

CITY OF EDMONTON ANNEXATION APPLICATION

# APPENDIX 21.0

LEDUC COUNTY LAND USE BYLAW



MARCH 2018

Edmonton

# LEDUC COUNTY

# Land Use Bylaw 7-08

Adopted March 11, 2008

*(Consolidation Includes Amendments up to and Including Bylaw No. 15-17)*

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*Map 3 - Land Use District Map – Wizard Lake*

*Map 4 - Land Use District Map – Pigeon Lake*

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*Map 9 - Telfordville*

## 1. PART ONE – INTRODUCTION

### 1.1 Title

1.1.1 This *Bylaw* is the Leduc County Land Use Bylaw No 7-08

### 1.2 Purpose

1.2.1 This *Bylaw* is intended to regulate and control the use of lands and *buildings* in order to achieve orderly and economic *development* in the *County*, consistent with the provisions of the *Municipal Development Plan* and other statutory plans.

### 1.3 Effective Date

1.3.1 The effective date of this *Bylaw* is the date the *Bylaw* received third and final reading and was passed by *Council* in accordance with the provisions of Section 692 of the *Act*.

### 1.4 Compliance with Legislation

1.4.1 A person commencing *development* is responsible for complying with the provisions of this *Bylaw*, any other municipal bylaw or statutory plan applicable to the proposed *development*, any relevant federal and provincial statutes or regulations, and any easement, covenant, agreement or contract affecting the subject lands.

### 1.5 Transitional Provisions

1.5.1 A development application received prior to the effective date of Leduc County Land Use Bylaw 7-08 (that has been deemed by the Development Officer to be substantially complete as at the effective date), shall be processed in accordance with the Land Use Bylaw 1665-83 so long as all supporting information respecting the development application is provided no later than six (6) months after the effective date of Leduc County Land Use Bylaw 7-08; if an appeal is launched in relation to the development permit application (to the Subdivision and Development Appeal Board or subsequently to the Court of Appeal), any appeal shall be determined in accordance with Land Use Bylaw 1665-83.

1.5.2 A subdivision application received prior to the effective date of Leduc County Land Use Bylaw 7-08 (that has been deemed by the Subdivision Authority to be substantially complete as at the effective date), shall be processed in accordance with the Land Use Bylaw 1665-83 so long as all supporting information respecting the subdivision application is provided no later than six (6) months after the effective date of Leduc County Land Use Bylaw 7-08; if an appeal is launched in relation to the subdivision application (to the Subdivision and Development Appeal Board, the Municipal Government Board or subsequently to the Court of Appeal), any appeal shall be determined in accordance with Land Use Bylaw 1665-83.

### 1.6 Severability

1.6.1 If any part of this *Bylaw* is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining parts of this *Bylaw*.

### 1.7 Application

1.7.1 The provisions of this *Bylaw* are applicable to all lands and *development* within the boundaries of the *County*, excepting those within the jurisdiction of other incorporated municipalities and those specifically exempted from local regulation by federal or provincial legislation.

### 1.8 Definition of Terms

1.8.1 Words printed in italics in this document are defined in Part 11 – Definitions

## 2. PART TWO - MUNICIPAL OFFICES

### 2.1 Development Authority

- 2.1.1 The *Development Authority* is established by bylaw pursuant to Part 17, Division 3 of the *Act*.
- 2.1.2 The *Development Authority* shall exercise development powers and duties on behalf of the *County*.
- 2.1.3 The *Development Authority* shall keep and maintain for the inspection of the public during office hours, a copy of this *Bylaw* and all amendments thereto, and ensure that copies are available at reasonable charge as prescribed by *Council*.
- 2.1.4 The *Development Authority* shall keep and maintain for the inspection of the public during office hours, a register of all applications for *development* and subsequent decisions.

### 2.2 Subdivision and Development Appeal Board

- 2.2.1 The *Subdivision and Development Appeal Board* is established by bylaw pursuant to Part 17, Division 3 of the *Act*.
- 2.2.2 The *Subdivision and Development Appeal Board* shall hear *subdivision* and *development* appeals and shall make decisions in accordance with the provisions of the *Act* and shall have regard for the statutory documents of the *County*.
- 2.2.3 The *Subdivision and Development Appeal Board* shall keep and maintain for the inspection of the public during office hours, a record of its proceedings presented at a hearing.

### 2.3 Development Officer

- 2.3.1 The office of *Development Officer* is hereby established and authorized to act as a *Development Authority*, and shall be filled by a person or persons appointed by *Council*.
- 2.3.2 The *Development Officer* shall:
  - (a) keep a register of all applications for *development* and subsequent decisions;
  - (b) review each *development* application to ascertain whether it is complete in accordance with the information requirements of this *Bylaw*, and shall, if the application complies with such requirements, enter the application in the registry of applications in accordance with the provisions of Section 2.1.4 of this *Bylaw*;
  - (c) review, refer and render decisions on *development permit* applications.
- 2.3.3 The *Development Officer* is hereby declared a designated officer for the purposes of right of entry.

### 2.4 Right of Entry

- 2.4.1 In accordance with Section 542 (1) of the *Act*, after providing reasonable notice a designated officer may enter into or upon any land or building within the *County* to ensure compliance with this *Bylaw*.



### 3. PART THREE - DEVELOPMENT

#### 3.1 Development Requiring a Permit

3.1.1 Any use or *development* of lands, *buildings* or *signs* in the *County* requires a valid *development permit* unless it is specifically exempted from requiring a *development permit* by this *Bylaw* or by federal or provincial legislation.

