

COUNTY OF TWO HILLS NO. 21
LAND USE BYLAW

BYLAW NO. 5-2009
SEPTEMBER 2009

**COUNTY OF TWO HILLS NO. 21
IN THE PROVINCE OF ALBERTA
BY-LAW NO. 5-2009**

A BY-LAW OF THE COUNTY OF TWO HILLS NO. 21 TO ADOPT AND AMEND A LAND USE BYLAW OF THE COUNTY OF TWO HILLS NO. 21.

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000, a municipality in the Province of Alberta may adopt and amend a Land Use Bylaw; and

WHEREAS, the Council of County of Two Hills No. 21 deems it desirable to adopt a new Land Use Bylaw;

NOW THEREFORE, the Council of County of Two Hills No. 21, duly assembled enacts as follows:

1. That the County of Two Hills No. 21 Land Use Bylaw 5- 2009, being Schedule "A" attached hereto, is hereby adopted.
2. That Bylaw No. 3-96, as amended, is hereby rescinded.

MOVED BY COUNCIL – That By-Law No. 5-2009 be given first reading this 13th day of October 2009 – Carried

REEVE

CAO

MOVED BY COUNCIL – That By-Law No. 5-2009 be given second reading this 11th day of May 2010 – Carried

REEVE

CAO

MOVED BY COUNCIL – That By-Law No. 5-2009 be given third and final reading and finally passed this 15th day of June 2010 – Carried

REEVE

CAO

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Bylaw No. 5-2009 Land Use Bylaw

Pursuant to the Municipal Government, S.A., 2000, as amended, the Council of the County of Two Hills No. 21, duly assembled, hereby enact as follows:

1.0 General

1.1 Title

The title of this Bylaw shall be the Land Use Bylaw of the County of Two Hills No. 21.

1.2 Purpose

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the County of Two Hills No. 21 to achieve orderly, economical and beneficial development and use of land and patterns of human settlement within the Municipality, and for that purpose, amongst other things,

1. to divide the municipality into districts;
2. to prescribe and regulate for each district the purposes for which land and buildings may be used;
3. to establish a Development Authority for the Municipality;
4. to establish the designated officer of Development Authority Officer for the Municipality;
5. to establish a method of making decisions on applications for development permits including the issuing of development permits;
6. to provide the manner in which notice of the issuance of a development permit is to be given; and
7.
 - a. to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and
 - b. to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta, without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

1.3 Interpretation

In this Bylaw

"Act" means the Municipal Government Act, S.A. 2000, as amended;

"accessory building" means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land;

"accessory use" means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building;

"airport" means any area of land or water, including the frozen surface thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, including any building, installation or equipment in connection therewith, operated by the Department of National Defense or for which an airport license has been issued by the Ministry of Transport;

"animal boarding facility" means a commercial facility used for feeding, grooming, housing, exercising and/or training of domestic animals not owned by the occupant of the premises and for which the occupant of the premises receives remuneration;

"bed and breakfast establishment" means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of 2 bedrooms, with or without meals, are provided for remuneration to members of the public;

"building" includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road;

"building height" means the vertical distance measured from the average grade level at the four corners of the property on which the building is located. This dimension shall include any accessory roof construction such as a chimney, steeple or antenna;

"campground" refers to an outdoor area which has been planned and improved to be used and maintained for seasonal, short-term and overnight use for members of the general public. Structures used for camping purposes are temporary in nature and include but are not limited to tents, tent trailers, holiday trailers, campers and motor homes. The permanent or long term placement of recreational vehicles is not allowed in a campground. Accessory facilities may include an administrative office, laundromat, parks, picnic area, beach and boating area;

"campground, intensive" refers to an outdoor area which has been planned and improved to be used and maintained for seasonal, long-term and overnight use exclusively for members of said intensive campground. The permanent or long term placement of recreational vehicles may be allowed in an intensive campground. Recreational vehicles are commonly used as seasonal dwellings. Accessory facilities may include an administrative office, laundromat, parks, picnic area, beach and boating area;

"child care facility" means an establishment licensed by the regional Child and Family Services Authority intended to provide care, educational services and supervision for 7 or more children for a period less than 24 hours at a time. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres;

"confined feeding operation" refers to a confined feeding operation as defined in the Agricultural Operations Practices Act. A confined feeding operation does not include extensive agriculture;

"conservation area, low priority" refers to land that is not designated as either a primary or secondary conservation area;

"conservation area, primary" refers to:

- a. the 1:100 year floodplain,
- b. buffer zones of at least 30 m width along all perennial and intermittent streams,
- c. slopes greater than 15%,
- d. habitat for populations of endangered or threatened species,
- e. wetlands and recharge areas,
- f. environmentally sensitive areas, as identified by Alberta Environment or Alberta Sustainable Resource Development, and
- g. archaeological sites, cemeteries, burial grounds, and historical sites;

"conservation area, secondary" refers to:

- a. existing healthy, native forests of at least 0.4 ha contiguous area,
- b. other significant natural features and scenic viewsheds such as water bodies, ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads or public properties,
- c. agricultural lands with a farmland assessment ratio of 55% or greater of at least 2.0 ha contiguous area, and
- d. existing trails that connect to neighbouring areas;

"conservation easement" refers to an agreement between a landowner and a qualifying organization to protect the natural values of a specified piece of land for a specified period of time or in perpetuity;

"Council" means the Council of the County of Two Hills No. 21;

"country residential use" means a single detached dwelling which is situated on a parcel of land used solely for residential purposes and accessory uses. The single detached dwelling may be occupied permanently or seasonally;

"crops" means any agricultural product, including trees, but excluding livestock;

"day home" means a child care operation within a dwelling unit that serves not more than 6 children and is operated either under contract with a Family Day Home Agency or independently as a private babysitting facility;

"developer" means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

"development" means

- a. an excavation or stockpile and the creation of either of them, including gravel pits, or
- b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
- c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- c. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

and includes:

- e. any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site; or
- f. the placing of refuse or waste material on any land; or
- g. the use of land for the storage or repair of motor vehicles or other machinery or equipment; or
- h. the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect; or
- i. the demolition or removal of a building; or
- j. the placement of an already constructed or a partially constructed building on a parcel of land; or
- k. the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way; or
- l. the removal of topsoil.

"Development Authority" means the Development Authority as established within this Bylaw pursuant to the Act;

"Development Authority Officer" means the designated officer, as established within this Bylaw pursuant to the Act, and that person appointed as a Development Authority Officer pursuant to a resolution of the Council;

"development permit" means a permit authorizing a development issued pursuant to this Land Use Bylaw;

"discretionary use" means the use of land or a building provided for in this Land Use Bylaw for which a development permit may be issued upon an application having been made;

"dwelling" means any building used exclusively for human habitation, whether or not it is supported on a permanent foundation or base extending below ground level. This definition shall include all single detached dwellings, including all site built homes, modular homes, and manufactured homes, as well as buildings that contain multiple dwelling units;

"dwelling, single detached" means a building containing a single dwelling unit as the main use of the building. A single-family dwelling may be site-built, modular or manufactured;

"dwelling, type A single detached" means a dwelling consisting of one (1) dwelling unit, either modular or site-built, for which the ratio of depth vs. width (or width vs. depth) is less than 3:1, the roof pitch is greater than 1:4, and the depth of eaves is greater than 30 cm (1.0 ft.);

"dwelling, type B single detached" means a dwelling consisting of one (1) dwelling unit, either modular or site-built, for which the ratio of depth vs. width (or width vs. depth) is more than 3:1, the roof pitch is less than 1:4, or the depth of eaves is less than 30 cm (1.0 ft.);

"dwelling unit" means any building or self contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outdoors or to shared common space such as a hallway by another separate or self-contained set or suite of rooms. A dwelling unit does not contain more than one room, which, due to its design, plumbing, equipment, and/or furnishings, may be used as a kitchen;

"duplex" means two dwelling units sharing a common wall, and located side by side or one above another;

"extensive agriculture" means the use of land or buildings for the production of crops or livestock which require larger tracts of land. Extensive agriculture does not include confined feeding operations;

"farmstead" means a habitable dwelling unit, together with improvements which are either accessory to the dwelling unit and/or used in connection with the raising or

production of crops or livestock, and situated on a parcel of land used in connection with such farming operations;

"fence" means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access;

"floor area" means the total area of all floors of all buildings including accessory buildings located on any parcel of land, excluding the area of basement floors;

"fragmented parcel of land" means a parcel of land that is separated from the balance of a titled parcel by a natural barrier such as a river or a coulee which prohibits reasonable or normal access, or by a physical barrier such as a highway, road, or railroad;

"front line" means the boundary line of a parcel of land lying adjacent to a highway or road;

"front yard" means a yard extending across the full width of a parcel of land from the front line of the parcel of land to the nearest wall of the main building situated on the parcel of land;

"guest ranch" means a private owner-occupied ranch house which includes sleeping facilities that are rented on a daily basis to registered guests and in which meals are prepared in a residential kitchen;

"highway" means a highway as defined in the Public Highways Development Act, R.S.A. 2000;

"home occupation, major" means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, and which increases traffic circulation in the area in which it is located. A major home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in Section 6.13 of this bylaw. A major home occupation does not include day homes, bed and breakfast establishments, or guest ranches;

"home occupation, minor" means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the area in which it is located. A minor home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in Section 6.13 of this Bylaw;

"industrial park" refers to an area designed and districted for the purpose of accommodating a cluster of industrial development;

"intensive agriculture" means a commercial agricultural operation other than confined feeding operations which, due to the nature of the operation, may be able to use smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, sod farms, market gardens, kennels and beekeeping;

"kennels" means an establishment for the keeping, breeding and raising of 3 or more domestic animals for profit or gain, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment;

"landscaping" means lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture;

"livestock" means any animal agricultural product. For the purposes of this Bylaw, livestock shall include, but not be limited to, cattle of all kinds and ages raised for all purposes, hogs, sheep, chickens, turkeys, horses, mink, rabbits, etc.;

"lot" means

- a. a quarter section,
- b. a river or a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office,
- c. a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
- d. a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;

"main building" means a building in which is conducted the main or principle use of the parcel of land on which it is erected;

"main use" means the principle or major use on a parcel of land;

"maintenance" means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building;

"manufactured home" means a single detached dwelling comprised of one or more large factory-built sections. It is manufactured in full compliance with both the CSA Z240 MH National Mobile Home Standard and the Alberta Building Code (ABC), bearing a prominently displayed CSA Z240MH Mobile Home label AND an Alberta Municipal Affairs label that certifies compliance to the ABC. Notwithstanding the requirement regarding labels, should a building not have a label, it can still be considered

a manufactured home for the purposes of this Bylaw should the inspection and upgrading procedures outlined in Sections 7.3.1 and 7.3.2 of this Bylaw be followed;

"manufactured home park" means a parcel of land under a single title which has been or is intended to be divided into rentable spaces of type B single detached dwelling stalls for the long term accommodation of type B single detached dwellings;

"manufactured home subdivision" means an area designated by a Land Use District that is subdivided by a registered plan into individual lots in order to exclusively accommodate type B single detached dwellings;

"mobile home" means a single detached dwelling comprised of one or more large factory-built sections. It is manufactured in compliance with the CSA Z240 MH National Mobile Home Standard but not with the Alberta Building Code (ABC). A mobile home refers to a manufactured home that was constructed prior to 1991. Notwithstanding the requirement regarding a label, should a building not have a label, it can still be considered a mobile home for the purposes of this Bylaw should the inspection and upgrading procedures outlined in Sections 7.3.1 and 7.3.2 of this Bylaw be followed;

"modular dwelling" means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions. It does not refer to a type of dwelling but rather to a method of construction, and includes both manufactured and mobile homes;

"motel" means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, and where access to each of the rentable units is individually available from grade, either at grade or via stairways. A motel may include eating establishments, but shall not include alcohol retail sales or an entertainment establishment;

"municipality" means the County of Two Hills No. 21;

"Municipal Planning Commission" means the Municipal Planning Commission of the County of Two Hills No. 21 which is established by Council pursuant to the Act;

"natural resource extraction industry" means an industry engaged in the extraction of natural resources such as clay, sand, gravel, coal, petroleum, natural gas, and other minerals, and which may include the processing of these through primary treatment into a raw, marketable form;

"non-conforming building" means a building

- a. that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and

- b. that on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw;

"non-conforming use" means a lawful specific use

- a. being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
- b. that on the 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;

"nuisance" means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;

"obnoxious" means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building;

"offensive" or **"objectionable"** means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other particulate matter; odour; toxic or non-toxic matter; radiation; fire or explosion hazard; heat; humidity; glare; or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure;

"owner" means

- a. in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
- b. in the case of any other land, the person shown as the owner of land on the municipality's assessment roll prepared in accordance with the Municipal Government Act;

"parcel of land" 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;

"park" means land developed for public recreational activities that do not require major buildings or facilities. A park may include but is not limited to picnic areas, playgrounds, trails, landscaped areas and associated public washrooms;

"permitted use" means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon an application having been made;

"place of worship" means a building wherein people regularly gather for worship and related religious, philanthropic or social activities. Typical uses include churches, chapels, convents, kingdom halls, monasteries, mosques, synagogues, and temples. Places of worship may also contain facilities for eating and drinking establishments as an accessory use and, from time to time, part of a place of worship may be used as an entertainment establishment;

"public utility building" means a building for a public utility as defined in the Municipal Government Act in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility;

"rear line" means the boundary line of a parcel of land lying opposite to the front line of the parcel and/or farthest from a highway or road;

"rear yard" means a yard extending across the full width of a parcel of land from the rear line of the parcel of land to the nearest wall of the main building situated on the parcel of land;

"recreational use" means a recreational development conducted on a single site where the prime reason for location is to take advantage of natural physical features, including the availability of large areas of land, to provide day-to-day sporting and athletic facilities and the structures incidental thereto. This use includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, and similar uses, and may include a refreshment stand or snack bar incidental to the primary use;

"rural commercial use" means a commercial use that is minor in scale and which serves the farm community in which the use is located, such as farm machinery repair shops, welding shops, or a grocery store with or without gas pumps;

"rural industries" mean those industrial uses which may be considered unsuitable for an urban area, and which may provide services to the rural area. Notwithstanding the generality of the foregoing, rural industries shall include sawmills, fertilizer plants, sand and gravel and mineral extraction and processing, and agriculturally-oriented industries and facilities, but shall not include business establishments primarily engaged in servicing, repairing or retailing of goods;

"rural road" means a road as defined in the Public Highways Development Act, R.S.A. 2000 and located within the A, CUD or R1 Districts;

"rural visitor accommodations" means a development in which members of the public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units. Rural visitor accommodations typically incorporate recreational pursuits such as hunting and fishing and/or relaxation into the visitor's stay . This definition shall include uses such as but not limited to bed and breakfast accommodations, hunting lodges and guest ranches.

"sea can" means a container, generally used for storage purposes, that includes but is not limited to sea, land, and rail shipping containers. For the purposes of this Bylaw a sea can is considered to be an accessory building;

"secondary suite" means a self-contained additional dwelling unit within a single detached dwelling or within an accessory structure that is located on a residential lot or within the farmstead on an agricultural lot. A secondary suite may be a basement suite;

"shelterbelt" means trees or other vegetation, whether in a line or in a cluster, which is designed and/or planted to retard or mitigate the effects of wind action;

"side line" means the boundary line of a parcel of land lying between a front line and a rear line of a parcel;

"side yard" means a yard extending between a front yard and a rear yard from the side line of a parcel of land to the nearest wall of the main building situated on the parcel of land;

"site built" refers to a structure that is constructed primarily on the site on which it is to be located. Although some components may be prefabricated off-site, the home is erected, framed, and finished by workers on location using stock materials;

"Subdivision and Development Appeal Board" means the Subdivision and Development Appeal Board of the County of Two Hills No. 21 which is established pursuant to the Act;

"trailer park, recreational" refers to a multi-lot subdivision that has been designed exclusively for recreational vehicles. Accessory facilities may include an administrative office, laundromat, parks, picnic area, beach and boating area;

"vehicle, recreational" means a vehicle or trailer designed, constructed and equipped for short-term temporary accommodation for the purpose of travel, vacation or recreational use. The term includes but is not limited to holiday/travel trailers, tent trailers, camper vans, motor homes, slide-in campers and chassis-mounted campers, but does not include manufactured or modular homes;

"wind energy conversion system, large" means a wind energy conversion system consisting of at least one wind turbine, tower and associated control or conversion electronics, whose primary purpose is to generate and provide electrical power for resale, or a wind energy conversion system with a rated capacity of more than 300 kW;

"wind energy conversion system, small" means a wind energy conversion system consisting of a wind turbine, tower and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and whose primary purpose is to provide electrical power for use on-site (either behind-the-meter or off-grid) rather than produce power for resale;

"yard" means a part of a parcel of land upon or over which no main building is to be erected;

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

1.4 Metric and Imperial Measures

Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures. As a result, the metric measurement shall take precedence for the purposes of interpretation of this Bylaw.

