

Schedule C to Ministerial Order No. MSL:007/15
Amendment to Special Areas Land Use Order



SPECIAL AREAS - 2, 3 AND 4

LAND USE ORDER

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Ministerial Order No. MSL:007/15

PREPARED BY:
SPECIAL AREAS BOARD
SPECIAL AREAS ADVISORY COUNCIL
SPECIAL AREAS MUNICIPAL PLANNING COMMISSION
&
PALLISER REGIONAL MUNICIPAL SERVICES

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PART I

Purpose & Definitions

1. Purpose

The purpose of this Order is to regulate and control the use and development of land and buildings within the municipality to facilitate the orderly and economic development of Special Areas 2, 3 and 4.

2. Definitions

In this Order:

"Act" means the *Municipal Government Act* RSA 2000 c. M-26, as amended;

"Accessory Building" or **"Accessory Use"** means a building or use, separate and subordinate or incidental to the principal building or use located on the same site.

"Agri-Tourism Operation" means the use of agricultural land and/or facilities to provide a good and/or service to tourists. This may include market gardens, farm tours, country crafts, country vacations, and agricultural recreational pursuits. Agri-tourism operations increase awareness of agriculture and rural life.

"Airport" means an area used or intended for the arrival and departure or servicing of aircraft and includes any building, installation, or equipment in connection therewith. All aerodrome facilities are regulated by Transport Canada and municipal and/or Provincial authorities have no jurisdiction for development on private or federal lands.

"Airstrip - private" means an area of land used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, but which is not licensed by any Provincial or Federal authority. All aerodrome facilities are regulated by Transport Canada and municipal and/or Provincial authorities have no jurisdiction for development on private or federal lands.

"Auction Facility" means development specifically intended for the auctioneering of livestock, goods, equipment including temporary storage of such goods and may include the temporary holding of the livestock. This use class does not include on-site slaughtering such as an abattoir or one time on-site estate auction sales.

"Automobile Wrecker/Salvage Establishment" means a use:

- (a) where dilapidated vehicles are stored, dismantled or crushed; or
- (b) where motor vehicle parts may be sold; or
- (c) where motor vehicles in their complete and operable state are not displayed or sold; or
- (d) that may have equipment used for crushing, dismantling or moving motor vehicle parts; or
- (e) that may have a building for administrative functions associated with the use; or

(f) that does not involve the manufacture or assembly of any goods.

"Basement" means that portion of a building between two floor levels which is partly underground but which has a portion of its height from finished floor to finished ceiling above the adjacent finished grade.

"Bed and Breakfast Establishment" means a lodging facility within an owner occupied dwelling having no more than three guest rooms and providing common dining facilities, but no cooking facilities in guest rooms.

"Beekeeping" means the commercial production of natural honey.

"Better Agricultural Land" means Canada Land Inventory (CLI) Capability for Agricultural Classifications 1 to 4. The CLI rating is subject to confirmation from site inspection, land assessment records or other detailed soil investigations.

"Boarding or Lodging House" means a building where meals are served for remuneration or rooms are rented to three or more persons, not including the occupant and his immediate family, but does not include a hotel, motel, restaurant, cafe, coffee shop, drive-in refreshment stand or other similar use.

"Campground" means a recreational development for the purpose of providing temporary accommodation for recreational vehicles or tents. A campground is not construed to mean a development for the purpose of accommodating long-term or permanent occupancy by recreational vehicles or manufactured homes.

"Commercial Tourist Facility" means a privately owned and operated recreation/tourist facility which may include golf courses, mini-golf courses, zoos, water slides, campgrounds, and amusement parks.

"Communication Tower" means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals. Communication towers are regulated by Industry Canada however municipal consultation is required and considerations respected.

"Confined Feeding Operation" means an activity on land that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the Agricultural Operations Practices Act through the Natural Resources Conservation Board.

"Corner Parcel" means a parcel having frontage on two more streets at their intersection.

"Country Residential – First Parcel" means a dwelling or manufactured home situated on a parcel of land used principally for private residential purposes within an otherwise rural area, but does not include a Farmstead.

"Country Residential – Multi-lot" means two or more contiguous parcels of land used principally for residential purposes within an otherwise rural area, situated within the same quarter section.

"Deck" means a flat, floored concrete or wooden structure, usually elevated above grade level and usually adjoining a dwelling and accessory to the principle residential use or

building. A deck may consist of roofing and means of vertical enclosure, but will not include any insulation or heating apparatus contained within the structure.

"Development" means:

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

"Development Commencement" means the moment construction is started on site (i.e. Excavation) or the land use has begun for the purposes of the development permit application.

"Development Completion" means the moment the required building/ development permit conditions and requirements have been met for the purposes of the development permit application and/ or the final inspection reports have been received (as required for the project).

"Development Permit" means a document authorizing development issued under this Land Use Order.

"Discretionary Use" means a use for which a development permit may be issued at the discretion of the Municipal Planning Commission.

"Drinking Establishment" means an establishment licensed by the Alberta Liquor Control Board, in which alcoholic beverages are served for consumption on the premises and any preparation or serving of food is accessory thereto. This term refers to bars, taverns, pubs and lounges.

"Detached Dwelling" - see *Dwelling Unit*

"Dwelling Unit" means a building or a self-contained portion of a building for the residential use of one or more people living as a single housekeeping unit, and containing complete sleeping, cooking and toilet facilities.

- (a) **"Detached Dwelling"** means a residential building, other than a manufactured home, that contains one dwelling unit.
- (b) **"Duplex Dwelling"** means a residential building containing two dwelling units, each having a separate entrance. This term also refers to a semi-detached dwelling.
- (c) **"Multiple Unit Dwelling"** means a residential building containing three or more dwelling units. This term also refers to attached housing, triplex, fourplex, etc.
- (d) **"Manufactured Home"** means a transportable, single or multiple section single detached dwelling unit conforming to CAN/CSA Z240 MH Series certified

standards at time of manufacture. It is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions.

- (e) **"Modular Home"** means a prefabricated or factory built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular home represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling unit(s) for year-round occupancy. Modular homes are not to be considered as manufactured homes under this Ministerial Order and will be congruent in appearance to existing surrounding buildings.
- (f) **"Park Model"** means a recreational vehicle conforming to CAN-CSA series Z241 that may be located seasonally or permanently on a parcel of land. The minimum allowable gross floor area for a park model shall be 27.87 square metres;
- (g) **"Ready-to-move"** means a newly constructed single detached dwelling that is constructed in an off-site location in accordance with the Alberta Building Code and moved to the site to be set on a permanent foundation to be similar in function and appearance to a conventional built-on-site single-detached dwelling. This definition does not include dwelling – modular home or dwelling – manufactured home.
- (h) **"Recreational Vehicle"** means a vehicle or a portable structure designed to be carried on a vehicle providing temporary sleeping accommodation for travel and recreation purposes. Recreational vehicles include but are not limited to motor homes, campers and holiday trailers. Recreational vehicles do not include manufactured homes. Recreational vehicles may be considered on a seasonal or semi-permanent basis in the districts where it is listed as a permitted or discretionary use.
- (i) **"Moved On"** means a structure used at a previous location that has now been relocated to a new parcel for use as a dwelling.
- (j) **"Semi-detached Dwelling"** means development consisting of two dwellings, each accommodating one household, situated side by side and sharing a common wall. Each dwelling shall have separate, individual and direct access to grade, with no interior access connections, and no common means of access with other dwellings.

"Duplex Dwelling" - see *Dwelling Unit*

"Easement" means the right to use land generally for access to other property or as a right-of-way for a public utility.

"Eating and Drinking Establishment" means a development where food and beverages are prepared and served and includes supplementary alcoholic beverage service licensed by the Alberta Gaming and Liquor Commission. This term refers to such uses as restaurants, cafes, lunch and tearooms, ice cream parlors, banquet facilities and take-out restaurants.

"Existing" means existing as of the date of adoption of this Land Use Order.

"Extensive Agricultural" means systems of tillage and grazing on large areas of land by the raising of crops or the rearing of livestock either separately or in conjunction with one another and includes buildings and other structures incidental to the operation. For the purposes of this Land Use Order, extensive agriculture does not include the residential buildings.

"Fabric Covered Building" means a steel-framed, fabric-membrane pre-engineered building for temporary & permanent industrial, commercial & agricultural applications including warehouses, equipment storage, manufacturing facilities, barns, stables, arenas & event centers. All fabric covered buildings shall require the appropriate building permits to ensure all aspects of the development is in accordance with the Alberta Safety Codes including appropriate foundation construction and building anchoring.

"Farm Building" means an accessory building that:

- (a) does not contain a residential occupancy,
- (b) is located on land used as a farm, or is zoned for agricultural use and directly supports the primary farm operation,
- (c) has a low occupant load, and
- (d) is not used or occupied by, or expected to be used or occupied by, the public or persons, other than the farmer or farmers that own the building, their immediate family, and/or their employees, that may be in the building from time to time, and the building is used for:
 - (i) housing livestock,
 - (ii) storing, sorting, grading or bulk packaging primary agricultural products, or
 - (iii) housing, storing or maintaining machinery associated with the operation of farm on which it is located.

"Farmstead Separation" means the approval by the Subdivision Authority of a parcel of land for an existing dwelling or manufactured home and related improvements (shelterbelts, corrals, barns, sheds, wells, septic systems etc.) which normally are associated with a farm operation.

"Fence" means a physical barrier constructed to restrict visual intrusion or unauthorized access or both.

"Floodplain" means land calculated or determined to be located within the 100-year floodplain risk area of a watercourse, as defined by Alberta Environment and Sustainable Resource Development.

"Floor Area" means the total floor area of every room and passageway contained in a building, not including the floor areas of basements, attached garages, sheds, open porches, patios, open decks, verandas or breezeways.

"Front Lot Line" means the boundary dividing the lot from an abutting street. In the case of a corner lot, the shorter boundary shall be deemed to be the front lot line.

"Golf Course" means the golf playing area and ancillary buildings and uses related to the playing of the game of golf, including, for example, pro shop, club house, restaurant, licensed dining area, lounge, driving range and picnic area.

"Grade Level" means the average of the highest elevation and the lowest elevation where a building is situated, or is proposed to be situated, on a parcel.

"Group Care Facility" means a development using a dwelling unit for a provincially approved residential social care facility providing rehabilitative and supportive care. A Group Care Facility may incorporate accommodation for a resident staff as part of the use.

"Height" means when used with reference to the building or structure, the highest point of the roof above grade level.

"Home Occupation" means any occupation, trade, profession, or craft carried on by an occupant of a residential building or farm dwelling as a use secondary to the residential use of the building, and which does not change the residential nature of the building nor the neighborhood or have any exterior evidence of such secondary use other than provided pursuant to this Order.

"Hotel/Motel" means a building used primarily for sleeping accommodations and ancillary services provided in rooms or suites of rooms, which may contain bar/kitchen facilities.

"Industrial Park" means the development of three or more contiguous parcels of land for industrial purposes.

"Industrial Work Camp" means a residential complex used to house employees by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time and may include accessory uses such as a temporary office, storage yard and other similar and complimentary uses deemed compatible with the surrounding area.

"Intensive Vegetative Operation" means a system for tillage for the concentrated raising of specialty crops including, but not limited to tree farms, greenhouses, plant nurseries, sod farms, and similar uses.

"Involuntary Severance" – consists of a subdivision of land necessary for roads, utilities, oil and gas facilities and other similar land uses that results in a parcel of land that is less than a basic unit of land within the agricultural district (quarter section).

"Kennel" means any place where three or more dogs and/or cats over six months of age are maintained, boarded, bred, trained, or cared for remuneration or sale.

"Landfill" means a waste management facility at which waste is disposed of by placing it on or in land, but does not include a land treatment facility, a surface impoundment, a salt cavern or a disposal well.

"Lane" means a public roadway usually less than 10.00 metres wide typically providing secondary access to one or more parcels.

"Livestock" means cattle, horses, sheep, goats, swine or fowl and other types of animals.

"Manufactured Home" - see *Dwelling Unit*.

"Manufactured Home Park" means a parcel of land that has been planned, divided into manufactured home sites and improved for placement of manufactured homes for permanent residential use.

"Multiple Unit Dwelling" - see *Dwelling Unit*.

"Municipality" means Special Areas No. 2, 3 and 4.

"Natural Resource Extractive Industry" means the extraction of natural resources such as clay, sand, gravel, limestone, coal, petroleum and other minerals, and may include primary treatment into a raw, marketable form.

"Non-Conforming Building" means a building lawfully constructed or lawfully under construction at the date a Land Use Order affecting the building or the land on which the building is situated becomes effective, and that on the date the Land Use Order becomes effective does not, or when constructed will not, comply with the Land Use Order.

"Non-Conforming Use" means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction at the date a Land Use Order affecting the land or building becomes effective, and that on that date the Land Use Order becomes effective does not, or in the case of a building under construction will not comply with the Land Use Order.

"Nuisance Grounds" means a private site used for the temporary or permanent storage of waste products that are not allowed at waste transfer sites and may include construction waste and animals disposed of in accordance with the applicable Provincial regulations and guidelines.

"Parcel" 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.

"Principal Building" means a building in which is conducted the main or principal use of the site on which it is erected.

"Principal Use" the main purpose for which a parcel or building is used.

"Public or Quasi-Public Building Facilities and Installations" includes a church or any building which is used by the public for the purpose of assembly, instructions, culture or enlightenment or for a community activity, but does not include a school, or place of public entertainment for which an admission fee is customarily charged. In addition it includes a building as defined in the *Municipal Government Act* in which the proprietor or the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility.

"Renewable Energy System" means a use:

- (a) that produces electrical power to be used for the on-site consumption requirements by alternative means such as but not limited to active and passive solar collectors, photovoltaic solar panels, geothermal energy;

- (b) may be connected or disconnected from the electrical grid in accordance with the requirements of the appropriate authority;
- (c) may provide residual power to the grid but is not intended to produce power primarily for resale;
- (d) a Renewable Energy System shall be in accordance with section 55 of the Special Areas Land Use Order, Renewable Energy Systems.

"Retail Store" means a building where merchandise is offered for retail sale and is stored only in reasonably sufficient quantities to supply normal retail needs.

"Rural Small Holding" means a lot within an extensive agricultural quarter section intended to provide sufficient land, and separation from neighbours as well as adjacent urban areas, to accommodate a detached dwelling or manufactured home, and/or related on-site services, vehicle garage, and shop(s)/yard space for a secondary industrial/commercial use such as heavy truck and equipment storage related to the secondary use generally related to the agricultural and oil and gas sectors.

"Screening" means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites.

"Sign" means a device or structure for providing direction or providing information or calling attention to such things as a development, businesses, product, service, location, object, event or person.

"Storage Yard" means a use:

- (a) where goods, motor vehicles or equipment used in road construction, building construction, oilfield services and similar industries are stored when they are not being used are stored outdoors; or
- (b) where the vehicles and equipment stored may also be serviced, cleaned or repaired; or
- (c) that may involve the storage of construction material such oil and gas pipeline materials; or
- (d) that does not involve the storage of any derelict vehicles or derelict equipment; or
- (e) that does not involve the production or sale of goods as part of the use; or
- (f) that may have a building for the administrative functions associated with the use.

"Temporary" means a period of time up to one year unless otherwise approved by the Development Authority for specific use or project requirements.

"Temporary Use" means a proposed development where the intent is to operate the use or structure for a specified period of time, not to exceed one year unless otherwise approved by the Development Authority in consideration of a land use that is temporary but has longer term requirements due to the specific use or project. Any temporary development permit application will state a date on which the development will cease.

"Un-subdivided Quarter Section" means a titled area under the land survey system of 64.7 hectares more or less but excluding subdivision for road widenings, school sites and other public and quasi-public uses.

"Utilities" means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural; or
- (b) facilities for the storage, transmission, treatment, distribution or supply of water; or
- (c) facilities for the collection, treatment, movement, or disposal of sanitary sewage; or
- (d) storm sewer drainage facilities; or
- (e) systems for electrical distribution and lighting; or
- (f) systems for telephone & cable T.V. distribution.

"Wind Energy Conversion System (WECS)" means the processes, installations, and any other structures or systems required to convert the power in wind to electrical or mechanical energy, where the tower height is more than 10.00 metres. The wind power facilities include the tower(s), supporting structures, and accessory buildings.

- (a) **Blade** means an element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.
- (b) **Blade Clearance** means the distance from grade to the bottom of the rotor's arc, in reference to a horizontal axis rotor.
- (c) **Horizontal Axis Rotor** means a WECS where the rotor is mounted on an axis horizontal to the earth's surface.
- (d) **Power Plant** means a WECS used for the generation and gathering of electric energy from a wind source for the purposes of this section.
- (e) **Rotor's Arc** means the largest circumferential path travelled by the WECS blade.
- (f) **Shadow or Flicker** means the repetitive moving shadows or reflection cast from the rotor blades as they pass through the sunlight. This effect is generally the greatest at the winter solstice (December 21st) where the sun angle at noon is 15 degrees above the horizon. The greatest effects will be to the north of the tower location. At the winter solstice the shadow may cast up to 3.6 times the tower height.
- (g) **Tower** means the structure, which supports the rotor above grade level.
- (h) **Tower Height** means the height of the structure measured from the ground to the highest point of the rotor's arc.
- (i) **Vertical Axis Rotor** means a WECS where the rotor is mounted on an axis perpendicular to the earth's surface.

- (j) **Viewscape** means the area visible from a point, a line, an arc, or specific locality that contain historic scenic value as deemed by the Special Areas Board to be worthy of preservation from development.
- (k) **Wind Energy Conversion System - Commercial** means a power plant consisting of one or more wind turbines and related facilities with a rated capacity of greater than one megawatt connected to the same substation or metering point used for the production of electrical power primarily for resale. The boundary of a WECS-Commercial development shall be defined by the legal boundaries of all titled parcels where the development has infrastructure proposed or located within.
- (l) **Wind Energy Conversion System – Microgeneration** means a single power plant consisting of a wind turbine and related facilities with a rated in accordance with the Alberta Utilities Commission regulations, and which is intended to primarily provide electrical power for the on-site consumption requirements, either on or off-grid, and may provide residual power to the grid but is not intended to produce power primarily for resale. The boundary of a WECS – Microgeneration shall be the legal boundaries of the titled parcel where the wind turbine is located.
- (m) **Wind Turbine** means the components of a power plant that produce electrical energy and ancillary services including the rotor, generator and tail fixed on a tower.

"Yard" means a part of a parcel upon or over which no main building is erected.

"Yard, Front" means that part of the yard extended across the full width of a parcel, which is between the main building and the front parcel boundary.

"Yard, Rear" means that part of the yard, extended across the full width of a parcel, which is between the main building and the rear parcel boundary.

"Yard, Side" means that part of the yard which is between the front and rear yards and between the main building and the side parcel boundary.

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

PART II

Administrative Agencies

3. Development Authority

- (1) The Development Authority exercises development powers and duties on behalf of the Municipality.
- (2) The Development Authority is:
 - (a) the Development Officer while carrying out his or her functions or duties under this Order and/or the *Municipal Government Act*, or
 - (b) the Municipal Planning Commission while exercising development powers or duties under this Order and/or the *Municipal Government Act*.

4. Subdivision and Development Appeal Board

- (1) The Subdivision and Development Appeal Board shall be appointed by the Minister of Municipal Affairs pursuant to the *Municipal Government Act*.

PART III

Development Permit Application

5. Control of Development

No development other than those designated in section 6 shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued.

6. Development Permit Not Required

The following developments do not require a development permit however such development must comply with the development guidelines (example: setback from roads, front yard, etc.) specified in this Land Use Order. A development permit is required to vary the development guidelines.

- (1) The carrying out of works, 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, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 0.91 metres in height in front yards and less than 1.83 metres in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means or enclosure (applies only to Hamlets).
- (3) The completion of a building, which would be prohibited by this Order, but was lawfully begun on or before the date of the first official notice of this Order, provided the building:
 - (a) is completed within 12 months of the notice; and
 - (b) complies with any development permit issued for it.
- (4) The use of a building mentioned in subsection (3) which was constructed in accordance with the provisions in subsection (3).
- (5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit was issued under this Order, and which is removed upon completion of the erection or alteration of the building.
- (6) The maintenance or repair of public works, services or utilities carried out by a federal, provincial or municipal government.
- (7) The construction, maintenance and repair of private walkways, pathways, driveways, and similar works (permit is required for access onto a municipal road).
- (8) The use of a building or part thereof for a Federal, Provincial, or Municipal election, referendum or plebiscite.
- (9) Beekeeping, in the "A" – Agricultural District (a development permit is required for beekeeping within Hamlets).

- (10) Any extensive agricultural operation on a parcel of at least 8.09 hectares, assessed as farmland and whose principal use is farming. All dwellings are required to obtain a development permit.
- (11) The construction or placement of accessory farm structures, such as barns, sheds, quonsets and granaries in the "A" - Agricultural District, provided they are used only in the normal activities of the agricultural operation, and that they meet the required setback standards established in the relevant land use district. Accessory structures housing home occupations or associated commercial operations are required to obtain a development permit.
- (12) The erection and construction of decks associated or attached to a dwelling provided they meet the setback standards established in the relevant land use district.
- (13) The construction or placement of garden or tool sheds in any hamlet area, provided they are no greater than 9.29 square metres in floor area and no greater than 3.65 metres in height, and that they meet the setback standards established in the relevant land use district.
- (14) One non-illuminated sign for identification, direction, or warning, no more than 2.97 square metres in area may be erected on any land or affixed to the exterior of any building without need for a development permit. Signs not meeting these criteria are required to obtain a development permit.

7. Application for a Development Permit

- (1) An application for a development permit shall be made to the Development Authority for all land uses and developments that are not covered under section 6 above using the approved form and shall be accompanied by the necessary information required to properly evaluate the proposal and may include:
 - (a) a site plan in duplicate, drawn to scale, which shows the following:
 - (i) legal description of the site with north arrow;
 - (ii) area and dimensions of the land to be developed including the front, rear and side yards if any;
 - (iii) area and external dimensions including the heights of all buildings and structures to be erected on the land;
 - (iv) any provisions for off-street loading and vehicle parking, including all access and exit points to the site;
 - (v) rights-of-way and easements; and
 - (vi) the position and distances of any existing building, roads, water bodies, trees or other physical features on the land to be developed.
 - (b) floor plans, elevations, sections in duplicate and an indication of the exterior finishing materials and colour if required by the Development Authority;
 - (c) a statement of the proposed use or uses;
 - (d) a statement of ownership of land and the interest of the applicant therein;
 - (e) the estimated commencement and completion dates;

- (f) the estimated cost of the project or contract price;
 - (g) the development permit fee as prescribed;
 - (h) a Surveyor's Certificate or Real Property Report if required by the Development Officer;
 - (i) written agreement of the registered land owner(s) of the property with regard to the proposed development;
 - (j) lot grading and/ or storm water management plans shall be required for all commercial and industrial development applications, if in the opinion of the Development Authority, the proposed development is likely to significantly alter the natural drainage on the site or increase run-off onto adjacent lands;
 - (k) a groundwater and / or geotechnical analysis may be required to properly evaluate the development if conditions require to the satisfaction of the Development Authority;
 - (l) a private sewage disposal system site evaluation may be required to determine the site suitability and potential private sewage disposal system acceptable for the site;
 - (m) where technical reports are required the report shall be certified by a professional accredited to practice in Alberta in the related field to the satisfaction of the Development Authority; and
 - (n) any other reasonable information that the Development Authority deems is necessary to render a decision on the application.
- (2) The Development Authority may require the applicant for a development permit to advertise and conduct a public meeting for the purpose of exchanging information regarding the proposed development with the community. Further, the Development Authority may specify the date, time, and/or location of such a public meeting. The costs of advertising and conducting such a public meeting shall be borne by the applicant for the development permit.
- (3) If a public meeting as specified in subsection (2) is required, the application for the development permit shall not be deemed complete until the conclusion of the public meeting.

8. Deciding on Development Permit Applications

- (1) The Development Officer shall:
- (a) receive, consider and decide on an application for a development permit, with or without conditions, for those uses listed as a Permitted Use for the relevant Land

Use District which comply with the development standards in the Land Use District;

- (b) refer, with his/her recommendations, to the Municipal Planning Commission, any application for a development permit for those uses listed as a Discretionary Use in the Land Use District, or a Permitted Use which does not comply with the development standards for the Land Use District;
 - (c) refer, at his/her discretion, a permit application for any development for comments to those authorities (provincial and regional) whose interest or jurisdiction may be affected, for comments on the proposed development;
 - (d) notwithstanding the provisions of subsection (a), may refer any application to the Municipal Planning Commission at his/her discretion, which in his/her opinion should be decided by the Commission.
- (2) The Municipal Planning Commission shall:
- (a) decide on any application referred to it by the Development Officer.
 - (b) approve the application, with or without conditions, or refuse the application.
- (3) Development permit applications for discretionary uses that are within
- (a) 1600.00 metres of the boundary of an adjacent rural municipality, and/or
 - (b) 3200.00 metres of the boundary of an adjacent urban municipality shall be circulated to that municipality for comments and recommendations, prior to a decision being made.
- (4) An application may be approved where the proposed development does not comply with the development standards of any District in this Order in consideration of the test for relaxation/ variance below and if in the opinion of the Municipal Planning Commission the proposed development would not:
- (a) unduly interfere with the amenities of the neighbourhood;
 - (b) materially interfere with or affect the use, enjoyment or value of the neighbouring properties and the amount of variance does not exceed 20% for front, side, rear yard and/or floor area requirements in any District; and
 - (c) the proposed development conforms with the use prescribed for that land or building in this Land Use Order.

The **test for a relaxation** shall include the following criteria:

- (a) conformance to the purpose and intent of the Land Use District;
- (b) whether granting the relaxation would make the proposed development incompatible with existing developments or uses;
- (c) take into consideration the future land uses of the parcel and surrounding area as depicted in any adopted statutory plan or policy affecting the site.

- (5) Where the proposed use is not listed in a Land Use District, the Municipal Planning Commission may consider it to be so listed if, in its opinion, it is sufficiently similar in character and purpose to a listed use.
- (6) The Development Authority may impose as a part of the approval of a development permit, such conditions as are deemed appropriate, including but not limited to, requiring the applicant enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities or to pay an off-site levy or redevelopment levy imposed by Ministerial Order.
- (7) If a development permit application is refused, the Development Authority need not accept another application for the same or similar use on the same parcel for six months after the refusal, unless the reasons stated in the initial refusal notice have been addressed, and changes made to the application by the applicant.
- (8) If a decision is not made on a development permit application within 40 days after its receipt by the Development Authority the applicant may deem it to be refused at the end of the 40 day period.
- (9) The Development Authority may issue a temporary development permit, for a period not exceeding 12 months unless a longer term is required in consideration of a land use that is temporary for a specific use or project requirements.

9. Development Permits and Notices

- (1) A development permit granted pursuant to this Land Use Order for a Permitted Use where no provisions of this Land Use Order have been relaxed or varied, is effective upon the decision being communicated to the applicant.
- (2) A development permit granted pursuant to this Land Use Order for a Discretionary Use or a Permitted Use where the provisions of this Land Use Order have been relaxed or varied, does not come into effect until 14 days after the decision is communicated to the applicant. For the purpose of this section the date of receipt of the decision is deemed to be five days from the date that the decision is mailed. Any development proceeded with by the applicant prior to the expiration of this period is done solely at the risk of the applicant.
- (3) Notwithstanding subsections (1) and (2), where an appeal is made pursuant to this Land Use Order, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit is affirmed, modified or nullified thereby.
- (4) When a permit has been granted, the Development Officer shall cause a notice to be published in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved. Further, the Development Officer may also:
 - (a) conspicuously post a notice of the decision on the property for which the application has been made, and/or
 - (b) mail a notice in writing to all adjacent landowners and all registered owners of land who in the opinion of the Development Officer may be affected.

- (5) If the development authorized by a permit is not commenced within 12 months from the date of its issue, the permit is deemed to be void, unless a longer timeframe is provided from within this Order or the Development Authority has previously granted an extension to this period.
- (6) A decision by the Development Authority on an application for a development permit shall be given in writing and a copy of it 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) If after the issuance of a development permit it becomes known to the Development Authority that:
 - (a) the application for a development permit contains a misrepresentation; or
 - (b) facts have not been disclosed which should have been disclosed at the time of consideration of the application for the development permit; or
 - (c) the development permit was issued in error;the development permit may be suspended or canceled by notice in writing, issued by the Development Authority to the applicant at the address given in the development permit application.
- (9) A development permit granted pursuant to this Land Use Order shall not in any way relieve a person from the responsibility of complying with the provisions of this Land Use Order (unless specifically stated on the development permit) or the provisions of any other Ministerial Order of Special Areas, any federal or provincial legislation or any encumbrance, instrument, covenant, or agreement affecting the development or subdivision.

