approved design grade as described in a grading plan.	G
GRADE, AVERAGE	means the average elevation at the mid-point along the <i>front parcel line</i> and the finished ground elevation at the rear of the <i>building</i> . (Refer to <i>building height</i>)	G
GROSS FLOOR AREA	means the sum of the areas of all above <i>grade</i> floors of a <i>building</i> measured to the outside surface of the exterior walls, or where <i>buildings</i> are separated by <i>fire walls</i> , to the centre line of the common <i>fire walls</i> , and includes all mechanical equipment areas and all open areas inside a <i>building</i> that do not contain a floor including atriums, elevator shafts, stairwells and similar areas. For greater clarity, a walk-out <i>basement</i> is not included in the calculation of <i>gross floor area</i> , but <i>Dwelling units</i> in the <i>basement</i> of an <i>Apartment</i> shall be included in the calculation of <i>gross floor area</i> .	G
GROUP CARE FACILITY	See Special Care Housing.	G
H	(Click here to return to Definitions Index)	
HABITABLE AREA	means any room or space within a building or structure which is or can be used for human occupancy, commercial sales, or storage of goods, possessions, or equipment (including furnaces) which would be subject to damage if flooded.	G
HANGER	is a closed building or structure, with a large floor area typically to hold aircraft in protective storage and may include airport related industrial or commercial <i>uses</i> .	G
HEAVY MANUFACTURING	See Manufacturing, Heavy.	L
HEIGHT	means the vertical distance from one point to another point.	G
HEIGHT OF SLOPE	means the point where a slope begins to rise steeper than 20%.	G
HEIGHT, BUILDING	See Building, Height.	G
HIGHWAY	means a road designated and classified as a provincial highway by the Province of Alberta.	G
HOME OCCUPATION – MAJOR	means a commercial or industrial use subordinate to the residential character of the subject property that is of a significant size or intensity of operation that it is likely to have off-site impact such as noise, dust, vibrations, traffic or visual change to the property. A Home Occupation – Major may include on-premise sales, commercial deliveries, on-site outdoor storage, display of goods, off-site employees, on-site advertising, and food prepared on-site.	L

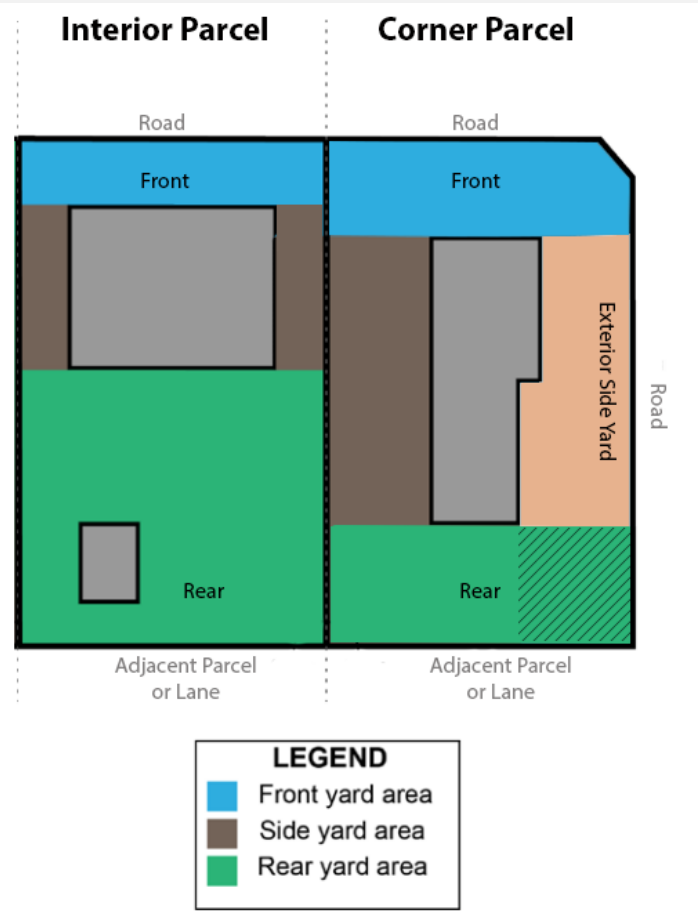
HOME OCCUPATION – MINOR	means a commercial use subordinate to the residential character of the property that is a moderate size or intensity of operation and may have minor off-site impact, such as noise, dust, or traffic. A Home Occupation – Minor may include limited on-premise sales, commercial deliveries, indoor storage, off-site employees, and on-site advertising.	L
HOME OCCUPATION – PHONE & DESK	means a commercial use subordinate to the residential character of the property that consists of a home office and associated equipment and areas. A Home-Occupation – Phone & Desk shall not include off-site employees, commercial deliveries, outdoor storage, on-site advertising, use of accessory buildings, food preparation, or on-premise sales.	L
HOSPITAL	means a facility that provides health, medical, and/or surgical care to the sick or injured and may include accessory <i>uses</i> including but not limited to, laboratories, outpatient clinics, cafeterias, gift shops, training facilities, classrooms, and offices integral to the function of the Hospital.	L
HOTEL/MOTEL	means a <i>use</i> where temporary or short-term sleeping accommodations are provided in rooms or suites, which may contain kitchen facilities. This definition includes hotels, motels, hostels and similar overnight accommodations. This may include additional facilities or services such as Eating and Drinking Establishments , meeting or banquet rooms, Personal Service Establishments , a manager's suite and convention facilities.	L
I	(Click here to return to Definitions Index)	
IMPERVIOUS SURFACE	means ground, covered ground, buildings, or structures which water cannot infiltrate.	G
INDOOR RECREATION OR CULTURAL FACILITY	means the use of buildings or structures for recreation, amusement, cultural, religious, or entertainment primarily conducted indoors, such as billiard halls, community halls, bowling alleys, arcades, fitness centres, sport facilities, gymnasiums, dance studios, theatres, cinemas, auditoria, swimming pools, concert halls, places of worship, and galleries.	L
INDUSTRIAL PARK	means the development of three or more contiguous parcels of land for industrial purposes.	L
INDUSTRIAL PLANT	See Manufacturing, Heavy; Manufacturing, Light; Agricultural Processing Facility	L