1.5 Establishment of Districts

1. For the purpose of this Bylaw the Municipality is divided into the following districts:
 - Agricultural District
 - Controlled Urban Development District
 - Urban General District
 - Country Residential District
 - Country Residential (Resort) District
 - Rural Industrial District
 - Intensive Campground District
2. The boundaries of the Districts listed in Section 1.5.1 are as delineated on Map 1, the Land Use District Map.
3. Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1. Where a boundary is shown as following a road, highway, lane, or watercourse, it shall be deemed to follow the centre line thereof.

Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 3. In circumstance, not covered by Rules 1 and 2, the location of the boundary shall be determined:

- a. where dimensions are set out on the Land Use District Map, by dimensions so set out, or
- b. where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement and use of the scale shown on the Land Use District Map.

4. Where the application of the above rules does not determine the exact location of the boundary of a District, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
5. After the Council has fixed a boundary pursuant to the provisions of Section 1.5.4, the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.
6. The municipality shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by it.
7. Where two or more Districts overlap, the more restrictive requirements shall prevail.

2.0 Agencies

2.1 Development Authority

1. The Development Authority for the municipality is hereby established.
2. The Development Authority shall be:
 - a. the Municipal Planning Commission; and
 - b. the Development Authority Officer.

2.2 Development Authority Officer

1. The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer is hereby established.
2. The Development Authority Officer shall be appointed by resolution of the Council.
3. The powers, duties and functions of the Development Authority Officer shall be those described in this Bylaw.
4. The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it or by the Development Authority Officer.
5. The Development Authority Officer shall keep and maintain for inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applicants for development, including the decisions thereon and the reasons therefore.
6. In addition to his other duties, the Development Authority Officer shall be a designated officer for the purposes of inspection, remedy, enforcement, or action pursuant to Section 542 of the Act.

2.3 Municipal Planning Commission

1. The Municipal Planning Commission shall perform such duties as are specified for it in this Bylaw.

2.4 Subdivision and Development Appeal Board

1. The Subdivision and Development Appeal Board shall perform such duties as are specified for it in this Bylaw.

3.0 Development Permits, Rules and Procedures

3.1 Control of Development

1. No development other than that identified in Section 3.2 of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 Development Not Requiring a Development Permit

The following development shall not require a development permit:

1. The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation.
2. The erection or construction of gates, fences (other than wire fences), walls or other means of enclosure (other than on corner lots or where abutting a road or highway used by vehicular traffic) less than 1.0 m (3.3 ft.) in height in front yards and less than 2.0 m (6.6 ft.) in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure.
3. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw.
4. The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
5. On parcels of land of land exceeding 32.0 ha (79.1 ac.) which lie farther than 1.6 km (1.0 mile) from an incorporated urban municipality, any construction, excavation or other operation which is part of extensive agriculture, excepting:
 - a. all farm residences, whether dwelling units or manufactured homes, and
 - b. all non-agricultural accessory buildings, and
 - c. any other structure (other than fences), or dugouts within 38.0 m (124.7 ft.) of the center line of a road, or within 40.8 m (133.9 ft.) of a property line adjacent to a secondary road or a highway, for which development permits will be required.
6. Landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the hard-surfacing of part of a lot to provide vehicular access from a road to an attached or detached garage or carport.
7. The demolition or removal of any building or structure for which erection a development permit would not be required pursuant to subsections (3) through (6)

above, both inclusive.

3.3 Non-Conforming Buildings and Uses

1. If a development permit has been issued on or before the day on which this Land Use Bylaw or an amendment thereto comes into effect, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw or the amendment.
2. A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform with the provisions of this Bylaw.
3. A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.
4. A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
5. A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
 - a. to make it a conforming building,
 - b. for routine maintenance of the building, if the Development Authority considers it necessary, or
 - c. in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 3.4.17. of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
6. If a non-conforming building is damaged or destroyed to the extent of more than 75 per cent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
7. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

3.4 Permission for Development

1. An application for a development permit shall be made to the Development Authority Officer in writing and shall include or be accompanied by:

- a. the name and mailing address of both the applicant(s), and the owner(s) of the subject site (if different from the applicant);
 - b. the legal description of the subject site;
 - c. the proposed uses;
 - d. a site plan, in duplicate, showing:
 - i. the location of all existing and proposed buildings and structures,
 - ii. proposed front, rear, and side yards, if any,
 - ii. proposed off-street vehicle parking and loading facilities, if any, and
 - iv. access points to the site;
 - e. the estimated commencement and completion dates;
 - f. the estimated cost of the project or contract price; and
 - g. the required fee, as calculated in accordance with the County's Development Fees Schedule, as approved by Council.
2. At the discretion of the Development Authority Officer, the applicant may be asked to submit floor plans, elevations and sections, in duplicate, before the application is considered complete.
 3. At the discretion of the Development Authority Officer, any new development within an existing subdivision may be required to provide to the Development Authority, for approval, an elevation plan of the property to be developed indicating where the storm water is to be directed. Storm water from the property to be developed cannot be directed onto the adjoining properties. If the applicant for a development permit indicates that the Town is to verify compliance with the elevation and storm water management plan, the cost to verify that the lot grades have been completed according to the plan shall be included in the cost of the development permit.
 4. The Development Authority may also require with an application for a development permit information prepared by a Professional Engineer describing the potential of a subject site being flooded from a 1:100 year flood event, the potential subsidence or erosion of a subject site, and the ground compaction of a subject site, and further information describing the mitigative measures necessary to eliminate the defined flood, subsidence, erosion hazard or to resolve any ground compaction concerns.
 5. The Development Authority may also require any phase of an environmental assessment to determine the possible contamination of a subject site and the mitigative measures necessary to eliminate such contamination. Alternative to or in addition to the foregoing, the Development Authority may require a biophysical assessment to determine the potential effects of a proposed development on the natural environment, and the measures necessary to mitigate such effects.

6. The Development Authority Officer shall:
 - a. receive, consider and decide on all applications for a development permit for those uses which constitute permitted uses in a district and further which will fully comply with the minimum and/or maximum standards for that district, on all applications for a development permit for a Home Occupation, or where the regulation has been assigned by this Bylaw to the Development Authority Officer for consideration and decision;
 - b. refer, with his recommendations, to the Municipal Planning Commission for its consideration and decision applications for a development permit for those uses which constitute discretionary uses in a district (other than Home Occupations) or which will not fully comply with the minimum and/or maximum standards for that district, or those where the regulation has been assigned by this Bylaw to the Municipal Planning Commission for consideration and decision; and
 - c. refer, with his recommendations, to the Municipal Planning Commission for its consideration and decision any application which, in his opinion and at his discretion, should be decided by the Commission.
7. The Municipal Planning Commission shall receive, consider and decide on all applications for a development permit referred to it by the Development Authority Officer for consideration and decision.
8. When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. A returned application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
9. In making a decision, the Development Authority may approve a development permit application unconditionally, impose conditions considered appropriate, including whether the permit or any conditions shall be considered permanent or applicable for a specific period of time, or refuse the application.
10. In making a decision, the Development Authority may impose such conditions as are required to ensure compliance with this Bylaw including both the verification by either an official appointed by the County or by certification by either an engineer or an Alberta Land Surveyor that the elevation plan and storm water drainage plan indicated in Subsection 3. above has been completed in accordance with the Development Authority's approval, and the undertaking of the mitigative or elimination measures described in the reports and information described under Subsections 4. and/or 5. above.

11. The Development Authority may require as a condition of issuing a development permit that the applicant enter into an agreement with the municipality:
 - a. to construct or pay for the construction of a road required to give access to the development, off-street or other parking facilities, and loading and unloading facilities,
 - b. to install or pay for the installation of public utilities that are necessary to serve the development other than telecommunications systems or works,
 - c. to pay an off-site levy imposed by Bylaw, and
 - d. to give security to ensure that the terms of the agreement are carried out.
12. In the case where an application for a development permit has been refused by the Development Authority or the Subdivision and Development Appeal Board, the submission of another application for a development permit on the same property and for the same use of the land by the same or any other applicant may, at the discretion of the Development Authority Officer, not be accepted by the Development Authority Officer for at least one year after the date of the refusal by the Development Authority or the Subdivision and Development Appeal Board, whichever date is the later.
13. In the case where a proposed specific use of land or a building is not provided for in any district in this Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or a discretionary use prescribed for that District.
14. The Development Authority may approve an application for a development permit even though the proposed development does not comply with this Bylaw or is a non-conforming building, if, in the opinion of the Development Authority,
 - a. the proposed development would not
 - i. unduly interfere with the amenities of the neighbourhood, or
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - b. the proposed development conforms with the use prescribed for that land or building in the Bylaw.
15. An application for a development permit is, at the option of the applicant, be deemed to be refused if a decision thereon is not made by the Development Authority within 40 days after receipt of the application by the Development Authority Officer unless the applicant has entered into an agreement with the Development Authority to extend the 40-day period. The person claiming to be affected may appeal in writing as provided for in this Bylaw as though he has received a refusal at the end of the period specified herein.
16. The Development Authority may suspend or revoke a development permit where:
 - a. the applicant fails to comply with the conditions of the approval of a permit, or

- b. development on the lot is undertaken contrary to the terms or conditions of a permit, or
 - c. the application for the development permit contained incorrect information, or information which was subsequently found to be incorrect, or
 - d. the development permit was issued in error.
17. Any person who undertakes any development without a development permit, or after a permit has been suspended or revoked, shall discontinue such development forthwith upon notice in writing being issued by the Development Authority, and shall not resume such development unless a development permit has been issued or the development permit is reinstated.

3.5 Application for Demolition

1. Notwithstanding subsection 3.2.7, and in addition to the requirements of Section 3.4, an application for a development permit for the demolition of a building shall include the following information:
- a. the alternatives to demolition if the building is of historic or architectural value;
 - b. the purpose for the building demolition and the type of structure to replace the demolished building, if any;
 - c. a work schedule of the demolition and site clean-up;
 - d. the destination of debris material; and
 - e. the means whereby public safety is to be ensured (this may include the length of time before the site is to be redeveloped and the treatment of the site after demolition prior to development).

3.6 Development Permits and Notices

1. A permit granted pursuant to this bylaw does not come into effect until 15 days after the date an order, decision or development permit is received as described in this bylaw, and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant. For the purposes of this bylaw, notice is deemed to be received on the fifth day after the date of the issuance of the order, decision, or permit.
2. Where an appeal is made to the Subdivision and Development Appeal Board, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit decided on by that Board.
3. When a development permit has been issued, the Development Authority Officer shall immediately:
- a. post a notice in the County Office in the case of permits for permitted uses where no regulations of this Bylaw were either relaxed or varied; and

- b. in all other circumstances:
 - i. immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - ii. immediately mail a notice in writing to all adjacent land owners who, in the sole opinion of the Development Authority, may be affected; and/or
 - iii. immediately publish a notice of the decision in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.

- 4. Notwithstanding Section 3.6.1 above, a development permit for a permitted use where the provisions of this Bylaw were neither relaxed or varied in the decision of the Development Authority comes into effect immediately after its issuance.

- 5. If the development authorized by a development permit is not commenced within 12 months from the date of its issue, and completed within twelve (12) months of commencement, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority Officer. If the permit holder is unable to proceed pending a court decision involving the proposed development, time shall not run until such proceedings are finally completed.

- 6. A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it shall be sent to the applicant.

- 7. When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

- 8. When an application for a development permit has been approved by the Development Authority, the development permit shall not be valid unless and until:
 - (a) any conditions of approval, save those of a continuing nature, have been fulfilled; and
 - (b) no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in Part Four - Appeals.

- 9. When an application for a development permit has been approved by the Subdivision and Development Appeal Board, the development permit shall not be valid unless and until:
 - (a) the Board has *issued its decision*; and
 - (b) any conditions of approval, save those of a continuing nature, have been fulfilled.

- 10. If the Subdivision and Development Appeal Board is served with notice of an

application for leave to appeal its decision to the Court of Appeal, such notice shall operate to suspend the development permit.

The final determination of an appeal to the Court of Appeal shall operate to validate, amend or revoke, as the case may be, a development permit suspended under this Section.

4.0 Appeals

4.1 Appeal Procedure

1. An appeal may be made to the Subdivision and Development Appeal Board if the Development Authority:
 - a. refuses to issue a development permit upon application,
 - b. fails to issue a development permit within 40 days of receipt of an application,
 - c. issues a development permit subject to conditions, or
 - d. issues a development permit for a discretionary use, or for a permitted use pursuant to Section 3.4(15) of this Bylaw, or
 - e. issues an order under Section 5.1 of this Bylaw,by the person who has applied for the permit or who is affected by the order.
2. Any other person affected by an order, decision or development permit made or issued by the Development Authority may also appeal to the Subdivision and Development Appeal Board.
3. Notwithstanding subsections 4.1.1 and 4.1.2 above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted in the decision of the Development Authority.
4. Notwithstanding subsection 4.1.1 above, no appeal lies in respect of the issuance of a development permit by the Council.
5. An appeal shall be made by the person who has applied for a development permit or by a person affected by an order made under Section 5.1 of this Bylaw by serving a written notice of the appeal, containing reasons, to the Subdivision and Development Appeal Board within 14 days after:
 - a. the date on which the person is notified of the order or decision or issuance of the development permit, or
 - b. if no decision is made with respect to the application within the 40-day period or within any extension under Section 3.4.5 of this Bylaw, the date the period or extension expires, and
 - c. together with the fee established in accordance with the County's Development Fees Schedule..

4.2 Appeal Hearing

1. Within 30 days of receipt of a notice of appeal, the Subdivision and Development Board must hold an appeal hearing respecting the appeal.

2. The Subdivision and Development Appeal Board must give at least 5 days' notice in writing of the hearing to:
 - a. the appellant,
 - b. the Development Authority whose order, decision or development permit is the subject of the appeal,
 - c. those owners who were notified under Section 3.6.3 of this Bylaw, and
 - d. any other person that the Subdivision and Development Appeal Board considers to be affected by the appeal.

3. The Subdivision and Development Appeal Board must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal including:
 - a. the application for the development permit, the decision and the notice of appeal, or
 - b. the order made under Section 5.1 of this Bylaw.

4. At the appeal hearing referred to in Section 4.2.1, the Subdivision and Development Appeal Board must hear:
 - a. the appellant or any person acting on behalf of the appellant,
 - b. the Development Authority from whose order, decision or development permit the appeal is made, or a person acting on behalf of the Development Authority,
 - c. any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person, and
 - d. any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear, or a person acting on behalf of that person.

4.3 Decision

1. The Subdivision and Development Appeal Board must give its decision in writing together with reasons for the decision within fifteen (15) days of concluding the appeal hearing.

2. In determining an appeal, the Subdivision and Development Appeal Board:
 - a. must comply with the Land Use Policies established pursuant to the Act, any statutory plans in effect, and, subject to Section 4.3.2.d, this Bylaw,
 - b. must have regard to but is not bound by the Subdivision and Development Regulations established pursuant to the Act,
 - c. may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own, or
 - d. may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,

- i. the proposed development would not
 - A. unduly interfere with the amenities of the neighbourhood, and
 - B. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - ii. the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- 3. A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of law or jurisdiction pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - a. to a judge of the Court of Appeal, and
 - b. within thirty (30) days after the issue of the decision sought to be appealed.

5.0 Enforcement and Administration

5.1 Contravention

1. If a Development Authority finds that a development, land use or use of a building is not in accordance with
 - a. the Act or the Regulations made pursuant to the Act, or
 - b. a development permit or subdivision approval, or
 - c. this Bylaw,the Development Authority may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or all or any or all of them to:
 - i. stop the development or use of the land or building in whole or part as directed by the notice, or
 - ii. demolish, remove or replace the development, or
 - iii. carry out any other actions required by the notice so that the development or use of the land or building complies with the Act, the regulations made pursuant to the Act, a development permit, a subdivision approval, or this Bylaw,within the time set out in the notice.
2. If a person fails or refuses to comply with an order directed to him under Section 5.1 of this Bylaw or an order of the Subdivision and Development Appeal Board, the Council or a person designated by it may, in accordance with the Act, enter on the land or building and take any action necessary to carry out the order.
3. If a Subdivision and Development Appeal Board issues an order under Section 5.1 of this Bylaw, the Development Authority Officer, at his discretion unless otherwise directed by the Subdivision and Development Appeal Board, may register a caveat under the Land Titles Act in respect of such order against the certificate of title for the land that is the subject of the order, provided that the Development Authority Officer must discharge said caveat when the order has been complied with.
4. Where the Council or a person appointed by it carries out an order, the costs and expenses incurred in carrying out the order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.
5. Where any person obstructs or hinders the Development Authority or any other person in the exercise or performance of his powers or duties under the Act, that obstructing or hindering person shall be guilty of an offence and liable to a fine or to imprisonment in accordance with Provincial legislation.

6. A person who contravenes or fails to comply with any provision of this Bylaw, or contravenes or fails to comply with a development permit or a condition attached to it is guilty of an offense and is liable on summary conviction to fine not exceeding \$10,000.00 exclusive of costs pursuant to Section 566 of the Act.
7. In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
8. **Violation Tickets**
 - a. The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
 - b. The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the County.
 - c. Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
 - d. The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
 - e. If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
 - f. If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

5.2 Application to Amend Bylaw

1. A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required in accordance with the County's Development Fees Schedule.
2. Council may, at any time, initiate an amendment to this Bylaw by directing the Development Authority Officer to initiate an application therefore.