#### 3.2 Development Not Requiring a Permit

3.2.1 A *development permit* is not required for the following provided they comply with all relevant provisions of this *Bylaw*:

- (a) *Accessory building* not exceeding 10.0 m<sup>2</sup> (107.6 sq.ft.) in area and 2.0 m (6.5 ft.) in height;
- (b) *Agriculture, Extensive; Agriculture, Livestock or Agriculture, Horticulture* use, structure, excavation or *building* in a district where the use is listed as permitted, including but not limited to a barn, hay shed, machine shed, *livestock* shelter, granary, dugout, and the outdoor storage of equipment, supplies and products directly associated with the *agricultural operation*, but not including a *Confined Feeding Operation* or a *dwelling*;
- (c) Deck up to 40.0 m<sup>2</sup> (430 sq.ft.) with a floor level not exceeding 0.6 m (1.9 ft.) above *building grade*;
- (d) Demolition of a *building* or structure where the demolition is implicit in an approved *development permit* for new *development* on the *site*;
- (e) Fence, gate, or wall no more than 2.0 m (6.5 ft.) in height, or in a non-residential area, a chain-link security fence no more than 2.5 m (8.2 ft.) in height, excepting in certain instances in Urban Growth Areas and outlined in Section 6.19.4; *Bylaw 18-09*
- (f) *Foster home* approved by the *Province*;
- (g) *Home Based Business – Type 1*;
- (h) Interior *building* alteration, provided the alteration is not a *structural alteration* and does not increase the number of *dwellings* or the intensity of a non-residential use;
- (i) *Landscaping*, including sidewalks, driveways, retaining walls, and patios, where the existing *lot grade* and natural drainage pattern is not significantly altered and will not create off-site impacts;
- (j) *Outdoor storage* of two (2) unlicensed vehicles per *dwelling* provided such storage is not within a front yard;
- (k) Play structures not exceeding 10.0 m<sup>2</sup> (107.6 sq ft.) in area and 3.0 m (9.8 ft.) in height;
- (l) Construction of municipal improvements in accordance with a valid development agreement with the *County*, or exempted under provincial or federal legislation;
- (m) *Signs*, in accordance with the provisions of Part 8 of this *Bylaw* and limited to the following:
  - i) election *signs*, official notices, *signs* placards or bulletins required or permitted to be displayed pursuant to the provisions of federal, provincial or municipal legislation;
  - ii) *signs* erected by and relating to the function of public or quasi-public bodies;
  - iii) municipal address numbers or letters displayed on premises to which they refer;
  - iv) seasonal or holiday decorations;
  - v) *signs* not exceeding 2.0 m<sup>2</sup> (21.5 sq. ft.) for the purpose of identification, direction and warning or relating to an institution of a religious, educational, cultural, recreational or similar character, and limited to one *sign* per *lot* or *building*;
  - vi) temporary *signs* relating to the sale of real estate or agricultural products, on-site construction projects or hiring of workers and not exceeding 3.0 m<sup>2</sup> (32.3 sq. ft.), provided that the *signs* are removed within 7 days after completion of the events to which the signs relate.

- vii) temporary *signs* advertising garage sales, yard sales and events of a similar nature and not exceeding 1.0 m<sup>2</sup> (10.7 sq. ft.), provided that the signs are removed within 48 hours after the events to which the *signs* relate;
  - viii) interior window *signs* in industrial or commercial districts; and
  - ix) *signs*, no larger than 0.4 m<sup>2</sup> (4.3 sq. ft.), for the direction and control of vehicles, pedestrians and parking.
- (n) Clearing, stripping, grading or excavation of land for agricultural purposes, public roads, as an integral part of a project for which a *development permit* has been issued or as a condition of a development agreement with the *County*;
  - (o) Temporary *building* required for construction, maintenance, alteration or marketing of an approved *development*, provided it complies with this *Bylaw*, any other bylaw of the *County*, or the Airport Vicinity Protection Area Regulation, and it is removed within 30 days of project completion;
  - (p) Temporary use of a *building* or part thereof as a polling station, returning officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;
  - (q) *Developments* that are exempted in whole or in part from municipal regulations under provincial legislation, including but not limited to a highway or road, a well or battery within the meaning of the Oil and Gas Conservation Act, and a pipeline or an installation or structure incidental to the operation of a pipeline;
  - (r) *Developments* that are exempted in whole or in part from municipal regulations under federal legislation including but not limited to telecommunications systems; and
  - (s) *Landscaping*,
    - i. in all districts, where the amount of topsoil or similar material being deposited, does not exceed 100 cubic metres, providing that the material deposited is sourced from within the confines of the subject parcel in which the landscaping is to occur, and does not impede or interfere with the natural flow of surface water onto *adjacent lands* or into public ditches.
    - ii. in all Districts, where no more than 10 cubic metres of topsoil or similar material is being deposited, excluding the *Agricultural District (AG)* and *Agricultural/Country Residential Transitional District (AG/CR TR)*, in which the provisions of section 6.14 are applicable. *Bylaw 22-15*
  - (t) The storage of one *personal company vehicle* up to a 5 ton capacity, not intended for business use on the premises, within the *Agricultural District (AG)*, *Agricultural Country Residential Transitional District (AG/CR – TR)* and the *Country Residential District (RC)*; *Bylaw 23-16*
  - (u) The personal storage of one *personal company vehicle* of a maximum 1-ton weight, not intended for business use on the premises in all other districts not specified in part (t) providing that parking is supplied as per Section 6.9.2 (Parking and Loading). *Bylaw 23-16*