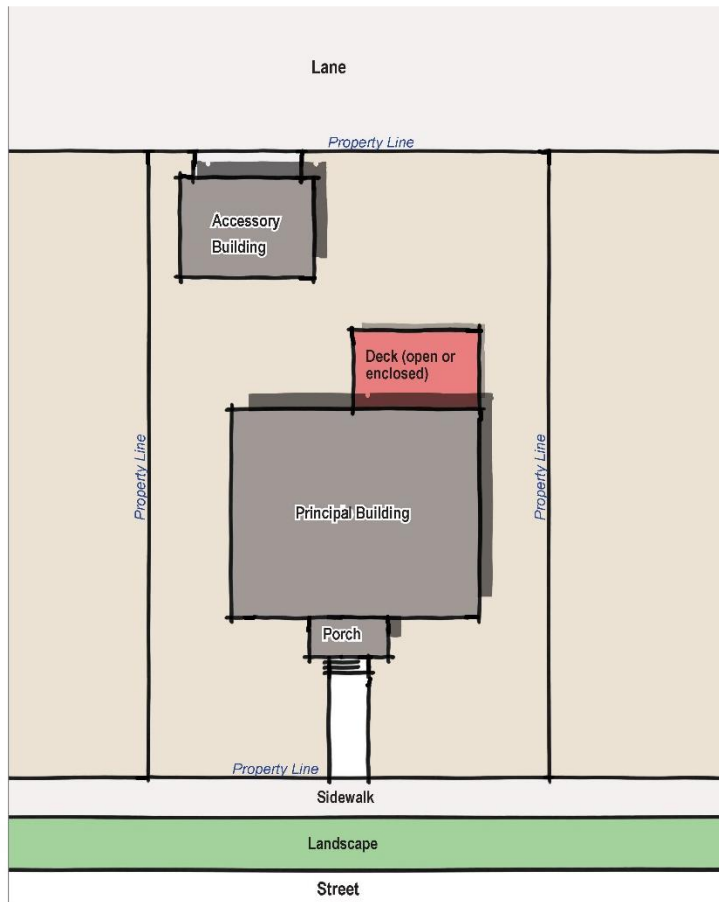
INDUSTRIAL STORAGE YARD	<p>means a use:</p> <ul style="list-style-type: none"> a) where goods, motor vehicles or equipment used in road construction, building construction, oilfield services and similar industries are stored outdoors when they are not being used; or b) where the vehicles and equipment stored may also be serviced, cleaned or repaired; or c) that may involve the storage of construction material such oil and gas pipeline materials; or d) that does not involve the storage of any derelict vehicles or derelict equipment; or e) that does not involve the production or sale of goods as part of the use; or <p>that may have a building for the administrative functions associated with the use.</p>	L
	f)	
INTENSIVE AGRICULTURAL OPERATION	means a farming that involves approvals required by the Natural Resources Conservation Board.	L
INTENSIVE VEGETATIVE OPERATION	See Commercial Horticulture.	L
INVOLUNTARY SEVERANCE	means a subdivision of land necessary for roads, utilities, oil and gas facilities and other similar land <i>uses</i> that result in a parcel of land that is less than a quarter section (160 ac more or less).	G
K	(Click here to return to Definitions Index)	
KENNEL	means any place where three or more dogs and/or cats over six months of age are maintained, boarded, bred, trained, or cared for remuneration or sale.	L
L	(Click here to return to Definitions Index)	
LANDFILL	See Waste Management Facility.	L
LANDSCAPE SCREEN	means an opaque barrier formed by a row of shrubs, trees or by a wooden <i>Fence</i> or masonry wall or by a combination of these.	G
LANDSCAPED AREA	means that portion of a <i>parcel</i> which is required to be <i>landscaped</i> pursuant to district regulations or conditions of approval of a <i>development permit</i> .	G
LANDSCAPING	means any combination of trees, bushes, shrubs, plants, flowers, lawns, bark mulch, decorative gravel, decorative paving, planters, decorative fences, and the like, arranged and maintained so as to enhance the appearance of the property and shall not include paved <i>Parking Areas</i> , sidewalks, uncleared natural bush, undergrowth or weed growth.	G