PART IV

Appeals

10. Development Appeal Procedure

- (1) An appeal may be made to the Subdivision and Development Appeal Board where the Development Authority:
 - (a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;
 - (b) issues a development permit subject to conditions;
 - (c) issues an order pursuant to the *Act*;
 - (d) cancels or suspends a development permit pursuant to this Land Use Order.
- (2) Notwithstanding subsection (1) no appeal lies in respect of the issuance of a development permit for a Permitted Use, unless the provisions of this Land Use Order were relaxed, varied, or misinterpreted.
- (3) The person applying for the development permit or affected by the order issued, or any other person affected by an order, decision, or development permit of the Development Authority, may appeal to the Subdivision and Development Appeal Board.
- (4) An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Development Appeal Board within 14 days after the date when the order, decision or permit issued by the Development Authority was either:
 - (a) first published in the newspaper circulating in the area; or
 - (b) posted on the site of the property the subject of the application; or
 - (c) received by the applicant,whichever of these occur first.
- (5) For the purpose of subsection (4), the date of receipt of the decision is deemed to be 5 days from the date that the decision is transmitted, advertised or issued.

11. Public Hearing for Development Appeals

- (1) Within 30 days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold a public hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least 5 days' notice in writing of the public hearing to:
 - (a) the appellant;

- (b) the Development Officer/Chairman of the Municipal Planning Commission from whose order, decision or development permit the appeal is made;
 - (c) those adjacent land owners and registered owners of land in the municipality who were notified and any other person who in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit;
 - (d) Palliser Regional Municipal Services; and
 - (e) such other persons as the Subdivision and Development Appeal Board specify.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal therefrom, or
 - (b) the application for the development permit, its approval with or without conditions, and the appeal therefrom, or
 - (c) the stop order of the Development Officer pursuant to the *Act*, as the case may be.
- (4) At the public hearing referred to in subsection (1), the Subdivision and Development Appeal Board shall hear:
 - (a) the appellant or any person acting on his behalf; and
 - (b) the Development Officer/Chairman of the Municipal Planning Commission from whose order, decision or development permit the appeal is made, or a person designated to act on behalf of the Development Officer/Chairman of the Municipal Planning Commission; and
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his/her behalf, and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear, or a person acting on his/her behalf.

12. Decision

- (1) The Subdivision and Development Appeal Board shall give a written decision, including reason(s) for the decision, within 15 days after the hearing.
- (2) The Subdivision and Development Appeal Board's decision is final and binding on all parties, subject only to an appeal upon a question of jurisdiction or law, pursuant to the *Act*.

PART V

Enforcement and Administration

13. Stop Orders/Orders of Compliance

- (1) Where the Development Authority finds a development or use of land or buildings is not in accordance with:
 - (a) the *Municipal Government Act* or the Regulations; or
 - (b) a development permit or subdivision approval issued under the authority of this Land Use Order.

the Development Officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all of any of them to:

- (i) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
- (ii) demolish, remove or replace the development; or
- (iii) take such other measures specified in the notice so that the development or use of the land or building is in accordance with the *Municipal Government Act*, the Regulations, a development permit, subdivision approval or this Order, as the case may be,

and may stipulate the time period within which the contravention shall be remedied.

- (2) A person who receives a notice pursuant to section 12 may appeal to the Subdivision and Development Appeal Board in accordance with this Land Use Order.

14. Enforcement

- (1) Where a person fails or refuses to comply with an order directed to him/her under section 13, or an order of the Subdivision and Development Appeal Board pursuant to the Act, within the time specified, the Minister or a person appointed by him/her may, in accordance with the *Municipal Government Act*, enter upon the land or building and take such action as is necessary to carry out the order;
- (2) Where the Municipality or a person appointed by it carries out an order, the Minister shall cause the costs and expenses incurred in carrying out the order to be added to the tax roll of the parcel of land, and the amount:
 - (a) is deemed for all purposes to be a tax imposed under the *Act* from the date it was added to the tax roll; and
 - (b) forms a special lien against the parcel of land in favour of the Municipality from the date it was added to the tax roll.

15. Amendments

- (1) Any person may apply to have this Order amended.

- (2) The Minister may initiate amendments by its own notice.
- (3) All application for amendments of this Order shall be made using the approved form, accompanied by:
 - (a) the fee determined by the Minister;
 - (b) a statement of the applicant's interest in the land;
 - (c) any drawings, plans or maps required by the Development Officer; and
 - (d) any documents as required by the Development Officer.
- (4) Prior to the public hearing, the amending order shall be referred to Palliser Regional Municipal Services for comment and such comments are to be read at the public hearing.
- (5) Approved Land Use Order Amendments shall be sent to the Special Areas Development Officers to be consolidated with the office copy of the Land Use Order.
- (6) If an application for an amendment to this Order has been refused by Special Areas Board, then Special Areas Board need not accept an application for an amendment for the same use on the same parcel of land for 6 months from the date of the refusal.

16. Existing Land Use Order

- (1) The existing Land Use Order M.O.# L:192/13 for Special Area No. 2, 3, and 4 and amending orders thereto is hereby repealed.

PART VI

Land Use Districts

17. Districts

- (1) For the purpose of this Order, the Municipality is divided into the following Districts.

A	-	Agricultural District
HR	-	Hamlet Residential District
HC	-	Hamlet Commercial District
HI	-	Hamlet Industrial District
HG	-	Hamlet General District
HWY-C	-	Highway Commercial District
RI	-	Rural Industrial District
AV0	-	Airport Vicinity Overlay District
CR	-	Country Residential District
RSH	-	Rural Small Holdings District

18. District Boundaries

- (1) The locations and boundaries of the Land Use Districts are shown on the Land Use District Maps, which form Part VIII of this Land Use Order.
- (2) The locations of boundaries shown on the Land Use District Maps shall be governed by the following rules:

RULE 1. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line thereof.

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 circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:

- (a) using any dimensions given on the map, or
- (b) where no dimensions are given, measurement using the scale shown on the map.

- (3) Where the exact location of the boundary of a Land Use District cannot be determined, using the rules in subsection (2), Special Areas Board, on its own motion or on a written request, shall fix the location.

- (a) in a manner consistent with the provisions of this Order; and
- (b) with the appropriate degree of detail required.

- (4) In the case of the water bodies, streams, rivers or other cases, the municipal boundary shall be as determined in accordance with the *Municipal Government Act*.

- (5) The location of a district boundary, once fixed, shall not be altered except by an amendment of this Order.

- (6) Special Areas Board shall keep a list of its decisions fixing the locations of district boundaries.

19. A - Agricultural District

Purpose

The purpose and intent of this District is to provide for extensive agriculture, while accommodating similar and compatible uses.

(1) Permitted Uses

- accessory building
- beekeeping
- extensive agriculture
- first detached dwelling or manufactured home
- municipal works

(2) Discretionary Uses

- abattoir
- agricultural supply depots and sales
- agri-tourism operation
- airport
- auction facility
- bed and breakfast establishment
- cemetery
- commercial tourist facilities
- commercial use
- communication tower
- community hall
- fabric covered building
- group care facility
- home occupation
- industrial use
- industrial work camp
- intensive vegetative operation
- recreational facilities
- campground
- kennel
- landfill
- manufactured home park
- multiple dwelling units and subsequent dwelling units associated with an agricultural use
- natural resource extractive industries
- nuisance grounds
- parks and playgrounds
- public & quasi-public installations & facilities
- renewable energy system
- signs requiring a development permit
- storage yard – temporary
- Wind Energy Conversion System – Commercial
- Wind Energy Conversion System – Microgeneration
- worship facility
- those uses which, in the opinion of the Development Authority, are similar to the permitted and/or discretionary uses and conform to the general purpose and intent of this Land Use District.

(3) Minimum Requirements

- (a) Site Area:
 - (i) Extensive agricultural use - an unsubdivided quarter section, more or less, except where the quarter is fragmented or reduced by:
 - 1. natural barriers such as water bodies or ravines;
 - 2. physical man-made barriers such as registered public roadways and railways;
 - 3. a previously separated parcel for an institutional or public use, or public utility facility;
 - 4. a parcel separated pursuant to the provisions of this section;
 - 5. in which case the Development or Subdivision Authority may permit a lesser site area.
 - (ii) For all other uses refer to section (4) below or in the case of special circumstances the Development or Subdivision Authority shall consider the minimum parcel area necessary to accommodate the proposed use.
- (b) Minimum Front Yard:
 - (i) 30.48 metres from the right-of-way of a municipal road allowance whether developed or not.
 - (ii) As required by Alberta Transportation in the case of provincial highways.
- (c) Minimum Side Yard:
 - (i) 7.62 metres where abutting another parcel.
 - (ii) 30.48 metres from the right-of-way of a municipal road.
- (d) Minimum Rear Yard:
 - (i) 7.62 metres where abutting another parcel.
 - (ii) 30.48 metres from the right-of-way of a municipal road.

(4) Maximum Limits

- (a) A maximum of 1 parcel per quarter section may be subdivided in accordance with section 35 Rural Residential Subdivision and Development for the following purposes:
 - (i) farmstead separation;
 - (ii) country dwelling;
 - (iii) rural industrial plant; or
 - (iv) rural commercial use.
- (b) In the case of special circumstances Special Areas Board may, at its discretion, relax the provisions of subsection (a).
- (c) Additional subdivisions may be allowed for involuntary severances such as public utilities, schools, public or quasi-public buildings, and oil and gas facilities.
- (d) Involuntary severances shall not be considered as a 'first parcel' subdivision for subsection (a).

- (e) The subdivision of land into parcels less than a quarter section for extensive agricultural land uses not otherwise provided for in this Land Use Order shall be discouraged unless the subdivision is intended to consolidate the resultant parcel(s) with adjacent parcels to create a more viable agricultural unit.
- (f) Where a physical barrier (involuntary severance) separates an otherwise unsubdivided quarter section (i.e. Highway, railway, etc.) the subdivision of agricultural land may be provided with the consideration of remnant parcel sizes, potential land use and possibility of consolidation with adjacent parcels to create a more viable agricultural unit.

20. HR - Hamlet Residential District

Purpose

The purpose and intent of this District is to provide for residential neighbourhoods in which a variety of housing types may be permitted within Hamlets.

(1) Permitted Uses

- accessory building
- detached dwelling
- manufactured home
- municipal works

(2) Discretionary Uses

- beekeeping
- bed and breakfast establishment
- communication tower
- duplex dwelling
- home occupation
- manufactured home park
- multiple unit dwelling
- park model
- parks and playgrounds
- public & quasi-public installations & facilities
- recreational facilities
- recreational vehicle
- renewable energy system
- signs requiring a development permit
- wind energy conversion system – microgeneration
- worship facility

(3) Minimum Requirements

- (a) Minimum Parcel Area:
 - (i) The greater of:
 1. 1,858 square metres and;
 2. At the discretion of the approving authority the parcel area shall be considered in accordance with a site evaluation for private sewage disposal system as described in the AAMDC Model Process Guidance Document and Technical Resources that meets the requirements of the Alberta Private Sewage Disposal System Regulations and Standard of Practice.
 - (ii) Lots serviced by public sewer system but not a public water system: 929 square metres.
 - (iii) Fully serviced lots: 464 square metres or as required by the Development Authority.
 - (v) Non-residential uses at the discretion of the Municipal Planning Commission.
- (b) Minimum Front Yard:
 - (i) 7.62 metres for dwellings.
 - (ii) Other uses at the discretion of the Municipal Planning Commission.
- (c) Minimum Side Yard:

- (i) 1.52 metres for a detached dwelling or manufactured home on interior lots.
 - (ii) 4.57 metres for a detached dwelling or manufactured home on corner lots abutting the flanking street.
 - (iii) 0.98 metres for accessory buildings on interior lots.
 - (iv) 3.05 metres for accessory buildings on corner lots abutting the flanking street.
 - (v) One 3.05 metres side yard (excluding corner lots) to provide alternate access to the rear of the buildings in a laneless subdivision.
 - (vi) Other uses at the discretion of the Municipal Planning Commission.
- (d) Minimum Rear Yard:
 - (i) 7.62 metres for dwellings.
 - (ii) 0.98 metres for accessory buildings.
 - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (e) Minimum Floor Area:
 - (i) 74.32 square metres for a detached dwelling or manufactured home.
 - (ii) Other uses at the discretion of the Municipal Planning Commission.
- (4) **Maximum Limits**
 - (a) Maximum Height
 - (i) 10.67 metres or 2 1/2 stories for detached dwellings.
 - (ii) Other uses at the discretion of the Municipal Planning Commission.
- (5) **Parking:**
 - (a) Parking shall be provided according to the following:
 - (i) Dwellings: 1 parking space per dwelling unit.
 - (ii) Worship Facility - 1 parking space per 15 seats.
 - (iii) Other uses at the discretion of the Municipal Planning Commission.
- (6) **Special Requirements**
 - (a) All private sewage disposal systems shall comply with the setback provisions of the Private Sewage Disposal System Regulation.
 - (b) The Development Authority may refer any development permit application to the relevant health authority for comments/recommendations regarding the private sewage disposal system proposed as part of the development.
 - (c) Fencing shall be in general conformity with adjacent dwellings.

21. HC - Hamlet Commercial District

Purpose

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

(1) Permitted Uses

- municipal works

(2) Discretionary Uses

- accessory building
- bank
- building material sales & storage
- bulk fertilizer distribution
- bulk oil & fuel depots & sales
- campground
- communication tower
- hotel / motel
- museum
- parks and playgrounds
- post office
- professional or administrative office
- public & quasi-public installations & facilities
- renewable energy system
- restaurant
- residential accommodation accessory to the commercial use
- retail store
- signs requiring a development permit
- service station
- tire sales, service & repair
- trade workshop (cabinet maker, carpenter, electrician, etc.)
- Wind Energy Conversion System – microgeneration
- those uses which, in the opinion of the Development Authority, are similar to the permitted and/or discretionary uses and conform to the general purpose and intent of this Land Use District.

(3) Minimum Requirements

- (a) Minimum Parcel Area - As required by the Development Authority.
- (b) Minimum Front Yard - As required by the Development Authority, based on the front yard provided by neighbouring buildings.
- (c) Minimum Side Yard:
 - (i) 1.52 metres.
 - (ii) No side yard between commercial buildings if a firewall is provided.
- (d) Minimum Rear Yard:
 - (i) 3.05 metres or as required by the Development Authority.

(4) Parking

- (a) Parking shall be provided according with the following:
 - (i) Restaurants - 1 parking space per 10 seats.
 - (ii) Hotels & Motels - 1 parking space per guest suite.
 - (iii) All other uses - At the discretion of the Development Authority.

22. HI - Hamlet Industrial District

Purpose

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

(1) Permitted Uses

- municipal works

(2) Discretionary Uses

- accessory buildings
- beekeeping
- building material sales & storage
- bulk oil and fuel depots & sales
- communication tower
- fabric covered building
- feed mills, grain milling, cleaning and drying
- fertilizer storage and distribution
- grain elevators
- manufacturing facilities
- parks and playgrounds
- professional & administrative offices
- public & quasi-public installations & facilities
- renewable energy system
- signs requiring a development permit
- storage yard
- warehousing
- Wind Energy Conversion System – microgeneration
- those uses which, in the opinion of the Development Authority, are similar to the permitted and/or discretionary uses and conform to the general purpose and intent of this Land Use District.

(3) Minimum Requirements

- (a) Minimum Parcel Area - As required by the Development Authority.
- (b) Minimum Front Yard - As required by the Development Authority, based on the front yard provided by neighbouring buildings.
- (c) Minimum Side Yard:
 - (i) 1.52 metres.
 - (ii) 3.05 metres where abutting a residential district.
- (d) Minimum Rear Yard:
 - (i) 3.05 metres or as required by the Development Authority.

(4) Parking

- (a) Parking requirements shall be determined by the Development Authority based on the evaluation of each individual application.

(5) Special Requirements

- (a) The operation of all uses shall comply with the environmental and public health performance standards of the Provincial Government. If the Development Authority believes a proposed use may conflict with these standards, it shall refer the application to the appropriate Provincial Department for clarification prior to issuing a Development Permit.
- (b) The Development Authority may prescribe screening and landscaping for uses, which involve the outside storage of goods, machinery, vehicles, building materials, and/or similar items.

23. HG - Hamlet General District

Purpose

The purpose and intent of this District is to consider appropriate uses in Hamlet areas where a specific use type has not been established (i.e. Residential).

(1) Development Regulations

- (a) Permitted and discretionary uses listed in the “HR” – Hamlet Residential District may be allowed in the “HG” – Hamlet General District. Such developments shall conform to the development standards of the “HR” – Hamlet Residential District.
- (b) Permitted and discretionary uses listed in the “HC” – Hamlet Commercial District may be allowed in the “HG” – Hamlet General District. Such developments shall conform to the development standards of the “HC” – Hamlet Commercial District.
- (c) Permitted and discretionary uses listed in the “HI” – Hamlet Industrial District may be allowed in the “HG” – Hamlet General District. Such developments shall conform to the development standards of the “HI” – Hamlet Industrial District.
- (d) The design, siting, external finish and architectural appearance of all buildings including accessory buildings or structures and all signs and landscaping shall be to the satisfaction of the Development Authority to ensure that adequate protection is afforded to the amenities of the area.
- (e) Outside storage may be required to be visually screened from all adjacent sites and public thoroughfares.
- (f) Industrial or commercial operations located adjacent to existing dwellings may be required to erect additional screening measures as required by the Development Authority.

24. HWY-C - Highway Commercial District

Purpose

The purpose of this District is to provide for certain commercial uses which, in order to serve a wide area of the Town and region, locate on major roads with high traffic volumes and a high level of exposure.

(1) Permitted Uses

- municipal works

(2) Discretionary Uses

- accessory building
- auto sales & service
- bulk fertilizer storage and sales
- bulk fuel depots & sales
- campground
- commercial tourist facilities
- communication tower
- detached dwelling or manufactured home if accessory to the principal highway commercial use
- fabric covered building
- farm and industrial machinery sales & services
- hotel/ motel
- industrial work camp
- parks and playgrounds
- public & quasi-public installations & facilities
- renewable energy system
- restaurant
- retail store
- seed cleaning plant
- service station
- signs requiring a development permit
- Wind Energy Conversion System – microgeneration
- those uses which, in the opinion of the Development Authority, are similar to the permitted and/or discretionary uses and conform to the general purpose and intent of this land use district.

(3) Minimum Requirements

- (a) Minimum Parcel Area:
 - (i) 0.40 hectares or as required by the Development Authority.
- (b) Minimum Width of Site:
 - (i) 30.48 metres or as required by the Development Authority.
- (c) Minimum Front Yard:
 - (i) 7.62 metres if access is provided by an internal road network or service road.
 - (ii) 30.48 metres from the right of way of a municipal road.
 - (iii) as required by Alberta Transportation in the case of provincial highways.
- (e) Minimum Side Yards:

- (i) 1.52 metres or;
- (ii) 3.05 metres adjacent to residential districts.
- (iii) No side yard is required when a firewall is provided.
- (iv) One 4.57 metres side yard to provide alternate access to the rear of the buildings in a laneless subdivision.

- (f) Minimum Rear Yard:
 - (i) 6.10 metres or as required by the Development Authority.

(4) Parking

- (a) Parking requirements shall be determined by the Development Authority based on the evaluation of each application.

(5) Special Requirements:

- (a) The exterior finish shall be brick, stucco, wood, metal, or other siding to the satisfaction of the Development Authority.
- (b) Development adjacent to a provincial highway will require approval from Alberta Transportation prior to any development taking place.
- (c) Any access constructed to a provincial highway shall be in accordance with the standards and provisions outlined by Alberta Transportation.
- (d) Any subdivision and development that proposes direct access from a primary highway may be required to provide a service road to the satisfaction of Special Areas Board.
- (e) A Highway Commercial subdivision or development application shall be considered in accordance with section 37 Rural Commercial Subdivision and Development.

(6) Application Requirements and Referrals:

- (a) To determine if the subject land is suitable for and can physically support/sustain the proposed use, subdivision or development in question, the Development or Subdivision Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical assessment/information it considers necessary to properly evaluate the application. The Development or Subdivision Authority will ensure that the analysis/assessment/information required is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.
- (b) In support of an application within this Land Use District, the Development or Subdivision Authority **may** require the applicant undertake, in a manner satisfactory to the Authority, an Area Structure Plan pursuant to the Act and the Subdivision and Development Regulation. The Area Structure Plan must be prepared and adopted in accordance with provisions of any statutory plan in effect.
- (c) In support of an application within this Land Use District, the Development or Subdivision Authority may undertake, or require the applicant undertake, in a manner satisfactory to the Authority, a polling of the adjacent properties to assist in the comprehensive evaluation of the application.

- (d) Upon receipt of a completed application, the Development or Subdivision Authority may, prior to making a decision, refer the application to any municipal department or any other external agency for comment and may require a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed building or other improvement (i.e. sewage disposal system, water well, etc.) that is the subject of the application.
- (e) Subdivision and development applications within this Land Use District may be referred to the appropriate urban municipality or adjacent rural municipality for comment prior to a decision by the Development or Subdivision Authority, as the case may be.
- (f) If an application is referred to an adjacent municipality the decision(s) made with respect to the applications(s) referred will take into account the direct and indirect effects of the proposed subdivision or development on the immediate and surrounding areas as well as the future development/subdivision of the adjacent urban or rural municipality as may be outlined in their Municipal Development Plan or Land Use Bylaw.

25. RI - Rural Industrial District

Purpose

This Land Use District is intended to accommodate industrial and business uses not dependent on municipal services (i.e.: water and sanitary sewer), often requiring larger tracts of land given the need for outdoor storage and/or are more suitably located outside of an urban area due to the nature or a component of the use (i.e. large/ oversized vehicles). This Land Use District is not intended for industrial and business uses that are more appropriately located within an urban area. All uses/developments allowed pursuant to this Land Use District should have access to well-developed local roads or highways. To not jeopardize the integrity and function of these roads, unless absolutely no alternative exists, access to these parcels shall be by way of shared/dual approaches, an internal road or service road, all to the standards and satisfaction of the road authority having jurisdiction.

(1) Permitted Uses

- municipal works

(2) Discretionary Uses

- abattoir
- accessory buildings to an industrial use
- agricultural supply depots and sales
- automobile wrecker/ salvage establishment
- buildings and uses accessory to extensive agriculture
- bulk fertilizer storage and sales
- bulk fuel depots & sales
- bulk oil and fuel depots and sales
- communication tower
- detached dwelling or manufactured home accessory to the principal rural industrial use
- extensive agriculture
- fabric covered building
- grain elevator
- industrial work camp
- intensive vegetative operation
- kennel
- manufacturing facility
- natural resource extractive industries
- natural resource processing
- office accessory to an industrial use
- oil/ gas field service/storage operations
- public & quasi-public installations & facilities
- renewable energy system
- seed cleaning plant
- signs requiring a development permit
- storage yard
- trade workshop (cabinet maker, carpenter, electrician, etc.)
- warehousing
- Wind Energy Conversion System – microgeneration
- those uses which, in the opinion of the Development or Subdivision Authority, are similar to the permitted and/or discretionary uses and conform to the general purpose and intent of this Land Use District.

(3) Minimum Requirements

(a) Minimum Parcel Area:

- i) Extensive agricultural use - a minimum of one quarter section, more or less, except where the quarter is fragmented or reduced by:

1. natural barriers such as water bodies or ravines;
2. physical man-made barriers such as registered public roadways and railways;
3. a previously separated parcel for an institutional or public use, or public utility facility;
4. a parcel separated pursuant to the provisions of this Section;

in which case the Subdivision or Development Authority may permit a lesser site area.

- (ii) For all other uses 1.21 hectares or as required by the Development or Subdivision Authority who shall consider the minimum parcel area necessary to accommodate the proposed use.

(b) Minimum Width of Site:

- (i) 30.48 metres or as required by the Development Authority.

(c) Minimum Front and Rear Yard:

- (i) 30.48 metres from the right of way of a Special Areas road.
- (ii) 7.62 metres from the right of way of an internal subdivision road or service road.
- (iii) as required by Alberta Transportation in the case of provincial highways.

(d) Minimum Side Yards:

- (i) 10% of parcel width to a maximum of 15.24 metres.
- (ii) As required by the development authority to provide an appropriate buffer distance adjacent to residential land uses.
- (iii) No side yard is required when a firewall is provided.
- (iv) Minimum of one 4.57 metres side yard to provide alternate access to the rear of the buildings in a laneless subdivision.

(4) Parking

- (a) Parking requirements shall be determined by the Development Authority based on the evaluation of each application.

(5) Application Requirements and Referrals:

- (a) To determine if the subject land is suitable for and can physically support/sustain the proposed use, subdivision or development in question, the Development or Subdivision Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical

assessment/information it considers necessary to properly evaluate the application. The Development or Subdivision Authority will ensure that the analysis/assessment/information they require is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.

- (b) In support of an application within this Land Use District, the Development or Subdivision Authority **may** require that the applicant undertake, in a manner satisfactory to the Authority, an Area Structure Plan pursuant to the *Act* and the Subdivision and Development Regulation. The Area Structure Plan must be prepared and adopted in accordance with provisions of any statutory plan in effect.
- (c) In support of an application within this Land Use District, the Development or Subdivision Authority may undertake, or require that the applicant undertake, in a manner satisfactory to the Authority, a polling of the adjacent properties to assist in the comprehensive evaluation of the application.
- (d) Upon receipt of a completed application, the Development or Subdivision Authority may, prior to making a decision, refer the application to any municipal department or any other external agency for comment and may require a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed building or other improvement (i.e. sewage disposal system, water well, etc.) that is the subject of the application.
- (e) Subdivision and development applications within this Land Use District may be referred to the appropriate urban municipality or adjacent rural municipality for comment prior to a decision by the Development or Subdivision Authority, as the case may be.
- (f) If an application is referred to an adjacent municipality the decision(s) made with respect to the applications(s) referred will take into account the direct and indirect effects of the proposed subdivision or development on the immediate and surrounding areas as well as the future development/subdivision of the adjacent urban or rural municipality as may be outlined in their Municipal Development Plan or Land Use Bylaw.

(6) **Rural Industrial Parks**

In accordance with other relevant provisions of the Land Use Order, should an owner/developer propose to accommodate the industrial and business uses provided for in this Land Use District with a rural industrial park, Special Areas shall require an Area Structure Plan be prepared that meets the requirements of section 36, Rural Industrial Subdivision and Development.

26. AVO - Airport Vicinity Overlay District

Purpose

The purpose and intent of this district is to provide regulations and standards in addition to the underlying land use district with specific requirements for airport operations and development in the vicinity of airports on the lands described below for the following purposes:

- to define the airspace around airports to be maintained free from obstacles in order to minimize the dangers presented by obstacles to an aircraft, and
- to prevent the airport from becoming unusable from development of obstacles around the airport.

(1) Application

The AVO District regulations apply to development or redevelopment of the following lands:

Hanna Airport Vicinity (Land Use District Maps – Map 2)

- Ptn NE ¼ Sec. 3-31-14 W4M within Special Area No. 2
- SE ¼ Sec. 3-31-14 W4M
- SW ¼ Sec. 2-31-14 W4M
- NW ¼ Sec. 2-31-14 W4M
- SW ¼ Sec. 11-31-14 W4M
- SE ¼ Sec. 10-31-14 W4M

Empress Airport Vicinity (Part VIII Land Use District Maps – Map 4)

- SW ¼ Sec. 12-23-1 W4M
- SE ¼ Sec. 12-23-1 W4M
- NW ¼ Sec. 1-23-1 W4M
- NE ¼ Sec. 1-23-1 W4M
- SE ¼ Sec. 1-23-1 W4M

Oyen Airport Vicinity (Part VIII Land Use District Maps – Map 7)

- NE ¼ Sec. 27-27-4 W4M
- SE ¼ Sec. 27-27-4 W4M
- NE ¼ Sec. 22-27-4 W4M
- NW ¼ Sec. 22-27-4 W4M
- NE ¼ Sec. 21-27-4 W4M
- SE ¼ Sec. 28-27-4 W4M
- NE ¼ Sec. 28-27-4 W4M
- SE ¼ Sec. 33-27-4 W4M

Consort Airport Vicinity (Part VIII Land Use District Maps – Map 9)

- NW ¼ Sec. 26-35-6 W4M
- SW ¼ Sec. 26-35-6 W4M
- SE ¼ Sec. 26-35-6 W4M
- NW ¼ Sec. 23-35-6 W4M
- NE ¼ Sec. 23-35-6 W4M
- SE ¼ Sec. 23-35-6 W4M
- SW ¼ Sec. 24-35-6 W4M
- NW ¼ Sec. 24-35-6 W4M

(2) Permitted Uses

Those uses listed as permitted in the underlying land use district, subject to Section 4 below.