3. All applications for amendment to the Land Use Bylaw shall be made to Council on the form provided by the municipality and shall be accompanied by the following:
 - a. an application fee as established by Council, and
 - b. the name and mailing address of both the applicant(s), and the owner(s) of the subject site (if different from the applicant). Where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application, and
 - c. the legal description of the subject site and a recent title search of the land affected, and
 - d. the proposed uses; and
 - e. an indication of the District or other changes proposed for this Bylaw by the applicant, together with reasons for the changes in support of the application.

5.3 Amending Bylaws

All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act.

6.0 General Provisions

6.1 Applicability

Section 6.0 shall apply to all Land Use Districts under this Bylaw.

6.2 Access

1. No development permit shall be issued unless the proposed development has direct physical access from a rural road or highway constructed, at a minimum, to the County's normal road specifications for year-round access.
2. If a rural road or highway, or an access thereto, must be constructed or upgraded in order to provide adequate access to a proposed development in order to satisfy subsection 6.2.1 above, such road, highway or access shall be developed at the developer's expense and at no cost to the County.

6.3 Subdivision of Land

1. Where the development of land involves a subdivision of land, a development permit shall not be issued until an application for subdivision has been submitted to the Subdivision Authority for the Municipality and written evidence has been received by the Development Authority Officer that the necessary subdivision has the approval of that Subdivision Authority.

6.4 Number of Dwellings on a Lot

1. The number of single detached dwellings allowed on any parcel of land shall not exceed one, except that, at the discretion of the Development Authority, more single detached dwellings, to no maximum, may be permitted on a lot in the Agricultural (A) District if the lot is equal to or greater than 2.02 ha (5.0 ac).
2. Further to subsection 6.4.1, when considering a development permit application for a second or additional single detached dwelling on a lot, the Development Authority shall take into account whether:
 - (a) the placement of the second or additional dwelling unit conforms to the historically precedented religious/cultural practices and/or settlement pattern of the applicant(s);
 - (b) the second or additional single detached dwelling on the lot is located such that it can be subdivided from the balance of the lot in the future, in accordance with the policies and regulations of the County's Municipal Development Plan and Land Use Bylaw;

- (c) the second or additional single detached dwelling is to be located on an agricultural lot. For the purpose of this subsection, in order for a lot to be deemed an agricultural lot the landowner must qualify for the Alberta Farm Fuel Benefit Program, as provided for in the Fuel Tax Act;
- (d) the utility infrastructure that would service the second or additional single detached dwelling is located in such a way as to accommodate future subdivision; or alternatively,
- (e) the landowner/developer is prepared to relocate existing utility infrastructure and/or enter into any necessary utility easement agreements to ensure uninterrupted service provision to the second or additional single detached dwelling on the lot.

A development concept plan shall be required for four (4) or more single detached dwellings on a lot in the Agricultural (A) District.

- 3. Subsection 6.4.1 shall not apply when the second or any additional dwelling unit is a type B single detached dwelling within a manufactured home park.
- 4. The location of a second or additional single detached dwelling must be located at least 15.2 m (50 ft.) from all other single detached dwellings on a lot.

6.5 Secondary Suites

- 1. A secondary suite shall:
 - (a) be an accessory use to the main dwelling on a lot;
 - (b) if the secondary suite is located in the main dwelling, create minimal structural change to the front exterior of the main dwelling, so that the building appears as a single dwelling unit;
 - (c) have a minimum floor area of 35 sq. m (378 sq. ft.);
 - (d) have a maximum floor area equal to no more than 40% of the floor area of the main dwelling, if the secondary suite is not a basement suite, except that if the secondary suite is a basement suite, the maximum size shall be determined at the sole discretion of the Development Authority;
 - (e) contain sleeping, cooking, and bathroom facilities;
 - (f) have full utility services through service connection from the main dwelling;

- (g) comply with the Alberta Building Code and all other Provincial and Municipal regulations;
 - (h) be provided with parking in accordance with Section 6.14; and
 - (i) not be considered in the maximum density prescribed for the district in which the secondary suite is located, in districts other than the Country Residential Resort (RR) District.
2. The lot on which a secondary suite is located shall:
 - (a) be limited to one secondary suite; and
 - (b) not be subdivided (in title) as a result of the presence of a secondary suite.
 3. A secondary suite shall not be developed within the same dwelling containing rural visitor accommodations.
 4. Notwithstanding provisions in this bylaw to the contrary, a secondary suite may be located within a main dwelling or an accessory structure, provided that it meets the regulations of Figure 1: Siting of Accessory Buildings, Section 6.16 of this Bylaw, and the regulations of the district in which it is located.
 5. Where there is more than one approved single detached dwelling on a lot, each approved single detached dwelling may contain a secondary suite, unless the dwelling contains a guest ranch or bed and breakfast establishment.
 6. A single detached dwelling must exist on a lot prior to the approval of a development permit for a secondary suite.

6.6 Site Conditions

1. As a condition of the approval of any development permit, the Development Authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar uses.
2. As a condition of the approval of any development permit, the Development Authority may impose conditions requiring the retention of trees, or the additional planting of trees of such a type and extent that is considered necessary by the Development Authority.
3. Unless unique site requirements determine otherwise, proposals for subdivision and/or development should conform with the Alberta Sustainable Resource Development and Environment Land Conservation Guidelines so far as they

pertain to setback requirements from valley breaks, ravines and watercourses. Prior to considering the approval of any development permit, the Development Authority may require a soil analysis. The Development Authority may require, as a condition of any development permit, that additional setbacks be provided, at his sole discretion. No development shall be permitted within an area identified as having a potential flood hazard.

6.7 Top Soil Removal

A permit is required before the commencement or continuation of the removal of top soil. Such permits shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by removal. The Development Authority may refer any application for a development permit involving the removal of top soil to the Soil Conservation Officer acting under the Soil Conservation Act, for approval.

6.8 Gravel Pits

1. The extraction of gravel for use by other than the personal use of a landowner shall require a development permit.
2. The developer shall, in an application for a development permit for the extraction of gravel, designate all aggregate haul roads to be used during the operation of the proposed pit. The Development Authority shall be notified in writing of any changes to the proposed haul roads.
3. The Development Authority may require a developer to enter into a development agreement with the Municipality to:
 - a. upgrade and/or maintain roads;
 - b. provide noise abatement and visual screening; and
 - c. provide security in the form of an irrevocable letter of credit or performance bond in order to both guarantee the undertaking of the activities described in the agreement, and to ensure reclamation is completed where no similar requirement is made by a Provincial Department.

6.9 Existing Substandard Lots

Notwithstanding the provisions of this Bylaw, development on substandard lots existing on the date of the passage of this Bylaw may be approved by the Development Authority. Compliance with Provincial Regulations respecting plumbing and drainage, health, and building construction will be required. Where an application is made to subdivide an existing development and the uses conform with the Bylaw, the various minimum setback and yard requirements may be varied as the Development Authority deems suitable.

6.10 Sanitary Facilities

All development shall be provided with sanitary sewage facilities to the satisfaction of the Regional Health Authority and any involved Provincial Department or Official.

6.11 Protection from Exposure Hazards

1. Anhydrous ammonia or liquefied petroleum gas containers shall be located in accordance with regulations under the Alberta Fire Code.
2. Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
3. Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Provincial Regulations or Legislation.

6.12 Objects Prohibited or Restricted in Yards

1. No person shall keep or permit on any parcel of land:
 - a. any dismantled or wrecked vehicle for more than 14 consecutive days unless screened from public view in a manner acceptable to the Development Authority;
 - b. any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District in which it is located; or
 - c. any excavation, storage or piling up of materials required during construction, unless all necessary safety measures are undertaken, and the owner of the material or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
2. No fur bearing animals, fowl or livestock other than domestic pets and no kennels shall be permitted within the Urban General District, the Country Residential, or the Country Residential (Resort) Districts except at the sole discretion of the Development Authority.

6.13 Highways and Rural Roads

1. No development permit shall be issued for development within 0.8 km (0.5 mile) of the boundary of the right-of-way of a highway until a permit has been issued by Alberta Transportation.

2. Development permits are required for all development, not including shelter belts, located within 45.0 m (147.6 ft.) of the centre line of a rural road.
3. On a parcel of land located at the intersection of two rural roads, development shall be restricted or prohibited as noted on Figure 2 of this Bylaw.
4. On a parcel of land located in the inside of a curve of a road, development shall be restricted or prohibited as noted on Figure 3 of this Bylaw.
5. No development shall be located so that the access to a rural road is within 91 m (298.6 ft.) of the beginning or end of a road curve.
6. Access to a rural road shall not be permitted where it would be:
 - a. less than 150 m (492.1 ft.) from an existing access on the same side of the road;
 - b. less than 150 m (492.1 ft.) from a bridge;
 - c. less than 150 m (492.1 ft.) from an at-grade railway crossing; or
 - d. at a point where the gradient of the road is in excess of 3% when the existing surveyed road has been constructed to municipal road standards and in the case of an existing surveyed access will be permitted only if construction to municipal road standards is expected within two years and the grade will then be less than 3%.
7. The location of shelter belts shall be at least 16.8 m (55 ft) from the centre line of any adjacent rural road.
8. For rural roads:
 - a. there shall not be more than two approaches developed per 0.8 km (0.5 mile) except at the discretion of the Development Authority Officer;
 - b. prior to any new approach being developed, the land owner shall enter into a development agreement with the municipality as described in Section 3.4.11 of this Bylaw;
 - c. whenever possible, joint access shall be encouraged at the discretion of the Development Authority.

6.14 Access and Parking

1. In all Districts, accesses onto roads shall be permitted only at locations approved by the Development Authority.
2. In all Districts, off-street parking spaces and off-street loading spaces shall be provided in accordance with the minimum requirements for each use.
3. In all Districts, parking spaces for the disabled shall be:
 - a. provided in accordance with the Alberta Building Code,

- b. visibly designated as a parking space for the disabled using signage in accordance with Provincial Legislation,
 - c. included in the calculation of the minimum parking requirement, and
 - d. designed in such a way that users of wheelchairs are not required to pass behind parked cars.
4. Unless otherwise approved by the Development Authority, a parking space shall not be less than 2.6 m (8.5 ft.) in width nor less than 5.45 m (17.9 ft.) in length.
 5. Unless otherwise approved by the Development Authority, all required parking spaces and loading spaces shall be located on the same lot as the main building or use.
 6. If not otherwise provided for, the owner of the land to be developed may, subject to the approval of the Development Authority:
 - a. provide required off-street parking on land other than that to be developed, or
 - b. at his option and in lieu of providing off-street parking, pay to the municipality such amount of money on such terms as the Development Authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in the District. Any money so received by the municipality shall be used only for the development of municipal off-street parking facilities.

6.15 Signs

1. No signs or advertising structures of a commercial, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless a development permit has been issued for the sign or structure.
2. No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
3. No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
4. Notwithstanding the generality of subsection 6.15.1, nor the provisions of subsections 6.15.2 and 6.15.3, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that no such signs shall be illuminated and provided further that any necessary permits have been obtained in accordance with the Highway Development Control Regulations:

- a. signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character, or to a hotel, motel, club or similar institution, provided that such signs shall not exceed 1.2 sq m (12.9 sq. ft.) and be limited to one sign per parcel of land;
 - b. temporary advertisement relating to the sale or leasing of land, the sale of goods or livestock, the carrying out of construction or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character provided that such advertisement shall not exceed 2.0 sq. m (21.5 sq. ft.), and provided further that all such temporary advertisements shall be removed by the advertiser within 15 days of the completion of the event or works to which such advertisements relate; and
 - c. advertisements or signs in relation to the function of local public authorities, utility boards or other public or quasi-public bodies.
5. No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
 6. All advertisements shall be kept in a safe, clean and tidy condition, and may by decision of the Development Authority be required to be renovated or removed.
 7. No signs or advertising structures other than those specified under subsection 6.15.4 above shall be permitted in Country Residential or Country Residential (Resort) Districts.

6.16 Accessory Buildings in Districts other than the Agricultural District

1. An accessory building shall not be used as a dwelling unit, unless the accessory building has received a development permit allowing it to be used as a secondary suite and the secondary suite meets the provisions of Section 6.5 of this Bylaw.
2. The siting of a detached garage or other accessory building shall be in accordance with Figure 1 of this Bylaw.
3. The siting of an accessory building on an irregularly shaped parcel of land shall be as required by the Development Authority.
4. An accessory building shall not be located in a front yard. This provision does not apply to fences and/or shelterbelts.

5. An accessory building shall not be located closer than 2 m (6.56 ft.) to a main building.
6. The height of an accessory building shall not exceed 4.5 m (14.76 ft.). This provision does not apply to WECS or flagpoles.
7. Where a structure is attached to the main building on a site by a roof, an open or enclosed structure, a floor or a foundation, the structure is to be considered a part of the main building and is not an accessory building.
8. Prior to granting a development permit for an accessory building, including but not limited to sea cans, the development authority may require the accessory building to conform aesthetically to buildings in the immediate and general area. This may include giving the accessory building a new coat of paint and/or buffering it from public view.

6.17 Historical and Archaeological Sites

Historical sites or archaeological sites identified pursuant to The Historical Resources Act should be protected in accordance with guidelines established by Alberta Culture and Community Spirit.

7.0 Special Provisions

7.1 Service or Gas Stations

Where permitted under this Bylaw, service or gas stations shall comply with the following special provisions:

1. Service or gas stations shall be located in such a manner that:
 - a. no entrance or exit thereto for motor vehicles shall be within 60 m (196.8 ft.) of an entrance to or exit from a firehall, public or private school, playground, library, church, hospital, children's or old people's home or other similar public or quasi-public institutions;
 - b. no part of a service station or gas station building or of any pump or other accessory building or structure shall be within 6.0 m (19.7 ft.) of a side or rear line;
 - c. service stations shall have a front yard of not less than 12.0 m (39.4 ft.) and no fuel pump shall be located closer than 6.0 m (19.7 ft.) to the front line; and
 - d. underground storage tanks shall be set back from adjacent buildings in accordance with Provincial Regulations and legislation.
2. The minimum site areas shall be 740.0 sq. m (7965.3 sq. ft.) and the maximum ratio of floor area to site area shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1100 sq. m (11,840.3 sq. ft.).
3. Where a service station forms part of a shopping centre or auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.
4. All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
5. No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
6. The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

7.2 Motels

Where permitted under this Bylaw, motels shall comply with the following special provisions:

1. For the purposes of this Section, a rentable unit means a separate unit on a motel site used or intended to be used for the accommodations of one or more persons.
2. Site requirements for motels shall be as follows:

	Minimum Site Area/Unit	Minimum Required Yards	Minimum Parking on Site
One Storey	139.0 sq. m (1496.2 sq. ft.)	Front 7.5 m (24.6 ft.) Side 3.0 m (9.8 ft.) Rear 3.0 m (9.8 ft.)	One per sleeping unit
Two Storey	92.0 sq. m (990.3 sq. ft.)	Front 7.5 m (24.6 ft.) Side 3.0 m (9.8 ft.) Rear 3.0 m (9.8 ft.)	One per sleeping unit

3. Except in the case of rentable units and any other buildings connected by a continuous roof to form a shelter for motor vehicles, not less than 13.6 m (11.8 ft.) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.
4. Each rentable unit shall face onto or abut a driveway not less than 6.0 m (19.7 ft.) in width and shall have unobstructed access thereto.
5. Not more than one motor vehicle entrance and one motor vehicle exit to a street, each with a minimum width of 7.5 m (24.6 ft.) at its narrowest point, shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.0 m (29.5 ft.) in width.
6. The owner, tenant, operator or person in charge of a motel shall at all times:
 - a. maintain the site, buildings, structures, and improvements in a clean, tidy and attractive condition free from all rubbish and debris;
 - b. maintain garbage and/or incineration facilities to the satisfaction of the Development Authority;
 - c. maintain an appropriate fence where required, not less than 75 cm (30 in.) in height around the boundaries of the site;
 - d. landscape and keep the site landscaped; and
 - e. be responsible for providing all utility and sewage disposal and water supply facilities to meet the requirements of Provincial Regulations and legislation.

7.3 Manufactured and Mobile Homes

1. Before a development permit application is approved for a manufactured or mobile home, the development authority shall ask the applicant for verification that the home complies with both the CSA Z240 MH National Mobile Home Standard and the Alberta Building Code (ABC) by virtue of the existence of

appropriate labels. If either the CSA Z240 or the Alberta Municipal Affairs label is missing, the development authority will require an inspection prior to approving an application for a development permit for the location of the manufactured home or mobile home on a lot. That inspection is to be done by an Alberta Safety Codes Officer and is to indicate whether, and under what circumstances, the manufactured or mobile home can regain a CSA Z240 label, and can be modified to comply with the regulations made pursuant to the Alberta Safety Codes Act.