LANE	means a public roadway usually less than 10.00 metres wide typically providing secondary access to one or more parcels.	G
LARGE WIND ENERGY SYSTEM	See Wind Energy System, Large .	L
LIBRARY	Means a public, facility in which literary, musical, artistic, or reference materials such as but not limited to books, manuscripts, computers, recordings, or films are kept for use by or loaning to patrons of the facility but are not normally offered for sale. See Indoor Recreation or Cultural Facility	L
LIGHT MANUFACTURING	See Manufacturing, Light .	L
LOADING AREA, OFF-STREET	means an area designed for the loading and unloading of goods from motor vehicles located on the same lot as the building, structure, or use that requires an off-street loading area.	G
LOADING STALL	means a space within an off-street parking area for the loading and unloading of goods from motor vehicles, excluding driveways, ramps, columns, offices, and work areas.	G
LOT	means a 'lot' as defined in the <i>Municipal Government Act</i> , Part 17. Also see the related definition Parcel .	G
M	(Click here to return to Definitions Index)	
MANUFACTURING, HEAVY	means the creating, fabricating, processing, production, assembly, or packaging of materials, goods, or products and their distribution, which may generate a detrimental impact, potential health or safety hazard or nuisance beyond the boundary of the parcel and may include supplementary warehouse and staging facilities.	L
MANUFACTURING, LIGHT	means the creating, fabricating, processing, production, assembly, or packaging of materials, goods, or products and their distribution, which does not generate any detrimental impact, potential health or safety hazard or nuisance factors beyond the boundary of the lot.	L
		L
MASTER SITE PLAN	means a plan that provides design guidance for the development of a large area of land with little or no anticipated subdivision. The purpose of the Master Site Plan is to prove that future phases of development can occur in compliance with this Land Use Bylaw and other applicable Municipal standards, but does not constitute an approval, endorsement, permit, or guarantee of such for future phases. Each phase of <i>development</i> requires a new <i>development permit</i> application.	G
MEDICAL MARIHUANA PRODUCTION FACILITY	See Cannabis Production Facility .	L

MICROBREWERY & CRAFT DISTILLERY	means a Licensed Microbrewery & Craft Distillery that includes the brewing or distilling of alcoholic beverages or alcoholic products, which may include an associated bar, restaurant, public tasting, or may include the wholesale or retail sale of products that are manufactured on-site.	L
MIXED USE DEVELOPMENT	means a <i>building</i> which integrates a mixture of compatible residential and commercial land <i>uses</i> , but typically maintains separate site and building entrances for residents and commercial users.	L
MOBILE HOME	See Dwelling, Manufactured	L
MANUFACTURED HOME PARK	means a <i>parcel</i> of land that has been planned, divided into Manufactured Home sites and improved for placement of Manufactured Homes for permanent <i>residential use</i> .	L
MODULAR HOME	See Dwelling, Manufactured	L
MULTIPLE UNIT DWELLING	See Dwelling, Attached or Dwelling, Apartment .	L
MUNICIPAL PLANNING COMMISSION (MPC)	means the <i>Municipal Planning Commission</i> established by <i>Council</i> in accordance with the <i>Act</i> .	G
MUNICIPAL WORKS	See Utility	L
MUNICIPALITY	means Starland County.	G
MUSEUM	See Indoor Recreation or Cultural Facility .	L
N	(Click here to return to Definitions Index)	
NATURAL BOUNDARY	means the visible high water mark of any lake, river, stream or other body of water where the presence and <i>Action</i> of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself. In addition, the Natural Boundary includes edge of dormant or old side channels and marsh areas.	G
NATURAL RESOURCE EXTRACTION AND PROCESSING FACILITY	means the Extraction of natural resources such as clay, sand, gravel, limestone, coal, petroleum and other minerals, and may include primary treatment into a raw, marketable form.	L
NON-CONFORMING BUILDING	means a building lawfully constructed or lawfully under construction at the date a Land Use Bylaw affecting the building or the land on which the building is situated becomes effective, and that on the date the Land Use Bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.	G

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 a Land Use Bylaw affecting the land or building becomes effective, and that on that date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not comply with the Land Use Bylaw.	G
NUISANCE GROUNDS	see Waste Management Facility .	L
O	(Click here to return to Definitions Index)	
OUTER SURFACE	in the case of airports, means an imaginary common plane established at a constant elevation of 45 m (150 ft.) above the airport zoning reference point elevation and extending to the boundary of the "AD" - Airport District.	G
OVERLAND FLOW	See Flood, Overland Flow .	G
P	(Click here to return to Definitions Index)	