### 3.3 Application Requirements

3.3.1 Application for a *development permit* shall be made to the *County* on an Application Form adopted by the *County* and shall include:

- (a) payment of a *development permit* application fee in accordance with the fee schedule adopted by resolution of *Council*;
- (b) a title search, no more than 30 days old, of all lands within the proposed *development* site;
- (c) a detailed description of proposed business activities; and
- (d) site plans and/or architectural drawings to the satisfaction of the *Development Authority*, showing the following:
  - i) north arrow;
  - ii) adjacent roads and highways;
  - iii) existing and proposed vehicle accesses, including emergency access to the *site*; *Bylaw 18-09*
  - iv) rights-of-way and easements;
  - v) water courses and drainage courses;

- vi) location and identification of existing and proposed *buildings* and structures;
  - vii) site dimensions and distances from property lines to proposed *development*;
  - viii) dimensions of all proposed *buildings* and/or *development* areas on the site;
  - ix) exterior building elevations showing height, horizontal dimensions and finishing materials of proposed *buildings*;
  - x) location and details of proposed *landscaping*, fencing and *screening*;
  - xi) location and details of existing and proposed *signs*;
  - xii) location and/or description of existing and proposed *utilities*.
  - xiii) location and dimensions of parking, loading, garbage containment areas, and amenity areas; *Bylaw 18-09*
  - xiv) other pertinent information required by the *Development Authority* respecting the *site* or *adjacent lands*; and
  - xv) dimensions of private unit areas associated with each *dwelling* in any *Bare Land Condominium*, as applicable. *Bylaw 18-09*
- 3.3.2 *Lot* grading and/or storm water drainage plans *shall* be required for all commercial and industrial *developments* and any other 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*.
- 3.3.3 An application *shall* be considered incomplete and *shall* not be processed until all of the above items have been addressed to the satisfaction of the *Development Authority*.
- 3.3.4 Notwithstanding 3.3.1, the *Development Authority* may require additional information to ensure that a proposed *development* complies with the *Bylaw*, and further information may be required even after an application has been deemed to be complete.
- 3.3.5 *Development permit* applications *shall* be required to include information regarding the proximity of oil and gas wells, sour gas facilities, sewage treatment plants or waste management facilities.
- 3.3.6 A *development permit* application *may* be required to include a ground water and/or geotechnical analysis to the satisfaction of the *Development Authority*.
- 3.3.7 Where requested information is of a technical or scientific nature, the *Development Authority* may require a report prepared or endorsed by a professional accredited to practice in Alberta and to the satisfaction of the *Development Authority*.
- 3.4 Decision Process
- 3.4.1 Before accepting a *development permit* application for processing, the *Development Authority* *shall* review it to determine if it is complete.
- 3.4.2 Notification of all discretionary use *development permit* applications and all applications in a direct control district *shall* be sent to adjacent landowners as identified on the assessment roll of the *County*, and to anyone who in the opinion of the *Development Authority* may be affected by the proposal, and *may* be published in a newspaper. Notwithstanding the foregoing, notification on applications for *Natural Resource Extraction* *shall* be published in a newspaper and *shall* be sent to *landowners* along a main haul route, except where the route is through a primary or secondary highway.
- 3.4.3 The *Development Authority* *shall* refer an application to an adjacent municipality where required by a statutory plan to assist in the review of the proposed *development*.
- 3.4.4 The *Development Authority* *may* refer an application to any municipal, provincial, federal or inter-jurisdictional department, or any other agency or person who, in the opinion of the *Development Authority*, *may* assist in the review of the proposed *development*.
- 3.4.5 The *Development Authority* *shall* consider an application for *development* and:
- (a) *shall* approve it, with or without conditions, if it is a *permitted use* and it complies with the *Bylaw*, or
  - (b) *may* approve it, with or without conditions, or refuse it if it is a *discretionary use* and it complies with the *Bylaw*; and
  - (c) *may* refuse it even if it is a *permitted use* or *discretionary use*, if it does not comply with the *Bylaw*; and
  - (d) *shall* refuse it if it is neither a *permitted use* nor a *discretionary use*.