2. Should one or both labels not be attached, and therefore should an inspection by an Alberta Safety Codes Officer be required, a copy of the inspection report shall be provided to the Development Authority. Should the inspection indicate that upgrades to the manufactured or mobile home are necessary to bring the home into compliance with the CSA Z240 standard or regulations made pursuant to the Alberta Safety Codes Act, the Development Authority will assess the nature of the required upgrades and, in consultation with the applicant, determine if the applicant is willing to undertake the upgrades necessary, in terms of both cost and time. If the applicant indicates, in writing, that he is willing to undertake the upgrades, the Development Authority may approve the development permit application, but only on condition that all required upgrades are made and that the Development Authority receive verification from an Alberta Safety Codes Officer that such upgrades have been satisfactorily completed prior to occupancy of the manufactured or mobile home as a dwelling.
3. Should both labels be attached to the manufactured or mobile home, the development authority will still require, as a condition of the approval of a development permit, that an inspection by an Alberta Safety Codes Officer be undertaken, that the inspection report be provided to the Development Authority, and should the inspection indicate that upgrades to the manufactured or mobile home are necessary to bring the home into compliance with the requirements of the regulations made pursuant to the Safety Codes Act, all required upgrades shall be made, and further require that all of these steps be undertaken prior to the occupancy of the manufactured or mobile home as a dwelling.
4. In addition to the requirements of 7.3.1 and 7.3.2 above, a manufactured or mobile home must meet the following aesthetic regulations:
 - (a) The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate and general area;
 - (b) The roof pitch shall be consistent with the roof pitch of dwellings in the immediate and general area;
 - (c) Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area;

- (d) Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate and general area;
- (e) The design of each manufactured or mobile home shall ensure the side or end facing the street on which the home fronts contains a prominently placed front door, and windows in quantity and size that are consistent with dwelling units in the immediate area;
- (f) Every manufactured or mobile home shall be placed on a full perimeter foundation that complies with the Alberta Safety Codes Act unless the manufactured or mobile home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed;
- (g) The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order to create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate and general area.

Any required aesthetic upgrades to the manufactured or mobile home must be completed before the issuance of the development permit.

7.4 Manufactured Home Parks

1. The following regulations shall also apply to manufactured home parks:
 - a. In a manufactured home park, individual type B single detached dwellings shall be located a minimum of 7.5 m (24.6 ft.) from the carriage way of a street and a minimum of 4.5 m (14.8 ft.) from adjacent parcels of land. This 7.5 m or 4.5 m wide area shall be landscaped and/or fenced to the satisfaction of the Development Authority.
 - b. All streets in a manufactured home park shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.0 m (29.5 ft.).
 - c. All parks shall be provided with safe, convenient, all-season pedestrian walkways, each of at least 0.9 m (2.95 ft.) in width, intended for use between individual type B single family dwellings, the manufactured home park street, and all community facilities provided for park residents.
 - d. Visitor parking spaces shall be provided at a ratio of at least one space for every two type B single detached dwellings. These spaces shall be located

at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.

- e. The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- f. All municipal utilities shall be provided underground to dwellings in a manufactured home park.
- g. In a manufactured park, 10% of the gross site area shall be devoted to recreational space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips, and shall be clearly defined.
- h. All areas of a manufactured home park not occupied by type B single detached dwellings and their additions, internal streets, pedestrian walkways, driveways, parking and storage areas, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around rear yards, refuse collection points and playgrounds.
- i. No part of a manufactured home park shall be used for non-residential purposes except for home occupations, where a development permit has been issued, and such other uses as are required for the direct serving and well being of the park residents and for the management and maintenance of the manufactured home park.
- j. Manufactured home park facilities shall be encouraged to be arranged in a cluster-style development pattern in order to facilitate the provision of increased open space and reduce the amount of infrastructure needed to service the manufactured home park.
- k. Each staff for a manufactured home dwelling within a manufactured home park shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- l. Street lighting in a manufactured home park shall be to the same standards as that in a conventional residential neighbourhood.
- m. Signs
 - i. Only one main, free standing identification sign shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign may be allowed under exceptional circumstances of the layout, location

and size of the park related to surrounding areas. The sign or signs shall be of a size, type and construction of residential character and appearance, and acceptable to the Development Authority.

- ii. Directional signs within the manufactured home park shall be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- n. Type B single detached dwellings shall be separated from each other by at least 6.0 m (19.7 ft.) side-to-side and shall also be at least 3.0 m (9.8 ft.) from both the front and the rear stall line, provided further that any porch or addition to a type B single detached dwelling shall be regarded as part of the type B single detached dwelling for the purpose of spacing.
- o. The minimum site area for a manufactured home park shall be 2 ha (4.94 ac.).
- p. The maximum permissible density for a manufactured home park shall be 20 manufactured homes per gross developable hectare (8.09 per ac.) at any stage of development.
- q. The minimum size for a stall for a manufactured home shall be 370.0 sq. m (3982.6 sq. ft.).

7.5 Cluster Style Multi-lot Country Residential Subdivisions

- 1. The developable area of a cluster style development is the total gross area, less the area of:
 - a. primary and secondary conservation areas;
 - b. anticipated rights-of-way for roads and utilities;
 - c. Environmental Reserve areas;
 - d. Municipal Reserve areas;
 - e. naturally occurring streams, rivers, lakes, wetlands, and other hydro-geological features (including seasonal water flow and ponding areas) within the site;
 - f. land with significant vegetation features;
 - g. all environmentally sensitive areas as identified by Alberta Environment and Alberta Sustainable Resource Development.

The developable area may also exclude:

- h. land with a farmland assessment ratio of 55% or greater if the developer wishes to conserve the farmland with a legally binding instrument; and
- i. land with 15% slopes or greater, unless a geotechnical report has been conducted to the satisfaction of the development authority.

2. Development Concept Plans for cluster style development shall demonstrate adherence to the following conservation design-based guidelines:
- (1) At least 50% of the gross development area shall be left as open space, and not divided into individually-owned titled areas. All primary conservation areas within a site must be included within the open space areas, and secondary conservation areas within a site may be included within the open space areas.
 - (2) All remaining lands will be considered low priority conservation areas. These areas are not required to be part of the open space area. If the entire site of a development proposal is identified as low priority conservation area, development should be directed to previously cleared and/or disturbed areas.
 - (3) Open space areas may be used for the following purposes:
 - a. conservation of natural, archeological, or historical resources;
 - b. conservation of meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented uses;
 - c. walking or bicycle trails, provided they are constructed of porous paving and pervious materials;
 - d. passive recreation, such as open fields;
 - e. active recreation, provided that they are limited to no more than 10% of the total open space area, and provided further that they are not located within primary conservation areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the open space areas;
 - f. agriculture, horticulture, or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within primary conservation areas;
 - g. non-structural storm water management practices and structural storm water management practices that allow for filtered groundwater;
 - h. easements for drainage, access, and underground utility lines.
 - (4) The Development Concept Plan shall include an Open Space Management Plan. The open space can be managed in a number of ways, including but not limited to:
 - a. municipal ownership (in Municipal and/or Environmental Reserve parcels);
 - b. as a common unit (or units) within a bareland condominium plan;
or
 - c. as a commonly owned unit.

Any portion of the open space area that is not managed by the municipality shall be protected via a legally enforceable instrument such as a conservation easement. The Open Space Management Plan will clearly indicate who shall be responsible for maintaining and managing the open space areas and how funding for the maintenance and management shall be collected, including any legal instrumentation of such responsibilities and funding. The Plan will also indicate how, if the maintenance and/or management of the open space areas becomes neglected and/or if funding provisions cannot be enforced, the County shall assume responsibility for maintenance and management of the open space areas, and, further, how the costs of such maintenance and management, including administrative costs, interest, and penalties, will be charged back against the landowners within the development.

- (5) If the open space is protected by a legally binding instrument such as a conservation easement, the form of protection and the organization or entity to which the instrument will be registered shall be identified in the Development Concept Plan for a particular development. The instrument will be registered to one of the following:
 - a. A land trust or conservation oriented non-profit organization with the legal authority to accept such easements. The organization shall be bona fide in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the County in the event that the organization becomes unable to carry out its functions.
 - b. A government entity with an interest in pursuing goals compatible with the purposes of this policy. If the entity accepting the easement is not the County, then a third right of enforcement favoring the County shall be included in the easement.
- (6) Though the form of ownership of the individual residential dwelling units may be the normal fee simple ownership, other forms, such as but not limited to co-operatives, bareland condominiums, rental accommodation, societies and joint ownership shall be considered.
- (7) The form of ownership, and the implications of the form of ownership for the management and maintenance of any services and utilities, shall be identified in the Development Concept Plan for a particular development. The Development Concept Plan will:
 - a. allocate responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon including provisions for ongoing maintenance and long-term capital improvements. Facilities may include: water treatment facilities, recreation facilities and trail networks;
 - b. provide a strategy for the enforcement of the Plan.

Any changes to the Development Concept Plan must be approved by the County. The responsibility for maintaining the open space and any facilities located thereon shall be borne by the owner.

In the event that the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the County may assume the responsibility for maintenance, enter the premises to take corrective action, and charge the costs to the previously responsible party. The County may also bill for administrative costs and penalties associated with the maintenance.

The instrument for permanent protection shall include clear restrictions on the use of open space. The restrictions shall include all restrictions included in this policy as well as any further restrictions the applicant chooses to place on the use of the open space.

- (8) If adjacent quarter sections are developed using cluster style subdivision design, the open space component of each development should be designed in such a way as to be contiguous.
3. Though private recreation facilities may be encouraged within cluster style developments in order to provide residential recreational amenity, public recreation facilities shall be considered discretionary developments and shall only be developed if compatible with the environment and with nearby uses and developments.

7.6 Country Residential (Resort) Uses

1. Country residential (resort) uses shall be permitted only on those parcels of land created for that use.
2. Each country residential (resort) use shall be considered on the basis of land capability for residential development, including such issues as environmental capability, public access to the water, water pollution, congestion and other pertinent matters.

7.7 Recreational Trails

1. Notwithstanding that Recreational Uses are listed as discretionary uses within the Agricultural (A) District, the Controlled Urban Development (CUD) District, the Urban General (UG) District, and the Rural Industrial (RI) District, the use of land, including abandoned or former railroad rights-of-way, for recreational trail purposes shall not be allowed, except in specific locations as approved pursuant to applications for development permits.

2. Applications for development permits for recreational trails shall not only indicate the location of the trail, but also what will be done to build or create the trail, to sign the trail, to limit trespassing from the trail, and to deal with any garbage or litter resulting from trail use, weed control and fire control.
3. Generally speaking, recreational trails may be allowed throughout the County, but shall be limited to small areas and short distances under the control of specific organizations. Those organizations shall be responsible for both development and regular maintenance of the trail. As a condition of the approval of any development permit for the establishment of a recreational trail, the County may require that the operating organization accept responsibility for these actions, and provide a guarantee that the development and maintenance will take place in accordance with the development permit application information described in subsection 7.7.2 above and the Development Authority's requirements.

7.8 Rural Visitor Accommodations

1. Rural visitor accommodations shall, in addition to any relevant regulations for home occupations, comply with the following regulations:
 - a. Rural visitor accommodations shall not change the principal character or external appearance of the dwelling involved.
 - b. Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.
 - c. In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.
 - d. Rural visitor accommodations shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.

7.9 Large Wind Energy Conversion Systems

1. Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:
 - a. any adjacent municipality should the proposed development be located within 2 km (1.2 miles) of the municipality; and
 - b. landowners within 2 km (1.2 miles) of the proposed development.
2. When making an application for a development permit for a large WECS, the developer shall provide to the Development Authority appropriate reports and/or approvals from the following:
 - a. Transport Canada
 - b. NavCanada
 - c. Alberta Culture and Community Spirit
 - d. Alberta Environment

- e. Alberta Sustainable Resource Development
 - f. Alberta Tourism, Parks and Recreation
 - g. Alberta Transportation
3. Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of Section 5.1 of this Bylaw.
 4. A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the district in which it is located.
 5. Where, in the opinion of the Development Authority, the setbacks referred to in Section 7.9.4 above are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.
 6. The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.
 7. The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.
 8. To ensure public safety, the Development Authority may require that:
 - a. a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;
 - b. no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;
 - c. a locked device be installed on the tower to preclude access to the top of the tower; and
 - d. such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

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

9. All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.
10. Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the sole requirements of the Development Authority.
11. No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the sole discretion of the Development Authority.
12. The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:
 - a. information provided in the application;
 - b. the proximity of the proposed development to other land uses;
 - c. the cumulative effect of all wind energy conversion systems approved or proposed in the area;
 - d. underlying utilities; and
 - e. information received from the circulation of the application and from the public.
13. Large wind energy systems must comply with applicable air traffic safety regulations. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process.

7.10 Small Wind Energy Conversion Systems

1. For property sizes between 0.1 ha (0.25 acre) and 0.2 ha (0.5 acre) the wind turbine tower height shall be limited to 80 ft (25m). For property sizes of 0.2 ha (0.5 acre) or more, there is no limitation on wind turbine tower height, subject to the set-back requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.
2. The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than three (3) m (10 ft) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2 m (6 ft) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties

if such adjacent property owner agrees to grant an easement binding on current and future owners.

3. The mean value of the sound pressure level from small wind energy systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 22 mph (10 m/s) and except during short-term events such as utility outages and/or severe wind storms.
4. Development permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, anchoring method and drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.
5. Small wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Navigation Canada.
6. Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.
7. No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.
8. One Small Wind Energy System is allowed per single detached dwelling on a lot.

7.11 Solar Energy Collection Systems

1. Ground mounted solar collectors shall be located in a side or rear yard only.
2. When a solar energy collection system is installed on a lot, accessory structures or vegetation on an abutting lot should not be located so as to block the solar

collector's access to solar energy. The portion of a solar collector that is protected is the portion which:

- a. is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the lot line; and,
- b. has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.

Notwithstanding the foregoing, the County shall not be held responsible for protecting access to solar energy on private land.

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

7.12 Amateur Radio Antennas

1. An amateur radio antenna shall conform to the following provisions:
 - a. be installed according to the manufacturer's specifications;
 - b. be located in the rear yard;
 - c. conform to the height regulations in the district in which the antenna is located;
 - d. not be illuminated or have any signs affixed thereto; and
 - e. at the discretion of the development authority, be adequately buffered from adjacent land uses.

7.13 Wireless Communications Facilities

1. Wireless communication facilities should be encouraged to locate in agricultural, industrial and other non-residential policy areas.
2. Where possible, visually unobtrusive antennas are encouraged to co-locate with existing infrastructure such as but not limited to signs located on private property and water towers.
3. New wireless communications facilities should be built to a standard to accommodate multiple devices. If such co-location of facilities is not feasible, the clustering of such facilities shall be encouraged.
4. Wireless communication facilities and/or their access roads should avoid locating within environmentally sensitive areas such as but not limited to steep slopes and

those areas adjacent to watercourses or water bodies. Facilities that are proposed to be located within such areas will be requested to provide an environmental assessment and/or a geo-technical report to the County.

The visibility of all wireless communications facilities and their associated appurtenances should be minimized through the use of design, colour, and architectural style.

5. Guyed facilities are encouraged to have daytime visual markers to prevent interference with bird migration.
6. In those instances where Transport Canada requires that a wireless communication facility be lit, the following measures are encouraged:
 - a. the light source should not spill-over onto adjacent properties;
 - b. the lighting should be a minimum number of low intensity white lights;
 - c. the strobe interval should be the maximum allowable by Transport Canada.
7. Wireless communication facility sites should be established with regard to Alberta Transportation and the County of Two Hills setbacks from highways and roads.
8. Signage for wireless communications facilities should only:
 - a. identify the facility;
 - b. identify the owner and give their contact information; or
 - c. warn of any safety issues.
9. Wireless communications facilities should be removed within six (6) months of cessation of use.
10. All carriers interested in locating a wireless communications facility within the County should first contact all other carriers providing similar services and pursue co-location before meeting with the Development Officer. These responses should be provided to the Development Officer in writing prior to meeting with him or her.
11. The County shall request public consultation for all proposed wireless communications facilities greater than 10 m in height for landowners within a radius of six (6) times the tower height. The carrier will be required to pay the costs associated with the public consultation.
12. A letter of support will be sent by the County to Industry Canada if:
 - a. any technical assessment that was requested by the County has been completed to the satisfaction of Council; and

- b. a public consultation was either not necessary or, if public consultation was deemed necessary, it was completed and the results of the consultation provided to Council for final decision. The results of this decision will be forwarded by the Development Officer to Industry Canada.