PARCEL	<p>means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office. Also see definition for Lot.</p>  <p>The diagram illustrates two types of parcels: an Interior Parcel and a Corner Parcel. Both parcels are shown with a front yard (blue), side yard (brown), and rear yard (green). The Interior Parcel is a rectangular lot with a front yard, side yard, and rear yard. The Corner Parcel is a lot at a street corner, with a front yard, side yard, and rear yard, and an exterior side yard. A legend defines the colors: blue for front yard area, brown for side yard area, and green for rear yard area.</p>	G
PARCEL AREA	means the total area of land within the Parcel .	G
PARCEL COVERAGE	Means the percentage of the <i>parcel area</i> covered by the area of all buildings including accessory buildings, and excludes balconies, bay windows, canopies and sunshades, cornices, eaves and gutters, roof overhangs, fire escapes, sills, steps, open and enclosed terraces at grade or similar projections.	G

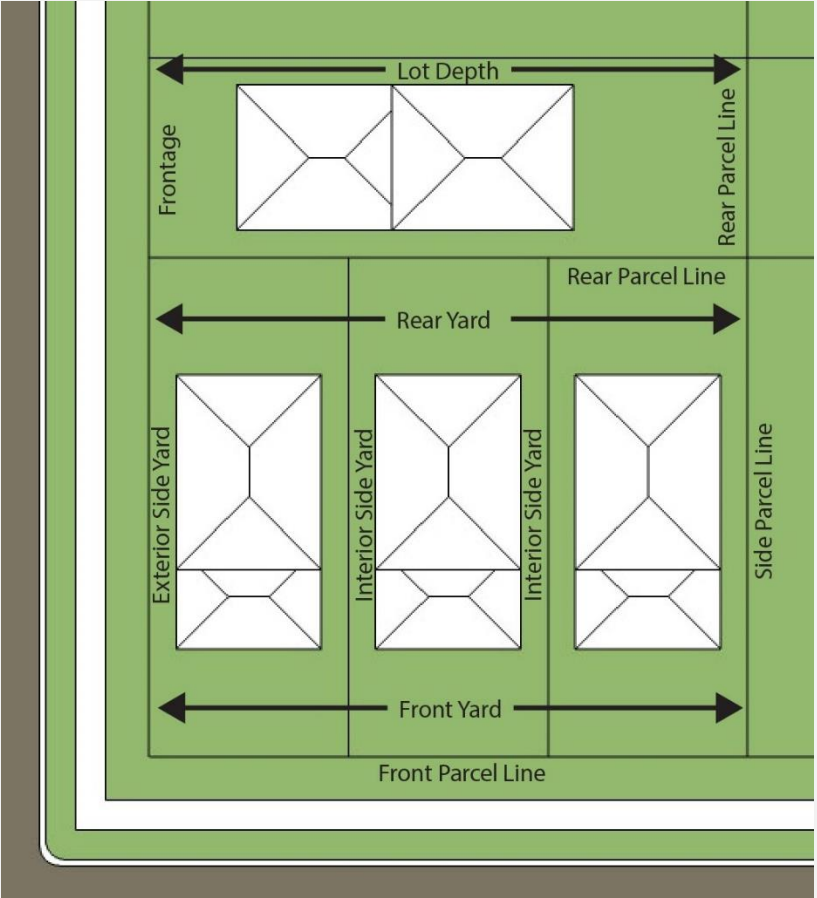


Plan

Site Coverage

 Area Included in Site Coverage Calculation

$$\frac{\text{Building Footprint(s)}}{\text{Lot Area}} = \text{Site Coverage \%}$$

PARCEL LINE	means the boundary of a parcel.	G
	 <p>The diagram illustrates a lot layout with various boundaries and yard measurements. At the top, a horizontal double-headed arrow labeled 'Lot Depth' spans the width of the lot. Below this, a 'Frontage' is indicated on the left, and a 'Rear Parcel Line' is indicated on the right. The lot is divided into three vertical sections by two 'Side Parcel Lines'. The leftmost section is labeled 'Exterior Side Yard'. The middle section is labeled 'Interior Side Yard'. The rightmost section is labeled 'Side Parcel Line'. The bottom of the lot is labeled 'Front Parcel Line'. The area between the 'Front Parcel Line' and the 'Rear Parcel Line' is labeled 'Rear Yard'. The area between the 'Front Parcel Line' and the 'Side Parcel Lines' is labeled 'Front Yard'.</p>	
PARCEL LINE, EXTERIOR SIDE	means a parcel line , other than a front parcel line or rear parcel line , which abuts a public street.	G
PARCEL LINE, FRONT	means the shortest Parcel Line that abuts a public street, unless otherwise determined by the Development Authority in accordance with Section 3.2.2.	G
PARCEL LINE, INTERIOR SIDE	means a Parcel Line other than a Rear or Front Parcel Line which is not common to a Public Street other than a lane, alley, or walkway.	G
PARCEL LINE, REAR	means the Parcel Line which lies the most opposite to and is not connected to the Front Parcel Line.	G
PARCEL WIDTH	means the average horizontal distance between two side Parcel Lines.	G