(3) Discretionary Uses

Those uses listed as discretionary in the underlying land use district, subject to Section 4 below.

(4) Special Requirements for development near an airport

The Development Authority shall evaluate each development permit application within the AV Overlay district on its merit and establish suitable development requirements for each individual application in accordance with the following special requirements:

- (a) Where a development is proposed near a known and recognized airport the Development Authority may refer the proposal to Transport Canada for an opinion;
- (b) If in the opinion of Transport Canada the proposed development would conflict with flight operations, the Development Authority may refuse the application, or may require that the application be amended to reduce/ eliminate the conflict.
- (c) Any new development within the "AVO" – Airport Vicinity Overlay District shall not be permitted if, in the opinion of the Development Authority, the development generates a large amount of smoke, dust, or attracts birds, or any other use which may be in conflict with safe airport operations;
- (d) Construction shall conform to the exterior acoustic insulation requirements of the Alberta Building Code;
- (e) The Development Authority may consider any airport facility, structure, or building which has received provincial and/or federal approval to be a permitted use.

(5) Minimum Requirements

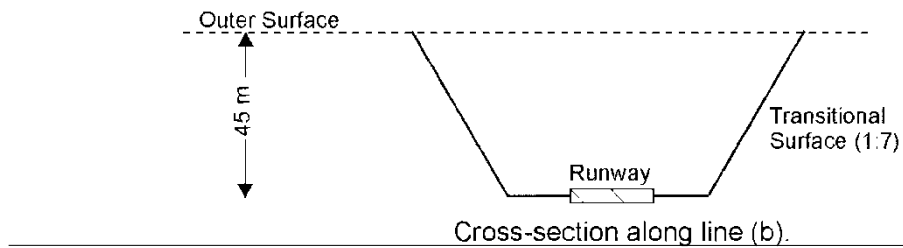
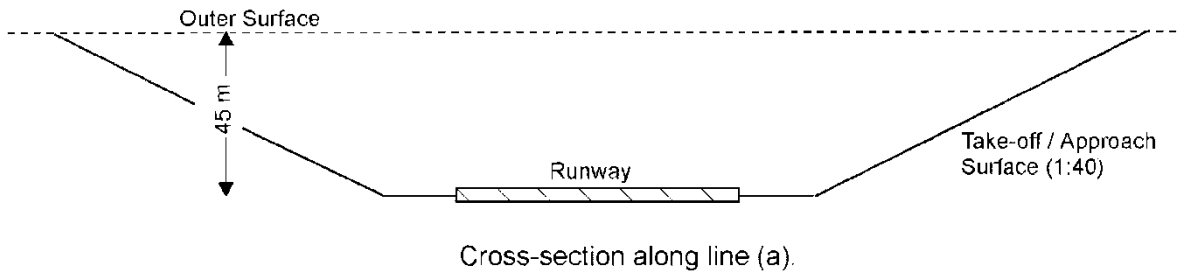
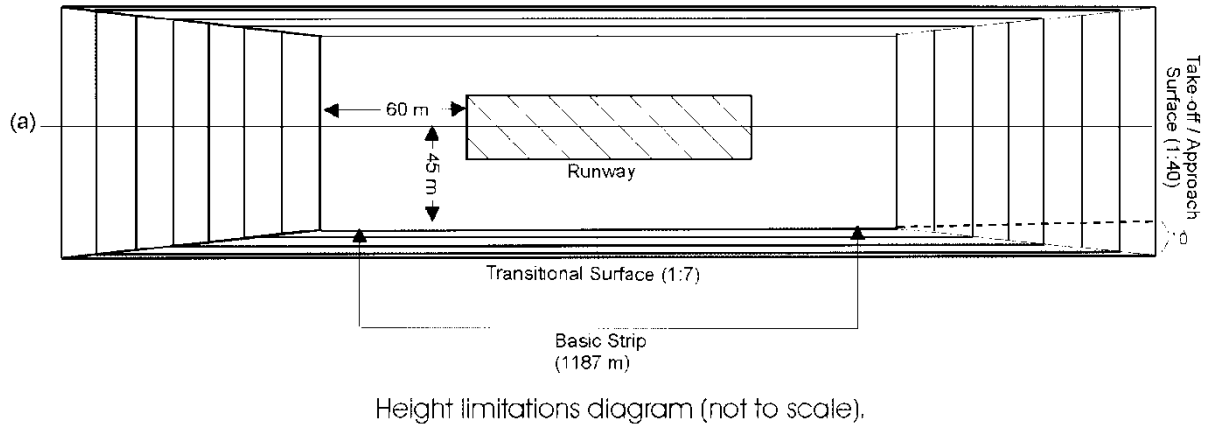
- (a) In accordance with the minimum setback requirements of the underlying Land Use District.

(6) Maximum Limits

- (a) Height: The height requirements of the underlying land use district shall apply except where the airport height limitation contours are affected, the following specific height limitations take precedence over any height restrictions stated in any land use district:
 - (i) The height limitations shall be measured from the airport elevation;
 - (ii) The Development Authority may issue a development permit if no point of the development will exceed the height of the take-off/approach surfaces; and/ or the transitional surfaces; as applicable in accordance with the height limitation contours below:

AIRPORT HEIGHT LIMITATION CONTOURS

(b)



27. CR - Country Residential District

Purpose

The purpose and intent of this District is to provide for parcels for the primary purpose of residential development free from incompatible uses at rural densities.

(1) Permitted Uses

- accessory building
- detached dwelling
- Livestock handling in accordance with section 51, Animal units
- municipal works

(2) Discretionary Uses

- bed and breakfast establishment
- communication tower
- group care facility
- home occupation
- intensive vegetative operations
- Livestock handling greater than the limits of section 51, Animal units
- manufactured home
- parks and playgrounds
- public and quasi-public installations & facilities
- recreation facilities
- renewable energy system
- signs requiring a development permit
- Wind Energy Conversion System – microgeneration

(3) Minimum Requirements

- (a) Minimum Parcel Area:
 - (i) 0.45 hectares.
- (b) Minimum Site Width:
 - (i) 30.48 metres for residential lots.
 - (ii) All other uses at the discretion of the Development Authority.
- (c) Minimum Front Yard:
 - (i) 7.62 metres if access is provided by an internal road network or service road.
 - (ii) 30.48 metres from the right-of-way of rural municipal roads.
 - (iii) As required by Alberta Transportation in the case of provincial highways.
- (d) Minimum Side Yard:
 - (i) According to the Minimum Side Yard requirements of the “HR” – Hamlet Residential District.
 - (ii) 30.48 metres from the right-of-way of rural municipal roads if adjacent to a rural municipal road.
 - (iii) As required by Alberta Transportation in the case of provincial highways.
- (e) Minimum Rear Yard:
 - (i) 7.62 metres for dwellings.
 - (ii) 0.91 metres for accessory buildings.
 - (iii) All other uses at the discretion of the Development Authority.

(4) Maximum Requirements

- (a) Maximum Number of Parcels – shall be determined in accordance with an assessment of the land/ location suitability and may require an Area Structure Plan at the discretion of Special Areas Board.
- (b) Maximum Size of Parcels:
 - (i) 1.21 hectares, unless otherwise approved in accordance with appropriate considerations within this Land Use Order.

(5) **Parking**

- (a) Parking shall be provided according to the following:
 - (i) Dwellings: 1 parking space per dwelling unit.
 - (ii) Other uses at the discretion of the Municipal Planning Commission.

(6) **Special Requirements**

In addition to the General Land Use requirements section 35, Rural Residential Subdivision and Development, the following regulations shall apply for Multi-lot Country Residential Subdivision applications:

- (a) Special Areas Board may require an Area Structure Plan or concept plan prior to designating a piece of land “CR” – Country Residential District. Such a plan shall include the *Municipal Government Act* requirements and indicate:
 - (i) the size and location of land to be affected,
 - (ii) the arrangement of lots and access roads,
 - (iii) the proposed sewage systems and suitability assessment,
 - (iv) the source of water, and
 - (v) any other information required by Special Areas Board to properly evaluate the proposal.
- (b) The Special Areas Board may limit the number of accesses from a municipal road and may require the applicant to construct or pay for the construction of any service roads to provide access to proposed parcels.
- (c) All private sewage disposal systems shall comply with the setback and design provisions of the relevant provincial regulations. Where private sewage is proposed for the subdivision, the proponent must determine the level of assessment required and provide the necessary information to support the subdivision approval as described in the *Model Process Guidance Document and Technical Resources* to the satisfaction of the Special Areas Board.
- (d) The Development Authority may refer any development permit application to the relevant health authority for comments/recommendations regarding the private sewage disposal system proposed as part of the dwellings.
- (e) Outdoor storage areas of material and equipment, garbage and waste material, and exterior mechanical equipment shall be screened from adjacent sites and public thoroughfares.

28. RSH – Rural Small Holdings District

Purpose

This Land Use District is intended primarily for extensive agricultural use (predominantly pasture/forage), and other rural uses, but from which small holding parcels may be subdivided. These larger rural parcels are intended primarily to provide sufficient land (and separation from neighbors as well as adjacent urban areas) to accommodate a dwelling and/or related on-site services, vehicle garage, large shop and/or yard space for those with heavy trucks and other heavy equipment used in the resource or agricultural sector.

(1) Permitted Uses

- beekeeping
- buildings and uses accessory to extensive agriculture
- detached dwelling
- extensive agriculture
- livestock handling in accordance with section 51, Animal Units
- municipal works
- public works
- production of specialty horticultural crops

(2) Discretionary Uses

- accessory building to a secondary business use
- bed and breakfast establishment
- home occupation
- kennel
- institutional and public uses
- intensive vegetative operation
- manufactured home
- natural resource extractive industries
- public & quasi-public installations & facilities
- renewable energy system
- rural small holding
- signs
- Wind Energy Conversion System – microgeneration
- Those uses which, in the opinion of the Development or Subdivision Authority, are similar to the permitted and/or discretionary uses and conform to the general purpose and intent of this Land Use District.

(3) Minimum Requirements

(a) Site Area

- (i) Rural Small Holding - minimum of 1.21 hectares unless otherwise specified by the Subdivision Authority.
- (ii) For all other uses not specified in section 28 above, the minimum parcel site area shall be at the discretion of the Development or Subdivision Authority who shall consider the minimum parcel area necessary to accommodate the proposed use.

(b)

Minimum Front Yard:

- (i) 30.48 metres from the right-of-way of a municipal road allowance whether developed or not.
- (ii) As required by Alberta Transportation in the case of provincial highways.

- (c) Minimum Side Yard:
 - (i) 7.62 metres where abutting another parcel.
 - (ii) 30.48 metres from the right-of-way of a municipal road.
 - (d) Minimum Rear Yard:
 - (i) 7.62 metres where abutting another parcel.
 - (ii) 30.48 metres from the right-of-way of a municipal road.
- (4) **Maximum Requirements**
 - (a) Site Area
 - (i) 4.04 hectares, unless otherwise specified by the Subdivision Authority.
 - (b) The height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:
 - (i) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.
 - (ii) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.
 - (c) Maximum Number of Parcels – shall be determined in accordance with an assessment of the land/location suitability and may require an Area Structure Plan/Concept Plan at the discretion of Special Areas Board.
- (5) **Rural Small Holding Parcels/Heavy Truck and Equipment Storage**
 - (a) The Development Authority shall ensure that such parcels developed in accordance with acceptable design standards and are kept in an orderly and well-maintained state.
 - (b) Rural Small Holding parcels are not for the purpose of and shall not involve the manufacture, assembly, storage or transportation of explosives.
 - (c) Such parcels should have access to well-developed local roads or provincial highways. Moreover, to not jeopardize the integrity and function of these roads, unless absolutely no alternative exists, access to these parcels shall be by way of shared/dual approaches to the standards and satisfaction of the road authority having jurisdiction.
 - (d) The intensity/extent of heavy truck and equipment storage shall not, in the opinion of the Development Authority, be a source of inconvenience or materially interfere with or affect the use, enjoyment or value of neighbouring parcels by way of excessive noise, odor, and dust or refuse matter beyond what would commonly be found in this Land Use District.
 - (e) The Development Authority may issue temporary or time limited development permit approval with respect to heavy truck and equipment storage.

- (f) Heavy truck and equipment storage may be reviewed by Special Areas if complaints are registered by one or more affected landowners.
- (g) If, at any time, any of the requirements for heavy truck and equipment storage are not complied with, the Development Authority may utilize the remedies available under this Order and the *Act*.
- (h) Development permit approval for heavy truck and equipment storage does not exempt compliance with any other applicable municipal/provincial/federal regulations.

(6) Additional Development/Subdivision Application Requirements and Referrals

- (a) Where an application for a Land Use District amendment to the 'SRH' District is made, the Board shall take the following into account in determining appropriateness of the location:
 - (i) The proximity to urban areas and the potential for future growth and development in the vicinity of the proposed location; and
 - (ii) The density and type of existing development in the surrounding area and the potential for land use conflict with the proposed application.
- (b) The topography of the parcel upon which the building/structure is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building/structure.
- (c) The height of a building/structure shall be in proportion with the principal and accessory buildings/structures on immediately adjacent parcels as well as in keeping with the surrounding area.
- (d) To determine if the subject land is suitable for and can physically support/sustain the proposed use, subdivision or development in question, the Development or Subdivision Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical assessment/information it considers necessary to properly evaluate the application. The Development or Subdivision Authority will ensure that the analysis/assessment/information required is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.
- (e) To the level of detail determined by the Development or Subdivision Authority, applicants shall fully disclose the precise nature and extent of the proposed use, subdivision and/or development, including intended hours of operation, so the application can be thoroughly evaluated in accordance with this Land Use District.
- (f) Upon receipt of a completed application, the Development or Subdivision Authority may, prior to making a decision, refer the application to any municipal department or any other external agency for comment and may require a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed building or other improvement (i.e. sewage disposal system, water well, etc.) that is the subject of the application.

- (g) Subdivision and development applications within this Land Use District may be referred to the appropriate urban municipality or adjacent rural municipality for comment prior to a decision by the Development or Subdivision Authority, as the case may be; and,
- (h) If an application is referred as above, the decision(s) made with respect to the application(s) referred will take into account the direct and indirect effects of the proposed subdivision or development on the immediate and surrounding areas as well as the future development/subdivision of the adjacent urban or rural municipality as may be outlined in their Municipal Development Plan or Land Use Bylaw.

PART VII

General Land Use Regulations

29. Development Near Water

- (1) Land within a 100-year floodplain shall not be developed unless suitable flood proofing techniques are employed to the satisfaction of the Development Authority.
- (2) Prior to deciding on a development permit the Development Authority may request that the applicant provide a map of the 100-year floodplain if available.
- (3) In the event that the 100-year floodplain has not been defined, the Development Authority or Subdivision Authority shall determine approximately the 100-year floodplain based on the highest known flood level, taking into account the high water level and historical information.
- (4) No part of any residential building shall be within 38.10 metres of a river, lake, stream, or other permanent water body.
- (5) Residential development adjacent to a lake shall utilize approved facilities in accordance with the Private Sewage Disposal System Regulations.
- (6) Residential subdivision adjacent to a lake shall:
 - (a) have access provided from existing developed road right-of-ways; and
 - (b) set back parcels an appropriate distance from the high water mark in order that public access can be provided through the dedication of an Environmental Reserve.
- (7) In the case of existing buildings, the Subdivision Authority may relax subsections (4), (5) and (6) in the case of a subdivision applications, and the Municipal Planning Commission may relax subsections (4) and (5) in the case of development permit applications.

30. Non-Conforming Buildings & Uses

- (1) 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 shall conform with the provisions of the Land Use Order in effect;
- (2) 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-complying building shall not be enlarged or added to and no structural alterations shall be made thereto or therein;
- (3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues;
- (4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
 - (a) as may be necessary to make it a conforming building, or

- (b) as the Development Officer considers necessary for the routine maintenance of the building, or
 - (c) if, at the discretion of the Development Authority, the alterations do not increase the extent of non-conformance and are within all other requirements of this Order, the development may be permitted.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the Land Use Order.
- (6) The use of land or the use of a building is not affected by reason of a change of ownership or tenancy of the land or building.

31. Home Occupations

- (1) In considering an application for a development permit for home occupations, the Municipal Planning Commission must decide upon the application.
- (2) In addition to the powers to cancel a permit under the *Act*, a development permit issued for a home occupation may be revocable at any time by the Development Authority if in their opinion, the use is or has become detrimental to the amenities of the neighbourhood or materially interferes with or affects the use, enjoyment or value of neighbouring properties.
- (3) A home occupation shall not include any use or operations which will cause or create a nuisance by way of dust, noise, smell, smoke or traffic generation.
- (4) In Hamlets, a home occupation shall be confined to the dwelling or accessory buildings and be subordinate to the principal use as a dwelling and shall be limited to those uses which do not interfere with the rights of other residents. The Development Authority may permit limited outside storage if it is determined the outside storage will not affect neighbouring properties and can be screened from view.
- (5) In the Agricultural Districts, a home occupation shall be confined to the dwelling or farmyard site and subordinate to the principal use of the site for agricultural and residential purposes. Further, in this District, limited outside storage of materials, goods or equipment is permitted.
- (6) If a development permit is revoked or refused by the Municipal Planning Commission, the applicant may to appeal to the Subdivision and Development Appeal Board.

32. Relocation of Buildings

- (1) Where a development permit has been granted for the relocation of a building on the same site or from another site, the Development Authority may require the applicant to provide a Performance Bond or a Letter of Credit in an amount deemed sufficient to ensure completion of any renovations set out as a condition of approval of the permit.
- (2) All renovations to a relocated building are to be completed within 12 months of the issuance of the development permit.

- (3) Prior to approving a development permit for a moved in building, the Development Authority may obtain the views in writing of the adjacent registered property owners within a minimum of 59.74 metres.
- (4) The Development Authority may request an application to relocate a building or structure be accompanied by a recent photograph of the building/structure, and wherever possible the Development Officer may inspect the building/structure.
- (5) The design, external finish and architectural appearance of any relocated building/structure shall be similar to and complement the existing structures on the parcels adjacent to the parcel onto which the building/structure is to be located.

33. Drainage

- (1) The Development Authority may require the applicant to grade a parcel in such a manner that all surface water will not drain onto neighbouring parcels.
- (2) The Development Authority may establish parcel and building elevations if it is deemed that drainage from existing elevations will affect neighbouring parcels.

34. Agricultural Land

- (1) Agricultural land, in particular, Canada Land Inventory Capability for Agricultural Classifications 1 to 4 shall be encouraged to preserve for agricultural operations.
- (2) The creation of parcels less than 64.7 hectares shall not be permitted unless specifically permitted elsewhere in this Order. When permitted, these parcels should not:
 - (a) fragment existing farm operations;
 - (b) utilize better quality agricultural land.

35. Rural Residential Subdivision and Development

- (1) Farmstead Separation
 - (a) Individual farmstead separations for an unsubdivided quarter section are permitted provided that:
 - (i) the dwelling is habitable;
 - (ii) access can be provided without unduly severing the agricultural land;
 - (iii) the parcel size is kept as small as possible while including buildings, shelterbelts, corrals, wells and septic systems. In agricultural areas parcels greater than 4.05 hectares may be allowed only to encompass existing features such as water wells, shelterbelts, septic systems and accessory farm structures; and
 - (iv) the minimum of agricultural land is removed from production.
 - (b) Farmstead separation may not be allowed where potential conflicts with adjacent or surrounding agricultural land uses would result.
- (2) Country Residential
 - (a) First parcel–Country residential subdivision and development may be allowed provided that:
 - (i) the use would not cause conflicts with adjacent or surrounding agricultural land uses;

- (ii) the parcel size shall not exceed 1.21 hectares; additional parcel area may be considered in agricultural areas of Special Areas where land use conflicts are not anticipated. A larger site may be considered due to topographical or other site constraints;
- (iii) the appropriate authorities have approved the private water and sewer systems;
- (iv) the Development Authority is satisfied that the development does not adversely affect access routes and school bus routes;
- (v) the development is not located within 457.20 metres of an existing or proposed solid waste disposal area, or 304.80 metres of an existing or proposed sewage treatment area or 762.00 metres from a confined feeding operation;
- vi) the development is not located in the proximity of sour gas facilities in accordance with current legislation; and
- (vii) the development permit applicant shall be required to sign the Country Residential Declaration 1 in the Appendices of this Order.

36. Rural Industrial Subdivision and Development

- (1) Industrial uses and rural industrial parks shall be located within a reasonable distance of:
 - (a) a provincial highway to which the planned use or park has access; and/or
 - (b) a railway to which the park has access.
- (2) Industrial uses and rural industrial parks should not be located on better agricultural lands (CLI Class 1-4).
- (3) All industrial subdivisions shall result in a minimum of agricultural land being removed from production.
- (4) Rural industrial parks located within 800.00 metres of a provincial highway shall provide a service road pursuant to the Subdivision and Development Regulation and must be contained within an approved Area Structure Plan. The Area Structure Plan shall consider the following:
 - (a) the phasing of development;
 - (b) the size and number of parcels proposed;
 - (c) the installation and construction of roads and utilities;
 - (d) the types of industries to be contained on the site, with particular specificity provided in the case of any use involving the storage and/or transportation of explosives;
 - (e) potential impacts on adjacent land uses, and proposed measures to reduce those impacts;
 - (f) Any applicable provincial and federal regulations (i.e. Private Sewage Disposal Regulation, Explosives Act and Regulations);
 - (g) the environmental suitability of the site with particular consideration to soils, slopes, drainage and any hazard lands; and,

- (h) any other matters the Special Areas Board considers necessary.
- (5) Industrial uses and rural industrial parks shall be located and designed so as not to create conflicts with adjacent or surrounding land uses through unsightly appearance, emission of noise or pollutants, creation of dust and similar disturbances.
- (6) Industrial developments in the Agricultural Land Use District shall be limited to the following types:
 - (a) industries providing products or services associated with the agricultural industry;
 - (b) natural resource extractive industries: and/ or
 - (c) those industrial uses as deemed appropriate by the Municipal Planning Commission.
- (7) Industrial uses and rural industrial parks shall not be located on lands having a potential for flooding, erosion, subsidence, steep slopes or otherwise containing adverse physical features.
- (8) Industrial uses and rural industrial parks shall have adequate sewage disposal systems and available water supplies as approved by the appropriate authorities.
- (9) Where industrial uses have been approved by Special Areas any residential development proposed in close proximity shall be required to sign the Country Residential Declaration 3.

37. Rural Commercial Subdivision and Development

- (1) Commercial development in rural areas may be permitted provided that:
 - (a) Rural commercial multiple lot subdivisions located within 800.00 metres of a provincial highway, must be contained within an approved Area Structure Plan, and a service road provided pursuant to the Subdivision and Development Regulation;
 - (b) the development is located adjacent to a major transportation route;
 - (c) a minimum of agricultural land is removed from production;
 - (d) the development provides the appropriate setbacks from major intersections, and from any bridge or structure crossing the highway as required by the Subdivision and Development Regulation and by Alberta Transportation;
 - (e) the development provides suitable accesses (preferably service roads) so as not to interfere with traffic, or create hazard to traffic; and
 - (f) the sewage disposal system and water system are approved by the appropriate authorities.
- (2) Where commercial uses have been approved, residential development proposed in close proximity shall be required to sign the Country Residential Declaration 3.

38. Topographic Features

- (1) Definitions:
 - (a) Figure 1. Topographical Features, illustrates the terms defined in this subsection;
 - (b) "*Bench*" means a plateau or level (slope, typically between 1% and 15%) occurring between the brink of one slope and the toe of another;
 - (c) "*Brink of slope*" means the point where a slope begins to fall off steeper than 20%;
 - (d) "*Escarpment*" means a river valley wall, typically up to 91.44 metres high;
 - (e) "*Escarpment Protrusion*" means the projection of the brink of an escarpment slope by at least 30.48 metres into a valley; and
 - (f) "*Height of slope*" means the point where a slope begins to rise steeper than 20%.
- (2) Isolated features:
 - (a) For isolated land projections such as hummocks and buttes:
 - (i) slopes greater than 20% shall not be developed unless otherwise approved by the Development Authority; and
 - (ii) slopes greater than 15% may require special engineering or other treatment to be developed.
 - (b) If such isolated features are to be leveled;
 - (i) the resulting slopes shall not exceed 20%; and
 - (ii) the contours, leveling, compaction and other engineering and environmental aspects shall be satisfactory to the Development Authority and other relevant authorities.
- (3) Escarpment Protrusions:
 - (a) Escarpment protrusions wider than 91.44 metres at their widest point shall not be removed.
 - (b) Removed or leveled escarpment protrusions shall result in slopes of no more than 15% and of no more than 33% at the adjoining escarpment wall.
- (4) Minimum Setback Requirements
No part of any building shall be within the following minimum setbacks, unless otherwise determined by the Development Authority in consideration of a report provided from a professional engineer permitted to practice in Alberta;
 - (a) Setbacks from toes of slopes shall be the greater of:
 - (i) 9.14 metres where the slope height exceeds 3.05 metres;
 - (ii) one-third the slope height, where the slope height exceeds 30.48 metres.
 - (b) Setbacks from brinks of slopes
 - (i) equal to the average depth of the valley.
 - (c) Setbacks on benches shall be determined using subsections (a) and (b) where:
 - (i) the slope above the bench determines the setback from the toe; and
 - (ii) the slope below the bench determines the setback from the brink.

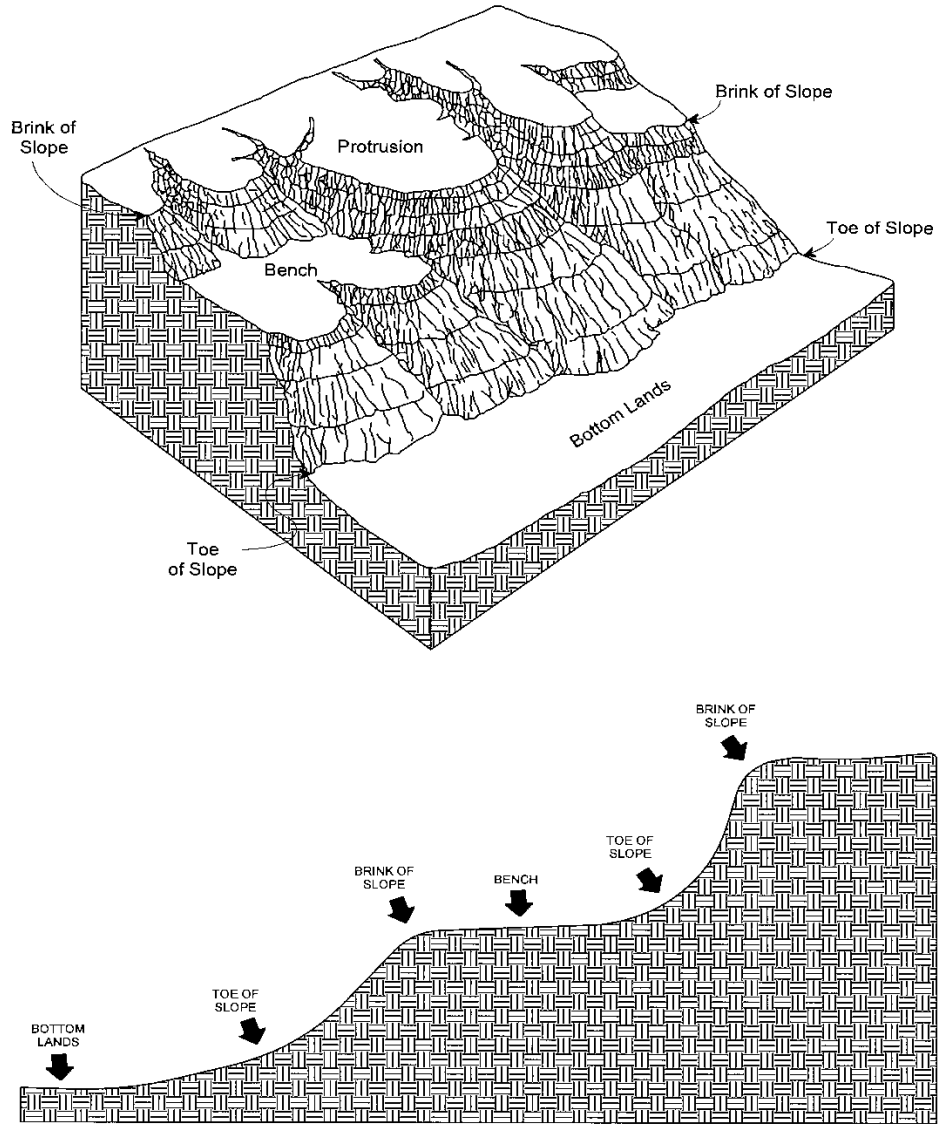


Figure 1. Topographical Features.