7.14 Subdivision for Single Lot Country Residential or Farmstead Uses

1. In the Agricultural (A) and Controlled Urban Development (CUD) Districts, a maximum of two parcels for country residential use, including farmsteads, may be subdivided out of each quarter section, provided the quarter section is a minimum of 50 ha (123.5 ac.) in size and provided, further, that the total area of such parcels does not exceed 8.1 ha (20 ac.). If the quarter section is less than 50 ha (123.5 ac.) in size but more than 20 ha (50 ac.) in size, only one such parcel may be subdivided and the total area of such parcel may not exceed 4.05 ha (10 ac.). Such country residential parcels may include farmsteads and vacant parcels, and may include one (1) fragmented parcel. However, if a quarter section has been subdivided into two (2) halves, only one (1) country residential parcel, farmstead parcel, or fragmented parcel for residential purposes, may be subdivided from each half.
2. The development of more than the number of country residential parcels in a quarter section indicated in Subsections 1. above shall be considered to be multi-lot country residential development and shall not be allowed within the Agricultural (A) or Controlled Urban Development (CUD) Districts. Rather, an appropriate amendment to this Bylaw shall be required, normally to a Country Residential District.
3. A fragmented parcel, as defined in this bylaw, of less than 8.1 ha (20 ac.) in size shall be considered a parcel for country residential use for the purposes of Subsection 1. above. Subdivision of fragmented parcels larger than 8.1 ha (20 ac.) in area shall be considered to be agricultural parcels.
4. A country residential use parcel shall not be less than 0.4 ha (1 ac.) in size and not more than 8.1 ha (20 ac.) in size. However, the total area of all single lot country residential use parcels on a quarter section, including the area of any fragmented parcel which is used for country residential purposes, shall not exceed the number of hectares indicated in Section 7.14.1 above. The use of more land within one quarter section for country residential use shall be considered multi-lot country residential development, even if it is for only one lot, and will require amendment to the Land Use Bylaw before such development can be approved by the County.

8.0 Land Use Districts

8.1 Agricultural (A) District

8.1.1 Purpose

The General Purpose of the Agricultural District is to permit activities associated with primary economic production, and to preserve valuable agricultural land from inappropriate development.

This District comprises almost all of the land in the municipality, and includes all of the area so designated on the Land Use District Map.

8.1.2 Permitted Uses

- a. Extensive Agriculture
- b. Home Occupations, minor
- c. Single detached dwellings, Types A and B
- d. Buildings and uses accessory to a permitted use

8.1.3 Discretionary Uses

- a. Animal Boarding Facility
- b. Abattoirs
- c. Auto Wreckers
- d. Bed and Breakfast Establishments
- e. Campgrounds
- f. Cemeteries
- g. Country Residential Uses
- h. Drive-in Theatres
- i. Farmsteads
- j. Guest Ranches
- k. Home Occupations, major
- l. Intensive Agriculture
- m. Institutional and Public Uses
- n. Natural Resource Extraction Industries
- o. Places of Worship
- p. Public Utilities
- q. Recreational Uses
- r. Rural Commercial Uses
- s. Rural Industries
- t. Secondary suites
- u. Urban uses on approved sites in existing urban-type subdivisions and hamlets
- v. Other similar uses as approved by the Development Authority
- w. Buildings and uses accessory to a discretionary use

8.1.4 Regulations

1. Minimum Lot Area - Permitted Uses - 32.0 ha (79.1 ac.), except for the following situations:
 - a. where a discretionary use is allowed, the remainder after the parcel of land for the discretionary use is removed from the site;
 - b. where the parcel of land is fragmented by a natural or physical barrier;
 - c. where the original quarter section is less than 64.7 ha (160 ac.), a minimum area of not less than 24.0 ha (59.3 ac.);
 - d. where a parcel of land has been separated from the original quarter section, a minimum area of not less than 24.0 ha (59.3 ac.);
 - e. where the original quarter section abuts a river, the size of the unsubdivided quarter section,
 - f. where it is desirable in order to split leasehold or other partial interests, a minimum area of not less than 24.0 ha (59.3 ac.).
2. Minimum Lot Area - Discretionary Uses
Country Residential Uses and Farmsteads – See Section 7.14
All other uses – as required by the Development Authority
3. Minimum Required Front Yard - 45 m (147.6 ft.) from the centre line of any adjoining road, and 40.8 m (133.9 ft.) from the property line adjacent to a secondary road or a primary highway.
4. Minimum Required Side Yard - 10% of mean width of the parcel of land provided that no side yard need exceed 7.5 m (24.6 ft.) except for a parcel of land with two front lines (at the intersection of two roads or highways) where the minimum side yard requirement shall be at the discretion of the Development Authority.
5. Minimum Required Rear Yard - 7.5 m (24.6 ft.).
6. Notwithstanding any other provision of this Bylaw to the contrary, a total of 3 parcels of land may be allowed for Country Residential Uses in that part of the SE 22-54-8-W4 and part of NE 22-54-8-W4 lying to the north and east of Sunset Lake.
7. Notwithstanding any other provision in the Bylaw to the contrary, additional development may occur on W ½ 22-54-8-W4.

8.2 Controlled Urban Development (CUD) District

8.2.1 Purpose

The General Purpose of the Controlled Urban Development District is to permit activities associated with primary economic production, while limiting such development in consideration of the proximity of urban development.

This District comprises the land in the municipality near the Town of Two Hills, the Villages of Willingdon, Myrnam, and Derwent, and the hamlet of Hairy Hill.

8.2.2 Permitted Uses

- a. Extensive Agriculture
- b. Home Occupations, minor
- c. Single detached dwellings, Types A and B
- b. Buildings and Uses accessory to a permitted use

8.2.3 Discretionary Uses

- a. Animal Boarding Facility
- b. Bed and Breakfast Establishments
- c. Cemeteries
- d. Country Residential Uses
- e. Farmsteads
- f. Home Occupations, major
- g. Institutional and Public Uses
- h. Intensive Agriculture
- i. Natural Resource Extraction Industries
- j. Places of Worship
- k. Public Utilities
- l. Recreational uses
- m. Secondary Suites
- n. Other similar uses as approved by the Development Authority
- o. Buildings and uses accessory to a discretionary use

8.2.4 Regulations

1. All applications for development permits shall be submitted to the nearby or adjacent municipality for review and comments prior to considering a decision on a development permit. The Development Authority shall give due consideration to the comments of the nearby or adjacent municipality.
2. Minimum Lot Area - Permitted Uses - as required in the Agricultural District.

3. Minimum Lot Area - Discretionary Uses
Country Residential Uses and Farmsteads – See Section 7.14
All other uses – as required by the Development Authority
4. Minimum Required Front Yard - 45 m (147.6 ft.) from the centre line of any adjoining road, and 40.8 m (133.9 ft.) from the property line adjacent to a secondary road or a primary highway.
5. Minimum Required Rear and Side Yards - as required in the Agricultural District.

8.3 Urban General (UG) District

8.3.1 Purpose

The General Purpose of the Urban General District is to permit a wide variety of urban-type uses within the larger unincorporated hamlets of the municipality.

This District comprises the land in hamlets of Duvernay, Hairy Hill, Kaleland, Musidora, Morecambe, Beauvallon and Brosseau.

8.3.2 Permitted Uses

- a. Type A single detached dwellings
- b. Home Occupations, minor
- c. Buildings and Uses accessory to a permitted use

8.3.3 Discretionary Uses

- a. Bed and Breakfast Establishments
- b. Cemeteries
- c. Duplexes
- d. Highway Commercial Uses
- e. Home Occupations, major
- f. Institutional and Public Uses
- g. Type B single detached dwellings
- h. Manufactured Home Parks and Subdivisions
- i. Offices
- j. Parks and Playgrounds
- k. Places of Worship
- l. Public Utilities
- m. Recreational Uses
- n. Retail and Service Establishments
- o. Secondary Suites
- p. Warehousing
- q. Other similar uses as approved by the Development Authority
- r. Buildings and Uses accessory to a discretionary use

No use is to be established that is, or will become, obnoxious by way of noise, odour or fumes.

8.3.4 Regulations

1. Minimum Width and Lot Area
 - i. for Single detached dwellings:

Use	Width (m (ft.))	Area (sq. m (sq. ft.))
Unserviced	30 (98.4)	1850.0 (19,913.2)
Both Services	15 (49.2)	555.0 (5974.0)
Sewerage Only	30 (98.4)	925.0 (9956.6)
Water Only	30 (98.4)	1390.0 (14,961.8)

Minimum requirements may be varied by the Development Authority where adequate methods of providing water and disposing of sewage can be shown.

- ii. All other uses - as required by the Development Authority.

2. Minimum Floor Area

- i. for Residential uses:

Use	Area (sq. m (sq. ft.))
Type A single detached dwelling	55.5 (597.4)
Duplexes	92.5 (995.7)
Type B single detached dwelling	37.0 (398.3)

- ii. All other uses - as required by the Development Authority.

3. Minimum Required Yards:

- i. Residential: Front Yard - 7.5 m (24.6 ft.)
Rear Yard - 7.5 m (24.6 ft.)
Side Yard - 10% of lot width, but not less than 1.5 m (4.92 ft.) each and not required to be greater than 7.5 m (24.6 ft.)
Side Yard on Corner Site - 4.5 m (14.8 ft.) on each flanking street
- ii. Commercial: Retail stores built adjacent to existing similar uses may be built without front or side yards where there is lane access. Where there is no lane access, one side yard of at least 4.5 m (14.8 ft.) shall be provided.
- iii. All other uses - as required by the Development Authority.

4. All development shall be provided with sanitary sewage disposal facilities pursuant to Provincial Regulations and legislation.

8.4 Country Residential (CR) District

8.4.1 Purpose

The General Purpose of the Country Residential District is to permit and regulate the development of country residential uses in specific areas within the municipality.

This District comprises all of the land so designated on the Land Use District Map.

8.4.2 Permitted Uses

- a. Type A single detached dwellings
- b. Home Occupations, minor
- b. Buildings and Uses accessory to a permitted use

8.4.3 Discretionary Uses

- a. Bed and Breakfast Establishments
- b. Extensive Agriculture
- c. Home Occupations, major
- d. Institutional and Public Uses
- e. Natural Resource Extraction Industries
- f. Public Utilities
- g. Recreational Uses
- h. Secondary Suites
- i. Type B single detached dwellings
- j. Other similar uses as approved by the Development Authority
- k. Buildings and Uses accessory to a discretionary use

8.4.4 Regulations

1. Minimum Lot Area
 - a. Single detached dwellings where minor agricultural and rural pursuits are not permitted - not less than 0.4 ha (0.99 ac.) and not more than 1.21 ha (2.99 ac.)
 - b. All other uses - as required by the Development Authority.
2. Minimum Floor Area
 - a. Single detached dwellings dwellings - 55.0 sq. m (592.0 sq. ft.)
 - b. All other uses - as required by the Development Authority.
3. Minimum Required Yards
 - a. Type A single detached dwellings and Type B single detached dwellings - from internal roads:
 - i. Front Yard - 7.5 m (24.6 ft.)
 - ii. Rear Yard - 7.5 m (24.6 ft.)

- iii. Side Yard - 10% of lot width, but not less than 1.5 m (4.92 ft.) and not required to be greater than 7.5 m (24.6 ft.)
 - b. Other uses - from internal roads - as required by the Development Authority.
 - c. All uses - from all other roads - 38.0 m (124.7 ft.)
- 4. All development shall be provided with sanitary sewage disposal facilities pursuant to Provincial Regulations and legislation. In addition, the availability and suitability of water on the site must be confirmed before any development permit for a country residential use is issued.
- 5. No fur bearing animals, fowl or livestock, other than domestic pets, may be kept on a parcel of land less than 1.21 ha (2.99 ac.) in area, except that one saddle horse may be permitted on each parcel of land.

8.5 Country Residential (Resort) (RR) District

8.5.1 Purpose

The General Purpose of the Country Residential (Resort) District is to permit and regulate the development of country residential resort uses in specific areas within the municipality.

This District comprises all of the land so designated on the Land Use District Map.

8.5.2 Permitted Uses

- a. Type A single detached dwellings
- b. Parks
- c. Home Occupations, minor
- d. Recreational Uses
- e. Buildings and Uses accessory to a permitted use

8.5.3 Discretionary Uses

- a. Bed and Breakfast Establishments
- b. Campgrounds
- c. Extensive Agriculture
- d. Home Occupations, major
- e. Institutional and Public Uses
- f. Type B single detached dwellings
- g. Public Utilities
- h. Secondary Suites
- i. Other similar uses as approved by the Development Authority
- j. Buildings and Uses accessory to a discretionary use

8.5.4 Regulations

1. Minimum Lot Area
 - a. Single detached dwellings - 1858.0 sq. m (19,999.3 sq. ft.)
 - b. All other uses - as required by the Development Authority.
2. Minimum Length of Front Line
 - a. Single detached dwellings - 30.0 m (98.4 ft.) or as required by the Development Authority.
 - b. All other uses - as required by the Development Authority.
3. Minimum Floor Area
 - a. Single detached dwellings - 37.0 sq. m (398.3 sq. ft.)
 - b. All other uses - as required by the Development Authority.
4. Minimum Required Yards
 - a. Single detached dwellings

- i. Front Yard - 7.5 m (24.6 ft.)
 - ii. Rear Yard - 7.5 m (24.6 ft.)
 - iii. Side Yard - 10% of lot width, but not less than 1.5 m (4.92 ft.) and not required to be greater than 7.5 m (24.6 ft.)
 - b. All other uses - as required by the Development Authority.
5. All development in the Country Residential (Resort) (RR) District shall be provided with water-tight septic tanks or sewage holding tanks. In addition, the availability and suitability of water on the site must be confirmed before any development permit for a country residential resort use is issued.
6. Within the County Residential (Resort) (RR) District, at any one time, not more than three (3) recreational vehicles may be
- a. located on a residential lot, or
 - b. used as a primary residence on a residential lot.
7. Notwithstanding the provisions of Subsection 8.5.4.6 above, additional recreational vehicle(s) may be located on a lot so long as:
- a. the purpose of the additional recreational vehicle(s) is to accommodate a short term temporary event such as but not limited to a family reunion;
 - b. the event does not exceed seven (7) consecutive days.
 - c. the recreational vehicle(s) are removed from the lot after the seven (7) day period.

In such a situations, notwithstanding any other provision in this Bylaw to the contrary, no development permit shall be required.

8.6 Rural Industrial (RI) District

8.6.1 Purpose

The General Purpose of the Rural Industrial District is to regulate the development of those industries which require large tracts of land and which may not be appropriate within an urban municipality. No industrial use will be allowed in this District if the Development Authority considers it to be an objectionable, dangerous, or potentially hazardous development.

This District comprises all of the land so designated on the Land Use District Map.

8.6.2 Permitted Uses

- a. Extensive agriculture
- b. Light industrial buildings and uses
- c. Manufacturing
- d. Warehousing
- e. Buildings and Uses accessory to a permitted use

8.6.3. Discretionary Uses

- a. Industrial plants for manufacture of petroleum products, chemical and allied products, pulp and paper products, stone, clay and glass products, cement and lime products, fertilizers, animal by-products
- b. Industrial plants which will be engaged in the primary metal industry, metal processing, the processing of wood or wood products, the processing of natural gas or its derivatives, the manufacture of asphalt, gravel crushing
- c. Incinerators
- d. Sewage treatment and disposal plants
- e. Public utilities, recreational or municipal uses as are unlikely to have restrictive effects upon the development of the industrial area, and which are compatible with the industrial uses, or such accessory uses which are essential to the industrial uses.
- f. Other similar uses as approved by the Development Authority
- g. Buildings and Uses accessory to a discretionary use

8.6.4. Regulations

1. All site regulations and requirements shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Authority.
2. Where development may produce effects that may be detrimental to other land uses inside or outside of the District, either directly or indirectly, by reasons of noise, odour, fumes, dust, smoke, appearance or otherwise, such development may be restricted by the Development Authority to particular parts of the District or may be subject to special regulations or conditions, or both.

8.7 Intensive Campground (IC) District

8.5.1 Purpose

The General Purpose of the Intensive Campground (IC) District is to permit and regulate the development of private long-term camping facilities in specific areas within the municipality.

This District comprises all of the land so designated on the Land Use District Map.

8.5.2 Permitted Uses

- a. Parks
- b. Recreational Uses
- c. Recreational Vehicles
- d. Type B single detached dwellings
- e. Buildings and Uses accessory to a permitted use

8.5.3 Discretionary Uses

- a. Extensive Agriculture
- b. Institutional and Public Uses
- c. Intensive campgrounds
- d. Public Utilities
- e. Other similar uses as approved by the Development Authority
- f. Buildings and Uses accessory to a discretionary use

8.5.4 Regulations

1. Minimum Lot Area
 - a. Type B single detached dwellings - 1858.0 sq. m (19,999.3 sq. ft.)
 - b. All other uses - as required by the Development Authority.
2. Minimum Length of Front Line
 - a. Type B single detached dwellings - 30.0 m (98.4 ft.) or as required by the Development Authority.
 - b. All other uses - as required by the Development Authority.
3. Minimum Floor Area
 - a. Type B single detached dwellings - 37.0 sq. m (398.3 sq. ft.)
 - b. All other uses - as required by the Development Authority.
4. Minimum Required Yards
 - a. Type B single detached dwellings
 - i. Front Yard - 7.5 m (24.6 ft.)
 - ii. Rear Yard - 7.5 m (24.6 ft.)
 - iii. Side Yard - 10% of lot width, but not less than 1.5 m (4.92 ft.) and not required to be greater than 7.5 m (24.6 ft.)