PARCEL, CORNER	means a parcel having frontage on two more public streets other than a lane, alley or walkway at their intersection.	G
PARCEL, REVERSE CORNER	means a residential <i>corner lot</i> where the front façade of the Dwelling Unit is oriented towards the longest <i>property line</i> which <i>abuts</i> a <i>road</i> which is considered the <i>front parcel line</i> . The <i>exterior side parcel line</i> of a <i>reversed corner lot</i> is the shorter <i>property line</i> which <i>abuts</i> a <i>road</i> .	
PARKING AREA	means an open area of land, above or underground, other than a street, used for the parking of vehicles and shall include parking spaces, ingress, egress, and maneuvering isles.	G
PARKING AREA, OFF-STREET	means a <i>parking area</i> located on the same <i>parcel</i> as the <i>building, structure, or use</i> .	G
PARKING SPACE	means a space within a <i>building</i> or <i>parking area</i> , for the parking of one vehicle, excluding driveways, aisles, ramps, columns, office and work areas.	G
PARKING SPACE, ACCESSIBLE	means a parking space that is accessible for those with mobility needs.	G
PARKING STALL	means a space within a <i>building</i> or <i>parking area</i> , for the parking of one vehicle, excluding driveways, aisles, and ramps.	G
PARTY WALL	means a wall common to two Dwelling Units joining the abutting units across a common interior lot line.	G
PASSIVE OUTDOOR RECREATION AREA	means an area with leisure activities that require little to no alteration or <i>development</i> of a site for public or private enjoyment of the landscape, natural habitat, or ecosystem. This may include activities such as wildlife observation, walking, biking, canoeing, picnicking, swimming, and/or learning of historical cultures and events.	L
PATIO	means a platform, the height of which may be up to but does not exceed 0.6 m from <i>grade</i> , that may or may not be attached to a <i>building</i> .	G
PERMITTED USE	means the <i>use</i> of land or a <i>building</i> which is listed as such use in a Land Use District or Direct Control District	G
PERSONAL PROPERTY	means material goods owned, used, and maintained by an individual, or individuals, and does not include merchandise which was obtained on consignment.	G
PERSONAL SERVICE	means a <i>building</i> used by a business for providing service to the person, including but not limited to medical clinic, dental clinic, barber shop or beauty salon.	L

PET CARE SERVICE	means a <i>use</i> where domestic pets are cleaned, groomed and cared for, where no boarding or kenneling of any animals occurs, and may include the incidental sale of products related to the services provided. This does not include a Kennel or Veterinary Clinic .	L
PLAYGROUND	means land used for play structures intended for use by children.	L
POST OFFICE	See Government Institution .	L
PRINCIPAL	means the main purpose for which a <i>building</i> or <i>parcel</i> is used.	G
PROFESSIONAL OFFICE	means a facility for the processing manipulation, or application of business information or professional expertise, and which may or may not offer services to the public. It does not include fabricating, assembling, or warehousing of physical products for retail or wholesale, nor does it include servicing and repair of goods or the sale of goods to the customer on site.	L
PROPERTY LINE	means the legal boundary of a <i>parcel</i> or <i>lot</i> .	G
PUBLIC OR QUASI-PUBLIC BUILDINGS	See Government Institution or Indoor Recreation or Cultural Facility .	L
PUBLIC STREET	means a street, <i>lane</i> , alley, or other thoroughfare intended for vehicular use.	G
PUBLIC WORKS	See Utility .	L
Q	(Click here to return to Definitions Index)	
QUALIFIED PROFESSIONAL	means individuals with experience and training in a particular discipline with a recognized degree, certification, license or registration.	G
R	(Click here to return to Definitions Index)	
REAR LOT LINE	See Parcel Line, Rear	G
RECREATION FACILITY OR USES	See Indoor Recreation or Cultural Facility and Active Outdoor Recreation Facility .	L
RECREATIONAL TRAILS AND PATHWAYS	See Passive Outdoor Recreation .	L
RECREATION VEHICLE	means a vehicle or a portable structure designed to be carried on a vehicle providing temporary sleeping accommodation for travel and recreation purposes. Recreational vehicles include but are not limited to motor homes, campers, and holiday trailers. Recreational vehicles do not include Dwelling, Manufactured . Recreational vehicles may be considered on a seasonal or semi-permanent basis in the districts where it is listed as a <i>permitted use</i> or <i>discretionary use</i> .	L