- 3.4.6 The *Development Authority* may approve, with or without conditions, in accordance with Section 3.6.1, an application for a *development* that does not comply with this *Bylaw* if, in its opinion the proposed *development* would not:
- (a) unduly interfere with the amenities of the neighbourhood; or
  - (b) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
  - (c) complies with the uses prescribed for that land or *building* in this *Bylaw*.
- 3.4.7 *Council*, or its designated *Development Authority*, shall be the sole decision making authority on a *development permit* application within the Direct Control District. The *Development Officer* shall forward all *development* applications within this district, complete with report and recommendations, to *Council* or its designated *Development Authority*.
- 3.4.8 An application for a *development permit* is, at the option of the *applicant*, deemed to be refused if the decision of a *Development Authority* is not made within 40 days of receipt of the application, unless the *applicant* has entered into an agreement with the *Development Authority* to extend the 40-day period.
- 3.5 Discretion of the Development Authority
- 3.5.1 The *Development Authority* may approve a *discretionary use* if in its opinion the proposed development complies with:
- (a) the *Municipal Development Plan* and any other relevant statutory plans and policies adopted by the *County*;
  - (b) the general purpose of the land use district as established in this *Bylaw*; and
  - (c) *County* standards regarding drainage, municipal services and other utilities.
- 3.5.2 When processing an application for a *discretionary use* in accordance with 3.5.1, the *Development Authority* shall consider:
- (a) compatibility of the proposed *development* with surrounding lands in terms of function, form and scale;
  - (b) suitability of the proposed building site with respect to potential flooding and ground stability;
  - (c) capacity of public roads to accommodate potential traffic generation and the impacts of vehicle parking and loading on the surrounding area; and
  - (d) ability of existing and proposed public utilities infrastructure, services and amenities to accommodate the potential development.
- 3.6 VariANCES
- 3.6.1 The *Development Authority* may issue a *development permit* granting a variance of a requirement of the *Bylaw* provided:
- (a) the proposed use complies with those prescribed in the *Bylaw*;
  - (b) compliance of the *development* with a site requirement of the *Bylaw* is prevented or impeded by unique circumstances that are not common to the *neighbouring lands*;
  - (c) the *development* is consistent with the general intent of the district and the overall character of the area;
  - (d) the *development* will not unduly interfere with the amenities of the area or materially affect the use, enjoyment or value of nearby properties; or
  - (e) sufficient measures have been taken to remedy any impacts on nearby properties.
- 3.6.2 Notwithstanding 3.6.1, the *Development Authority* shall not grant a variance to site coverage, building area, floor area, building height, and dwellings per hectare. *Bylaw* 12-09
- 3.6.3 The *Subdivision and Development Appeal Board* may vary the prescribed *lot* size subject to the policies of any relevant statutory plan. *Bylaw* 12-09
- 3.7 Conditions of Development Permit Approval
- 3.7.1 Conditions may be imposed on a *development permit* approval if deemed necessary:
- (a) to ensure compliance with the *Bylaw*;
  - (b) to uphold the intent and objectives of the *Municipal Development Plan*, and any other applicable statutory plan; or
  - (c) to ensure the orderly and economical development of land within the *County*.

- 3.7.2 The *Development Authority* may require that an *applicant* or *landowner* enters into a development agreement with the County and that the agreement be registered as a caveat on the title of the subject lands. This agreement *may* cover such items as:
- (a) construction, installation or payment for municipal improvements to serve the *development*;
  - (b) construction or payment for the construction and/or upgrading of public roadways, pedestrian walkways, parking and loading facilities;
  - (c) payment of any off-site levy or redevelopment levy;
  - (d) *lot* grading and *landscaping*; and
  - (e) security to enforce requirements of the development agreement.
- 3.7.3 The *Development Authority* may require a developer to provide a guaranteed security in a form and amount acceptable to the *Development Authority* to ensure compliance with any conditions of a *development* permit.
- 3.8 Notice Of Decision
- 3.8.1 Decisions on all *development permit* applications *shall* be issued in writing to the *applicant*, *landowner* and anyone who, in the opinion of the *Development Authority*, may be affected by the decision and *shall* contain:
- (a) a description of the proposed *development*;
  - (b) a description of the subject property location;
  - (c) the date the decision was issued; and
  - (d) information respecting the appeal procedure in accordance with the *Act* and the Subdivision and Development Appeal Board Bylaw.
- 3.8.2 A person to whom a *development permit* is issued *may* be required to keep a copy of:
- (a) the *development permit* posted in a conspicuous place on the *site* for which the permit was issued; and
  - (b) the approved drawings and specifications to which the *development permit* pertains.
- 3.8.3 In accordance with section 3.8.1, the issuance of a notice of decision on a *development permit* application for a *discretionary use* or the granting of a variance, *shall* be sent to adjacent landowners as identified on the Leduc County Assessment Roll and *may* be published in a local newspaper.
- 3.9 Validity of Development Permits
- 3.9.1 A *development permit* *shall* come into effect 14 days after the date of decision on the *development permit*, provided:
- (a) the conditions on the permit have been fulfilled, excepting those of a continuing nature; and
  - (b) notice of appeal has not been received by the *Subdivision and Development Appeal Board*.
- 3.9.2 Upon receipt of a valid notice of appeal by the *Subdivision and Development Appeal Board*, a *development permit* *shall* be suspended until that Board has issued a final written decision to uphold, amend or revoke the permit.
- 3.10 Appeal of Development Authority Decision
- 3.10.1 If a *Development Authority* issues a *development permit* subject to conditions, or refuses or fails to issue a decision on a *development permit* within forty (40) days of receipt of a completed application, the *applicant* *may* appeal to the *Subdivision and Development Appeal Board*.
- 3.10.2 If a *Development Authority* issues an order under Section 645 of the *Act*, the recipient of the order *may* appeal to the *Subdivision and Development Appeal Board*.
- 3.10.3 In addition to the persons referred to in 3.10.1 and 3.10.2, any person affected by an order, decision or development permit issued by the *Development Authority* *may* appeal to the *Subdivision and Development Appeal Board*.
- 3.10.4 Anyone wishing to make an appeal regarding an order, decision or permit *may* do so in writing or in person to the Secretary of the *Subdivision and Development Appeal Board*, providing their reasons for the appeal.