39. Signs

- (1) The area of a sign is determined by the sign's outer periphery. In the case of a sign comprised of individual letters or symbols, the area shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
- (2) One non-illuminated sign for identification, direction, or warning, no more than 2.97 square metres in area may be erected on any land or affixed to the exterior of any building without need for a development permit.
- (3) Signs other than those specified in subsection (2) are required to obtain a development permit. Signs in addition to the one specified in subsection (2) are required to obtain development permits, regardless of size. All illuminated signs are required to obtain development permits.
- (4) No sign or sign structure shall be erected without the prior consent of the registered owner and the occupant of the land in question.
- (5) No sign or sign structure shall be erected where it may interfere with, obstruct or be confused with any authorized traffic sign, signal or device.
- (6) No sign or sign structure shall be erected where it may obstruct visibility of vehicular traffic.
- (7) No sign or sign structure shall be erected adjacent to provincial highway without prior approval of Alberta Transportation.
- (8) All signs and sign structures shall be kept in a safe, clean and tidy condition and, if not so kept, may be required by resolution by Special Areas Board to be renovated or removed.
- (9) For signs requiring a development permit that are to be erected adjacent to an urban municipality, the Development Authority may require the sign to comply with the setback and design guidelines for signs in that urban municipality.

40. Parking

- (1) Unless otherwise specified in this Land Use Order, parking requirements shall be determined by the Development Authority.
- (2) For multiple use sites, parking requirements shall be based on the calculation of parking required for each individual use.
- (3) A parking space shall not be less than 14.86 square metres in area and less than 2.44 metres wide.

41. Objects Prohibited or Restricted in Yards

- (1) No person shall keep or permit in any part of a yard in any "HR" - Hamlet Residential District or "HG" - Hamlet General District:
 - (a) Any dismantled or wrecked vehicle for more than 14 successive days;
 - (b) Any object or chattel, which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the District;

- (c) Any excavation, storage or piling up of material required unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- (2) The following shall apply in all Land Use Districts:
 - (a) Outdoor storage of goods, materials or equipment outside of a building shall require a development permit unless the Development Authority has deemed the storage to be integral to another use that has been approved or that does not require a development permit;
 - (b) Outdoor storage areas may be required to be screened from view by means of fencing, shrubbery, trees and other landscaping to the satisfaction of the Development Authority;
 - (c) Outdoor storage shall not unduly interfere with amenities of the District or adversely affect neighboring lots by reason of excessive noise, smoke, steam, odor, glare, dust vibration, refuse matter or other emissions; and
 - (d) Outdoor storage areas shall be located, developed and maintained in a neat and orderly manner to the satisfaction of the Development Authority.

42. Site Development

- (1) The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs, shall be to the satisfaction of the Development Authority in order that these shall be in general conformity in such matters with adjacent buildings.

43. Manufactured Homes

- (1) Manufactured homes shall have a permanent foundation capable of supporting the maximum anticipated load of the manufactured home during all seasons without settlement or other movement.
- (2) The undercarriage of each manufactured home shall be completely screened from view by the foundation or by skirting within 30 days of placement of the manufactured home.
- (3) All accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units or of a quality equivalent thereto, so that design and construction will complement the manufactured home. Additions to a manufactured home shall have a foundation and skirting equivalent to that of the manufactured home. All manufactured homes shall be provided with steps and landings to all entrances within 30 days of their placement.
- (4) Manufactured homes constructed more than 15 years prior to the date of the development permit application may not be permitted.

44. Manufactured Home Parks

- (1) Each manufactured home park lot shall be provided with a hard surface durable base on which the manufactured home shall be placed.

- (2) All roads in a manufactured home park shall have at least a 10.06 metres roadway, and shall be constructed to standards that are satisfactory to the Municipal Planning Commission, and be well drained and maintained to the satisfaction of the Municipality.
- (3) Not less than 5% of the gross site area of a manufactured home park shall be devoted to outdoor amenity space and recreational uses, to be provided in a convenient and accessible location. This outdoor amenity space shall be landscaped to the satisfaction of the Municipal Planning Commission within one year of the start of construction of the manufactured home park.
- (4) Visitor parking shall be 1 off-street parking stall for every 2 manufactured home lots. Visitor parking shall be dispersed throughout the park and clearly identified.
- (5) Notwithstanding the above, manufactured home parks or other housing type developments associated with natural extractive industries may be permitted and standards shall be established by the Development Authority.
- (6) All manufactured home park lots within a manufactured home park shall be clearly defined on the ground by permanent flush stakes or markers with a lot number or other address system.
- (7) All setbacks and yard standards for a manufactured home park shall be the same as those established for dwellings in the "HR" - Hamlet Residential District.

45. Dwelling Units on a Parcel

- (1) No person shall construct or locate, or cause to be constructed or located, more than one dwelling on a lot or parcel unless:
 - (a) the second or additional dwelling is contained in a building designed for or divided into 2 or more dwelling units (i.e. duplex, triplex, fourplex, apartment building etc.);
- (2) The Development Authority may issue a permit for additional dwelling units on a parcel, if the proposed development would not:
 - (a) unduly interfere with the amenities of the neighborhood;
 - (b) materially interfere with or affect the use, enjoyment or value of the neighboring properties; and
 - (c) the proposed development conforms to the use prescribed for that land or building in this Order.

46. Development Adjacent to Rural Roads and Intersections (excluding Hamlets)

- (1) The minimum setback for structures and developments (including shelterbelts and dugouts) shall be:
 - (a) 30.48 metres from the right-of-way of all municipal roads (Figure 2. Development restrictions near an intersection of two rural roads).
 - (b) As required by Alberta Transportation in the case of provincial highways.

- (2) Notwithstanding the above, shelterbelts at farmsteads shall require a setback distance at the discretion of the Development Authority.
- (3) Vehicle access to municipal roads shall not be permitted within 91.44 metres of intersections (Figure 2. Development restrictions near an intersection of two rural roads).
- (4) Development shall be restricted near roads, which have a radius of curvature less than 853.44 metres as per Figure 3 Development restrictions near roads with a radius of curvature less than 853.44 metres.
- (5) Approaches shall be constructed where sight-lines are at least 182.88 metres in either direction.
- (6) For transportation-related developments, which require close proximity to a road, such as, weigh scales or truck filling stations, the Development Authority may relax subsections (1) to (5) above.
- (7) The Development Authority and/or Special Areas Board may limit the number of accesses in a quarter section and may require joint accesses.

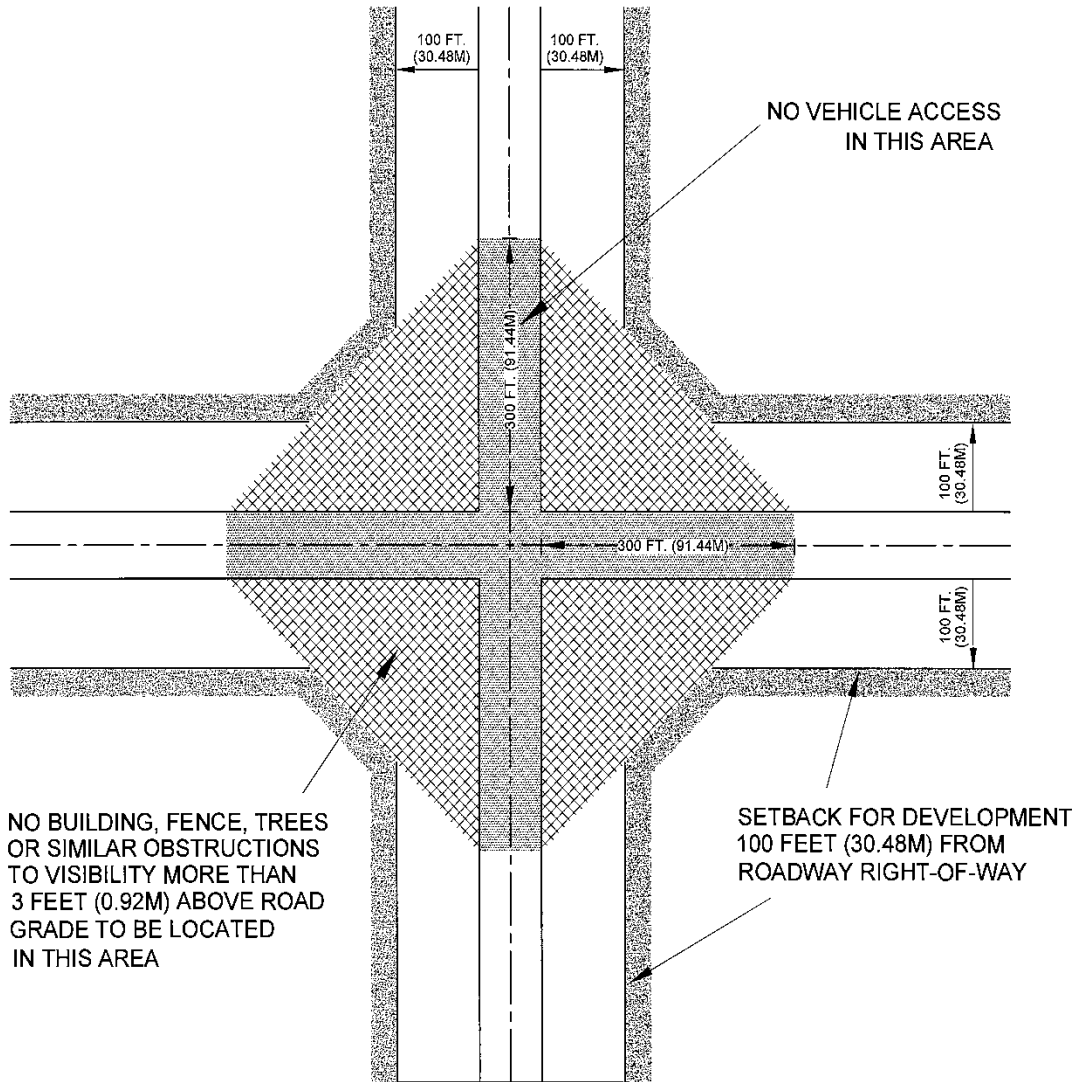


Figure 2. Development restrictions near an intersection of two rural roads.

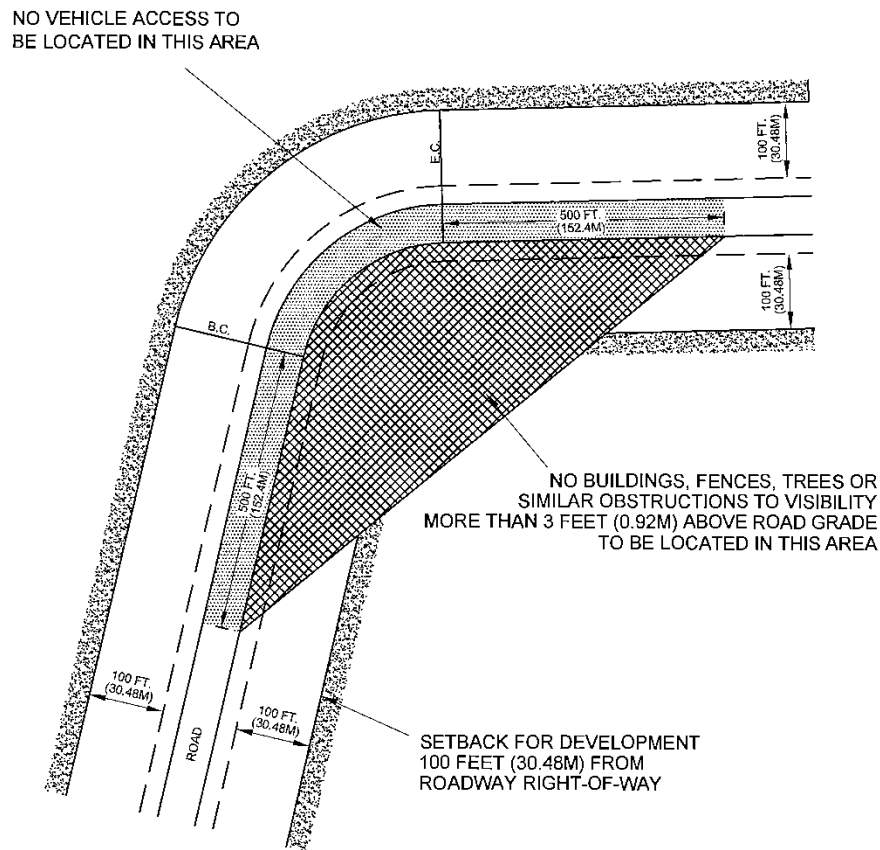


Figure 3. Development restrictions near roads with a radius of curvature less than 853.44 metres.

47. Sand and Gravel Extraction Development

- (1) Gravel pits shall be located at least 304.80 metres from the nearest dwelling not occupied by the owner/operator of the gravel pit. All Development Permit applications for sand and gravel extraction operations within 304.80 metres of a dwelling shall be referred to the owner of the affected dwelling prior to issuance of the permit, in order that the owner may comment on the proposal.
- (2) The Development Authority may request that a reclamation plan is submitted with any application for a gravel extraction operation.
- (3) Any application for a gravel extraction facility in the 100-year floodplain of a permanent water body may be referred to Alberta Environment and Sustainable Resource Development, in order to assist in determining whether river channel integrity or fisheries will be jeopardized by the proposal.

- (4) Road use/development agreements shall be required to ensure road conditions are not negatively affected by the traffic generated by a gravel extraction facility and to provide dust control requirements.

48. Private Landfill Development (Nuisance Grounds)

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

49. Wind Energy Conversion Systems

APPLICATION REQUIREMENTS FOR A WECS

(1) APPLICATION REQUIREMENTS FOR A WECS – MICROGENERATION

A development permit application for a WECS – Microgeneration shall be accompanied by:

- (a) the manufacturer's information on power generation and tower construction;
- (b) appropriate letter of approval from NAV Canada if required;
- (c) shadow/flicker and noise data shall be considered and acceptable reports completed by an accepted professional in the field may be required if deemed appropriate as determined by the Development Authority;
- (d) a sound report as measured at the property line of the parcel where the development permit is applied;

- (e) scaled drawings of the foundation and tower showing compliance with CSA Standards and certified by a professional structural engineer;
- (f) an accurate site plan showing and labeling the information including the specific location of the WECS with setbacks from property lines and surrounding buildings within 500.00 metres;
- (g) Any additional information deemed necessary by the Development Authority to make an informed decision.

(2) WECS – MICROGENERATION REGULATIONS

A WECS – Microgeneration shall be considered in accordance with the following requirements:

- (a) Maximum Tower Height:
 - (i) Parcel size –0.2 hectares – 0.4 hectares.
30.48 metres
 - (ii) Parcel size greater than 0.4 hectares
40.00 metres
Tower height shall be in accordance with the manufacturer requirements and shall conform to the setback requirements below.
- (b) Setback Requirements:
 - (i) Setbacks from property lines
The WECS – Microgeneration tower base shall be no closer to the property line than the total height of the WECS – Microgeneration, and no part of the tower structure, including guy wire anchors, may extend closer than 3.05 metres to the property boundaries of the site. The Development Authority may waive the tower base setback requirements if the adjacent property owner provides permission with a letter of agreement for the location of the WECS – Microgeneration to be closer than these requirements.
 - (ii) Setbacks from Structures
 - 1. Dwellings/ public buildings:
The WECS – Microgeneration tower base shall be no closer to a dwelling unit on an adjacent property than the total height of the WECS – Microgeneration. No variance or relaxation of this requirement is permitted. This distance may be greater if it is determined that **shadow flicker** is a factor on adjacent properties. (note: shadow may be up to 3.6 times the distance of tower height in winter months)
 - 2. Accessory buildings or structures
No requirements
- (c) Sound
It is not anticipated that sound levels from a professional quality WECS – Microgeneration will negatively impact adjacent property owners. The required setbacks in subsection (2) above are established for public safety and to eliminate any sound related conflict beyond that of normal background noise to adjacent properties. A satisfactory report from a sound engineering professional

may be required to ensure noise levels are not above that of normal ambient background noise on adjacent properties. This determination shall be measured at the at the property line of the parcel in a direct line between the WECS – Microgeneration and the dwelling.

(d) Visual Impact

The nature of a WECS – Microgeneration requires the installation of the turbine on a tall tower, 9.00 metres or greater above structures or trees, to reach wind conditions and avoid turbulence. Visual Impact concerns shall be considered where there is significant scenic or historical value associated and where there is a clear public benefit.

(e) Finish and Appearance

A WECS – Microgeneration shall be finished in a non-reflective matte and in a colour that minimizes any obtrusive impact to the satisfaction of the Municipal Planning Commission.

(f) Advertising

No advertising shall appear on the tower, blades or turbine.

(g) Consultation Requirements

A circulation of the proposal to adjacent property owners shall be required prior to a decision being made by the Development Authority. Any comments received from the circulation shall be considerations for decision.

(h) Decommissioning

If the active production of electricity from a WECS – Microgeneration is discontinued for 2 years or more the WECS – Microgeneration shall be removed. Upon termination of the use, the entire facility shall be removed and the site shall be restored to pre-construction condition.

(3) APPLICATION REQUIREMENTS FOR A WECS – COMMERCIAL

In addition to the development permit application requirements of Part III of this Order, applications for development permits for a WECS - Commercial shall include the following information:

- (a) An applicant shall submit one WECS – Commercial development permit application for the entire project.
- (b) An accurate site plan showing and labeling all relevant information including the specific location of each existing and proposed Wind Turbine including setbacks, all associated substations, collection and transmission system on or abutting the subject lot or parcel, and contours of the land and access roads for the complete WECS – Commercial.
- (c) An accurate plan showing the titled parcels and location of WECS – Commercial in each application.
- (d) A digital database listing exact location and base elevation of each wind turbine in a format acceptable to the Development Authority.

- (e) a visual representation depicting the wind farm from significant viewscales or areas of high visibility as determined by the MPC. This may include the view from a nearby urban area (Town, Village, Hamlet or Country residential area), highway, campground/ tourist area, etc.
 - (i) The visual representation shall include scale elevations, photographs of the proposed WECS – Commercial showing tower height, rotor diameter, colour and landscape.
- (f) The turbine specifications indicating:
 - (i) the WECS – Commercial maximum rated output in kilowatts (or megawatts);
 - (ii) safety features and sound characteristics;
 - (iii) type of tower;
 - (iv) dimensions of tower and rotor.
- (g) the following analyses:
 - (i) a noise impact assessment in accordance with the Alberta Utilities Commission requirements including a noise contour map and a table of predicted sound levels at surrounding dwellings.
- (h) A report regarding any public information meetings or other process conducted by the developer in accordance with section 4 below;
- (i) construction plans and any impacts to Special Areas infrastructure including existing roads and development of new roads or approaches to municipal standards;
- (j) Post-construction reclamation plans;
- (k) decommissioning plans;
- (l) the developer to provide copies of appropriate reports, comments and requests for approvals from the following:
 - (i) Transport Canada
 - (ii) NAV Canada
 - (iii) Alberta Culture and Community Spirit
 - (iv) Alberta Environment
 - (v) Alberta Transportation
 - (vi) Alberta Sustainable Resource Development
 - (vii) Alberta Electric Systems Operator (AESO)
 - (viii) Any other approvals or requirements as determined necessary by the Municipal Planning Commission.

(4) WECS – COMMERCIAL REGULATIONS

- (a) The applicant shall forward to the Development Authority copies of all regulatory and utility permits, approvals, and conditions prior to commencement of construction.
- (b) A WECS – Commercial development permit shall have a maximum 5 year development timeline as outlined below:
 - (i) Commencement of development shall occur within 2 years of the issuance of the development permit. A time extension as described in subsection (iii) or a timeline suspension as described in subsection (iv)

must be applied for prior to the expiration of the 2 year commencement of construction period;

- (ii) Construction shall be completed within 2 years of commencement of construction. The 1 year time extension described in subsection (iii) may be granted by Municipal Planning Commission provided it was not previously granted under subsection (i). A time extension as described in subsection (iii) or a timeline suspension as described in subsection (d) must be applied for prior to the expiration of the 2 year construction period;
 - (iii) A time extension considered by Municipal Planning Commission in subsection (i) and subsection (ii) may be approved for a 1 year term and the applicant must provide reasons why the extension is necessary;
 - (iv) The Municipal Planning Commission may consider suspending the 5 year timeline described above where a development hardship is proven to the satisfaction of the Municipal Planning Commission. The Municipal Planning Commission shall specify the duration of any timeline suspension as part of the approval;
 - (v) the development permit shall expire if the suspension period in subsection (iv) is not granted and any period described in subsections (i), (ii), (iii), or (iv) lapses.
- (c) The Municipal Planning Commission may require the developer to minimize impacts and nuisance or safety effects within 2000.00 metres of a developed Country Residential area, Hamlet, Town or Village boundary.

A WECS – Commercial development application shall be considered in accordance with the following requirements:

- (d) Maximum Tower Height:

Tower height shall be considered in accordance with the manufacturer and technical requirements for maximum efficiency and shall conform to the setback requirements below.
- (e) Minimum Setback Requirements:
 - (i) Setbacks from property lines
 1. From any Provincial Highway – as per Alberta Transportation
 2. From any municipal road allowance – 30.48 metres from the vertical extension of the rotor's arc.
 3. Where no road allowance is located between property lines and where both parcels are included within the same WECS – Commercial development boundary – 7.62 metres from the vertical extension of the rotor's arc.
 4. Where the adjacent parcel is located outside of the development boundary the minimum setback shall be the greater of 550.00 metres or the modeled sound level not exceeding the Alberta Utilities Commission dwelling setback requirement measured from nearest property line to the nearest tower base so as to not negatively affect the development potential on adjacent properties that do not contain WECS development. Minimum setback requirements may be reduced with a written agreement of the affected landowner. Any agreement between the owner of

the affected parcel and the developer shall be submitted as an attachment to the development permit application. An easement may be registered on the land title of the affected property.

(f) Setbacks from Structures

(i) Existing Dwellings:

A WECS – Commercial tower base setback from existing habitable dwellings shall be a minimum of 800.00 metres. A lesser distance may be agreed to by the owner of the affected dwelling. If a lesser distance is agreed to by the owner of the affected dwelling the minimum setback shall not be less than that determined in accordance with the modeled sound level Alberta Utilities Commission requirement measured at a distance of 15.00 metres from the nearest or most impacted dwelling. Any agreement between the owner of the affected dwelling and the developer shall be submitted as an attachment to the development permit application. An easement may be registered on the land title of the affected property.

(ii) Accessory buildings or structures

Setback requirements may be considered by the Municipal Planning Commission if necessary to reduce the impact of a WECS – Commercial on other structures.

(g) Minimum Blade Clearance from grade – 7.62 metres

(h) Tower Access and Safety

To ensure public safety, the Municipal Planning Commission shall give consideration to the following:

- (i) Climbable Tower - a security fence with a lockable gate shall surround a WECS – Commercial tower not less than 1.83 metres in height;
- (ii) No ladder or permanent tower access device shall be located less than 3.66 metres from grade;
- (iii) A locked device shall be installed on the tower to preclude access to the top of the tower.
- (iv) All of the above to be required or any such additional safety mechanisms or procedures to be provided as the Municipal Planning Commission considers reasonable and appropriate;
- (v) Tower of tubular construction with locked internal access will preclude the above requirements.

(i) Viewscape

The nature of any WECS requires the installation of the turbine on a tall tower to reach the appropriate wind conditions and avoid turbulence. Visual impact concerns shall be considered where there is significant scenic or historical value associated and where there is a clear public benefit.

(j) Finish and Appearance

A WECS – Commercial tower shall be finished in a non-reflective matte and in a colour that minimizes any obtrusive impact to the satisfaction of the Municipal Planning Commission.

(k) Advertising/ Signage

No advertising shall appear on the tower or blades. The turbine may contain the manufacturers and/or owners identification only.

(l) Consultation Requirements

Applicants for a WECS – Commercial development shall be responsible for appropriate public consultation prior to an application submission and shall include:

- (i) Public meeting hosted and advertised by either general mail out or newspaper advertising at least 2 weeks in advance, with the applicant's contact information provided.
- (ii) Adjacent landowners to proposed WECS sites must be notified in writing, with copies of the notice and a landowners list provided with application information.
- (iii) Information provided at meeting must address all points required in the development permit application requirements.
- (v) Summary of consultation and feedback to be included with application as requested.

(m) Transmission and Distribution Lines

All electrical transmission lines used to interconnect the towers and/ or substation facilities shall be underground installation unless otherwise approved by the Municipal Planning Commission.

(n) Repowering

- (i) Should a developer propose alteration or repowering of an existing WECS – Commercial development with changes from the original approval a new development permit application shall be required.
- (ii) If infill development (addition of wind towers) to an existing WECS – Commercial development a new development permit application shall be required.

(o) Decommissioning

If the active production of electricity from a WECS – Commercial development is discontinued for two years or more the developer shall provide a report to the Municipal Planning Commission stating the operations plan for the project. Decommissioning of the WECS – Commercial development may be required. Failure to comply with a decommissioning request from the Municipality may result in the issuance of a stop work order by the designated officer in accordance with the provisions of the *Municipal Government Act*.

50. Physical Environment

- (1) The Development Authority may consider the environmental impact of any proposed development. The Development Authority may refer the proposal to a relevant provincial department for comment on the nature of the environmental concern. Where a development is considered to have a significant environmental impact, the Development Authority may request the developer to have an environmental evaluation prepared and submitted by an appropriate professional, or undertake its own environmental evaluation

regarding the proposed development. All costs associated with an environmental evaluation are the responsibility of the developer.

51. Industrial Work Camp

- (1) A temporary development permit for a work camp may be issued for up to 12 months, at which time an application may be made for a continuance of the use for an additional 12 months, after which a new development permit approval is required.
- (2) An application for a development permit for a work camp must provide the following information:
 - (a) the location, type, and purpose of the camp;
 - (b) adjacent land uses;
 - (c) the method of supplying water, sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the current Alberta Private Sewage Systems Standard Practice and be to the satisfaction of the health authority;
 - (d) the number of persons proposed to reside in the camp;
 - (e) demonstrate approval from Alberta Environment and Sustainable Resource Development if the camp is located on Crown land;
 - (f) the start date of the development, date of occupancy, and removal date of the camp; and
 - (g) reclamation measures once the work camp is no longer needed. (Post security with the Municipality with sufficient time to remove and reclaim the site if the work camp remains on the site after the project is either completed or if work has stopped to the extent that the Development Authority no longer feels the work camp is relevant to the project, or to reclaim the site if required after the work camp has been removed from the site.)
- (2) No development permit for a work camp shall be approved unless:
 - (a) it is directly associated with a development situated within the area;
 - (b) it is for a temporary period of time as specified by the Development Authority;
 - (c) all required access provisions are provided to the satisfaction of the Development Authority at the sole cost of the developer;
 - (d) the developer provides undertakings and guarantees acceptable to the Development Authority, that the work camp will be removed and the site returned to its original condition; and
 - (e) it is an accessory development to an approved industrial or commercial development for construction employees and located within close proximity of the site of industrial or commercial development.

52. Animal Units

- (1) The application of Animal Units may be applied as a condition of a development permit;
- (2) All development permits issued for Animal Units shall be revocable at any time by the Development Authority if, in its evaluation, the use is or has become detrimental to the amenities of the neighborhood.
- (3) One Animal Unit is permitted for every 0.81 hectares of land contained within a parcel. The maximum number of Animal Units permitted shall be calculated in accordance with the total amount of acres fenced and dedicated to animal uses on the parcel and the total number shall not exceed 10 Animal Units on any given parcel.
- (4) Animal types and the number of animals that equate to 1 Animal Unit shall be established in accordance with the Agricultural Operations Practices Act Matters Regulation, Schedule 1.

53. Airports and Private Airstrips

- (1) Transport Canada maintains the federal jurisdiction for all airport/ airstrip related development. The local Development Authority does not have jurisdiction to consider an application for airports/ airstrips.
- (2) Development in the vicinity of airports shall be considered in accordance with Section 26. AVO – Airport Vicinity Overlay District

54. Communication Tower

- (1) Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of radio communication facilities, including communication towers. In making its decision regarding the communication tower and related facilities, Industry Canada considers the following:
 - (a) the input provided by the Approving Authority;
 - (b) compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
 - (c) Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and
 - (d) an environmental impact assessment may be required in order to comply with the *Canadian Environmental Assessment Act*.
- (2) The participation of Special Areas in the consultation process does not transfer any Federal decision making authority, nor does it confer a right of veto in the location of the communication tower.
- (3) Unless demonstrated to be impractical, transmission antennae shall be mounted on existing structures (including buildings or towers) or within transportation and utility corridors.
 - (a) The tower base shall be setback from abutting parcels and roadways by a distance of 10% of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
 - (b) Guy wire anchors shall be setback at least 28.00 metres from the property line.