RECREATIONAL VEHICLE STORAGE FACILITY	means a use where Recreational Vehicles are kept for long-term storage when not in use by an occupant, but does not include the sale, service, rental, or repair of Recreational Vehicles.	L
RECYCLING DEPOT	means a building or facility in which recyclable materials are collected, sorted, and then shipped off-site for processing or Manufacturing.	L
REGULATION	means the <i>Matters Related to Subdivision and Development Regulation AR84/2022</i> , as amended, and any parallel or successor legislation.	G
RESIDENTIAL USE	means the <i>use</i> of a <i>parcel</i> for the purpose of a residence by a person or persons and does not include <i>use</i> of the property for commercial purposes. A <i>residential use</i> is one where the occupants have exclusive <i>use</i> for an indefinite amount of time except in accordance with a tenancy agreement under the <i>Residential Tenancies Act</i> or the <i>Mobile Homes Site Tenancies Act</i> .	G
RESTAURANT	See Eating and Drinking Establishment .	L
RETAIL & SERVICE, GENERAL	means a <i>building</i> where: <ul style="list-style-type: none"> a) merchandise, other than cannabis products, are offered for retail sale and stored only in reasonably sufficient quantities to supply normal retail needs; and/ or b) is used by a business to provide health or beauty services, such as a dental office, hair salon. A Retail & Service, General use does not include permanent outdoor display areas.	L
RETAIL & SERVICE, HEAVY	means a use where merchandize, vehicles, and/ or equipment is offered for retail sales with permanent outdoor display or storage areas, but does not include an Industrial Storage Yard , Recreational Vehicle Storage Facility , or Vehicle Sales & Service .	L
REPAIR SHOP	See Service, Repair & Equipment Rental Shop .	L
REVERSE CORNER PARCEL/ Lot	See: Parcel, Reverse Corner .	G
ROAD	means any public road, including the <i>boulevards</i> , sidewalks and improvements, but excluding a <i>lane</i> , <i>highway</i> or private road.	G
S	(Click here to return to Definitions Index)	
SCHOOL	See Educational Institution .	L
SCREENING	means a <i>fence</i> , earth berm, or hedge used to visually separate between <i>parcels</i> , districts or <i>uses</i> .	G
SEED CLEANING PLANT	See Agricultural Processing Facility .	L

SEED DRYING PLANT	See Agricultural Processing Facility .	L
SELF-STORAGE FACILITY	means a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of property and goods but does not include an Industrial Storage Facility , or Recreational Vehicle Storage Facility .	L
SENIORS RESIDENTIAL CARE	See Special Care Housing .	L
SERVICE STATION	means premises used principally for the retail sale of motor fuels, lubricating oils and motor vehicle accessories and the servicing of passenger vehicles and light trucks, and may include the auxiliary retail sale of other products, but shall not include any wholesale sales, automotive frame repairs, body repairs, or painting, heavy equipment, or heavy truck repair.	L
SERVICE, REPAIR & EQUIPMENT RENTAL SHOP	means a commercial enterprise where equipment, vehicles or machines are repaired and serviced for customers and may include rental of vehicles or equipment, but does not include a Recreational Vehicle Storage Facility , or Wrecking Yard .	L
SETBACK	means the minimum distance between a <i>building, structure, or use</i> , or from each of the respective <i>parcel lines</i> , or from a natural boundary or other reference line.	G
SETBACK, EXTERIOR SIDE	means the minimum distance between a <i>building, structure, or permitted use</i> , and the boundary between a highway or public street.	G
SETBACK, FRONT	means the minimum distance between a <i>building, structure, or permitted use</i> , and the front <i>parcel line</i> .	G
SETBACK, INTERIOR SIDE	means the minimum distance between a <i>building, structure, or permitted use</i> , and the boundary between two <i>lots</i> .	G
SETBACK, REAR	means the minimum distance between a <i>building, structure, or permitted use</i> , and the rear <i>parcel line</i> .	G
SHADE PROJECTION	means a <i>structure</i> that is attached to and projects from a <i>building</i> with the intent of providing shade or cover, and may include a <i>canopy</i> , awning, shade louvre, or pergola.	
SHADOW FLICKER	means the repetitive moving shadows or reflection cast from the rotor blades of a Small Wind Energy System as they pass through the sunlight.	G
SHIPPING CONTAINER	means a prefabricated container designed, constructed, and used for the transportation of goods by rail, ship, or truck, whether or not it is intended to continue to be used for this purpose.	L