- b. All other uses - as required by the Development Authority.
5. All development in the Intensive Campground (IC) District shall be provided with water-tight septic tanks or sewage holding tanks. In addition, the availability and suitability of water on the site must be confirmed before any development permit for an intensive campground use is issued.
6. Within the Intensive Campground (IC) District not more than one recreational vehicle or Type B single detached dwelling may be located on a residential lot or used as a primary residence on a residential lot at any one time.
7. The following regulations shall apply to the development of all intensive campgrounds:
- a. In determining the appropriateness and suitability of a site for an intensive campground, the Development Authority shall consider such factors as accessibility, compatibility with nearby land uses, environmental sensitivity, physical suitability, and serviceability of the site itself.
 - b. Roads leading to an intensive campground may be required, as a condition of the approval of a development permit, to be brought into a condition the Development Authority deems necessary to sustain the volume and type of traffic to be generated by the intensive campground.
 - c. Among other matters, the following factors may be used by the Development Authority in determining the appropriate density for a proposed intensive campground development:
 - i. presence of natural amenities (e.g., water features, landscape),
 - ii. quantity and type of vegetation,
 - iii. sensitivity of terrain.
 - d. The following criteria and standards may be used by the Development Authority in determining appropriate site design for a proposed intensive campground development:
 - i. the site plan for a proposed intensive campground development shall detail internal circulation requirements, roadway widths, pedestrian circulation, site access and egress, emergency access, parking areas, storage areas, toilet and laundry areas, recreational areas, and recreational vehicle and tenting areas;
 - ii. the number of access points to the intensive campground shall be limited to control the entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow;
 - iii. the location of access points shall not unnecessarily route traffic through residential areas;
 - iv. access points shall be designed to accommodate two-way traffic, and shall provide a clear unobstructed view for traffic and turning vehicles. The provision of acceleration and deceleration lanes may be required;

- v. all intensive campgrounds and sites shall have clear access and identification for fire fighting, ambulance, and police;
 - vi. for intensive campgrounds proposed to be open year-round, provision shall be made in the design of internal roadways for snow removal and snow storage;
 - vii. for intensive campgrounds proposed to be for long lease arrangements, parking spaces shall be provided for visitors in such locations as shall not interfere with pedestrian safety;
 - viii. noise control measures may be required by the Development Authority, which may include the use of berms, natural barriers, and screens, and locating noise-insensitive aspects of the development closest to the noise source.
- e. All internal roads are to be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6 m (20 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12 ft.) usable top.
 - f. Stall size shall have a minimum of 13.5 m (49 ft.) width and a minimum of 273 sq. m (2938.5 sq. ft.) in area.
 - g. The developer shall provide an adequate on-site water supply.
 - h. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
 - i. The development agreement may require the developer to construct, upgrade, or pay to construct or upgrade the necessary County roads to access the development.
 - j. The developer shall designate an area equivalent to ten percent (10%) of the total intensive campground area as a playground. This area is to be clearly marked and free from all traffic hazards.
 - k. All stalls shall maintain a minimum set back of 30 m (98.4 ft.) from the shoreline of any body of water or lake.
 - l. The Developer shall provide reasonable and adequate lake access.
 - m. The minimum distance between intensive campgrounds shall be 0.8 km (0.5 mi.).
 - n. The maximum number of stalls per development shall be 50.
 - o. The construction of more than one (1) of single family dwelling or the placement of more than one (1) manufactured home unit shall not be allowed at an intensive campground, even if the dwellings are considered to be rental accommodation, unless a development permit has been issued for a motel as well as an intensive campground.

Figure 1. Siting of Accessory Buildings

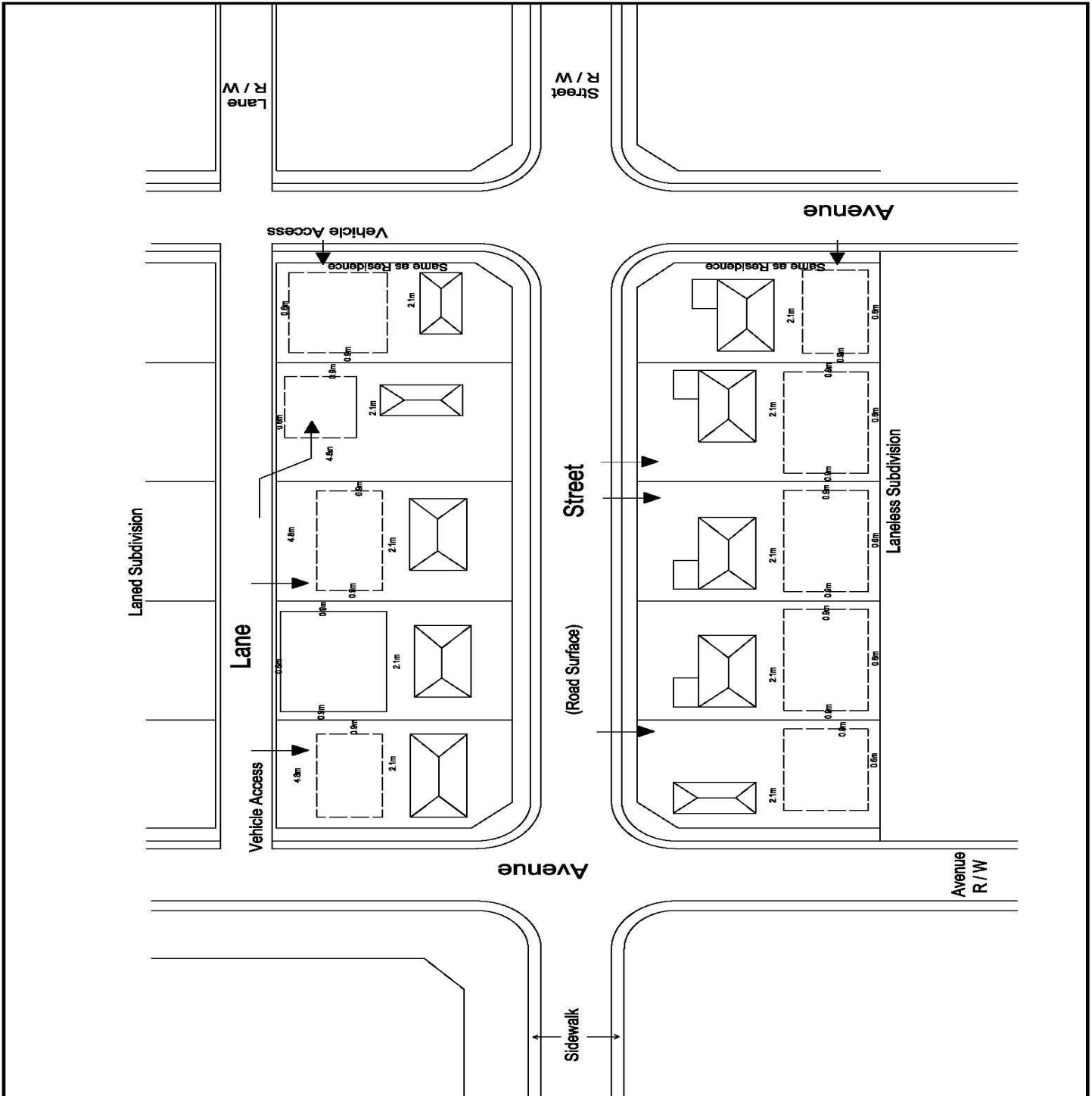


Figure 2. Setbacks from Rural Roads

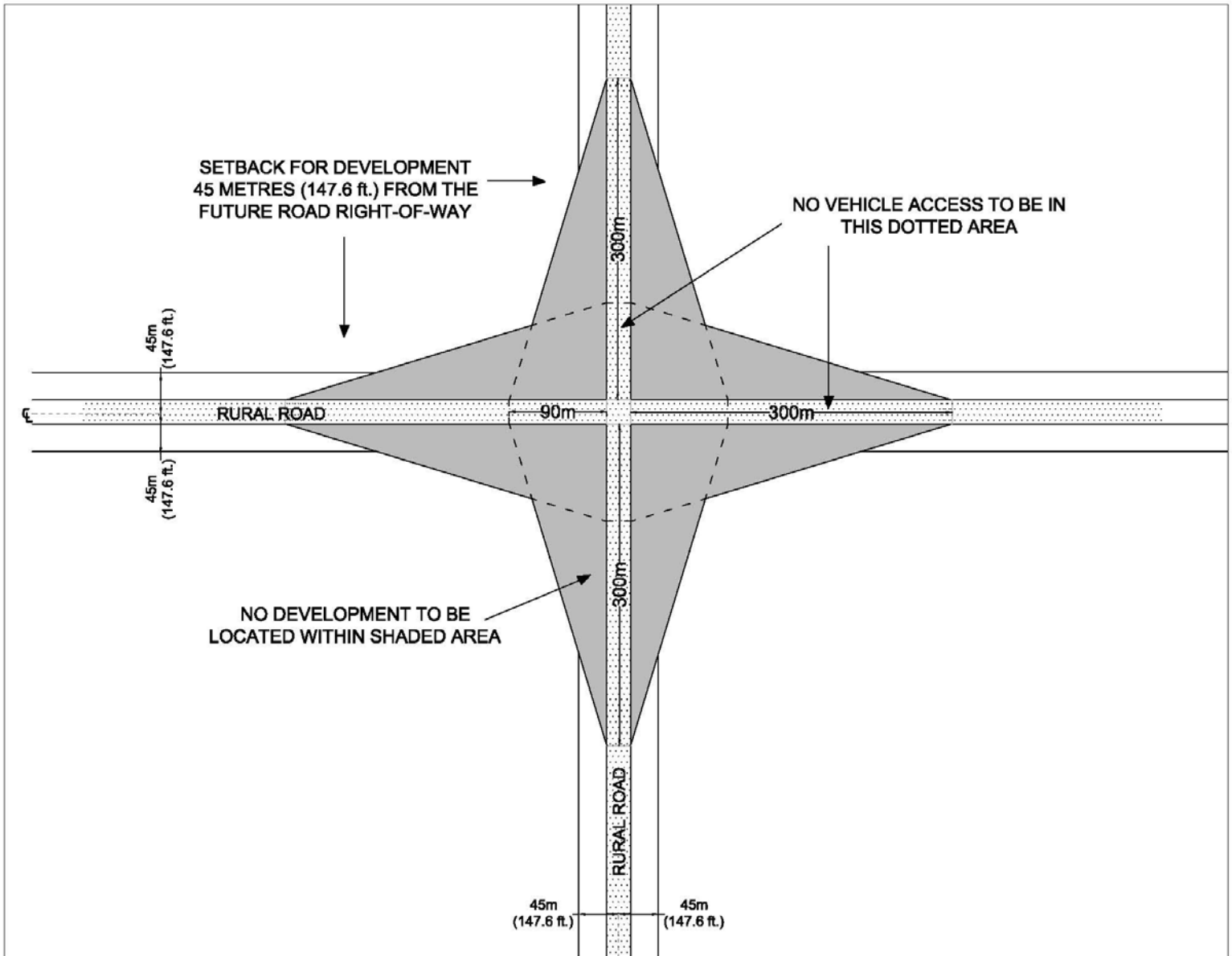
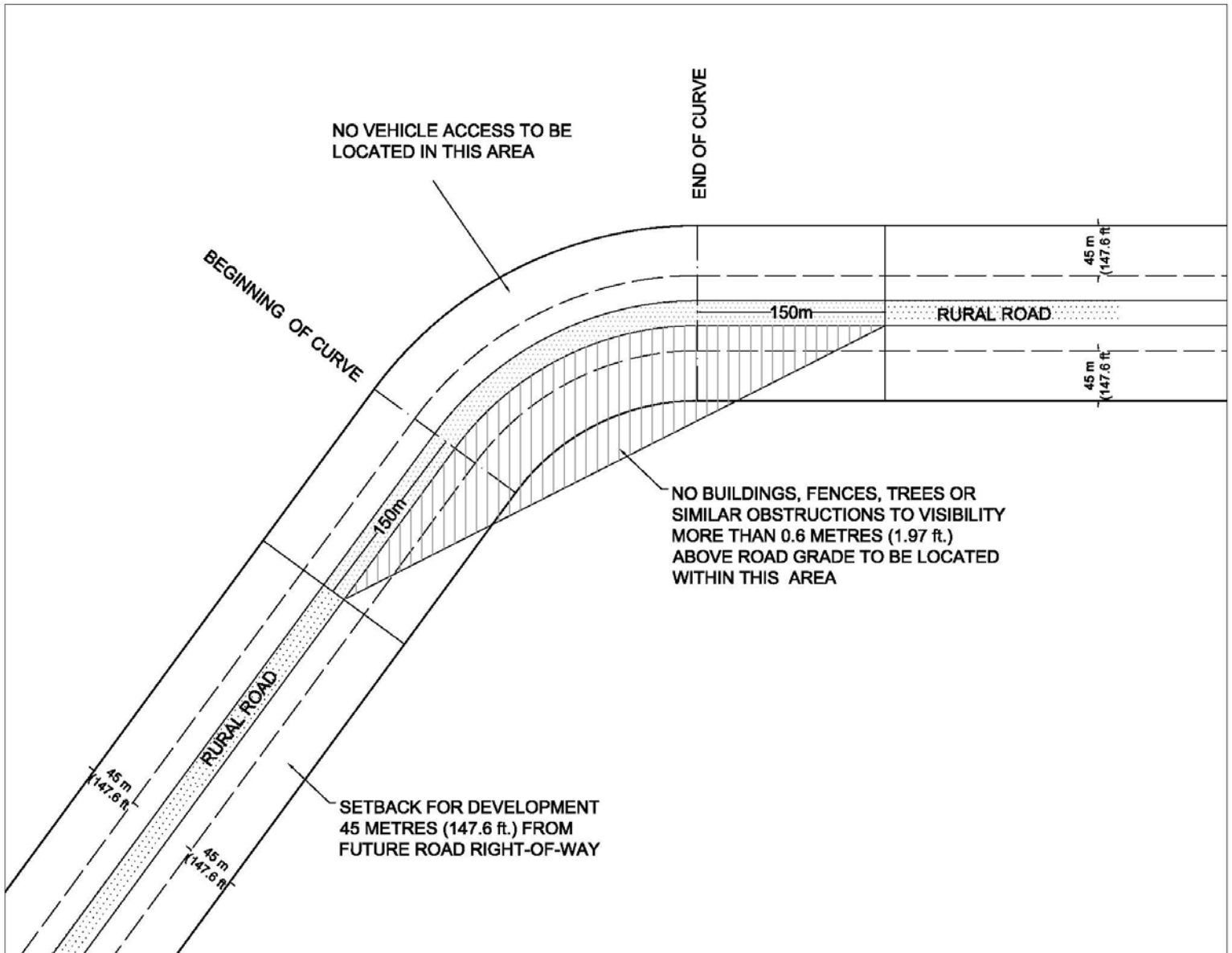