- 3.10.5 An appeal to the Subdivision and Development Appeal Board must be received by the Subdivision and Development Appeal Board within 14 days,
- (a) in the case of the *applicant*, after the date on which the *applicant* is notified of the issuance of the order, decision or *development permit*. If no decision is made with respect to the application within the 40 day period or within any extension of the 40 day period as agreed to with the *Development Authority*, the date the period or extension expires;
  - (b) in the case of a person who claims to be affected by the *development permit*, after the date on which the notice issuance of the order, decision or permit was given.
- 3.10.6 No appeal *may* be made respecting the issuance of a *development permit* for a permitted use unless the provisions of this *Bylaw* were relaxed, varied or misinterpreted.
- 3.10.7 The *Subdivision and Development Appeal Board* shall hold an appeal hearing within thirty days (30) days of receipt of a valid Notice of Appeal.
- 3.10.8 The *Subdivision and Development Appeal Board* shall give its decision in writing together with reasons for the decision within fifteen (15) days of concluding the hearing.
- 3.11 Cancellation or Suspension of Development Permits
- 3.11.1 If any time after issuing a *development permit*, the *Development Authority* is aware that:
- (a) the application for *development* contained a misrepresentation;
  - (b) facts which should have been disclosed at the time the application were not disclosed;
  - (c) the *development permit* was issued in error; or
  - (d) the *applicant*, in writing, requests cancellation of the permit,
- the *Development Authority* may, by written notice to the holder of the permit, cancel, suspend or modify the *development permit*.
- 3.11.2 A person whose development permit is cancelled, suspended or modified may appeal the decision to the *Subdivision and Development Appeal Board*.
- 3.12 Expiry of Development Permit
- 3.12.1 A *development permit* expires when, in the opinion of the *Development Authority*, *development* is not substantially commenced within twelve (12) months from the date of issuance or, in the case of a permitted use, within such extended period that *may* be granted by the *Development Authority*.
- 3.12.2 The *Development Authority* may impose the condition that a proposed *development* is permitted on a time-limited basis, or on a temporary permit basis.
- 3.13 Non-conforming Buildings and Uses
- 3.13.1 If a development permit has been issued on or before the day on which this Bylaw or any bylaw for the amendment thereof comes into force, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw.
- 3.13.2 A non-conforming use of land or a *building* may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or *building* must conform with the Land Use Bylaw then in effect.
- 3.13.3 A non-conforming use of part of a *building* may be extended throughout the *building* but the *building*, whether or not it is a non-conforming *building*, may not be enlarged or added to and no *structural alterations* may be made to it or in it.
- 3.13.4 A non-conforming use of part of a *lot* may not be extended or transferred in whole or in part to any other part of the *lot* and no additional *buildings* may be constructed on the *lot* while the non-conforming use continues.
- 3.13.5 A non-conforming *building* may continue to be used but the *building* may not be enlarged, added to, rebuilt or structurally altered except:
- (a) to make it a conforming *building*, or
  - (b) for routine maintenance of the building, if the *Development Authority* considers it necessary, or

(c) in accordance with section 3.6.1(f) of this land use bylaw that provides minor variance powers to the *Development Authority* for the purpose of this section.

3.13.6 If a non-conforming *building* is damaged or destroyed to the extent of more than 75% of the value of the *building* above its foundation, the *building* may not be repaired or rebuilt except in accordance with the *Bylaw*.

3.13.7 A change of ownership or tenancy of a *lot* or a *building* does not affect the non-conformity of the *lot* or the *building*.

3.14 Re-Application

If a *development permit* is refused, an application for the same or similar *development* on the same *site* shall not be accepted for processing within six (6) months after the date of the refusal unless in the opinion of the *Development Authority* circumstances have changed enough to warrant consideration.

3.15 Developer's Responsibility

The *applicant* to whom a *development permit* has been issued shall obtain from the appropriate authority where applicable, permits relating to building, plumbing, gas, sewer and water mains, electricity and provincial highways, and all other municipal, provincial and federal permits required in connection with the *development*.

#### 4. PART FOUR – ENFORCEMENT

##### 4.1 General Provisions

- 4.1.1 No person *shall* commence any *development* or take any action that is contrary to the provisions of the *Bylaw* or to any permit or order issued under it.
- 4.1.2 A *Development Authority* may enforce the provisions of the *Bylaw*, and any permit or order issued under it.
- 4.1.3 After serving reasonable notice, a designated officer *may* enter a property in order to verify that a contravention exists or that an action required under Section 4.2 of this *Bylaw* has been completed.
- 4.1.4 If a person fails to comply with an order issued under Section 4.2 of this *Bylaw*, a designated officer *may* take whatever lawful action is necessary to ensure compliance.

##### 4.2 Stop Orders

- 4.2.1 If a *development*, land use, or *building* is found to contravene provisions of this *Bylaw* or conditions of a permit or order issued under this *Bylaw*, a *Development Authority* may serve the *landowner*, occupant or other person responsible with an order to:
  - (a) stop the *development* or the use of the land or *building* in whole or in part as directed by the notice;
  - (b) demolish, remove, or replace the *development*; or
  - (c) carry out any other action required by the notice to ensure compliance with this *Bylaw* or the conditions of a permit or order issued under this *Bylaw*.
- 4.2.2 An order issued under this section *shall* specify a date for completing the required action.

##### 4.3 Enforcement of Stop Orders

- 4.3.1 The *County* may register a caveat against the Certificate of Title for land that is the subject of an order under Section 4.2 of this *Bylaw*. The caveat shall be discharged upon achieving compliance with the order.
- 4.3.2 Costs to the *County* resulting from enforcement actions taken to achieve compliance with an order under Section 4.2 of this *Bylaw* may be added to the tax roll of lands subject to the order.

##### 4.4 Offences and Penalties

- 4.4.1 A person who contravenes or fails to comply with provisions of this *Bylaw* and any decision, condition or order made under it, or who obstructs or hinders any person in the administration or enforcement of this *Bylaw*, is guilty of an offence under the *Act*.
- 4.4.2 A person who is guilty of an offence under the *Act* is liable to a fine and/or imprisonment.