- (c) Transmission towers must have the least practical adverse visual effect on the environment. This may be mitigated through landscaping and/or fencing.
- (4) Communication towers shall be located in a manner that minimizes the impact on the natural environmental and residential communities while recognizing the unique location requirement for siting communication towers.
- (5) All equipment shelters must meet Special Areas setback distances to roads and property lines.
- (6) All telecommunication carriers requesting a new telecommunication tower shall be required to identify any other such structure within an 8.05 kilometres radius of the proposed site location. Each request shall also provide documentary evidence that co-location of the existing structures within that 8.05 kilometres radius is not a viable alternative to a second structure.
- (7) Where Transport Canada requires that a telecommunication tower be lighted, the following procedures shall be encouraged to minimize visual impacts:
 - (a) the lighting of equipment structures and any other facilities on site shall be shielded from adjacent properties where possible without interfering with the requirements of Transport Canada;
 - (b) all lighting shall be a minimum number of low intensity white lights; and
 - (c) the strobe interval shall be the maximum allowable by Transport Canada, and the strobe lights shall only be used if absolutely necessary.
- (8) Special Areas Board may adopt policies specific to Communication Tower placement in accordance with best practices and guidance documents.

55. Renewable Energy System

- (1) Renewable Energy Systems such as, but not limited to, active and passive solar, photovoltaic solar panels, heat exchange systems and generators are encouraged as a method to reduce greenhouse gas emissions and to promote sustainability objectives within Special Areas. Alternative Energy Systems shall require a development permit to ensure there are no nuisance effects that extend beyond the site and shall have consideration for the following requirements:
 - (a) Renewable Energy Systems that are part of or attached to the principal building shall follow the requirements for that use (i.e. solar panels on a roof);
 - (b) Renewable Energy Systems shall follow the minimum requirements for accessory buildings and uses in the appropriate Land Use District where separate and subordinate to the principal building or use of the property; and
 - (c) Renewable Energy Systems shall be considered a discretionary use in all land use Districts.

Land Use District Maps

All parcels in the Special Areas are deemed to be designated as 'A' – Agricultural Land Use District unless otherwise noted in the following maps:

M.O. No.	Map No.	DESCRIPTION	DATE PASSED
	1	Hanna Hwy 9; a ptn of NE 5-31-14 W4 Amendment to 'HWY-C'	
	2	Hanna Airport; "AF" - Airport Fringe District	
L:110/03 L:093/12	3	Cactus Corner; LUD Amendment to "RI" and "HWY-C" District	August 30, 2003 May 22, 2012
	4	Empress Airport; "AF" - Airport Fringe District	
	5	Oyen Corner; a ptn of SE 15-28-4 W4 and SW 14-28-4 W4 Amendment to 'HWY-C'	
	6	Oyen North; ptn of E ½ 3-28-4 W4 Amendment to 'HWY-C'	
	7	Oyen Airport; "AF" - Airport Fringe District	
	8	Youngstown Airport; "AF" - Airport Fringe District	
	9	Consort Airport; "AF" - Airport Fringe District	
L:122/04	10	SE 14-35-9 W4; LUD Amendment to "CR" District	July 21, 2004
L:131/04	11	NW 8-31-14 W4; LUD Amendment to "CR" District	August 4, 2004
L:008/05	12	SW 6-28-4 W4; LUD Amendment from "A" – Agricultural District to "CR" District	February 14, 2005
L:016/05	13	SE 13-32-13 W4; LUD Amendment to "CR" District	March 7, 2005
L:021/05	14	NW 20-27-1 W4; LUD Amendment to "CR" District	April 20, 2005
L:123/05	15	NE 22-33-6 W4; LUD Amendment to "CR" District	July 13, 2005
L:130/06	16	SW 17-31-14 W4; LUD Amendment to "CR" District	July 25, 2006
L:004/07	17	NE 36-33-08 W4; LUD Amendment to "CR" District	March 23, 2007
L:014/08	18	NE 31-30-13 W4; LUD Amendment to "CR" District	February 25, 2008
L:127/08	19	SW 13-31-15 W4; LUD Amendment to "CR" District	June 12, 2008
L:003/09	20	SW 22-30-14 W4; LUD Amendment to "CR" District	January 14, 2009
L:032/09	21	SW 14-31-14 W4; LUD Amendment to "CR" District	March 25, 2009
L:180/11	22	W½ 10-22-3 W4; LUD Amendment to "RI" District	June 30, 2011
L:039/12	23	Consort West; W ½ 16-35-6 W4; LUD Amendment to "RI" District	April 25, 2012
L:160/12	24	SW 16-30-2 W4; LUD Amendment to "CR" District	June 18, 2012
AMENDMENTS			
MSL:033/15	25	SE 22-35-09 W4; LUD Amendment to "RSH" District	March 17, 2015
MSL:058/19	26	SW 4-31-14 W4; LUD Amendment to "CR" District	August 6, 2019
MSD: 095/21	7	SE 33-27-04 W4; LUD Amendment to "RSH" District	October 20, 2021
MSD:106/21	27	NW 11-35-06 W4; LUD Amendment to "CR" District	November 16, 2021

Hamlet Land Use District Maps

Altario	Compeer	Lanfine	Scotfield
Benton	Dorothy	Loyalist	Sedalia
Bindloss	Esther	Monitor	Sheerness
Buffalo	Excel	New Brigden	Sibbald
Carolside	Hemaruka	Pollockville	Stanmore
Cavendish	Iddesleigh	Richdale	Sunnynook
Cessford	Jenner	Rose Lynn	Wardlow
Chinook	Kirriemur	Scapa	Watts



Special Areas Land Use Order
Part VIII - Land Use District Maps



Map 1

Land Use District

A

Agricultural

HWY-C

Highway
Commercial

NE ¼ SEC. 5-31-14 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Map 2

Land Use District

A	Agricultural
AVO	Airport Vicinity Overlay

Ptn NE ¼ Sec. 3-31-14 W4M
within Special Area No. 2
SE ¼ Sec. 3-31-14 W4M
SW ¼ Sec. 2-31-14 W4M
NW ¼ Sec. 2-31-14 W4M
SW ¼ Sec. 11-31-14 W4M
SE ¼ Sec. 10-31-14 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



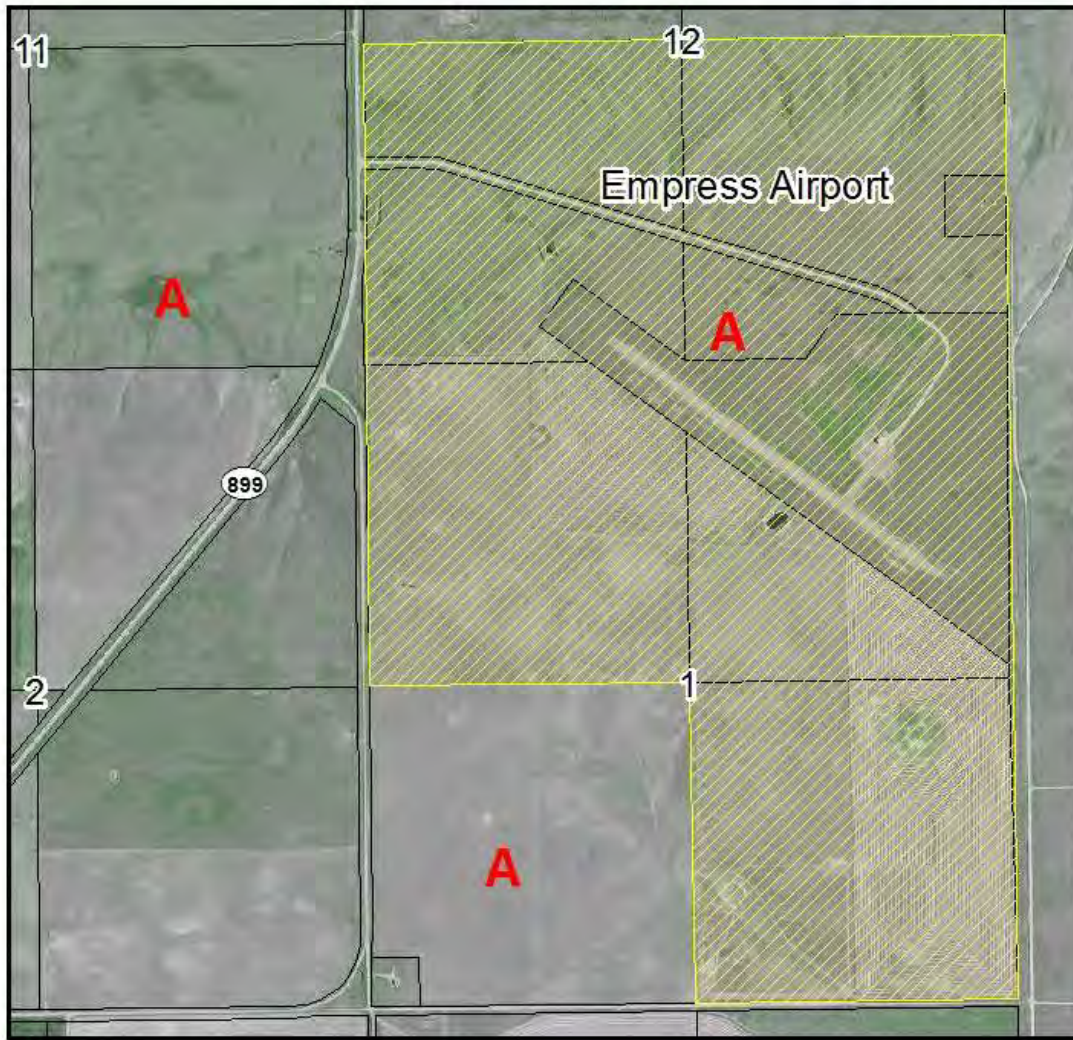
Map 3

Land Use District

A	Agricultural
HWY-C	Highway Commercial
RI	Rural Industrial

SE ¼ Sec. 5-31-13 W4M
SW ¼ Sec. 5-31-13 W4M
NE ¼ Sec. 31-30-13 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



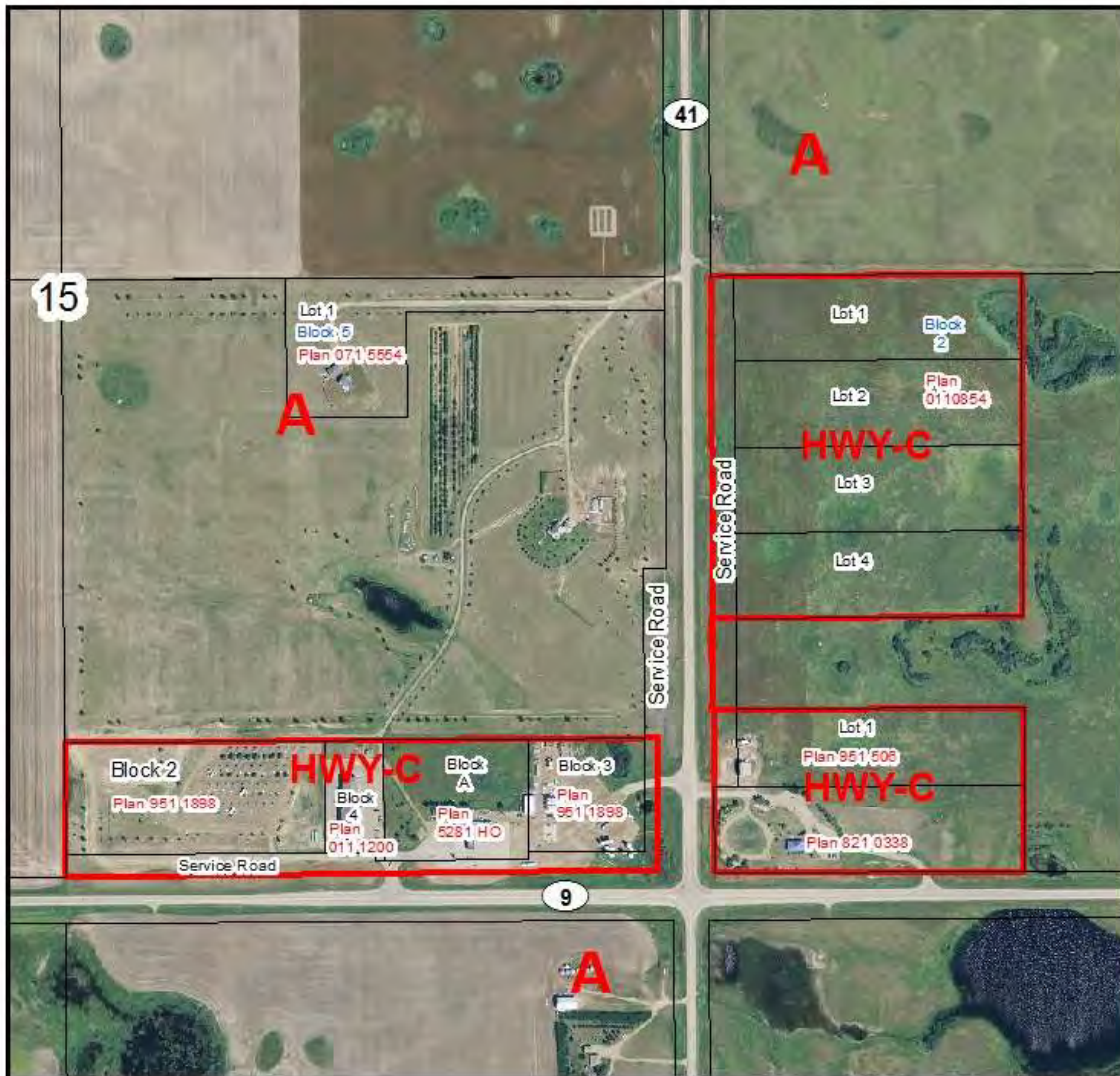
Map 4

Land Use District

A	Agricultural
AVO	Airport Vicinity Overlay

SW ¼ Sec. 12-23-1 W4M
SE ¼ Sec. 12-23-1 W4M
NW ¼ Sec. 1-23-1 W4M
NE ¼ Sec. 1-23-1 W4M
SE ¼ Sec. 1-23-1 W4M



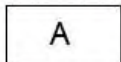


Special Areas Land Use Order Part VIII - Land Use District Maps

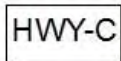


Map 5

Land Use District



Agricultural



Highway Commercial

SE ¼ Sec. 15-28-4 W4M
SW ¼ Sec. 14-28-4 W4M



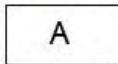


Special Areas Land Use Order
Part VIII - Land Use District Maps

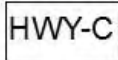


Map 6

Land Use District



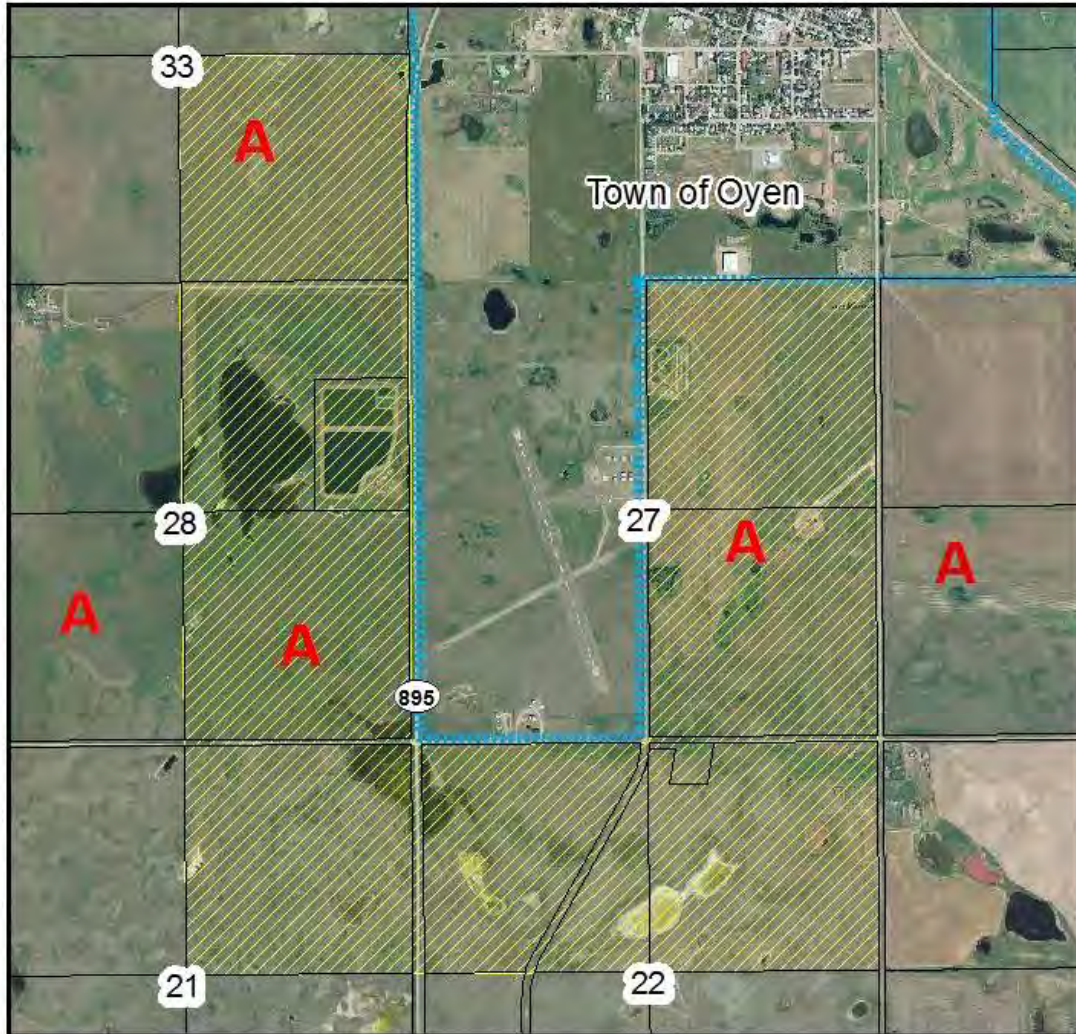
Agricultural



Highway Commercial

NE 1/4 Sec. 3-28-4 W4M
SE 1/4 Sec. 3-28-4 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Map 7

Land Use District

RSH	Rural Small Holdings
A	Agricultural
AVO	Airport Vicinity Overlay

NE ¼ Sec. 27-27-4 W4M
 SE ¼ Sec. 27-27-4 W4M
 NE ¼ Sec. 22-27-4 W4M
 NW ¼ Sec. 22-27-4 W4M
 NE ¼ Sec. 21-27-4 W4M
 SE ¼ Sec. 28-27-4 W4M
 NE ¼ Sec. 28-27-4 W4M
 SE ¼ Sec. 33-27-4 W4M

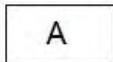




Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

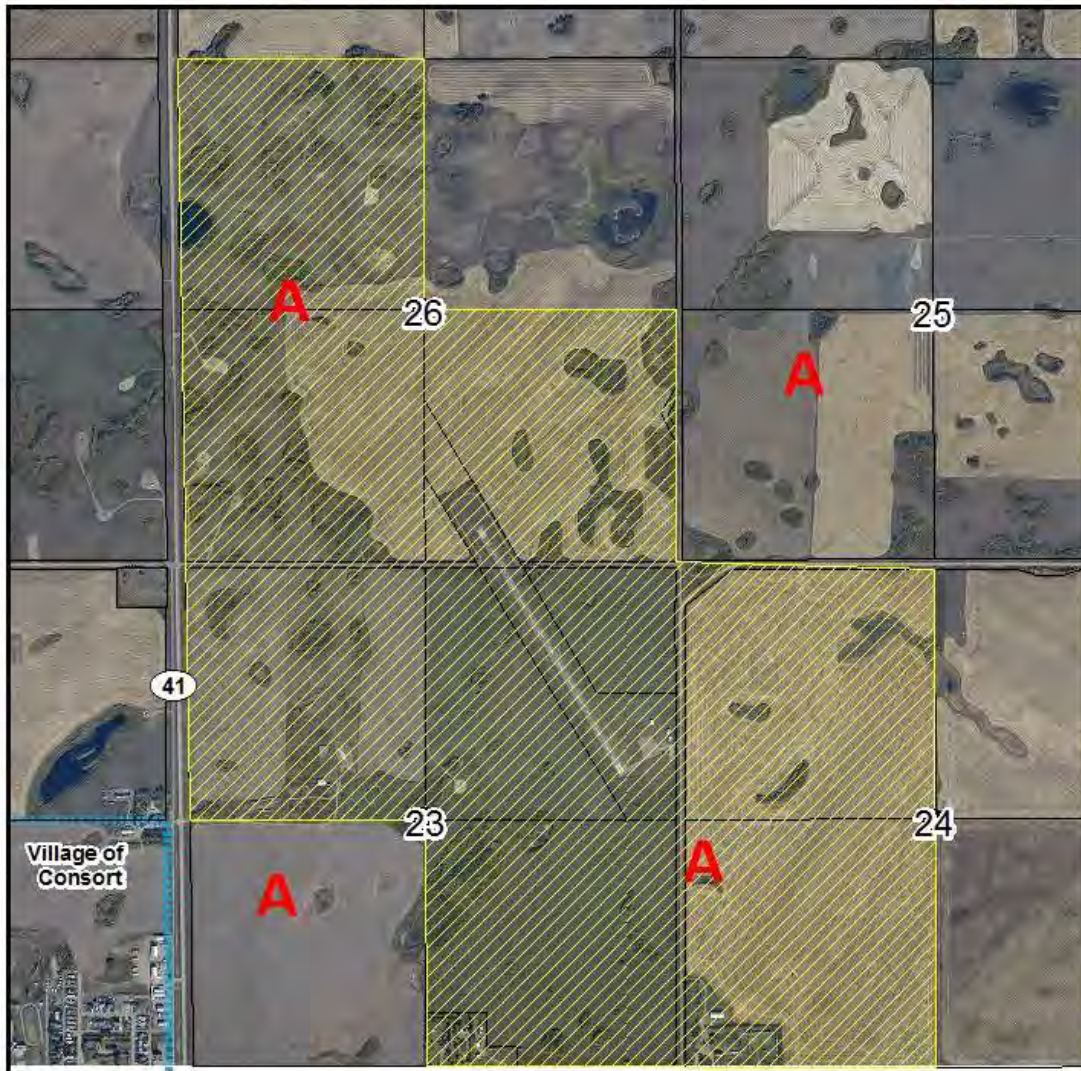


Agricultural

Map 8

SW 1/4 Sec. 3-30-09 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Map 9

Land Use District

A	Agricultural
AVO	Airport Vicinity Overlay

NW ¼ Sec. 26-35-6 W4M
 SW ¼ Sec. 26-35-6 W4M
 SE ¼ Sec. 26-35-6 W4M
 NW ¼ Sec. 23-35-6 W4M
 NE ¼ Sec. 23-35-6 W4M
 SE ¼ Sec. 23-35-6 W4M
 SW ¼ Sec. 24-35-6 W4M
 NW ¼ Sec. 24-35-6 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Land Use District

A	Agricultural
CR	Country Residential

Map 10

SE 1/4 Sec. 14-35-9 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
CR	Country Residential

Map 11
NW 1/4 Sec. 8-31-14 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Land Use District

A	Agricultural
CR	Country Residential

Map 12

SW 1/4 Sec. 6-28-4 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
CR	Country Residential

Map 13
SE ¼ Sec. 13-32-13 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Land Use District

A	Agricultural
CR	Country Residential

Map 14

NW 1/4 Sec. 20-27-1 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Map 15

Land Use District

A	Agricultural
CR	Country Residential

NE 1/4 Sec. 22-33-6 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



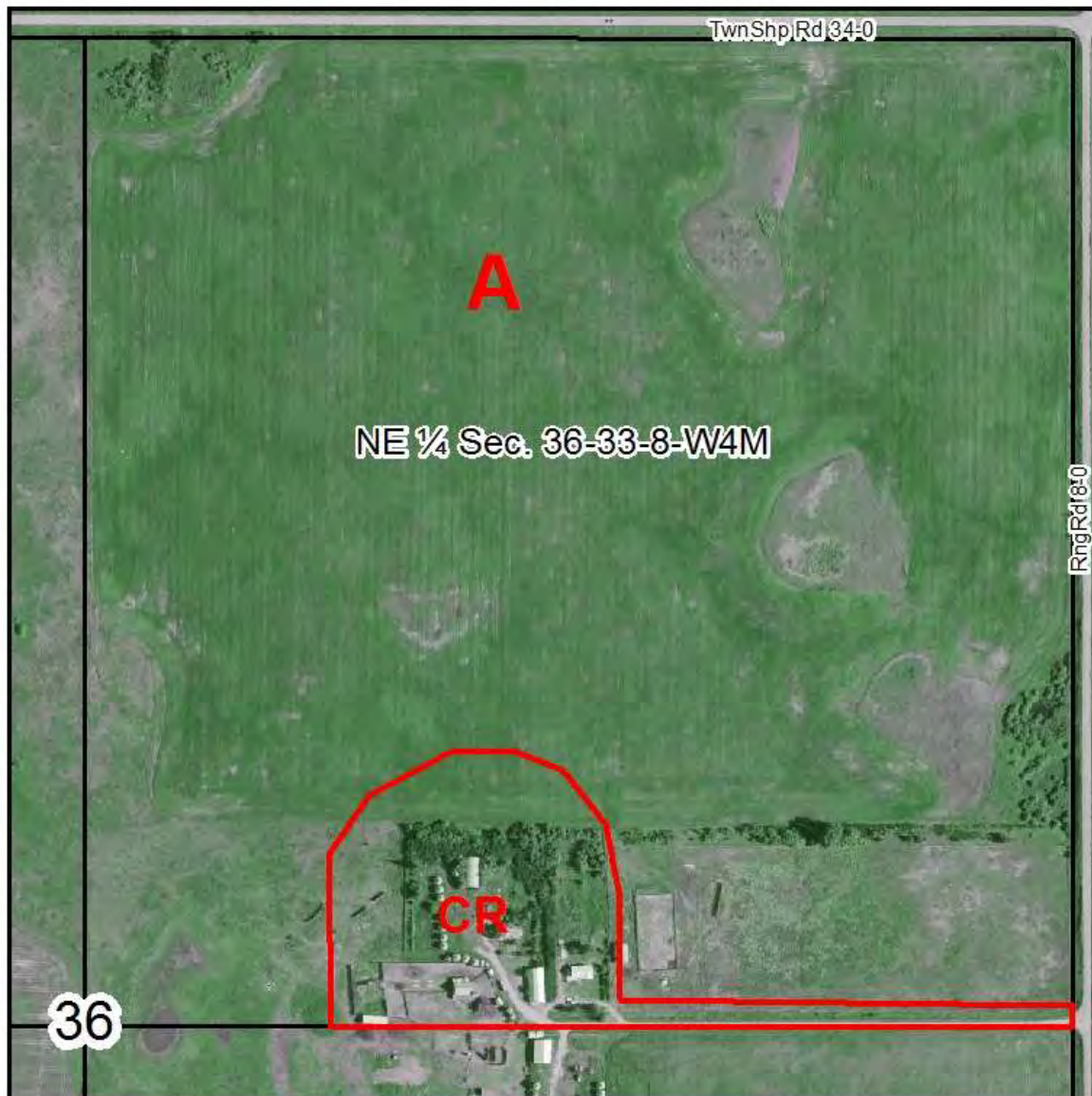
Map 16

Land Use District

A	Agricultural
CR	Country Residential

SW 1/4 Sec. 17-31-14 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Map 17

Land Use District

A	Agricultural
CR	Country Residential

NE 1/4 Sec. 36-33-8-W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
CR	Country Residential

NE 1/4 Sec. 31-30-13-W4M

Map 18





Special Areas Land Use Order
Part VIII - Land Use District Maps



Map 19

Land Use District

A	Agricultural
CR	Country Residential

SW ¼ Sec. 13-31-15 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Map 20

Land Use District

SW 1/4 Sec. 22-30-14 W4M

A	Agricultural
CR	Country Residential





Special Areas Land Use Order Part VIII - Land Use District Maps



Map 21

Land Use District

A	Agricultural
CR	Country Residential

SW 1/4 Sec. 14-31-14 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Map 22

Land Use District

A	Agricultural
RI	Rural Industrial

ATCO Electric ASP

NW 1/4 Sec.10-22-3 W4M
SW 1/4 Sec.10-22-3 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Map 23

Land Use District

A	Agricultural
RI	Rural Industrial

NW 1/4 Sec. 16-35-6 W4M
SW 1/4 Sec. 16-35-6 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps

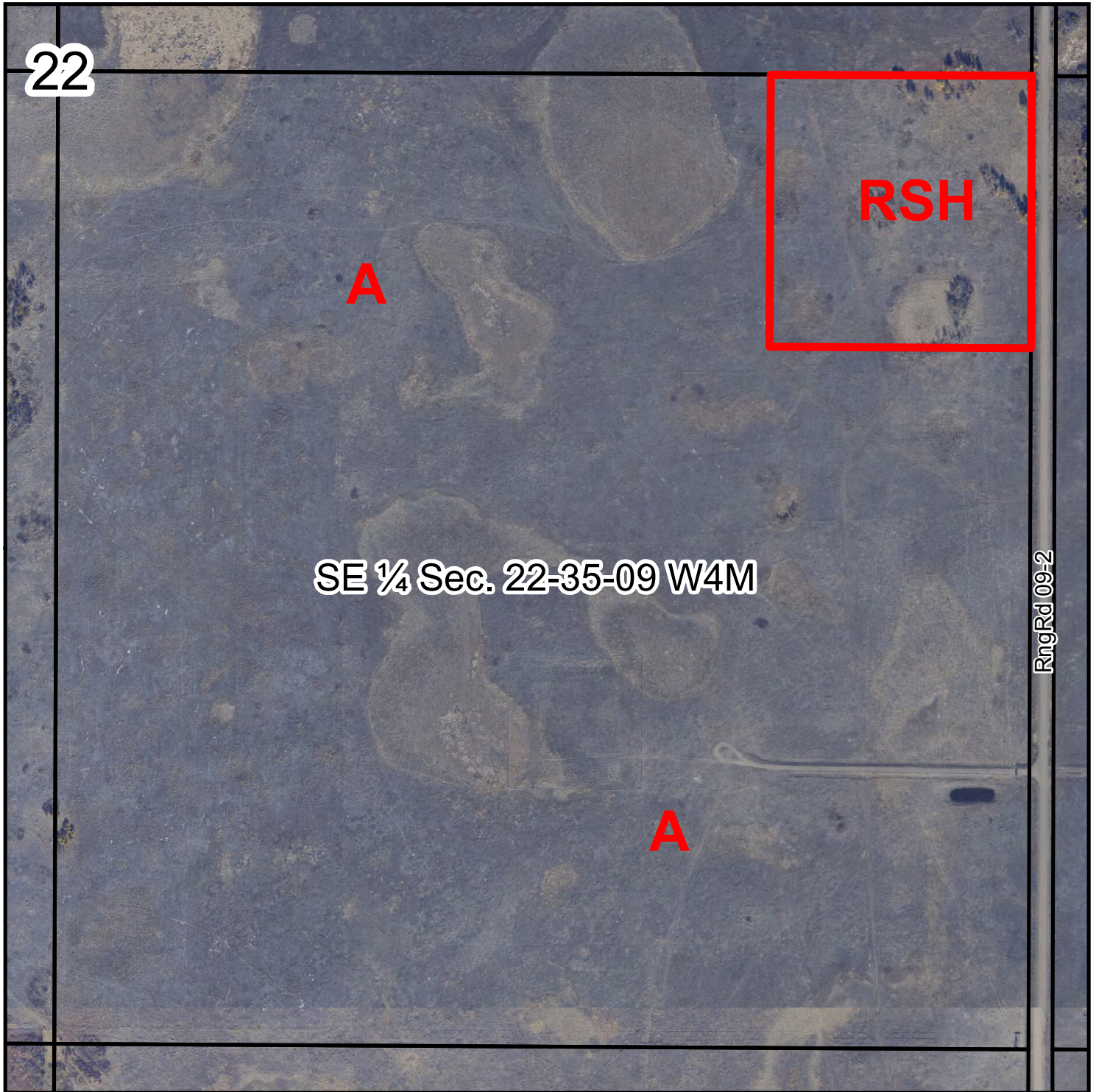


Land Use District

A	Agricultural
CR	Country Residential

Map 24
SW 1/4 Sec. 16-30-2 W4M

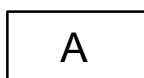




Special Areas Land Use Order Part VIII - Land Use District Maps



Land Use District



Agricultural



Rural Small Holdings

Map 25 SE 1/4 Sec. 22-35-9 W4M





Special Areas Board

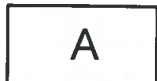
Special Areas Land Use Order Part VIII - Land Use District Maps



Land Use District

Map 26

SW ¼ SEC. 4-31-14 W4M

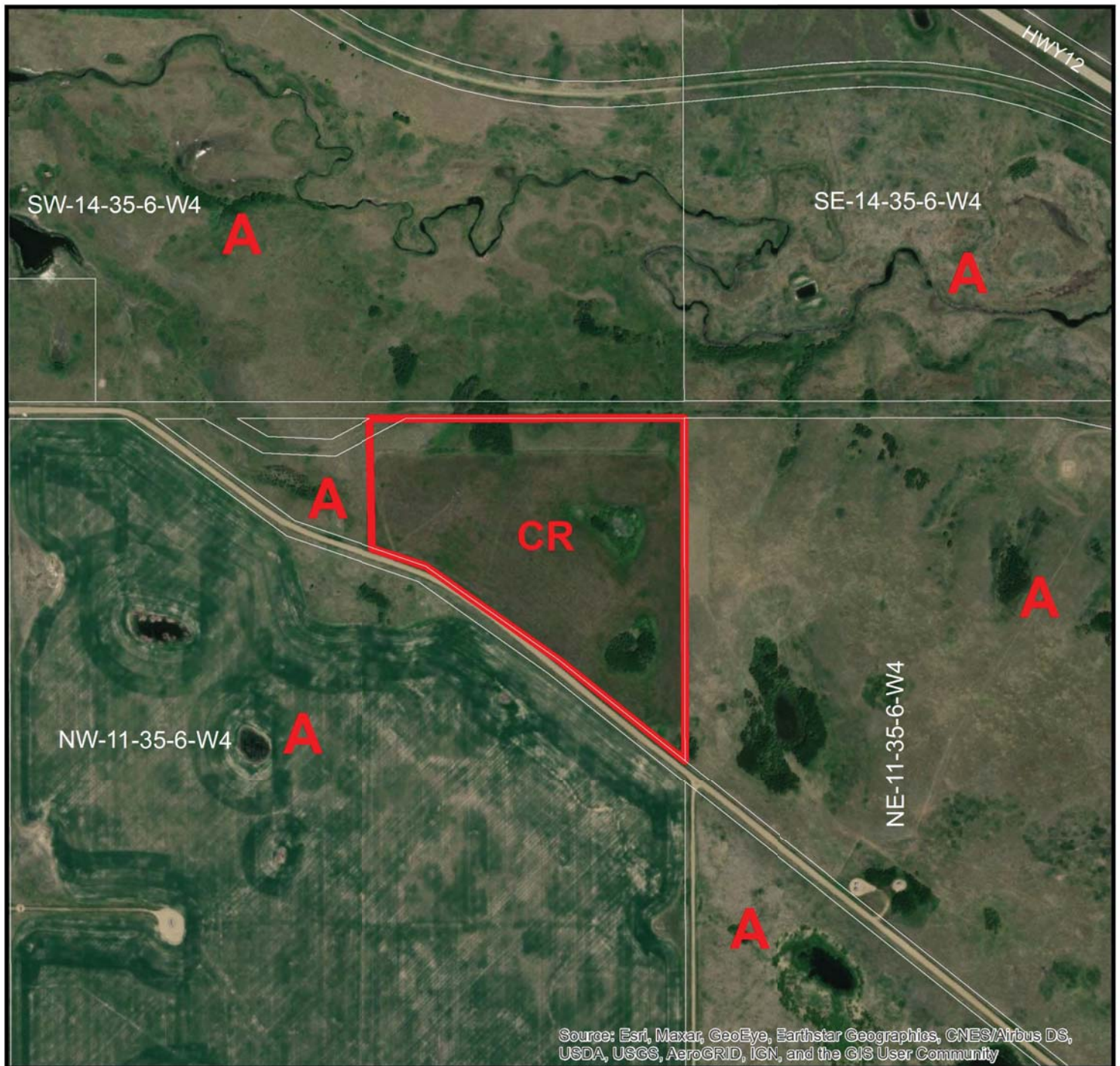


Agricultural



Country
Residential





Special Areas Land Use Order Part VIII - Land Use District Maps



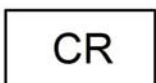
Map 27

Land Use District

NW ¼ SEC. 11-35-6 W4M



Agricultural



Country
Residential





Special Areas Land Use Order Part VIII - Land Use District Maps



ALTARIO

Sec. 13-34-2 W4M

Land Use District

A	Agricultural
HG	Hamlet General





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

BENTON
SW 1/4 Sec. 34-27-3 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



BINDLOSS

Land Use District

A	Agricultural
HG	Hamlet General

SE ¼ Sec. 19-22-2 W4M
SW ¼ Sec. 19-22-2 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



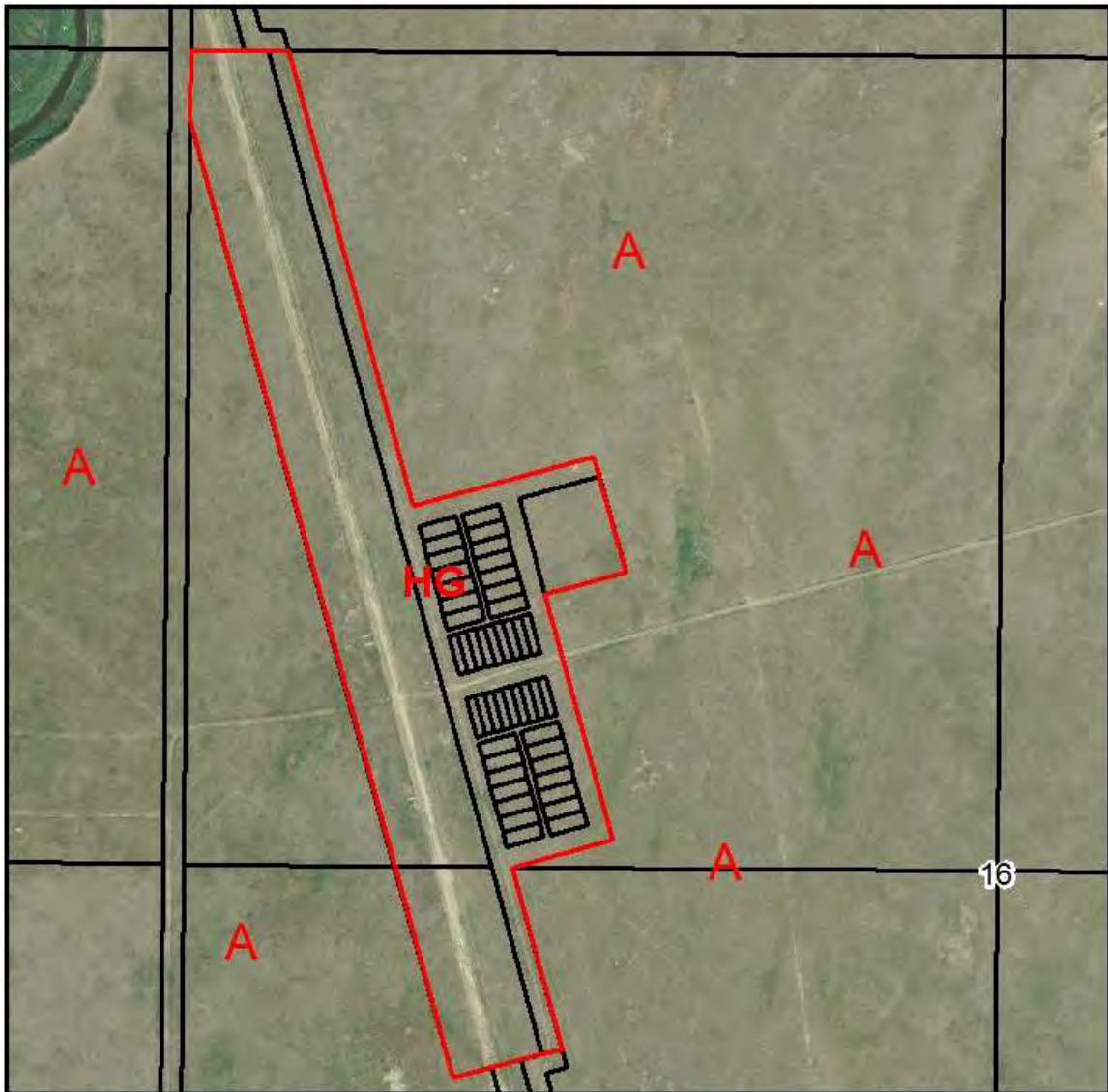
BUFFALO

Land Use District

A	Agricultural
HG	Hamlet General

SE ¼ Sec. 30-21-5 W4M
SW ¼ Sec. 30-21-5 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

CAROLSIDE

NE ¼ Sec. 16-26-12 W4M
SE ¼ Sec. 16-26-12 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



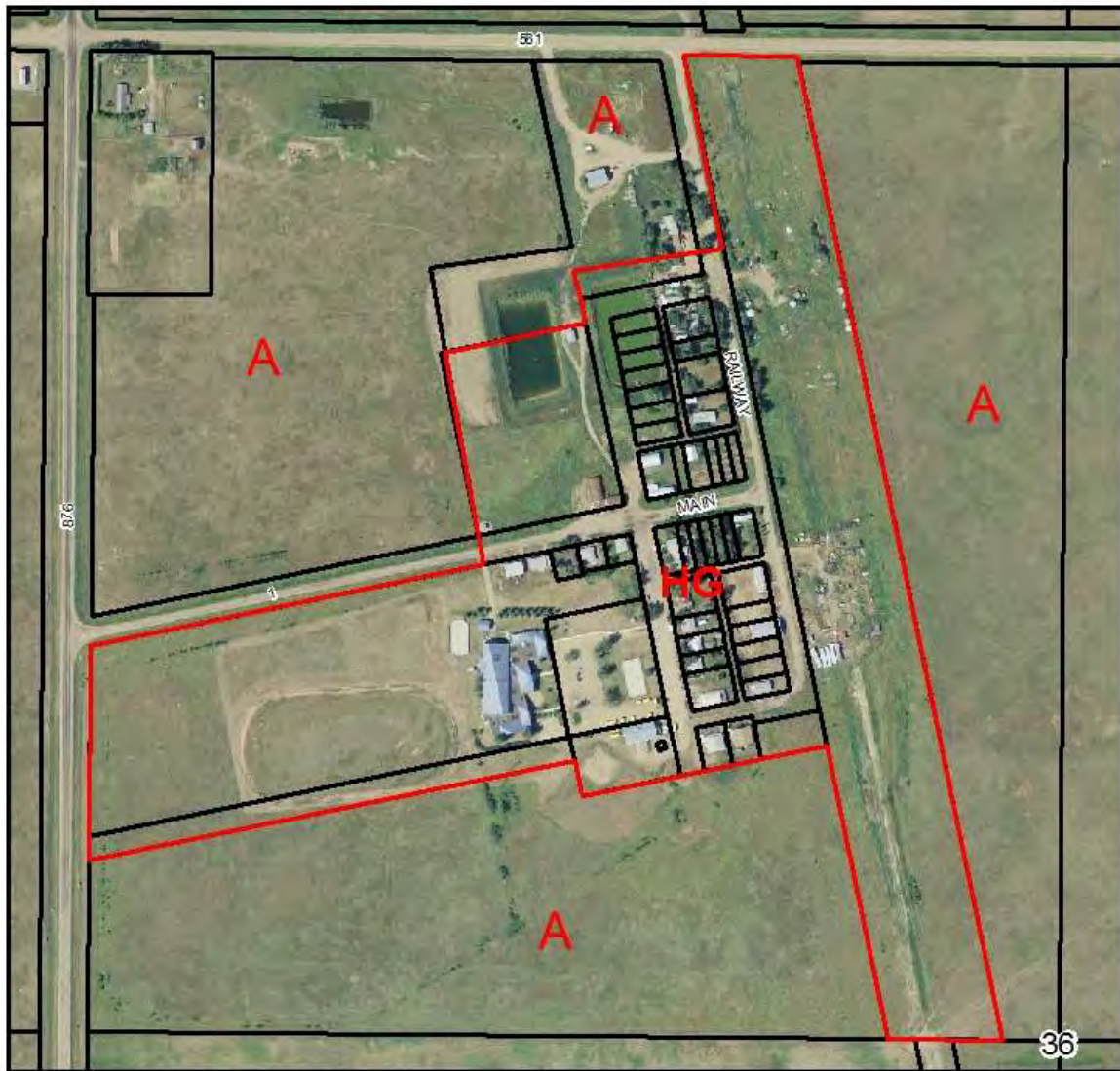
Land Use District

CAVENDISH

NW ¼ Sec. 26-21-4 W4M

A	Agricultural
HG	Hamlet General





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

CESSFORD

NW ¼ Sec. 36-23-12 W4M

A	Agricultural
HG	Hamlet General





Special Areas Land Use Order Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

CHINOOK
SE 1/4 Sec. 4-29-7 W4M



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Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

COMPEER
Sec. 25-33-1 W4M







Special Areas Land Use Order
Part VIII - Land Use District Maps

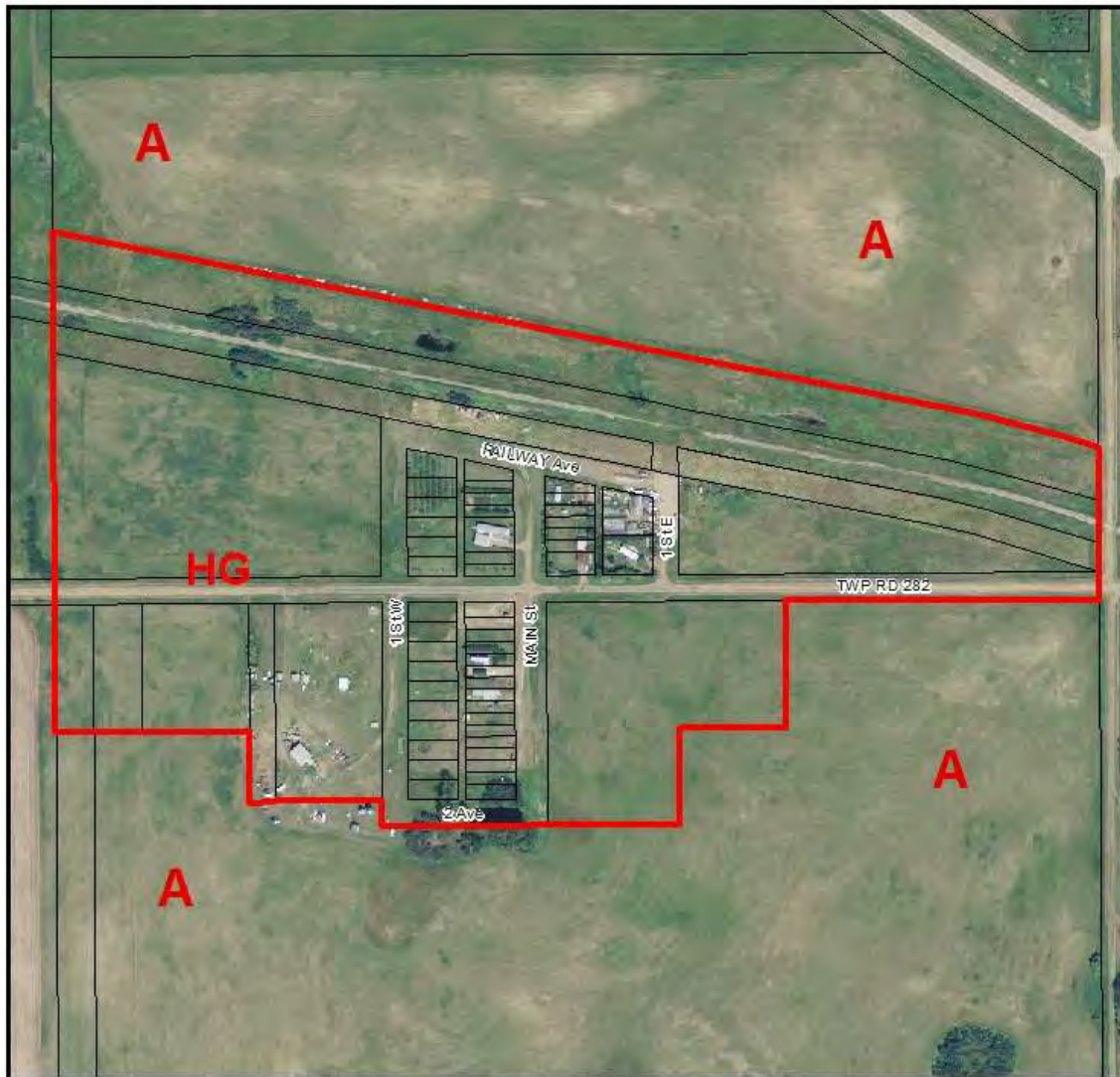


Land Use District

A	Agricultural
HG	Hamlet General

ESTHER
SW ¼ Sec. 29-31-2 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



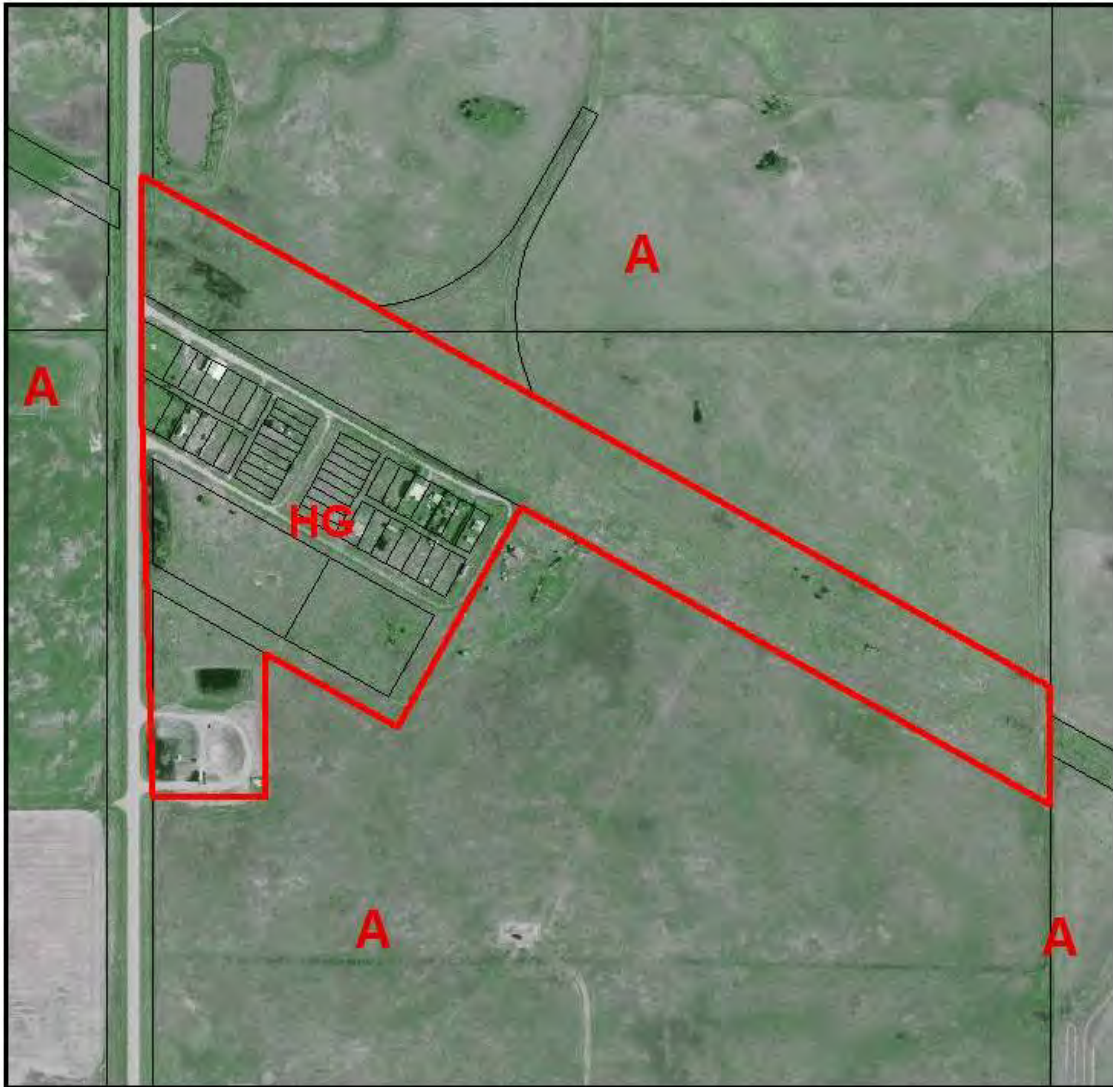
Land Use District

A	Agricultural
HG	Hamlet General

EXCEL

SE ¼ Sec.13-28-5 W4M
NE ¼ Sec.12-28-5 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

HEMARUKA

NW ¼ Sec. 28-32-8 W4M
SW ¼ Sec. 28-32-8 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



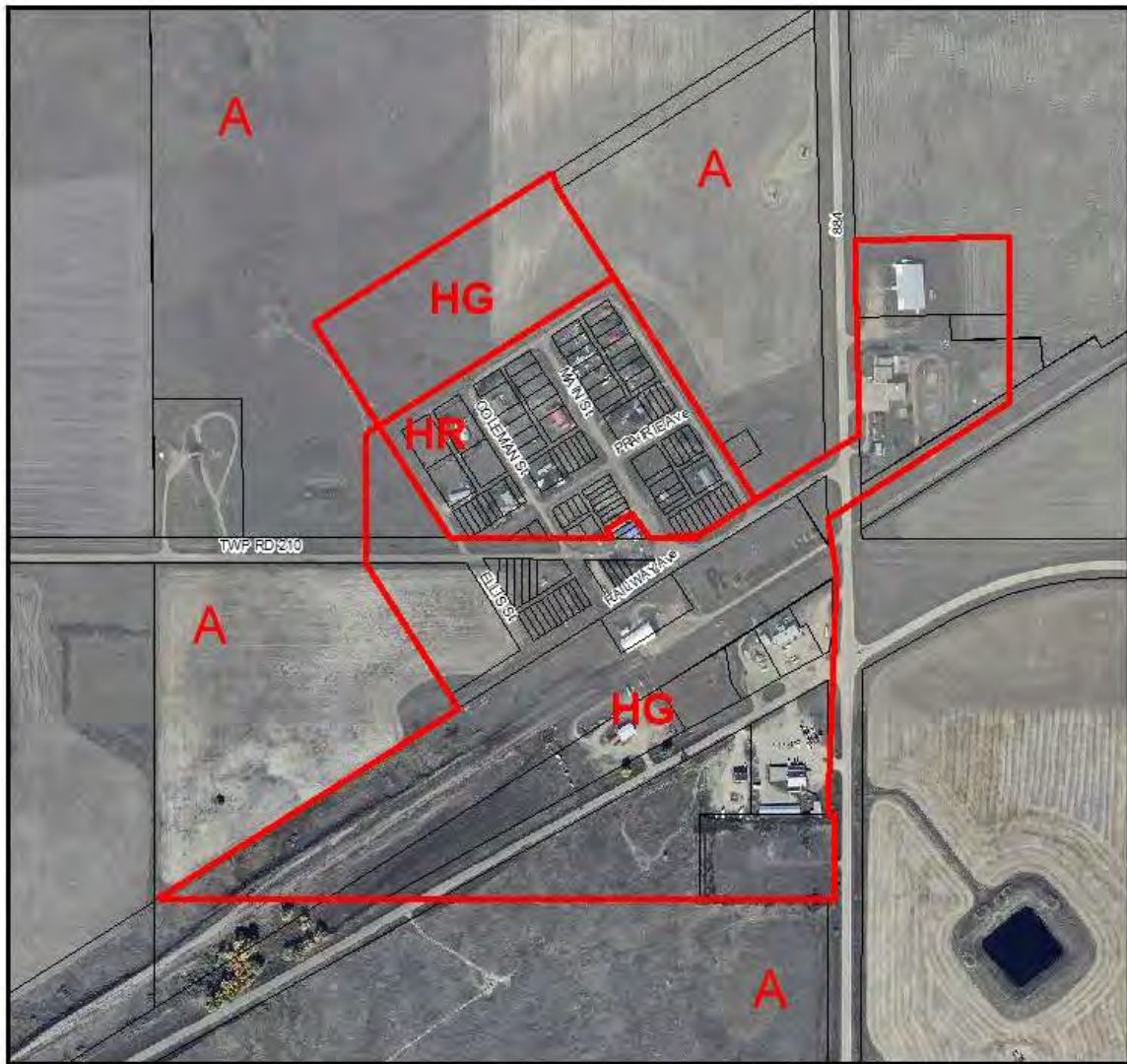
Land Use District

A	Agricultural
HG	Hamlet General

IDDESLEIGH

SE ¼ Sec. 34-20-10 W4M





Special Areas Land Use Order Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General
HR	Hamlet Residential