Figure 3. Setbacks from Curves



County Of Two Hills No 21



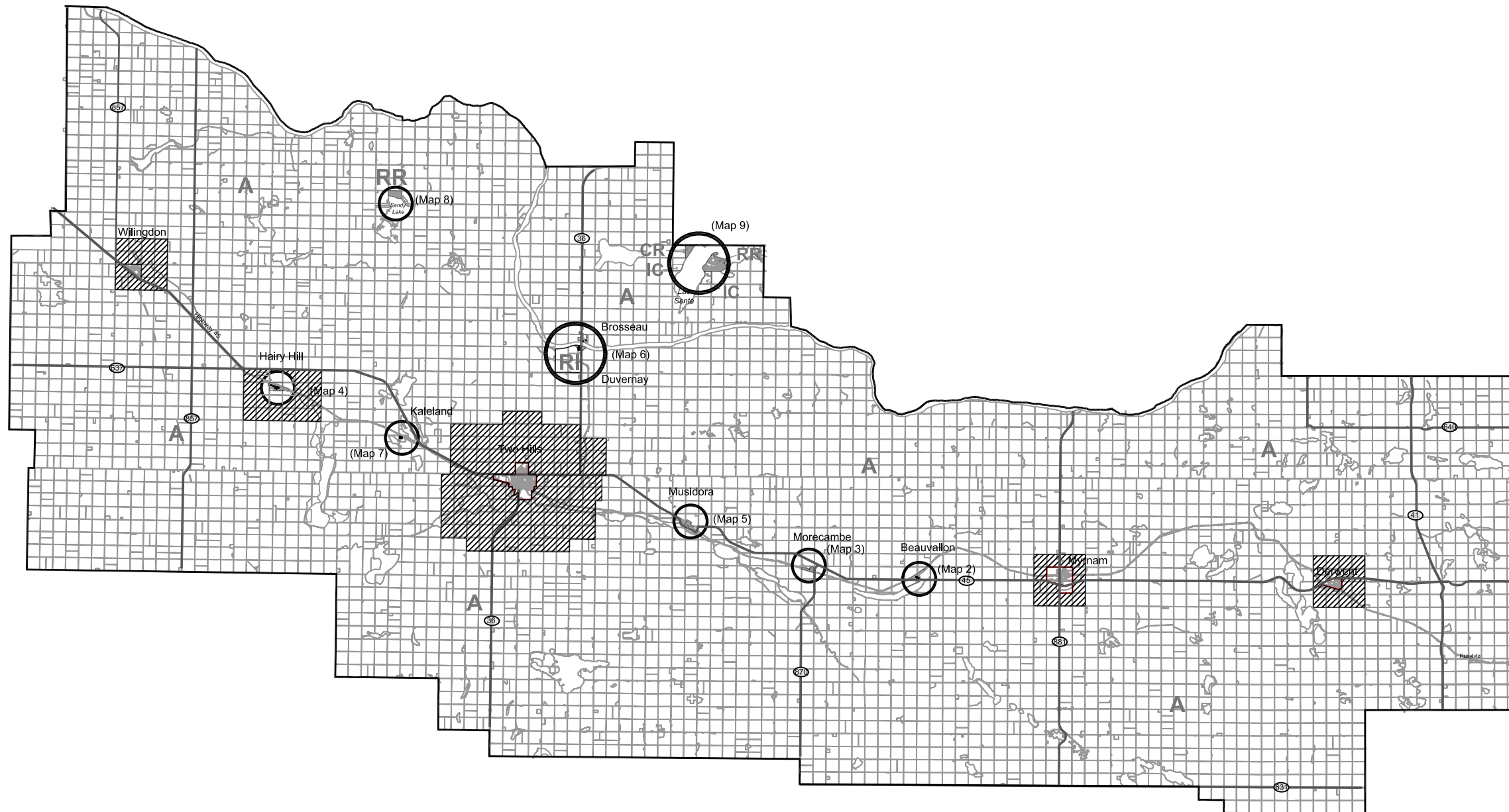
Land Use Bylaw Map1

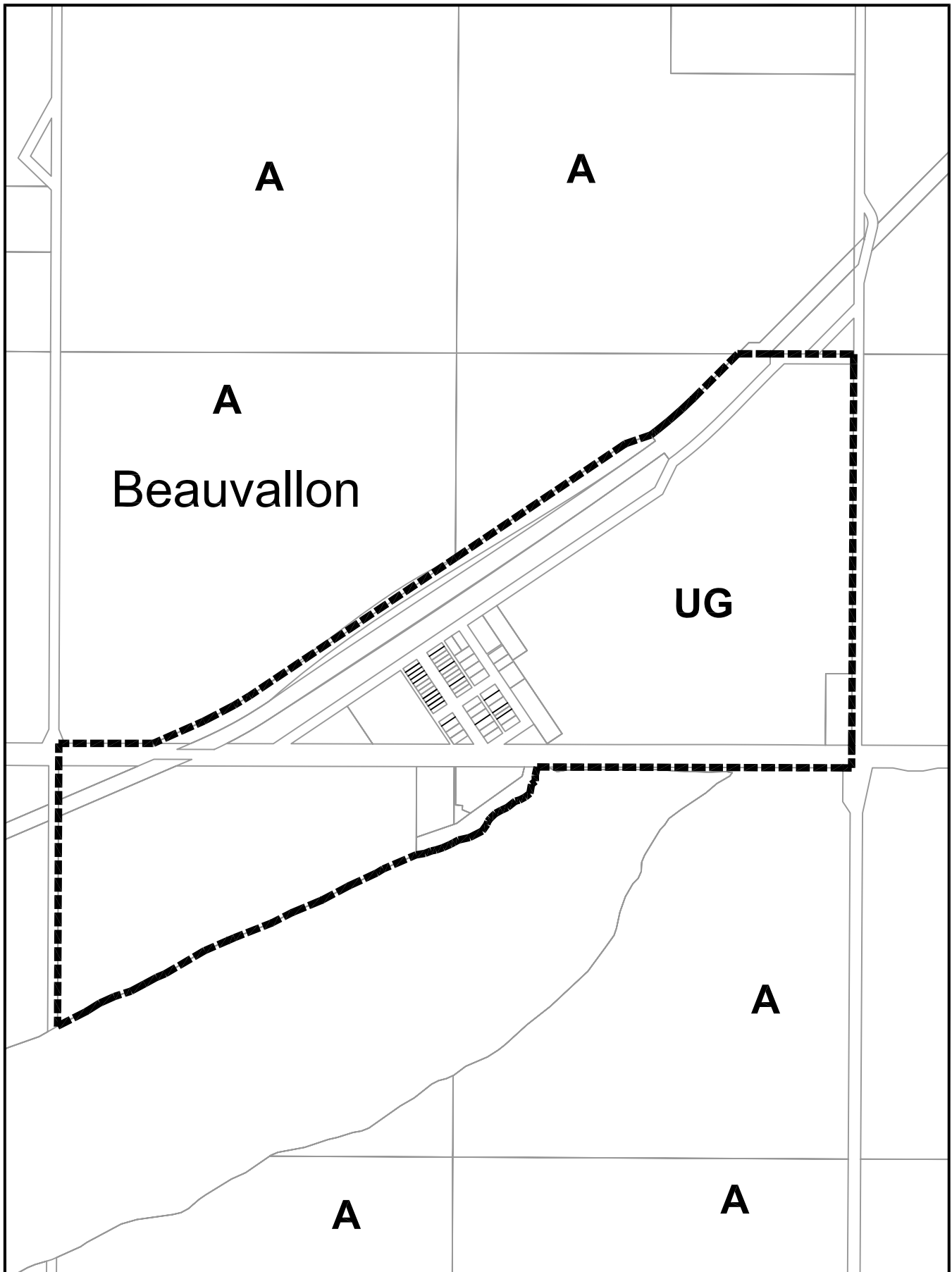
Legend

- A Agricultural District (A)
- Controlled Urban Development District (CUD)
- Detailed Maps (See Maps 2 to 9)
- RR Country Residential (Resort) District (RR)
- CR Country Residential District (CR)
- RI Rural Industrial District (RI)
- IC Intensive Campground District (IC)
- Highways
- Roads

Digital Geographic information obtained from :
Government of Canada National Topographical Survey (Geogratis), and the County of Two Hills (Altalis).
Geographic coordinate system and projection:
UTM. NAD 83 Datum . Zone 12 N
Map work by: Municipal Planning Services (Alberta) Ltd.

November, 2009





County of Two Hills No. 21



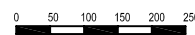
Land Use Bylaw

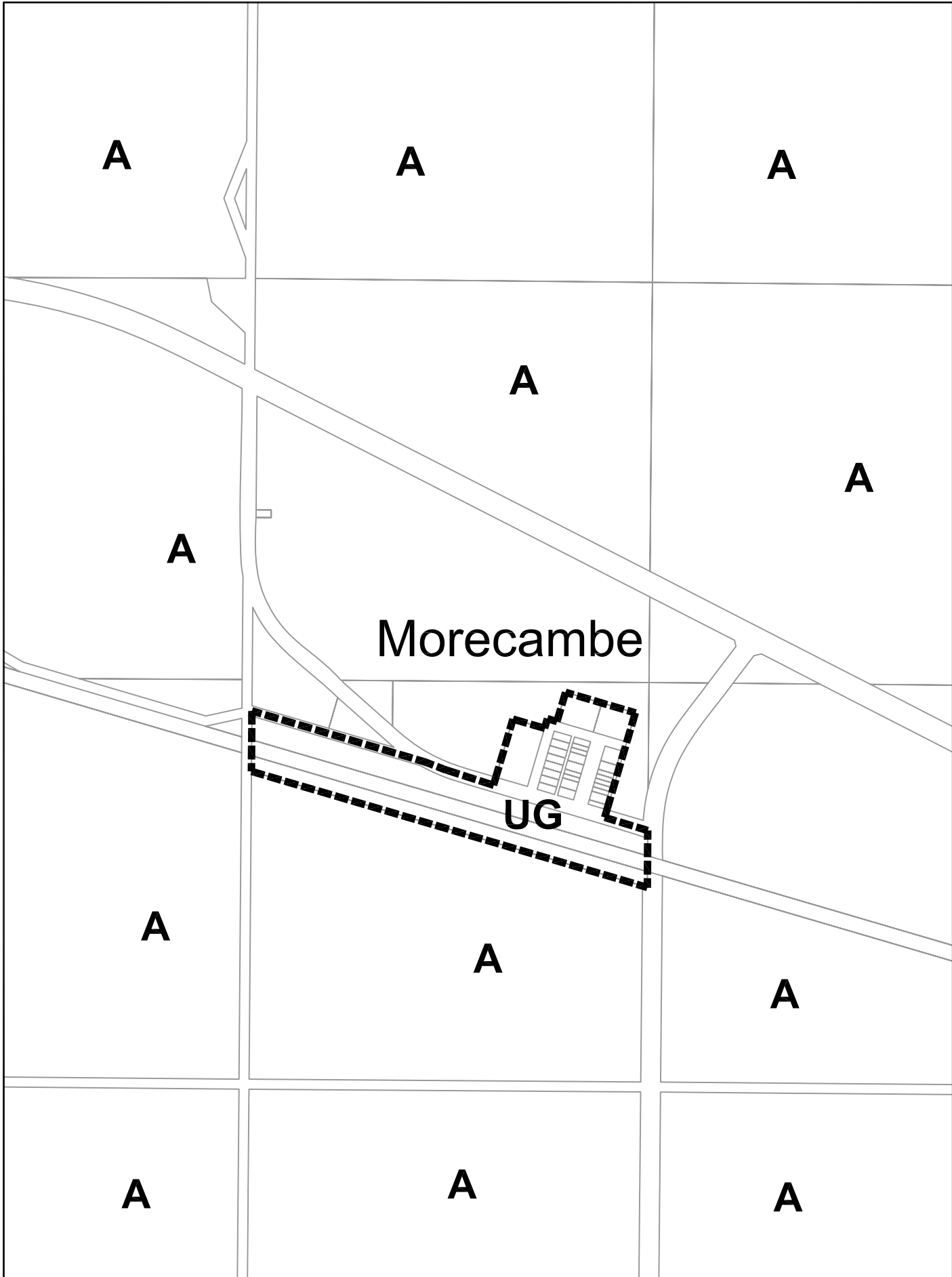
A Agricultural District (A)

UG Urban General District (UG)

Map 2

November, 2009





County of Two Hills No. 21



Land Use Bylaw



Agricultural District (A)



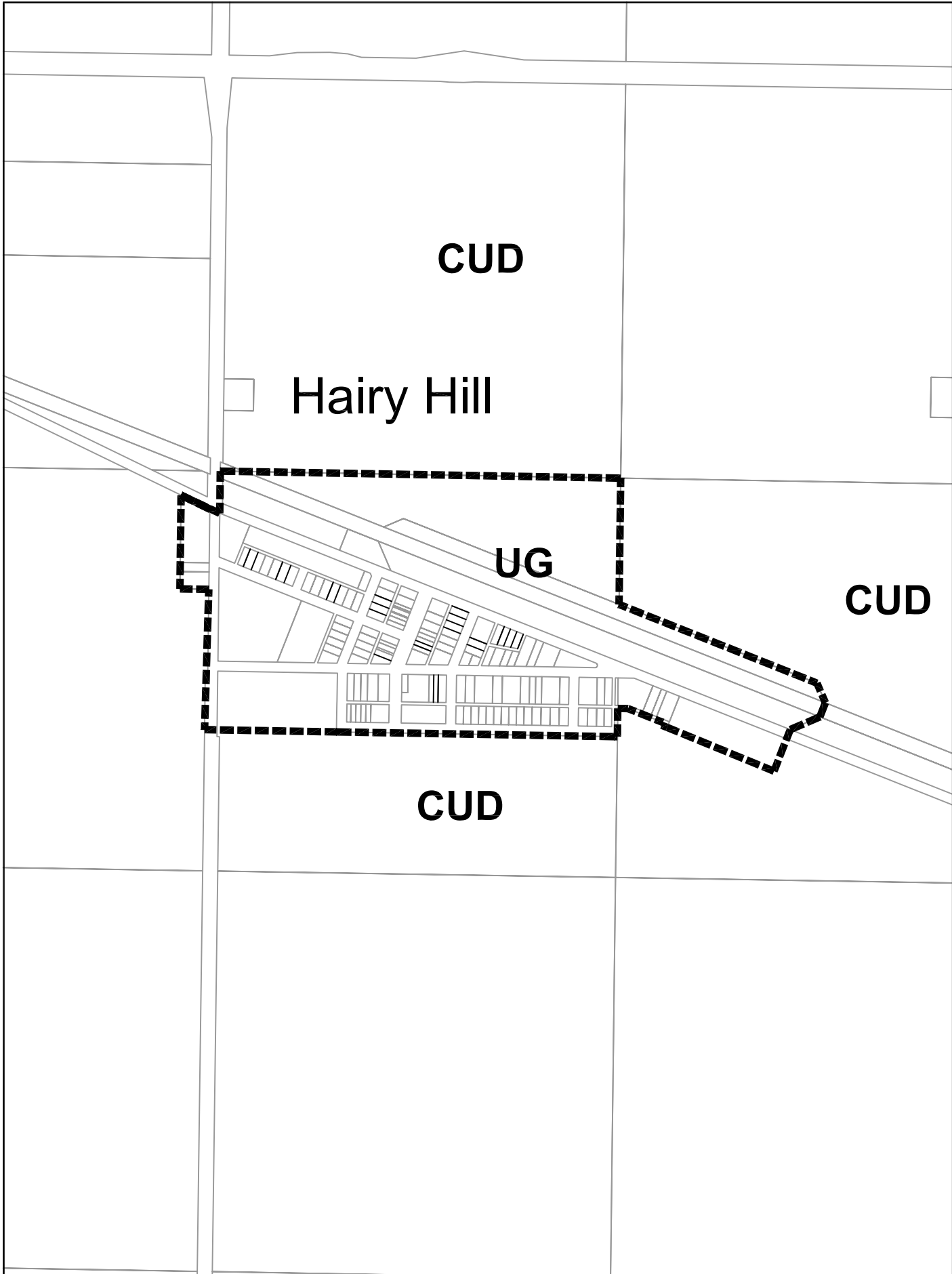
Urban General District (UG)

Map 3



November, 2009

0 50 100 150 200 250m



County of Two Hills No. 21



Land Use Bylaw



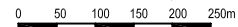
Urban General District (UG)

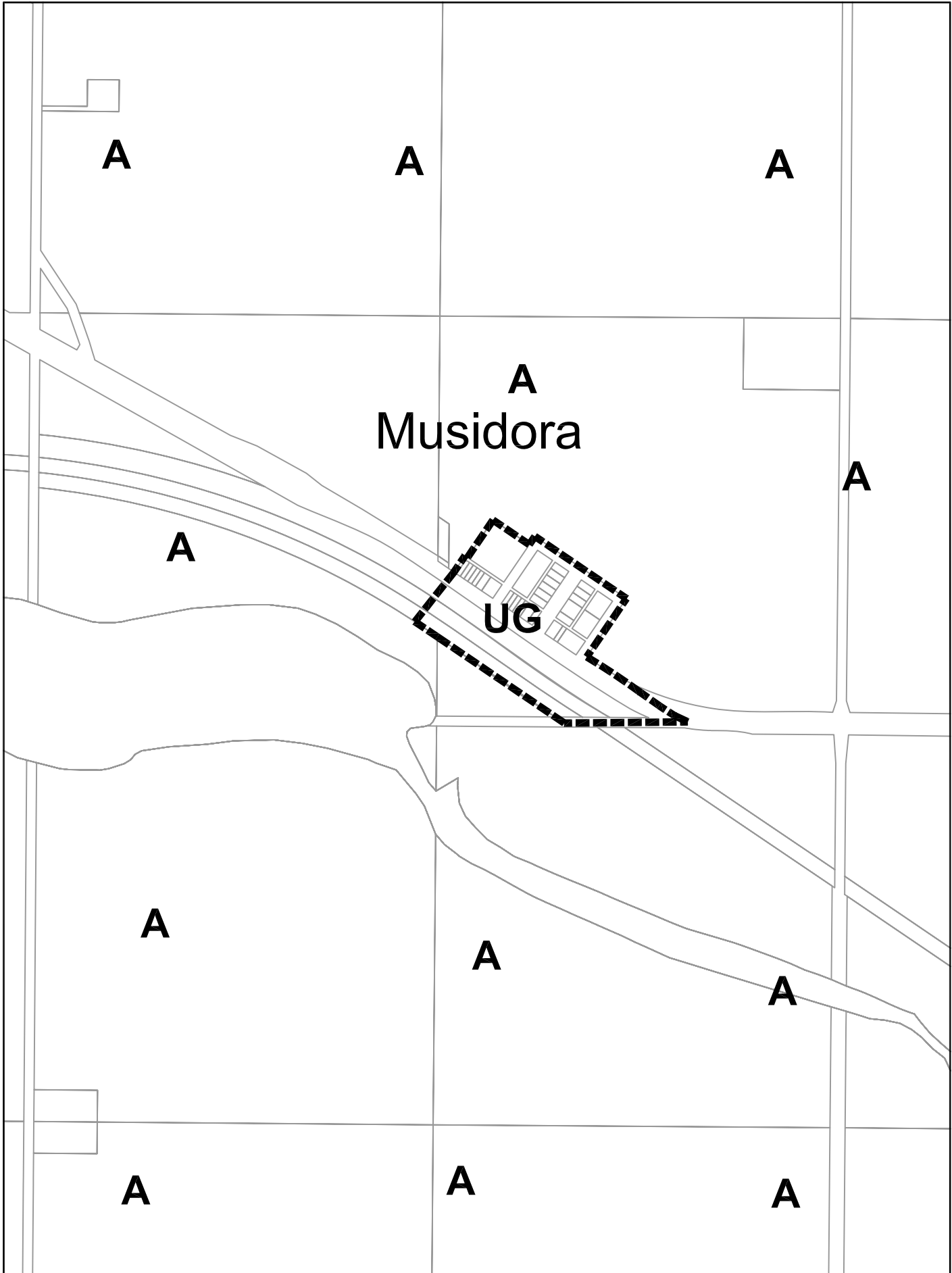


Controlled Urban Development District (CUD)