## 5. PART FIVE - AMENDMENT

### 5.1 General Provisions

- 5.1.1 *Council may* initiate an amendment to the text, schedules or land use district maps within this *Bylaw* in accordance with the *Act*.
- 5.1.2 Any *County* resident, *landowner* or their representative *may* apply to amend this *Bylaw* by submitting a written request to *Council*.
- 5.1.3 Any person applying to amend the land use district map must provide an authorization from all *landowners* that are the subject of the amendment.
- 5.1.4 If *Council* initiates an amendment to redistrict lands, all *landowners* within the area being redistricted *shall* be notified by mail at least thirty (30) days prior to first reading of the amendment.

### 5.2 Application Requirements

- 5.2.1 An application for a *Bylaw* amendment *shall* be made in writing and *shall* include:
  - (a) payment of a fee in accordance with the fee schedule adopted by resolution of *Council*;
  - (b) names, address, phone number and signature of the *applicant*;
  - (c) names, addresses, phone numbers and signatures of all registered owners of lands that are subject to the redistricting;
  - (d) a current copy of the Certificate of Title, searched and dated not more than thirty (30) days prior to the date on which the application is made, for each *lot* subject to the redistricting;
  - (e) a statement of the reasons for the proposed amendment;
  - (f) information as deemed necessary to evaluate the application, including but not limited to professional analyses of the potential impact of the proposed amendment on the environment, roads and public utilities and municipal services.
- 5.2.2 An application to redistrict to Direct Control *shall* be supported with an explanation of why a Direct Control District is desirable for the *site*, rather than other available Land Use Districts, having regard to the scale and character of the proposed *development* in relation to the surrounding area.
- 5.2.3 *Council may* determine that all or part of the application fee is to be returned to the *applicant*.

### 5.3 Amendment Process

- 5.3.1 An application for a *Bylaw* amendment *may* be circulated to any municipal, provincial or federal department, or to any other agency or body for information and comment.
- 5.3.2 An application for a text amendment, subdivision or site specific *Bylaw* amendment which *may* affect any land within an intermunicipal referral area *shall* be circulated to the relevant municipality for information and comment.
- 5.3.3 An amendment to redistrict a *lot shall* be circulated to the registered owners of all *adjacent land* for information and comment.
- 5.3.4 A *Bylaw* amendment *shall* be adopted in accordance with the provisions of the *Act* and *shall* include public notification and a formal public hearing.
- 5.3.5 Notwithstanding Section 5.3.4, if an amendment is only to correct clerical, technical, grammatical or typographical errors and does not materially affect the *Bylaw* in principle or in substance, it *may* be adopted without giving notice or holding a public hearing.
- 5.3.6 Where a proposed *Bylaw* amendment has been refused by *Council*, another application for the same, or substantially the same, amendment *shall* not be considered within one year of the date of the refusal unless *Council* directs otherwise.
- 5.3.7 When reviewing a proposed *Bylaw* amendment *Council may*:
  - (a) ask for additional information;
  - (b) approve proceeding with the amendment as presented;
  - (c) approve proceeding with the amendment with modifications; or
  - (d) refuse the proposal.

5.3.8 Amendments to Direct Control

An amendment to re-district land to a Direct Control District *shall* be considered only when the following conditions apply:

- (a) The *development* proposed on the land is, in the opinion of *Council*, considered appropriate, having regard to the *Bylaw*, the *Municipal Development Plan* and any other applicable statutory plan or policy.
- (b) The format and content of an adopted amendment to a Direct Control District shall be as follows:
  - i) The proposed district *shall* be laid out in a format similar to standard land use districts, which includes the general purpose of the district, a list of uses for the site and any other regulations which apply in addition or instead of any regulation in this *Bylaw*.
  - ii) A site plan, and/or elevations *may* be required to be attached to a Direct Control District as a schedule, where, in the opinion of *Council*, the complexity of the proposed *development* is such that a site plan and/or elevations would be necessary to clarify or interpret the written regulations of a Direct Control District.
  - iii) All approved Direct Control Districts *shall* be designated on the Land Use Maps by 'DC' followed by the next in a series of sequential reference letters and/or numbers.

## 6. PART SIX - GENERAL REGULATIONS

### 6.1 Applicability

The General Regulations apply to all land use districts in the *County* unless specifically excluded or modified by provisions elsewhere in the *Bylaw*.

### 6.2 Accessory Development

- 6.2.1 An *accessory building* shall be considered as a permitted use when it is accessory to a permitted use and as a discretionary use when it is accessory to a discretionary use.
- 6.2.2 Notwithstanding 6.2.1, an *accessory building* exceeding the maximum area prescribed as a permitted use in the district regulations shall be considered discretionary.
- 6.2.3 An *accessory building* shall not be used as a *dwelling* unless specifically approved for that purpose either as an accessory to a non-residential *development*, or as an additional *dwelling* on a residential site.
- 6.2.4 An *accessory building* shall not be permitted to locate within an easement.
- 6.2.5 Notwithstanding 6.2.4, the *Development Authority* may issue a permit for a movable *accessory building* to be located within an easement, provided the permit includes a condition ensuring that, at the request of the *County*, the structure will be removed at the sole cost of the *landowner*.
- 6.2.6 Where another *building* is attached to the *principal building* on a *site* by a roof, common wall or foundation, it is considered as part of the *principal building* and not an *accessory building*.

### 6.3 Airport Vicinity Protection Area

- 6.3.1 The *Development Authority* shall not approve a *development permit* application for any land within an Airport Vicinity Protection Area unless the *development* complies with the applicable regulations made under Section 693(1) of the *Act*.
- 6.3.2 Airport Vicinity Protection Area Regulations may be amended only by application to the Province.