JENNER
SE ¼ Sec. 4-21-9 W4M
NE ¼ Sec. 33-20-9 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

KIRRIEMUIR

NW ¼ Sec.13-34-3 W4M
NE ¼ Sec.14-34-3 W4M
SW ¼ Sec. 24-34-3 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

LANFINE
NE ¼ Sec. 7-28-5 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

LOYALIST

SW ¼ Sec. 9-35-7 W4M
SE ¼ Sec. 8-35-7 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A	Agricultural
HG	Hamlet General

MONITOR
Sec. 6-35-4 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps

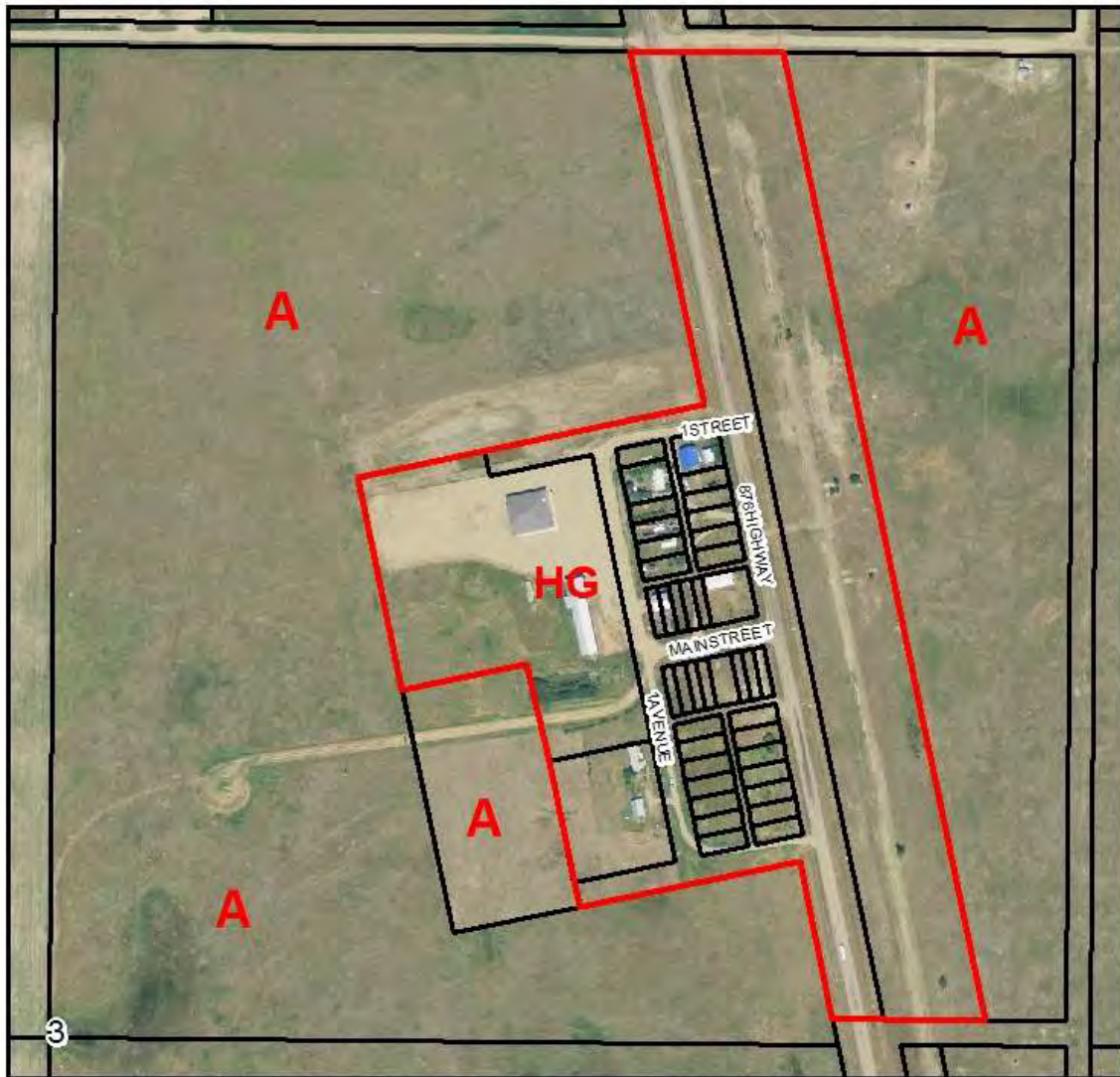


Land Use District

A	Agricultural
HG	Hamlet General

NEW BRIGDEN
Sec. 34-31-4 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps

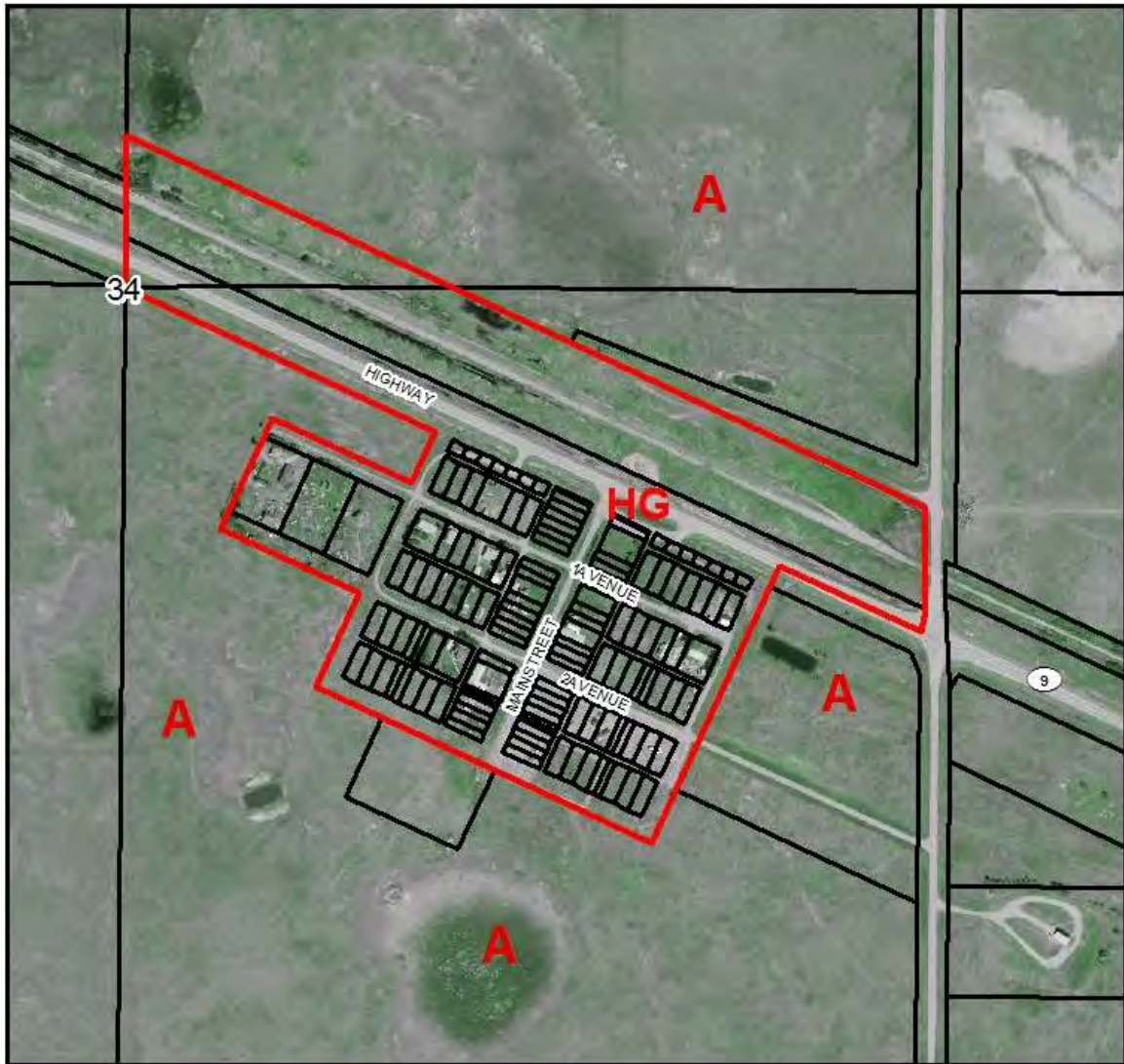


Land Use District

A	Agricultural
HG	Hamlet General

POLLOCKVILLE
NE ¼ Sec. 3-25-12 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



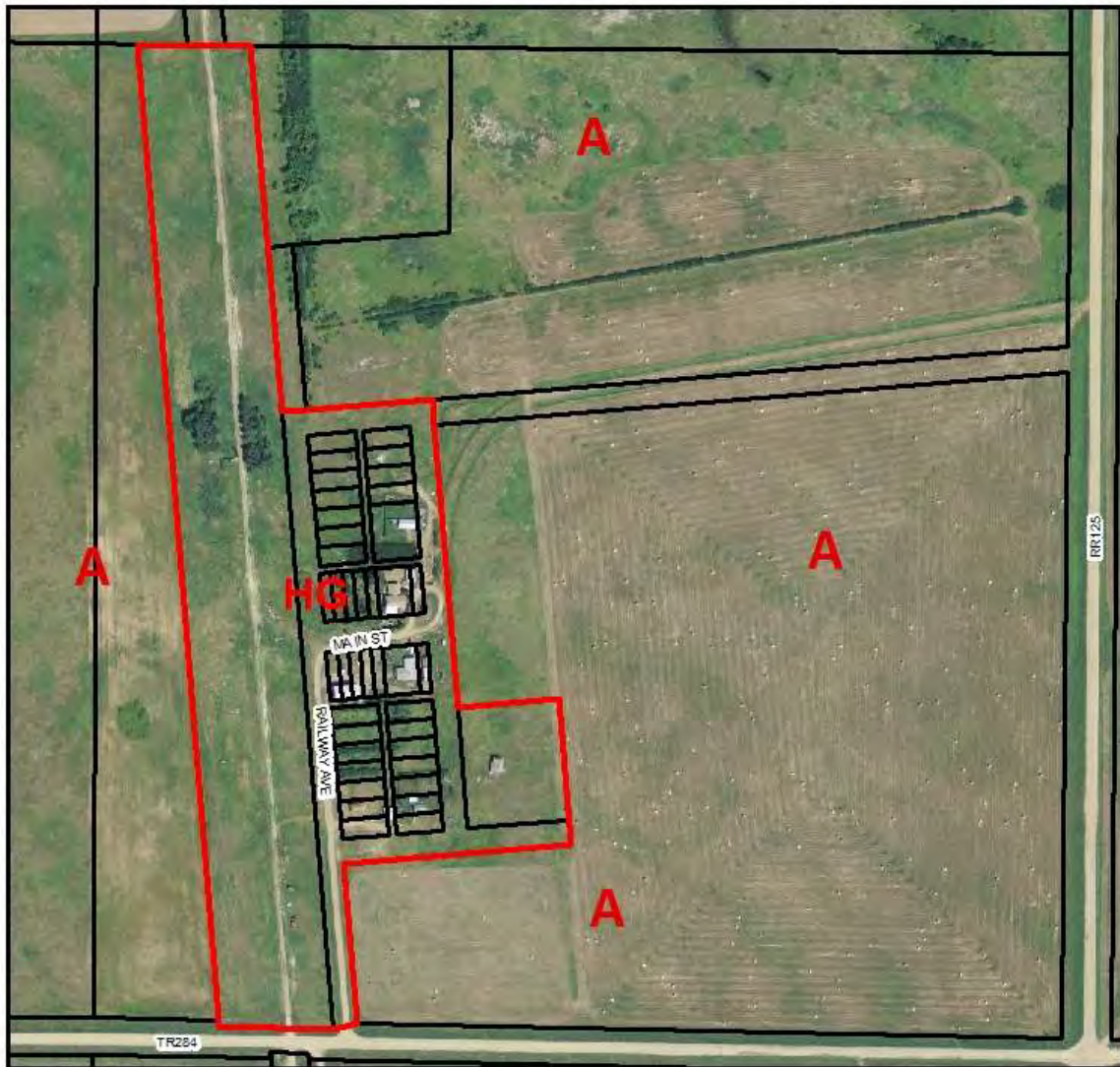
Land Use District

A	Agricultural
HG	Hamlet General

RICHDALE

NE ¼ Sec. 34-30-12 W4M
SE ¼ Sec. 34-30-12 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



ROSE LYNN
SE ¼ Sec. 30-28-12 W4M

Land Use District

A	Agricultural
HG	Hamlet General





Special Areas Land Use Order
Part VIII - Land Use District Maps



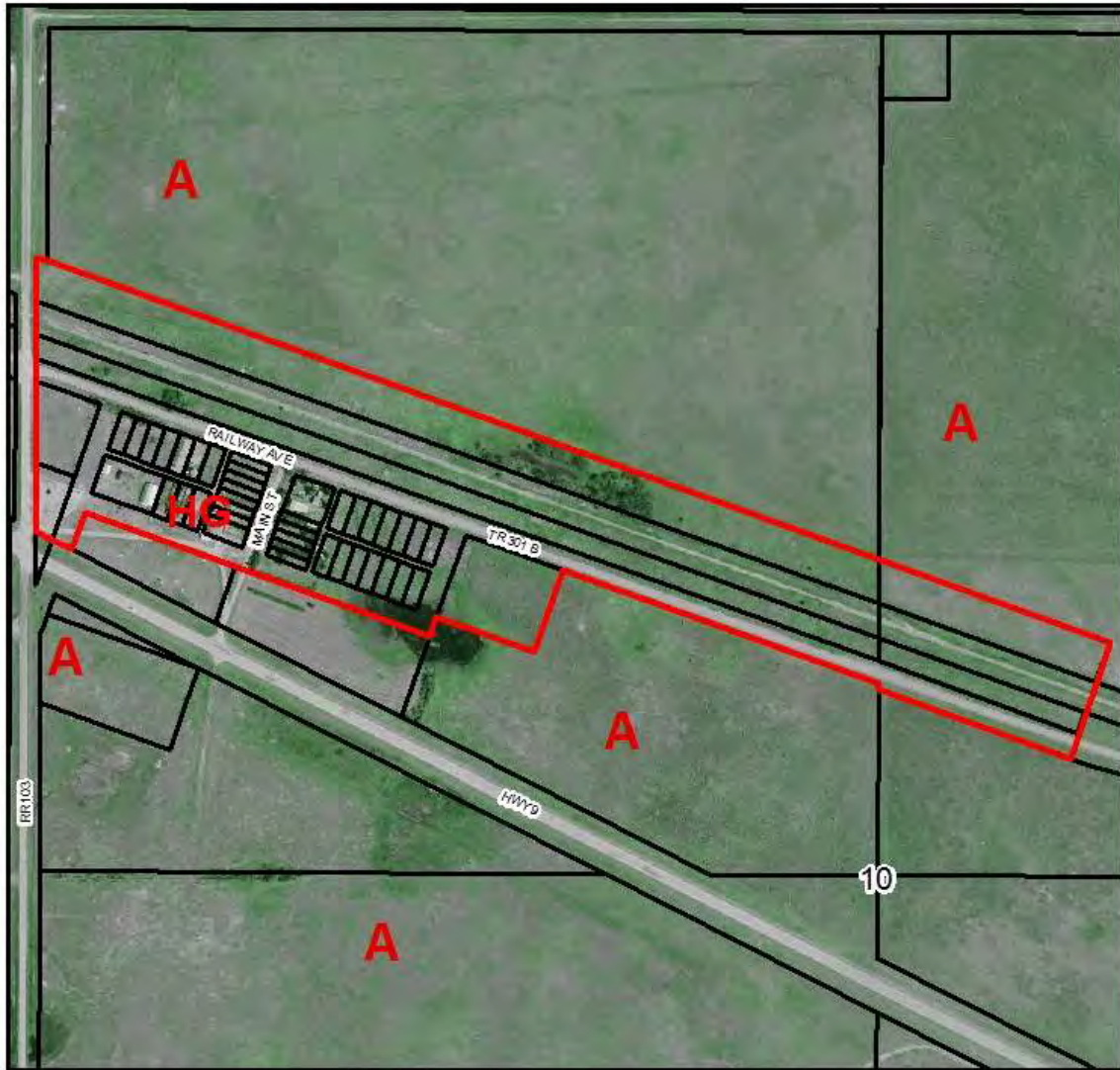
SCAPA

Land Use District

A	Agricultural
HG	Hamlet General

SW ¼ Sec. 31-33-14 W4M
SE ¼ Sec. 36-33-15 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



SCOTFIELD

Land Use District

A	Agricultural
HG	Hamlet General

NE ¼ Sec. 10-30-10 W4M
NW ¼ Sec. 10-30-10 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