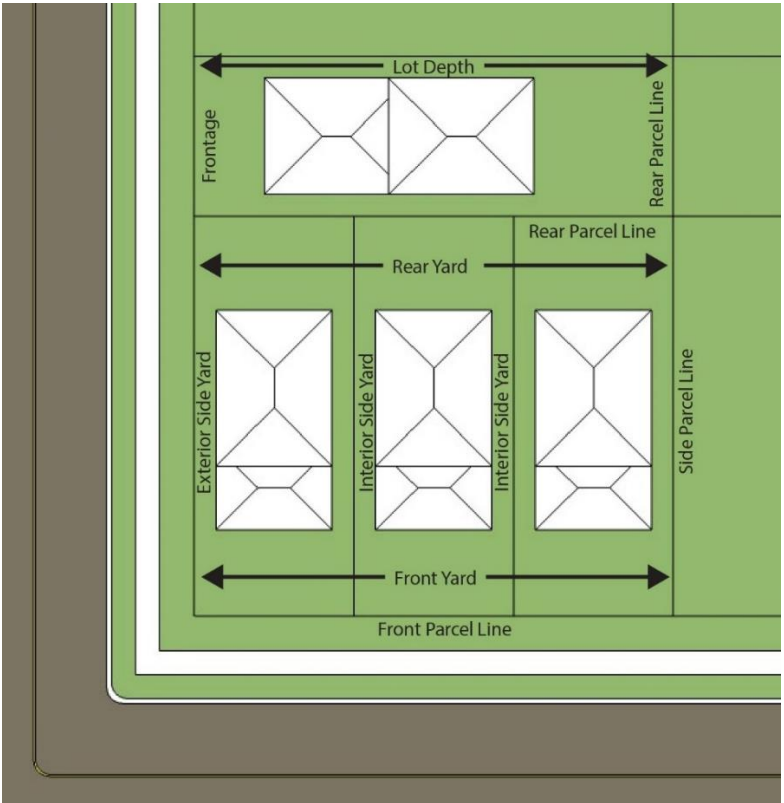
SIGN	means a device or structure for providing direction or providing information or calling attention to such things as a development , businesses, product, service, location, object, event, or person.	L
SIGN, AREA	means the total surface area within the outer periphery of the said sign , and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter or shall not be included in computation of surface area.	L
SIMILAR USE	means a use of a site or building in a District which, in accordance with Section 1.16.6, is so similar to a permitted use or discretionary use in that District that it meets the intent that District as set out in the purpose and intent statement but does not include a use that is specifically defined as a permitted or discretionary use in any other District.	G
PARCEL COVERAGE	See, parcel coverage .	G
SLOPE STABILITY	means the stability of a slope, which is a function of the steepness, soil material, moisture content, ground water condition, slope geometry and vegetation cover.	G
SMALL WIND ENERGY SYSTEM	See, Wind Energy System, Small .	L
SOLAR ENERGY SYSTEM – COMMERCIAL	means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy and is primarily intended to produce energy for off-site consumption and/or commercial purposes.	L
SOLAR ENERGY SYSTEM – MICROGENERATION	means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy for the purpose of meeting all or a portion of the total energy consumption of the development.	L
SPECIAL CARE HOUSING	means an institution or residential facility providing care to persons who require assistance based on age, infirmity, or other mental or physical condition. Special Care Housing may include ancillary uses that support residents, such as clinics, guest housing, staff housing, offices, food services, and health and beauty services.	L
STORAGE STRUCTURE	See Accessory Building or Use, and Shipping Container .	L
STORAGE YARD	See Industrial Storage Yard .	L
STOREY	means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of a floor and the ceiling above it.	G
STREET, PUBLIC	See Public Street .	G

STRUCTURE	means any construction fixed to, supported by or sunk into land or water but does not include fences, retaining walls, concrete, asphalt, brick, tile, or similar surfaced areas.	G
SUBDIVISION	means the division of a parcel of land by an instrument and “subdivide” has a corresponding meaning.	G
SUBDIVISION AUTHORITY	means a <i>Subdivision Authority</i> established as per the <i>Municipal Government Act</i> .	G
T	(Click here to return to Definitions Index)	
TAKE-OFF / APPROACH SURFACE	in the case of airports, means an imaginary surface consisting of an inclined plane: <ul style="list-style-type: none"> a) the commencement of which coincides with the end of the basic strip; b) that rises at a slope ratio of 1:40 (2.5%) measured from the end of the basic strip; c) that diverges outward on each side as it rises, at a rate of 10% measured from the respective projected sides of the basic strip; and d) that ends at its intersection with the outer surface. 	G
TELECOMMUNICATION STRUCTURE	means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals. Telecommunication Structures are regulated by Industry Canada, however municipal consultation is required, and considerations respected.	L
TEMPORARY	means a duration up to one year, unless otherwise approved by the <i>Development Authority</i> , for a specific use or project requirements.	G
TEMPORARY BUILDING or STRUCTURE	means a <i>building</i> that does not have its exterior walls supported on continuous concrete or masonry foundations or walls. A Temporary Building or Structure may be erected for construction purposes only on a <i>parcel</i> being developed for a period not to exceed the duration of the construction.	L
TEMPORARY USE	means a proposed <i>development</i> where the intent is to operate the <i>use</i> or <i>structure</i> for a specified period of time, not to exceed one year unless otherwise approved by the <i>Development Authority</i> in consideration of a land use that is temporary but has longer term requirements due to the specific use or project. Any temporary <i>development permit</i> application will state a date on which the <i>development</i> will cease.	L
TINY HOME	See <i>Dwelling, Tiny Home</i> .	L

TOURIST LODGE FACILITY	means the <i>use</i> of land and/or <i>building(s)</i> to provide a tourist-related goods or services to short-term overnight registered paying guests (e.g., guest ranch, hunting/outfitting lodge). This may include lodging for guests, and may include related dining facilities, sanitary facilities, retail component, and/ or ancillary assembly and recreation facilities for the exclusive use of guests. This definition does not include a Bed & Breakfast Establishment, Vacation Rental, Hotel/ Motel, Campground, or Active Outdoor Recreation Facility.	L
TRADE WORKSHOP	See Manufacturing, Light.	L
TRANSITIONAL SURFACE	in the case of airports, means an imaginary surface consisting of an inclined plane that: <ul style="list-style-type: none"> a) commences at and abuts the sides of the basic strip; b) rises at a slope ratio of 1:7 (14.3%) from an elevation at the centre point of the runway opposite the proposed <i>development</i>, and measured from the sides of the basic strip; and c) ends at its intersection with the outer surface and the take-off / approach surfaces. 	G
U	(Click here to return to Definitions Index)	
UN-SUBDIVIDED QUARTER SECTION	means a titled area under the land survey system of 64.7 hectares (160 ac) more or less but excluding <i>subdivisions</i> for <i>road</i> widenings, school sites and other public and quasi-public <i>uses</i> .	G
USE	means the purpose for which any <i>parcel</i> , tract of land, <i>building</i> or <i>structure</i> is designed, arranged or intended or for which it is occupied or maintained.	G
UTILITY	means a <i>use</i> where a system or works are provided for treatment, storage or distribution of one or more of the following: <ul style="list-style-type: none"> a) waterworks; b) sewage disposal; c) public transportation; d) irrigation; e) drainage; f) fuel; g) electric power; h) heat; i) waste management (excluding a Waste Transfer Station); and j) communications (excluding a Telecommunication Structure). 	L
V	(Click here to return to Definitions Index)	