### 6.4 Design and Appearance of Development

- 6.4.1 Proposed *development* within or adjacent to a *multi-lot residential subdivision*, shall be designed, constructed and maintained to the satisfaction of the *Development Authority* with respect to its appearance, including but not limited to:
  - (a) Rooflines, facades and exterior finishes;
  - (b) Satellite dishes, radio antennas, exterior lights, signs and other such equipment;
  - (c) *Outdoor storage* areas and garbage enclosures;
  - (d) Parking *lots* and internal roadways;
  - (e) Fencing and *landscaping*;
  - (f) Other factors deemed relevant by the *Development Authority*.
- 6.4.2 When reviewing the design and appearance of a *development*, the *Development Authority* shall consider the quality and durability of finishing materials, aesthetic compatibility with surrounding *development*, visual impacts on roadways and other public areas, site security, public safety, and any other factors deemed to be relevant.
- 6.4.3 When reviewing the design and appearance of a *development*, the *Development Authority* may solicit input from neighbouring *developments*, government departments and agencies, industry representatives, and any other relevant source.
- 6.4.4 The *Development Officer* and *Subdivision Authority* shall apply all design standards and requirements as outlined in the Land Use Bylaw. *Bylaw 18-09*
- 6.4.5 In Urban Growth Areas, the following shall apply:
  - (a) Gas utility enclosures shall be located away from street facing facades and screened from view. *Bylaw 18-09*
  - (b) Satellite dishes, when exposed to public view, shall be as inconspicuous as possible. *Bylaw 18-09*
  - (c) Where covered parking is provided, the scale, form and character shall be consistent with the building design. *Bylaw 18-09*

- (d) Pedestrian walks shall be designed at a gradient and with a surface that meets the safety and access requirements of all individuals. *Bylaw 18-09*
  - (e) Rooflines and building facades shall be articulated and varied to reduce the perceived mass and bulk of the building. *Bylaw 18-09*
  - (f) Other than in agricultural and industrial districts, mechanical equipment shall be screened or incorporated in the roof envelope. *Bylaw 18-09*
- 6.4.6 *Streetscapes shall be designed, constructed and maintained to the satisfaction of the Development Authority and/or the Subdivision Authority and must meet all County standards. Streetscapes in some Districts may have additional requirements to ensure that they are pedestrian friendly and adequately furnished, providing a safe focal point for all users to interact and socialize. Bylaw 18-09*
- 6.4.7 In *Urban Growth Areas*, stormwater infrastructure shall be designed, wherever possible, such that it includes low impact development techniques to mimic natural ecosystems, increases water infiltration, decreases the amount of stormwater to be treated, and to create opportunities for linear parks, open spaces, pathways, and aesthetic enhancement of surrounding properties. Construction of parks and pathways shall be to the specifications of the Leduc County Parks Design Standards. *Bylaw 18-09*
- 6.4.8 In *Urban Growth Areas*, buildings on corner and flank lots, at gateways, and at the termini of streets shall employ building elements and designs that emphasize their visibility and potential role as landmark or orienting structures within the community. *Bylaw 18-09*
- 6.4.9 In *Urban Growth Areas*, residential buildings facing or flanking a street, lane or open space shall provide a minimum window opening of 2.0 m<sup>2</sup> (21.5 sq. ft.) or 8% of the façade, whichever is greater, to encourage strong visual connections between the private and public realm and encourage these areas to be attractive, active and safe. *Bylaw 18-09*
- 6.4.10 In *Urban Growth Areas*, commercial buildings facing or flanking a street, lane or public open space shall provide a minimum window opening of 10% of the façade area if located within 30 meters from the street, lane or public open space. *Bylaw 18-09*
- 6.4.11 In *Urban Growth Areas*, all sides of a building exposed to view from a street or other public space shall be treated as principal facades. A high standard of design, detail and variety of materials shall be combined to create building facades with a distinct street presence. *Bylaw 18-09*
- 6.4.12 In *Urban Growth Areas*, Accessory building finishing material and roof pitch shall be designed and erected in harmony with the main building style and architecture unless restricted otherwise by the nature of the intended use in the accessory building. *Bylaw 18-09*
- 6.4.13 In *Urban Growth Areas*, rooflines and building façades shall be articulated and varied to reduce perceived mass and linearity of large buildings. A box-like appearance in building design and large expanses of uninterrupted blank façade shall be avoided. *Bylaw 18-09*
- 6.4.14 In *Urban Growth Areas*, the design and use of exterior finishing materials shall be to the satisfaction of the Development Authority which shall ensure, as far as reasonably practicable, that materials shall be used that ensure that the standard of the proposed buildings and structures shall be similar to, or better than, the standard of surrounding development. *Bylaw 18-09*
- 6.4.15 In *Urban Growth Areas*, the design of all structures and outdoor spaces shall discourage crime by reducing concealment opportunities, providing lighting to minimize dark spaces, placing of windows in order to maximize informal surveillance, and easily identifying street addresses. *Bylaw 18-09*
- 6.4.16 In *Urban Growth Areas*, public access areas shall be lit in keeping with the principles of Crime Prevention Through Environmental Design (CPTED) as detailed by the Royal Canadian Mounted Police and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and roads of parking and walkways. *Bylaw 18-09*
- 6.4.17 In *Urban Growth Areas*, direct and clearly marked pedestrian walks shall connect building entrances to parking lots and sidewalks of abutting streets. *Bylaw 18-09*

- 6.4.18 In a multifamily residential development, the design of each site shall ensure architectural compatibility of structures such that the principal design elements, finishing materials, colours and roof style shall be applied to each building with appropriate variations.