Map 4 

November, 2009





County of Two Hills No. 21



Land Use Bylaw

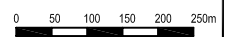
A Agricultural District (A)

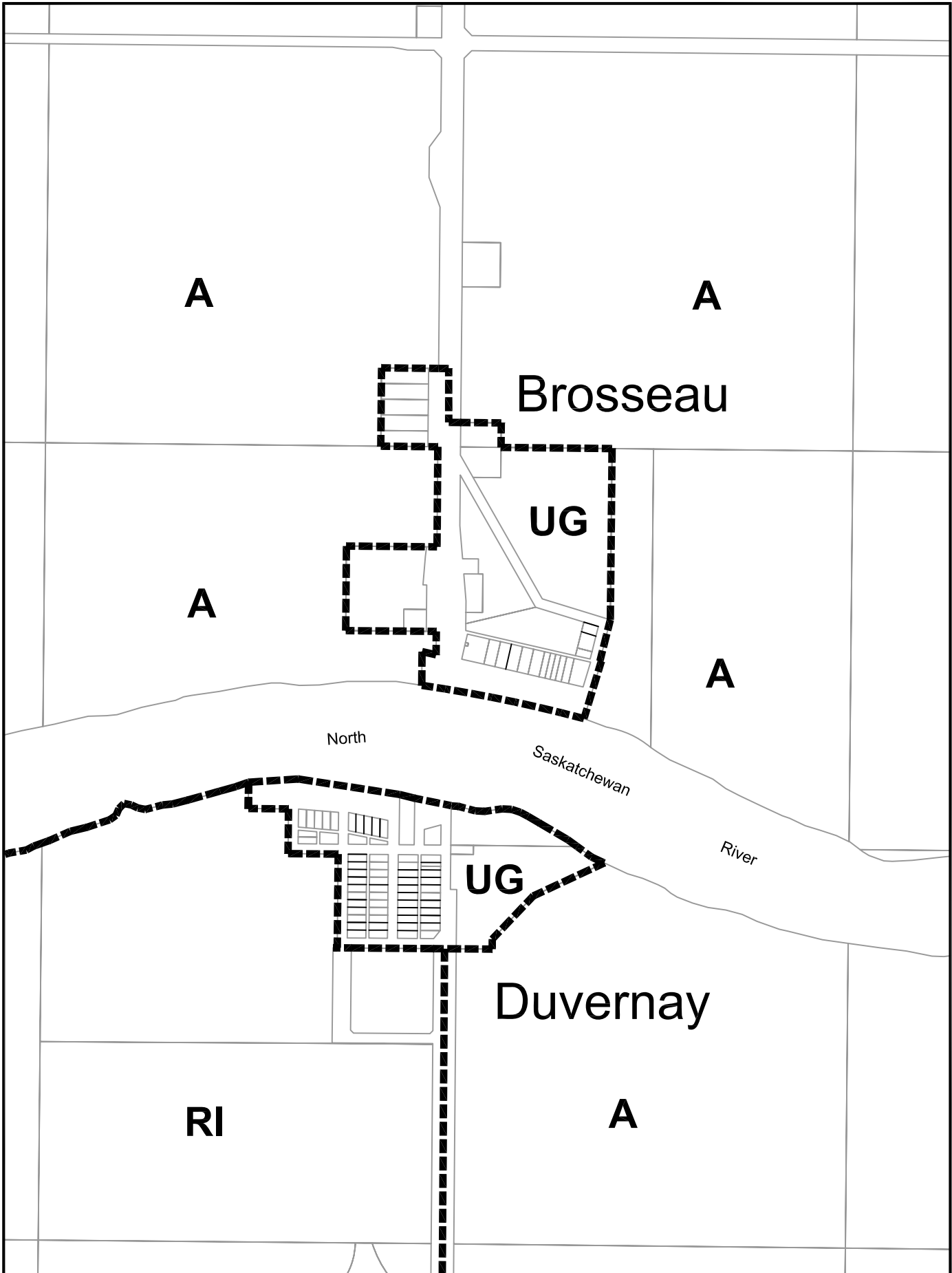
UG Urban General District (UG)

Map 5



November, 2009






County of Two Hills No. 21

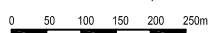


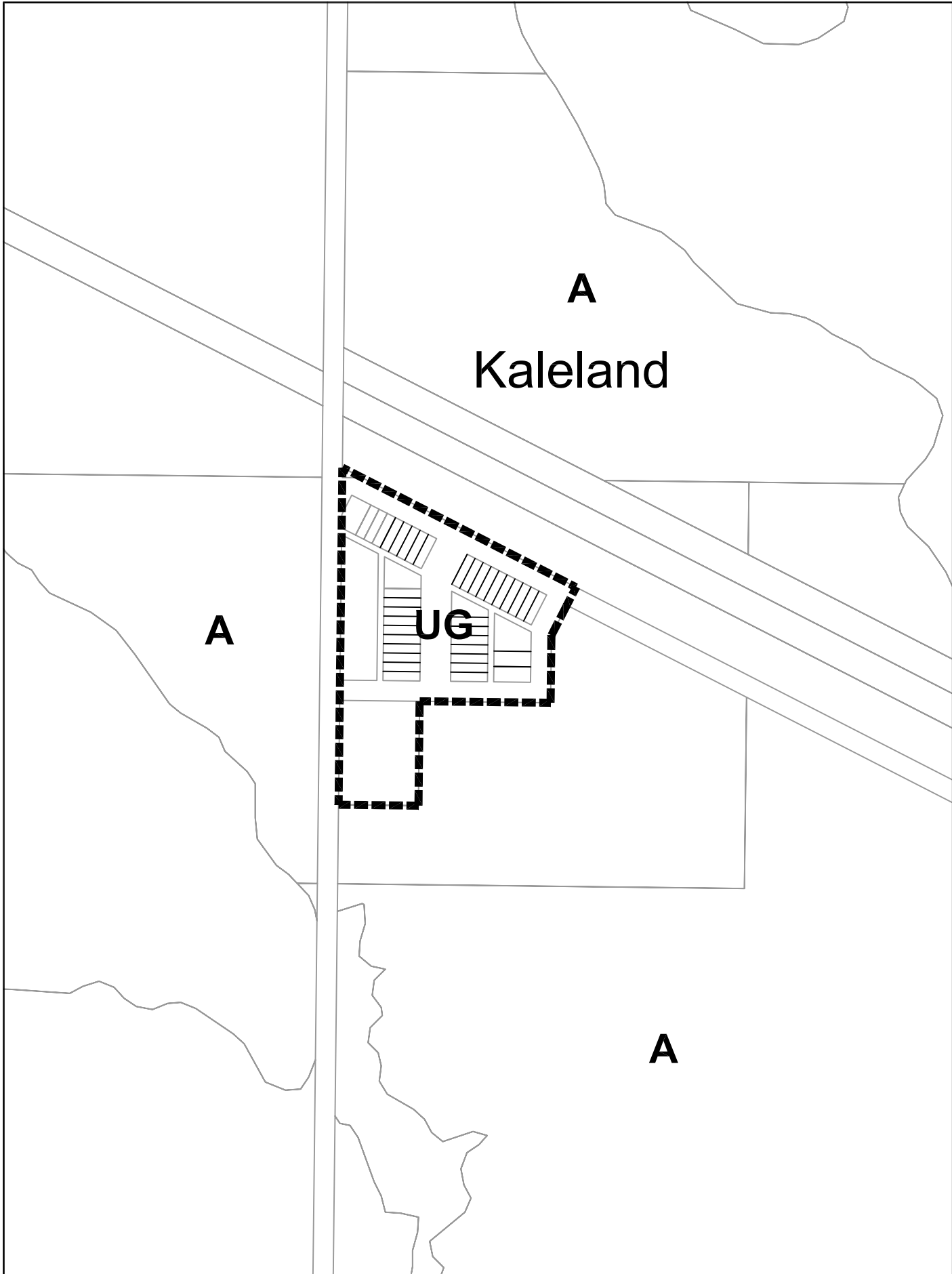
Land Use Bylaw

- A** Agricultural District (A)
- UG** Urban General District (UG)
- RI** Rural Industrial District (RI)

Map 6 

November, 2009





County of Two Hills No. 21



Land Use Bylaw

A Agricultural District (A)

UG Urban General District (UG)

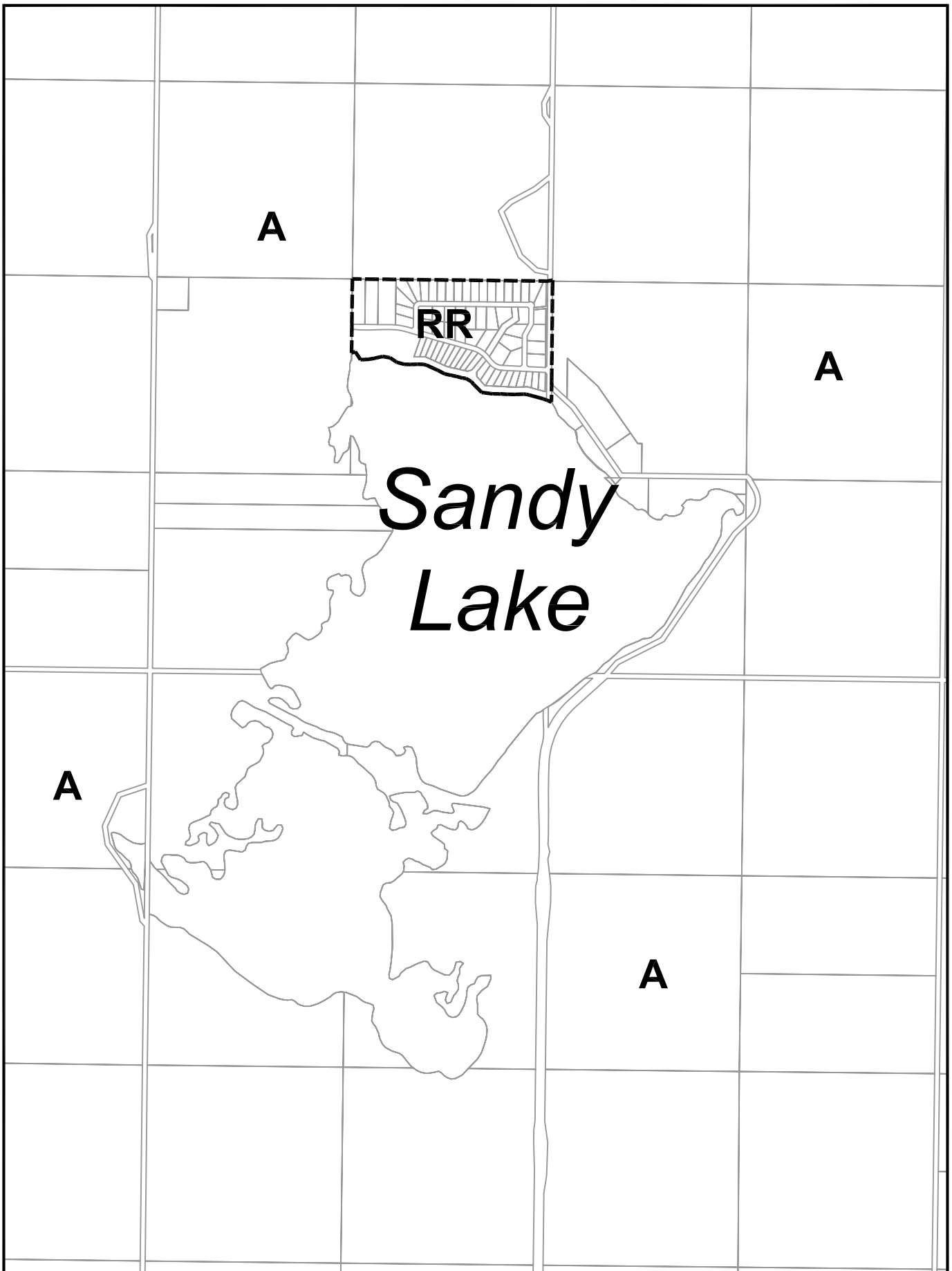
Map 7

November, 2009



0 50 100 150 200 250m





County of Two Hills No. 21



Land Use Bylaw

A Agricultural District (A)

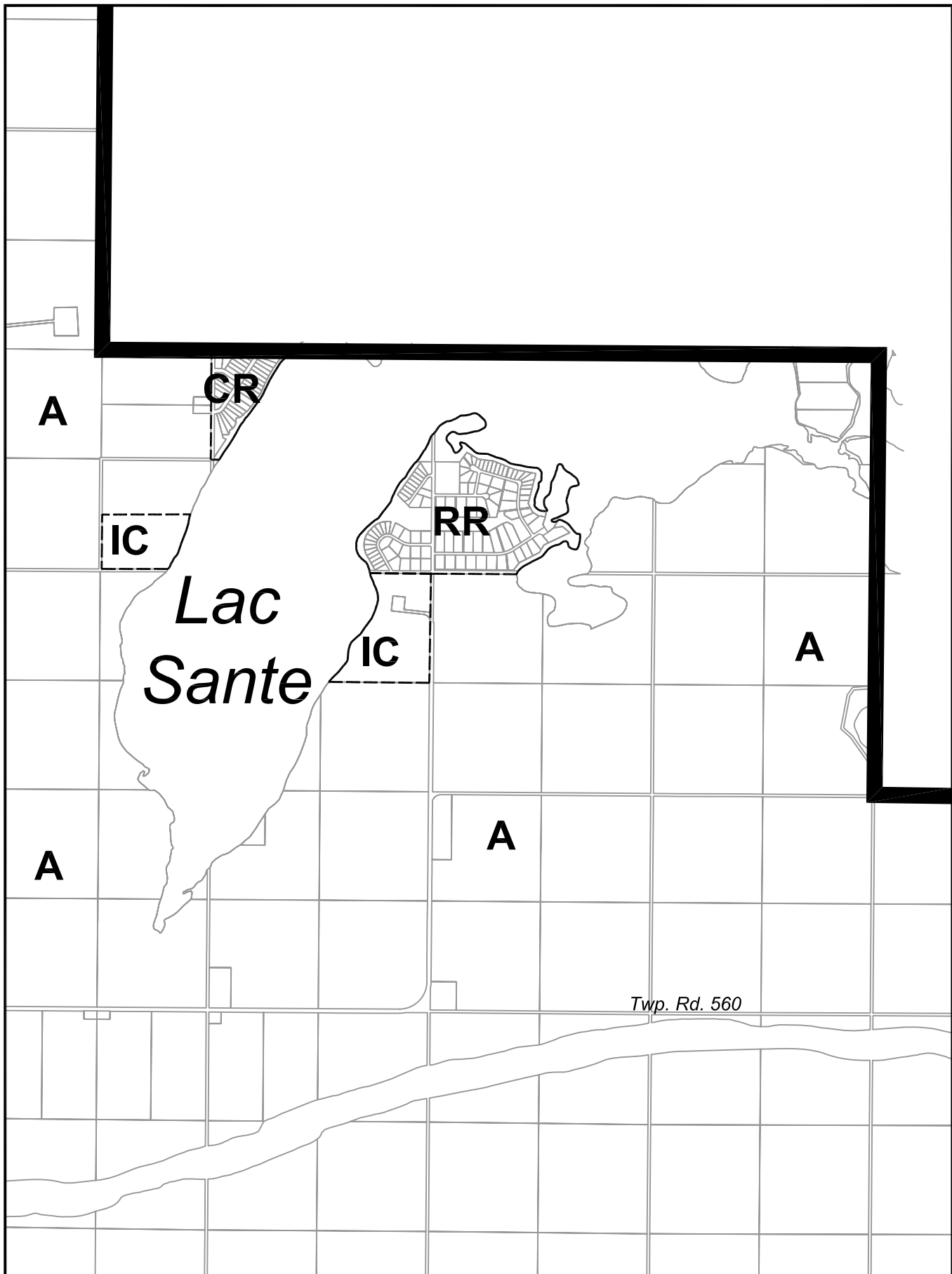
RR Country Residential (Resort) District (RR)

Map 8



November, 2009





County of Two Hills No. 21



Land Use Bylaw

- A** Agricultural District (A)
- RR** Country Residential (Resort) District (RR)
- CR** Country Residential District (CR)
- IC** Intensive Campground District (IC)

Map 9



November, 2009

0 50 100 150 200 250m