VACANT PARCEL	means the approval by the <i>Subdivision Authority</i> to subdivide a parcel of land that does not contain any active use, or any permanent structures or buildings. For clarity, land used for agricultural purposes compliant with this Bylaw is not considered to be vacant land (see Extensive Agriculture).	G
VACATION RENTAL	means a Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as AirBnB, VrBo, TurnKey, HomeAway, etc. A Vacation Rental does not include a Bed & Breakfast Establishment .	L
VEHICLE SALES AND SERVICE	means an establishment where a person may purchase a new or used automobile, truck, motorcycle, or RV (Recreational Vehicle) and/or vehicle maintenance and servicing.	L
VEHICLE, DERELICT	means any vehicle no longer in road worthy condition, in a state of disrepair, wrecked or being dismantled but does not include vehicles stored in <i>buildings</i> , commercial or farm vehicles or vehicles used for commercial or industrial purposes on land designated for commercial or industrial use in this Bylaw.	G
VETERINARY CLINIC, CLASS 1 (SMALL ANIMAL)	means a facility for the medical treatment of small or large animals and includes provision for their overnight accommodation within the <i>building</i> only and may include associated office space.	L
VETERINARY CLINIC, CLASS 2	means a facility for the medical care and treatment of small animals and household pets only and includes provision for their overnight accommodation within the building only and may include associated office space.	L
VIEWPOINTS	means the Bleriot Ferry area and any other location providing visitors with a stopping point, whether for pedestrian or vehicular traffic, which visually showcases the area's manmade or natural attractions.	G
VIOLATION TAG	means a tag or similar document issued by the municipality pursuant to the <i>Act</i> .	G
VIOLATION TICKET	means a ticket issued pursuant to Part II of the <i>Provincial Offences and Procedures Act</i> and regulations enacted thereunder.	G
W	(Click here to return to Definitions Index)	
WAREHOUSING AND DISTRIBUTION	means a <i>use</i> where goods are stored inside a <i>building</i> and transferred to and from other locations. Warehousing and Distribution does not include any manufacturing, display or sales of the goods, but may include associated administrative functions.	L
WASTE MANAGEMENT FACILITY	means a <i>use</i> for the temporary or permanent storage of waste products in accordance with provincial regulations and guidelines.	L

WIND ENERGY SYSTEM, LARGE	means a <i>use</i> where a wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics which has a rated capacity in accordance with the Alberta Utilities Commission regulations and which is intended to provide electrical power, either on or off-grid, specifically for resale.	L
WIND ENERGY SYSTEM, SMALL	means a <i>use</i> where a wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics which has a rated capacity in accordance with the Alberta Utilities Commission regulations and which is intended to primarily provide electrical power for the on-site consumption requirements, either on or off-grid, and may provide residual power to the grid but is <u>not</u> intended to produce power specifically for resale.	L
WORK CAMP	means a residential complex used to house employees 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 and may include accessory <i>uses</i> such as a temporary office, storage yard and other similar and complementary <i>uses</i> deemed compatible with the surrounding area.	L
WRECKING YARD	means land and/or <i>buildings</i> where derelict motor vehicles, tractors, logging equipment, farm implements, motorcycles, boats and industrial equipment are disassembled, prepared for disposal, are rebuilt or are reused as part of a recycling program, and the keeping and/or storing of salvaged materials where such materials are bought, sold, exchanged, baled or otherwise processed for further use.	L
X	(Click here to return to Definitions Index)	
Y	(Click here to return to Definitions Index)	
YARD, FRONT	means the area of a <i>parcel</i> located between the Front Parcel Line and the Front Building Line.	G
YARD, REAR	means the area of a <i>parcel</i> located between the Rear Parcel Line and the Rear Building Line.	G
YARD, SIDE	means the area of a <i>parcel</i> located between the Interior or Exterior Side Parcel Line and the side Building Line. The side Building Line is a line parallel to the Interior or Exterior Side Parcel Line drawn across the parcel through the point where a Principal Building on the <i>parcel</i> is closest to the Interior or Exterior Side Parcel Line.	G

<p>YARDS</p>		<p>G</p>
<p>Z</p>	<p>(Click here to return to Definitions Index)</p>	

6.1.1 All other words and phrases mean the same as they do in the *Act*.

7 Land Use Districts Maps

- 7.1.1 All parcels within Starland County are deemed to be designated under the 'RAG' – Rural Agricultural General District, unless otherwise listed below or amended in accordance with the following schedule.