SEDALIA

Land Use District

NE ¼ Sec. 21-31-5 W4M
NW ¼ Sec. 21-31-5 W4M

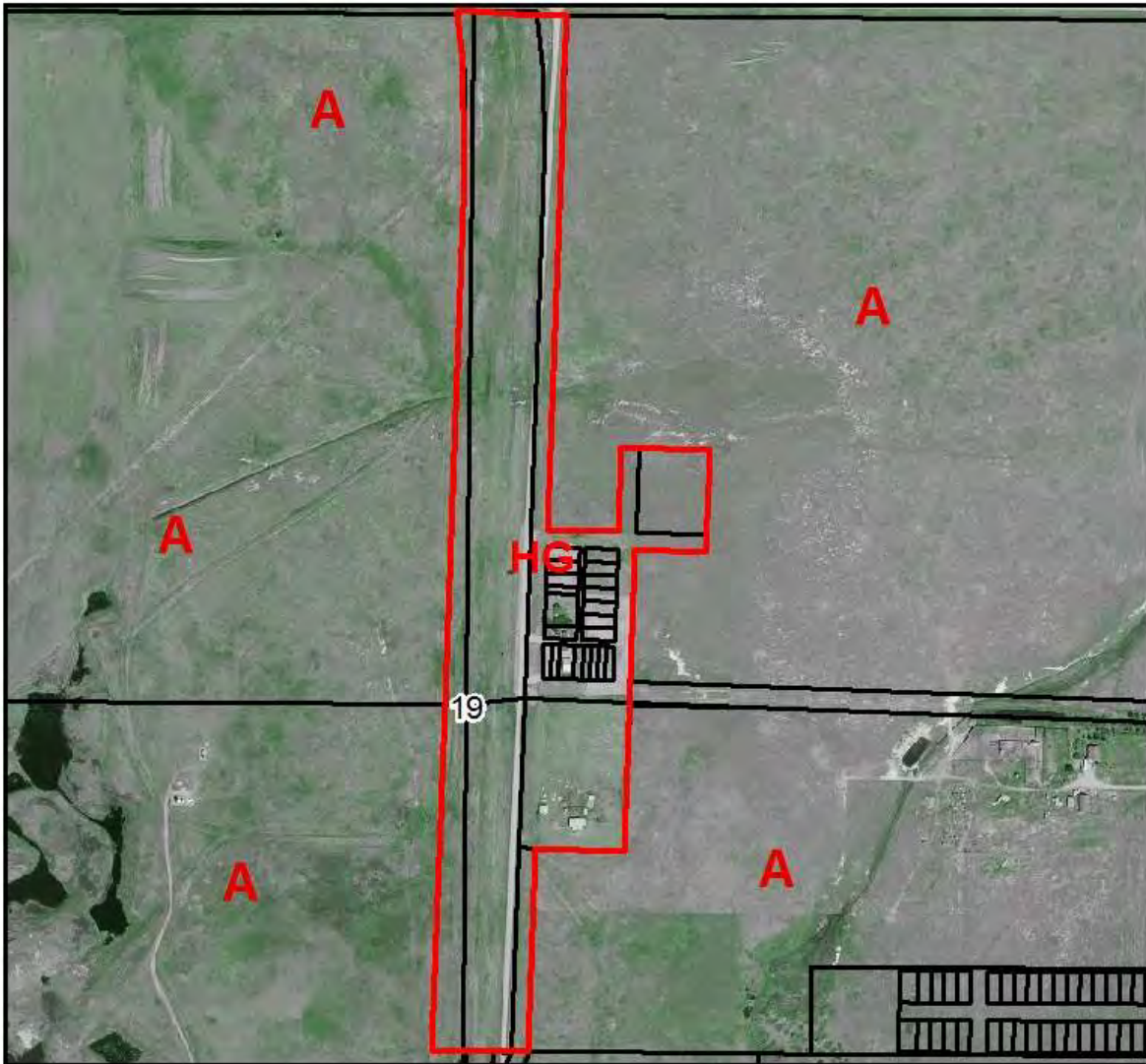
A

Agricultural

HG

Hamlet General





Special Areas Land Use Order
Part VIII - Land Use District Maps



SHEERNESS

Land Use District NW ¼ Sec. 19-29-12 W4M

A	Agricultural
HG	Hamlet General

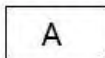




Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District



Agricultural



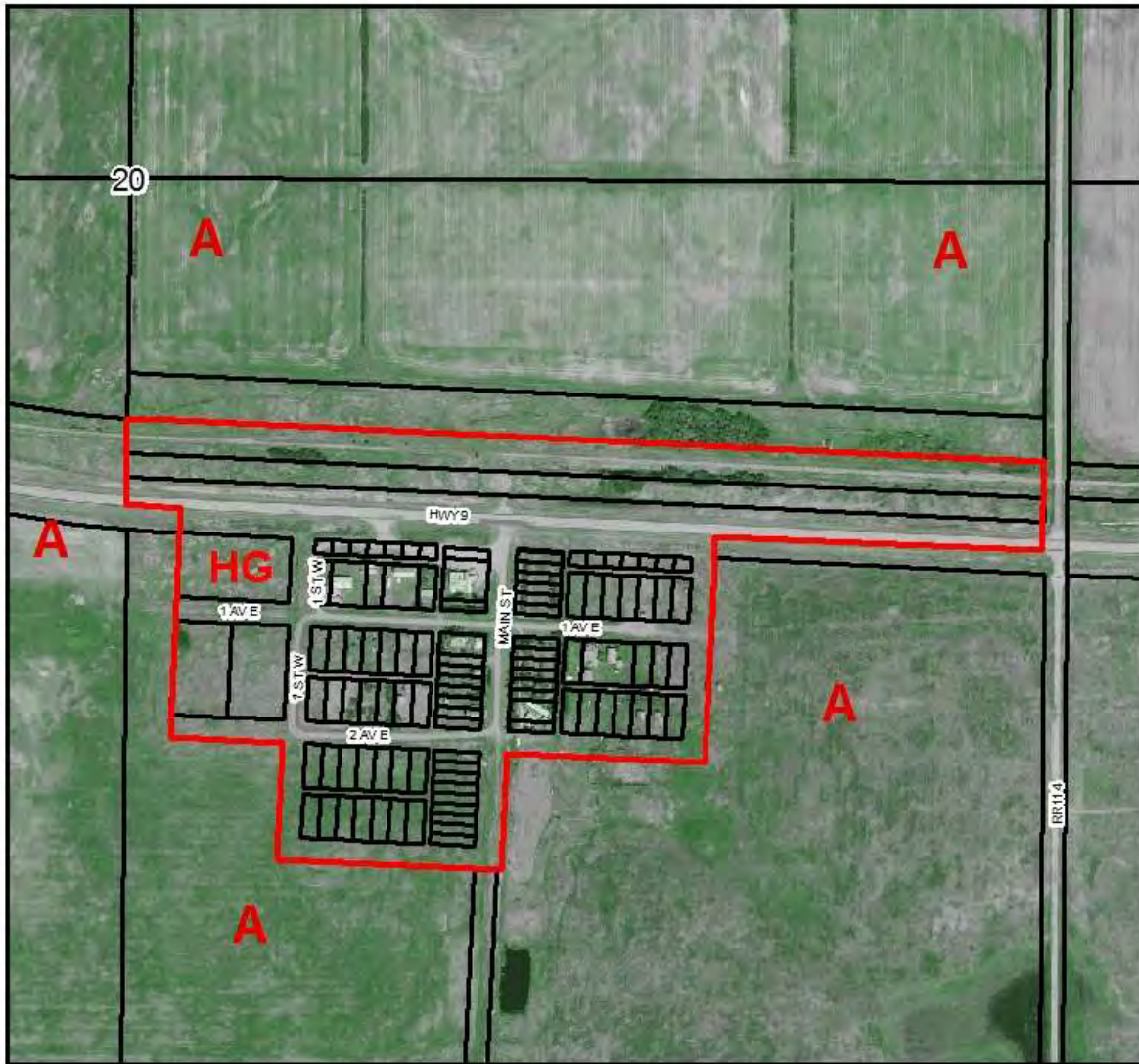
Hamlet General

SIBBALD

NE ¼ Sec. 13-28-2 W4M

SE ¼ Sec. 12-28-2 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps

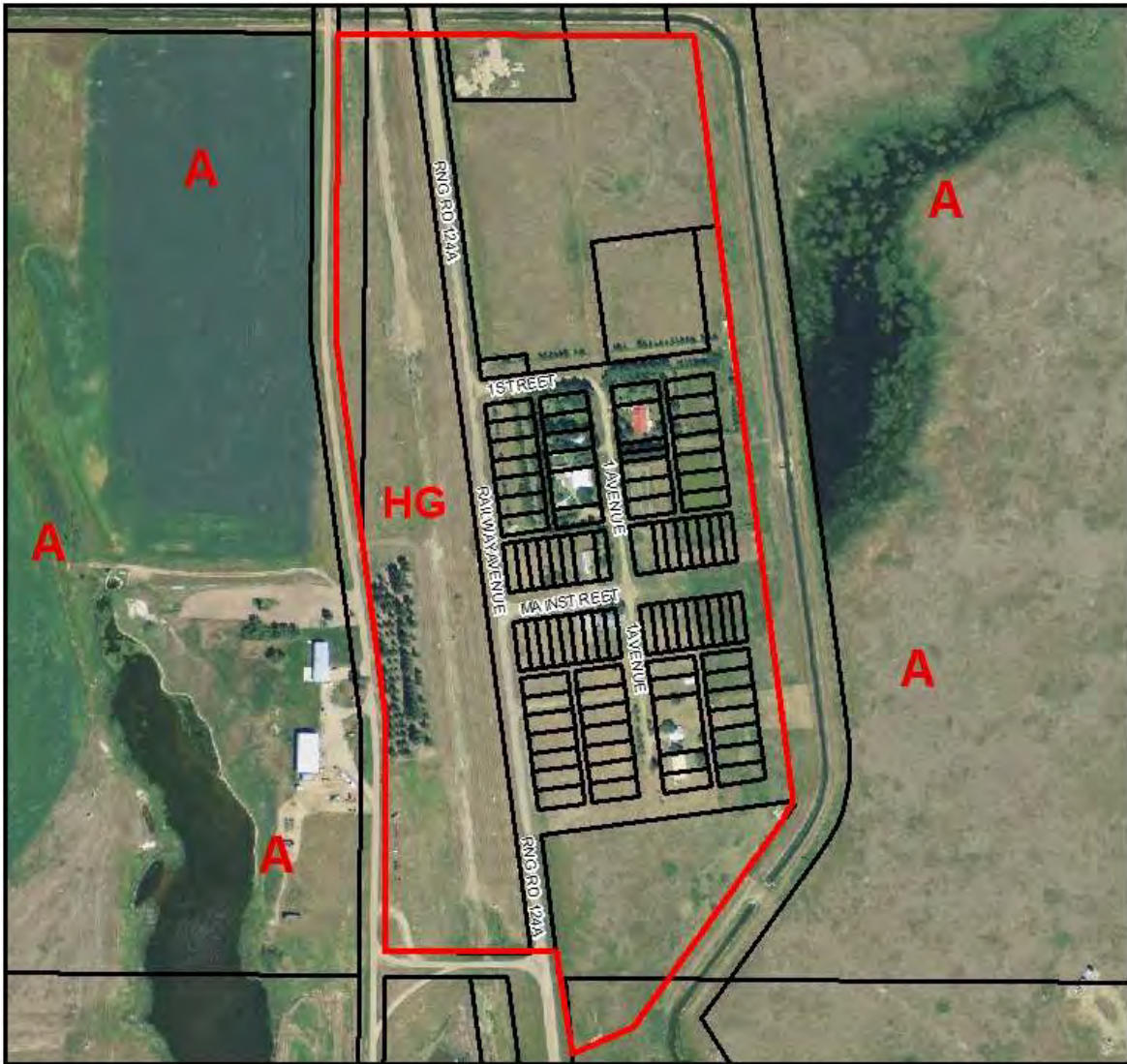


Land Use District

A	Agricultural
HG	Hamlet General

STANMORE
SE ¼ Sec. 20-30-11 W4M





Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District

A

Agricultural

HG

Hamlet General

SUNNYNOOK
NW ¼ Sec. 8-27-12 W4M



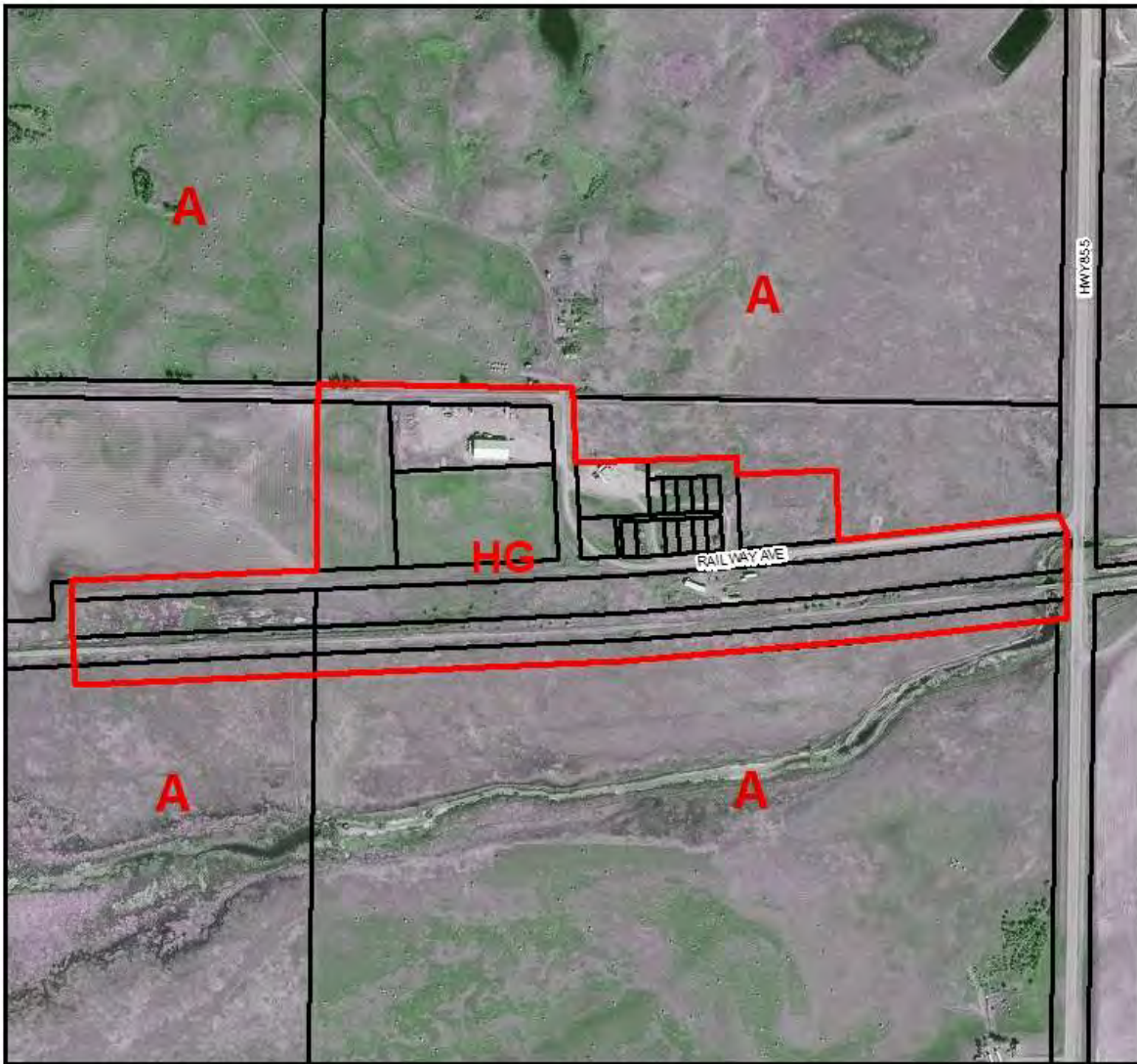


Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District		WARDLOW
		NE ¼ Sec. 25-22-12 W4M
A	Agricultural	
HG	Hamlet General	

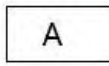




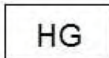
Special Areas Land Use Order
Part VIII - Land Use District Maps



Land Use District



Agricultural



Hamlet General

WATTS

NE ¼ Sec. 17-31-15 W4M

NW ¼ Sec. 17-31-15 W4M



Appendices

Appendix 1 - Special Areas of Alberta - Backgrounder

Special Areas Act was passed in 1938 to establish a provincial crown agency known as Special Areas Board. The purpose of Special Areas Board is:

- To lease out the 1.4 million acres of tax recovery lands along with the 1.5 million acres of crown lands for the use and stabilization of the regional community.
- To provide municipal services such as schools, hospitals, and road infrastructure.
- To undertake any programs that lead to the rehabilitation of the land, or betterment of the quality of life of the residents of Special Areas.

Special Areas Act empowers the Minister of Municipal Affairs with the authority of the *Public Lands Act* for the public land responsibilities and the *Municipal Government Act* for the municipal functions. *Special Areas Act* allows the Minister to delegate powers and duties to the Chairman of Special Areas Board.

Special Areas Act provides for a single Crown Agency to manage the large amount of provincial crown lands, which are an asset of all Albertans, along with the tax recovery lands, which are an asset of the people of Special Areas. Broad land use control powers are still needed due to the fragile and sensitive nature of these lands.

To date Special Areas form of regional government has been widely supported by the local residents as a form of administration that suits this area. It is held in place by maintaining a balance of local and provincial interest in the public land and providing cost effective and responsive municipal services.

Appendix 2 - Land Use Planning for Confined Feeding Operations

Note: *In an effort to provide some planning rationale and direction to the location of Confined Feeding Operations, Special Areas Board has developed the following guidelines with the intent that these be used when evaluating development applications for this use.*

Confined feeding operations (CFO) may be located only within the “A” – Agricultural District, as specified in Special Areas Land Use Order.

1. Restricted Areas

- (1) Confined feeding operations shall be excluded from those protected areas known as:
 - (a) Handhills Ecological Reserve
 - (b) Dinosaur, Little Fish Lake, & Gooseberry Provincial Parks
 - (c) UNESCO World Heritage Site
 - (d) Blood Indian, Prairie Oasis, & Carolside Municipal Parks; and
 - (e) Dune Point
Active sand dunes of immense height along the Red Deer River; habitat for kangaroo rats and hognose snakes. The largest river terraces in southern Alberta. Classic examples of terrace succession along a meandering river channel. This area also contains some of the most diverse saline and alkali springs in Alberta.
 - N 1/2 & SE 12-23-04-W4
 - S 1/2 4-23-03-W4
 - Legal Subdivisions (LSD) 1 thru 14 inclusive of Sec 05-23-03-W4
 - All of Sec 06 & 07-23-03-W4
 - N 1/2 & SW 31-22-03-W4
 - (f) Mud Buttes
Cited as one of North America's largest and best exposed site of glaciotectionic (structured by glacial activity) deformation. Prominent ice thrust ridge rising approximately 100.00 metres above the surrounding landscape. Mud Buttes extends for about 2000.00 metres long by 500.00 metres wide.
 - LSD's 15 & 16 of Sec 19-33-04-W4
 - LSD's 5, 6, 9, 11, 12 & 13 of Sec 20-33-04-W4
 - (g) Circus Coulee
This dramatic coulee complex runs north and east from the Hamlet of Dorothy. This unique landform follows a watercourse that flows into the Red Deer River at Dorothy. The coulee provides habitat to a number of plant and animal species. The soils are sandy with dune type formations. The sands encounter a transition to badland features as the complex nears the river.
 - LSD's 2, 7, 11, 14 of Sec 10-27-17-W4
 - NE & SW 10-27-17-W4
 - LSD's 13 & 14 of Sec 11-27-17-W4
 - LSD's 3 & 4 of Sec 14-27-17-W4
 - SE 15-27-17-W4
 - (h) Princes' Springs
Critical spring for water supply in the Remount Community Pasture. Habitat for

the Northern Leopard frog.

- SW 27-21-03-W4

(i) Esther Hay Meadow

A glacio-lacustrine (layered) deposit covering approximately 1000 hectares, along the Sounding Creek system. This hay meadow plays an important role for several livestock producers due to its back flood irrigation capability. It is also a critical staging area for numerous waterfowl and shorebird species.

- LSD's 15 & 16 of Sec 20
- LSD's 8,9,11-16 incl. of Sec 21
- LSD's 3-6, 11-14 incl. of Sec 22
- LSD's 4 & 5 of Sec 27
- LSD's 1-15 incl. of Sec 28-
- All of Sec 29
- LSD's 1,8,9,15,16 of Sec 30
- LSD's 2,7,11 of Sec 31
- LSD's 1-4 incl. of Sec 32
- All in 32-2-W4

- (2) Confined feeding operations shall be excluded from all established Historical or Cultural sites recognized by Alberta Community Development, Cultural Facilities & Historical Resources Division. These historical and/or cultural concerns will be addressed by Alberta Community Development.
- (3) Confined feeding operations shall be excluded 800.00 metres from of the bank of the Red Deer River and the South Saskatchewan River. Further, within this 800.00 metres setback, confined feeding operations shall be excluded from 150.00 metres from the top of slope of the river breaks, or any associated coulee complex, of the Red Deer or South Saskatchewan Rivers.

2. Areas requiring mitigation

- (1) All proposals for confined feeding operations within those areas of Very High and High potential for groundwater contamination as identified in Special Areas Regional Groundwater Assessment, (Hydrogeological Consultants Ltd. 2000 – see Appendix 4) shall demonstrate mitigation measure planning suitable to the Municipal Planning Commission.
- (2) Confined feeding operations must demonstrate mitigation measure planning in those areas where topographic expressions dictate a concern for protection of the surrounding environmental attributes and landscape features as recognized by the Municipal Planning Commission.

3. Recommended Facility Setback

- (1) From occupied dwellings, confined feeding operation facilities shall be setback according to the Category 4 Minimum Distance Separation (MDS), with a 1600.00 metres minimum from occupied dwellings not owned or under the control of the CFO operator, without written consent of the owner/occupant.
- (2) Notwithstanding the above, circumstances may dictate an increased MDS based upon localized environmental aspects of topography, wind, and open spaces between the proposed facility and an occupied dwelling not under the control of the CFO. The Municipal Planning Commission shall be provided with the opportunity to provide a substantiated recommendation on any increased MDS.

- (3) From towns, villages, hamlets (with multiple dwellings), and community recreational facilities, confined feeding operation facilities shall be set back according to the Category 4 Minimum Distance Separation, with a minimum 3200.00 metres from the North and West and a minimum 2400.00 metres from the South and East. The purpose of varied setback distances is to recognize the differing impacts of odour and noise that may be generated by a CFO and carried along the prevailing winds.
- (4) Facility setback distances may be reduced through the use of technological developments such as odour limiting biofilters at the facility.

4. Recommended Setback for Manure Disposal

- (1) For occupied dwellings, manure disposal shall be set back according to the Category 4 Minimum Distance Separation, with a minimum 1600.00 metres from occupied dwellings not owned or under the control of the CFO operator, without written consent of the owner/occupant.
- (2) Notwithstanding the above, circumstances may dictate an increased MDS based upon localized environmental aspects of topography, wind, and open spaces between the proposed manure disposal site and an occupied dwelling not under the control of the CFO. Consideration must be given to those residents to allow the continued peaceful enjoyment of the area by occupants other than the CFO. The Municipal Planning Commission shall be provided with the opportunity to provide a substantiated recommendation on any increased MDS.
- (3) From towns, villages, hamlets (with multiple dwellings), and community recreational facilities, manure disposal shall be setback in accordance with Category 4 Minimum Distance Separation, with a minimum 3200.00 metres from the North and West, and a minimum 2400.00 metres from the South and East of any Town, Village, Hamlet with multiple dwellings, or community recreation facility. The purpose of varied setback distances is to recognize the differing impacts of odour that may be generated by a CFO and carried along the prevailing winds.
- (4) The Municipal Planning Commission shall be provided with the opportunity to provide a substantiated recommendation on any increased MDS.
- (5) Notwithstanding the above, odour limiting disposal methods such as injecting liquid manure, or composting may be eligible for reduced separation distances based upon a mitigation plan acceptable to the Municipal Planning Commission.
- (6) Hog manure shall not be spread on native range on public land.

Appendix 3 - Forms

The forms included in Appendix 3 do not form part of this Land Use Order but are presented for reference purposes.

FORM A
SPECIAL AREAS 2, 3 AND 4 LAND USE
ORDER M.O. # MSL:007/15

APPLICATION FOR DEVELOPMENT PERMIT

The undersigned hereby makes application for a development permit in accordance with the plans and supporting information submitted herewith as outlined below.

Fee \$ _____
Receipt # _____
D.P. # _____

APPLICANT: _____**ADDRESS:** _____**PHONE NO.:** _____

Proposed development and dimensions: Give specific information - size, type of building, etc. (If manufactured home, type, name and C.S.A. standard).

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____ **HAMLET OF:** _____

_____ Part ____ Sec. _____ Twp. _____ Range _____ W4th.

SIZE OF PARCEL: Acres or dimensions _____**EXISTING LAND USE:** ☐ Agriculture ☐ Residential ☐ Other (please specify)**PROPOSED LAND USE:** ☐ Agriculture ☐ Residential ☐ Other (please specify)**REGISTERED OWNER OF LAND:** ☐ Same as above ☐ Other name _____

_____ Address _____

ESTIMATED COMMENCEMENT DATE: _____ **COMPLETION DATE:** _____**SITE PLAN ATTACHED:** ☐ Yes ☐ No **ESTIMATED COST:** _____**IS THE PROPOSED DEVELOPMENT WITHIN 2 MILES OF AN ADJACENT MUNICIPALITY?** ☐ ☐

Yes No

I hereby give my consent to allow all authorized persons the right to enter the above land and/or buildings, with respect to this application only.

Completed form received by: _____

Signature of Applicant_____
Date_____
Development Officer_____
Date

FOR OFFICE USE

NOTICE OF DECISION: **The above application has been**

☐ **APPROVED:** subject to the following conditions; checked, and to the 14 day appeal period if applicable

☐ Applicant to obtain Approved Building Permit & Inspections from Palliser Regional Municipal Services.

☐ Municipal setbacks to be maintained as follows:

☐ _____ feet from the boundary of the municipal road

☐ _____ feet from the front and rear boundaries & _____ feet from the side lot boundaries

☐ Applicant to obtain Approved Plumbing and/or Sewage Disposal Permit from Palliser Regional Municipal Services.

☐ Applicant to obtain Approved Electrical Permit & Inspection from Palliser Regional Municipal Services.

☐ Applicant to obtain Approved Gas or Propane hook-up Permit & Inspection from Palliser Regional Municipal Services.

☐ Other: _____

☐ **REFUSED FOR THE FOLLOWING REASON(S):** _____

Date of Decision

Development Officer

(SEE REVERSE FOR IMPORTANT NOTE)

IMPORTANT NOTE

1. The issuance of a Development Permit in accordance with the notice of decision is subject to the condition that it does not become effective until 14 days after the date of issue of the notice of decision. Any work completed by the applicant during this 14-day period is done entirely at the risk of the applicant. This does not apply to permits issued for permitted uses, where no appeal is available and the permit comes into effect on the day that the decision is communicated to the applicant.
2. The decision may be appealed to the Subdivision and Development Appeal Board in accordance with Part IV of this Order, with the exception of a permit issued for a permitted use in a Land Use District, where an appeal is not available. Such an appeal shall be made in writing and shall be delivered personally or mailed so as to reach the Secretary of the Subdivision and Development Appeal Board at Special Areas Administration Office in Hanna, NO LATER THAN 14 DAYS FOLLOWING THE DATE OF ISSUE OF THIS NOTICE. The notice of appeal shall contain a statement of the grounds of the appeal.
3. Should the decision be appealed within 14 days after the notice of decision has been issued, this permit shall not become effective until the Subdivision and Development Appeal Board has determined the appeal and the permit may be modified or nullified thereby.
4. A permit issued in accordance with the notice of decision is valid for a period of 12 months from the date of issue. If at the expiry of this period, the development has not been commenced, this permit shall be null and void.
5. Every application for a permit shall be accompanied by the following information:
 - (a) Site plan showing:
 - (i) the legal description of the property;
 - (ii) the dimension of the site;
 - (iii) the dimensions and relationship to property lines of all existing and proposed buildings and shelter belts;
 - (iv) where applicable, the location of all existing and proposed wells, septic tanks, disposal fields, culverts and crossings;
 - (v) on applications for development in hamlets: the front, rear and side yards, off street parking and loading facilities, access locations to and from the site, proposed exterior finishing materials for all buildings.
6. Failure to complete this form in full, and to supply the required information and plans may mean that this application for a permit will not be considered and may cause delays in the processing of the application.
7. For the purposes of obtaining Building, Plumbing, Gas, Electrical or Fire permits or inspections, the applicant should call Palliser Regional Municipal Services, Safety Codes Services, at 1-800-407-8361.
8. FEES:

Development Under \$5,000.....	\$10.00
For each additional \$1,000 over \$5,000 to \$20,000.....	\$2.00
Over \$20,000.....	\$50.00

NOTE: This is not a Building Permit. The applicant is not excused from complying with the requirements of any federal, provincial or other municipal legislation, or the conditions of any easement, covenant, building scheme or agreement affecting the building or land.

FORM B
SPECIAL AREAS 2, 3 AND 4
LAND USE ORDER M.O. # MSL:007/15
STOP ORDER / ORDER OF COMPLIANCE

ORDER # _____

You are hereby notified in respect of the development involving:

located on:

Street Address: _____

Legal Description: _____

That this development is not in accordance with:

The *Municipal Government Act*, in respect of _____

This Land Use Order, in respect of _____

The Development Permit No. _____ in respect of _____

Therefore, pursuant to Part V of this Land Use Order and Sections 545, 645 and 646 of the *Municipal Government Act*, you are hereby ordered to:

☐ Stop the development

☐ Demolish/remove/replace the development

☐ Take the following measures _____

THIS ORDER SHALL BE COMPLIED WITH BY _____

Failure or refusal to comply with this Order may result in Special Areas Board or a person or persons appointed by it, entering upon the land or building and taking such action as is necessary to carry out the Order. In such circumstances, the Board shall cause the costs incurred to be placed on the tax roll, as an additional tax against the property concerned.

You may appeal this Order to the Subdivision and Development Appeal Board in accordance with the provisions of Part IV of this Land Use Order. Such an appeal shall be made in writing and shall be delivered personally or mailed so as to reach the Secretary of the Subdivision and Development Appeal Board at Special Areas Board Office in Hanna NO LATER THAN 14 DAYS FOLLOWING THE DATE OF ISSUE OF THIS NOTICE.

DATE OF ISSUE OF ORDER: _____

SIGNATURE OF THE DEVELOPMENT OFFICER: _____

FORM C
SPECIAL AREAS 2, 3 AND 4
LAND USE ORDER M.O. # MSL:007/15
APPLICATION FOR AMENDMENT TO LAND USE ORDER M.O. # MSL:007/15

I/We hereby make application to amend the Land Use Order.

APPLICANT:

NAME: _____ **TELEPHONE:** _____

ADDRESS: _____

OWNER OF LAND:

NAME: _____ **TELEPHONE:** _____

ADDRESS: _____

LEGAL DESCRIPTION:

LOT: _____ **BLOCK:** _____ **REGISTERED PLAN:** _____

QTR./L.S.D.: _____ **SEC.:** _____ **TWP.:** _____ **RNG.:** _____ **M.:** _____

CERTIFICATE OF TITLE: _____

AMENDMENT PROPOSED:

FROM: _____

TO: _____

REASONS IN SUPPORT OF APPLICATION FOR AMENDMENT:

DATE: _____

SIGNED: _____

FORM D
SPECIAL AREAS 2, 3 AND 4
LAND USE ORDER M.O. # MSL:007/15
NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Application/Subdivision No. _____

This is to notify you an appeal has been made to the Subdivision and Development Appeal Board against a decision in respect of Application/Subdivision No. _____ which involves a development/subdivision described as follows:

The decision of the Development Officer/Subdivision Approval Authority was to:

APPROVE

☐

APPROVE (with conditions)

☐

REFUSE

☐

the development permit/subdivision application, with the following conditions/for the following reasons:

A Public Hearing of the Subdivision and Development Appeal Board has been scheduled, at which point the Board will hear arguments both for and against the above noted appeal.

PLACE OF HEARING: _____

TIME OF HEARING: _____

DATE OF HEARING: _____

Any person affected by the proposed development/subdivision has the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons submitting the written briefs to the Secretary of the Subdivision and Development Appeal Board at Special Areas Board Office in Hanna, should do so not later than 4:00 P.M. on _____.

FORM E
SPECIAL AREAS 2, 3 AND 4
LAND USE ORDER M.O. # MSL:007/15
NOTICE OF DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Application/Subdivision No. _____

This is to notify you that an appeal against the

APPROVAL

☐

APPROVAL WITH CONDITIONS

☐

REFUSAL

☐

of a development permit/subdivision application with regard to the following:

was considered by the Subdivision and Development Appeal Board on _____, and the decision of the Subdivision and Development Appeal Board with regard to the appeal is as follows:

FINDINGS OF FACT:

DECISION:

REASONS:

Date

Signature of Secretary of Subdivision
and Development Appeal Board

NOTE: A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons and is subject only to an appeal upon a question of jurisdiction or law pursuant to Section 688 of the *Municipal Government Act*. An application for leave to appeal the Appellate Division of the Supreme Court of Alberta shall be made:

- (a) to a Judge of the Court of Appeal, and
- (b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

Appendix 4 – Potential for Groundwater Contamination

Special Areas 2, 3 and 4, and M.D. of Acahulla, Part of the Red Deer, and the South and North Saskatchewan River Basins:
Regional Groundwater Assessment, Parts of Tps 019 to 037, R 01 to 16, W4M

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VII. Potential For Groundwater Contamination

The most common sources of contaminants that can impact groundwater originate on or near the ground surface. These contaminant sources can include leachate from landfills, effluent from leaking lagoons or from septic fields, and petroleum products from storage tanks or pipeline breaks. The agricultural activities that generate contaminants include the spreading of fertilizers, pesticides, herbicides and manure. The spreading of highway salt can also degrade groundwater quality.

When activities occur that can or do produce a liquid, which could contaminate groundwater, it is prudent (from a hydrogeological point of view) to locate the activities where the risk of groundwater contamination is minimal. Alternatively, if the activities must be located in an area where groundwater can be more easily contaminated, the necessary action must be taken to minimize the risk of groundwater contamination.

The potential for groundwater contamination is based on the concept that the easier it is for a liquid contaminant to move downward, the easier it is for the groundwater to become contaminated. In areas where there is groundwater discharge, liquid contaminants cannot enter the groundwater flow systems to be distributed throughout the area. In groundwater recharge areas, low-permeability materials impede the movement of liquid contaminants downward. Therefore, if the soils develop on a low-permeability parent material of till or clay, the downward migration of a contaminant is slower relative to a high-permeability parent material such as sand and gravel of fluvial origin. Once a liquid contaminant enters the subsurface, the possibility for groundwater contamination increases if it coincides with a higher permeability material within one metre of the land surface.

To determine the nature of the materials on the land surface, the surficial geology map prepared by the Alberta Research Council (Shetsen, 1990) has been reclassified based on the relative permeability. The classification of materials is as follows:

1. high permeability - sand and gravel;
2. moderate permeability - silt, sand with clay, gravel with clay, and bedrock; and
3. low permeability - clay and till.

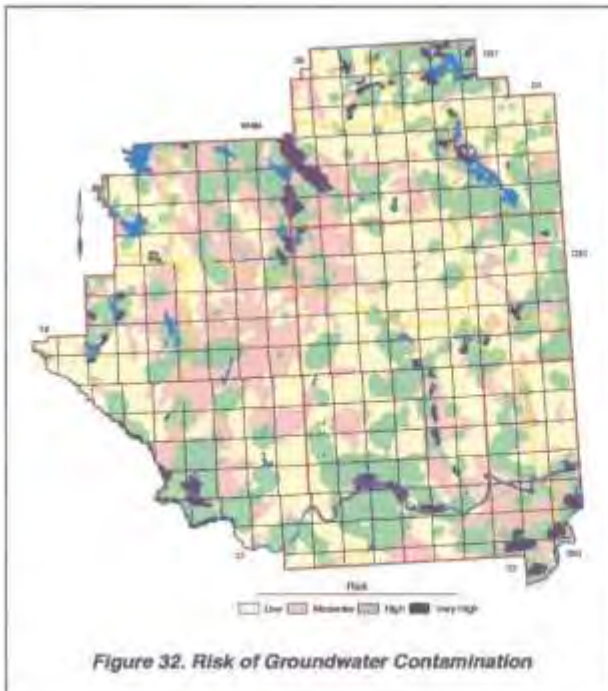
To identify the areas where sand and gravel can be expected within one metre of the ground surface, all groundwater database records with lithologies were reviewed. From a total of 4,909 records in the project area with lithological descriptions, 1,618 have the top of a sand and gravel deposit present within one metre of ground level. In the remaining 3,291 records, the first sand and gravel is deeper or not present. This information was gridded to prepare a distribution of where the first sand and gravel deposit could be expected within one metre of ground level.

1) Risk of Groundwater Contamination Map

The information from the reclassification of the surficial geology map is the basis for preparing the initial risk map. The depth to the first sand and gravel is then used to modify the initial map and to prepare the final map. The criteria used for preparing the final Risk of Groundwater Contamination map are outlined in the adjacent table.

Surface Permeability	Sand or Gravel Present - Top Within One Metre Of Ground Surface	Groundwater Contamination Risk
Low	No	Low
Moderate	No	Moderate
High	No	High
Low	Yes	High
Moderate	Yes	High
High	Yes	Very High

Table 8. Risk of Groundwater Contamination Criteria



The Risk of Groundwater Contamination map shows that, in 35% of the project area, there is a high or very high risk for the groundwater to be contaminated. These areas would be considered the least desirable ones for a development that has a product or by-product that could cause groundwater contamination. However, because the map has been prepared as part of a regional study, the designations are a guide only; detailed hydrogeological studies must be completed at any proposed development site to ensure the groundwater is protected from possible contamination. At all locations, good environmental practices should be exercised in order to ensure that contaminants will not affect groundwater quality.

Appendix 5 - Country Residential declarations

COUNTRY RESIDENTIAL DECLARATION 1 (Agricultural Area):

To be signed by a person wishing to develop a country residential parcel.

I understand that the location I have chosen for my development is in an agricultural area, knowing that I may suffer from dust, noise and smells. However, I realize this is a farming area and that these inconveniences are unavoidable if I choose to live here.

Signature of Applicant

Land Description

- (b) The development permit/ subdivision applicant may be required to sign the *Country Residential Declaration 2* if the proposed development is in close proximity to a confined feeding operation, as determined by the Development Authority and shown below:

COUNTRY RESIDENTIAL DECLARATION 2 (Confined Feeding Operation):

To be signed by a person wishing to develop a detached dwelling or manufactured home in close proximity of a confined feeding operation.

The Place where I want to build my house is only _____ feet from a feedlot / dairy barn / hog operation / poultry barn / manure disposal area.

I choose to build here, knowing that I may suffer from smells, noises and flies from the animals or manure. However, I realize this is a farming area and that these nuisances are unavoidable if I choose to live here.

I also understand that land cannot be subdivided within certain distances of a confined feeding operation, as outlined in the Agricultural Operation Practices Act and its Regulations.

Signature of Applicant

Land Description

- (c) The development permit/ subdivision applicant may be required to sign the *Country Residential Declaration 3* if the proposed development is in close proximity to an industrial, wind energy, commercial or oil and gas facility, as determined by the Developments Authority and shown below:

COUNTRY RESIDENTIAL DECLARATION 3 (Industrial Development):

*To be signed by a person wishing to develop a dwelling in close proximity of a **(wind energy/ industrial/ commercial)** operation.*

*The location where I want to build the dwelling is _____ feet from a **(wind energy/ industrial/ commercial)** operation.*

*I choose to build here, knowing that I may suffer from nuisance factors/ land use conflicts such as visual impact, noise, dust, smell and vibration. However, I realize this is an area where **(wind energy/ industrial/ commercial)** operations have been approved and that these nuisances are unavoidable if I choose to live here.*

Signature of Applicant

Land Description

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