*Bylaw 18-09*

6.5 Environmental Considerations

- 6.5.1 On a *lot* adjacent to the North Saskatchewan River Valley a minimum setback of 50.0 m (164.0 ft) from the top of bank to any *development* shall be required to reduce *environmental impacts* and manage risk.
- 6.5.2 Further to 6.5.1, on a *lot* adjacent to any other permanent water body a minimum 20.0 m (65.6 ft) setback shall be required between the *top of bank* and any *development*.
- 6.5.3 On a *lot* adjacent to a slope of 15% (8.3°) or greater, or any slope which in the opinion of the *Development Authority* might be unstable, a geotechnical assessment by a professional engineer may be required in order to evaluate stability, and to recommend appropriate development setbacks, consistent with provincial guidelines.
- 6.5.4 Notwithstanding 6.5.1, 6.5.2 and 6.5.3 above, if the *Development Authority* is satisfied by the submission of a professional environmental and/or geotechnical assessment that the variance of a setback is warranted, the setback may be increased or reduced accordingly.
- 6.5.5 Within the minimum setback as required by 6.5.1 and 6.5.2 above, land disturbance and the removal of trees or vegetation shall be minimized to reduce environmental effects and the risk of property damage.
- 6.5.6 The *Development Authority* shall not approve a permanent *building* within the 1:100 year floodplain of any watercourse.
- 6.5.7 The *Development Authority* may approve a permanent *building* within the 1:100 year flood-fringe subject to flood-proofing to mitigate potential damage and indemnification of the *County* from potential liability.
- 6.5.8 The proponent of a *development* in or near an *environmentally sensitive area* may be required to submit an environmental impact analysis as part of the *development permit* application.
- 6.5.9 A Confined Feeding Operation (CFO) shall be discouraged within an environmentally sensitive area or in a location that may have an adverse effect on an environmentally sensitive area.
- 6.5.10 When considering development involving land in or near an *environmentally sensitive area*, the *Development Authority* may refer the application to federal or provincial departments and other relevant environmental agencies for comments prior to reaching a decision.
- 6.5.11 A *development permit* issued for a permitted or discretionary use within an *environmentally sensitive area* may include conditions for meeting specific environmental objectives determined by the *Development Authority*. Such conditions may include, but are not limited to, restrictions on site clearing and grading, additional setback requirements, retention of shelterbelts, fencing, siting and standards of buildings, emission controls, and buffering requirements.
- 6.5.12 Removal of natural vegetation and alterations to the natural drainage of lands within or adjacent to an *environmentally sensitive area* shall be discouraged.
- 6.5.13 Within the North Pigeon Lake and Wizard Lake Area Structure Plans, environmental setbacks shall be determined through the use of the Riparian Setback Matrix Model.

*Bylaw 21-10*

- 6.5.14 Notwithstanding 6.5.2 and subject to all relevant provisions:
- (a) Development may occur in the areas identified in 'Areas 1 and 2' of Schedule "A" of Bylaw No. 23-14 at the discretion of the Development Authority. The Development Authority may, at their discretion, request that any applications for development in these areas be supported by a professional environmental and/or geotechnical evaluation to determine if a site is suitable for development.

*Bylaw 23-14*

6.6 Landscaping

- 6.6.1 The *Development Authority* may require the *applicant* of a proposed *development* to provide decorative *landscaping* on the *site* as a condition of approval. In *Urban Growth Areas*, the *Development Authority* shall require the *applicant* of a proposed *development* to provide *landscaping* on the *site* according to the requirements as stipulated in this *Bylaw* as a condition of approval. Applicants are strongly encouraged to exceed those requirements. *Bylaw 18-09*
- 6.6.2 Existing Vegetation
- (a) In *Urban Growth Areas*, vegetation existing on a *site* shall be preserved and protected or replaced. If a *development* requires the permanent removal of existing vegetation, the reason(s) for the removal of the vegetation shall be to the satisfaction of the *Development Authority*. *Bylaw 18-09*
- (b) Where a *development* proposes the removal of one or more trees, the *Development Authority* may require a report from a certified arborist prior to removal. *Bylaw 18-09*
- 6.6.3 The *Development Authority* may require an application for a *development permit* to be accompanied by a *landscaping* plan prepared by a specialist or group of specialists. At the discretion of the *Development Authority*, approval of the *landscaping* plan may be required prior to issuance of the *development permit* or as a condition of *development permit* approval. For the purposes of this section, a specialist is a professional:
- (a) engineer,
- (b) architect,
- (c) landscape architect,
- (d) agronomist, or
- (e) person having, according to the *Development Authority*, the equivalent experience and skills as an individual listed above. *Bylaw 18-09*
- 6.6.4 Where a *landscaping* plan is required, the plan shall include the following:
- (a) boundaries and dimensions of the *site*,
- (b) keymap describing *adjacent land* uses, their boundaries and dimensions,
- (c) location of adjacent sidewalks, pathways, driveway entrances, easements, right-of-ways, and laneways,
- (d) location and name of adjacent streets,
- (e) footprint and dimensions for all *buildings*,
- (f) location, grade, and description of any sound mitigation measures if such measures are required or proposed,
- (g) all existing berms, contours, walls, *fences*, outdoor and street furniture, lighting, and decorative paving,
- (h) location of all existing plant materials to be retained,
- (i) location and description or illustrations of all proposed hard and soft *landscaping elements*. *Bylaw 18-09*
- 6.6.5 In *Urban Growth Areas*, *landscaping* shall be provided in those areas of a *site* which are not covered by a *building*, the required parking area and the manoeuvring areas, unless otherwise stipulated in the district in which the *site* is located. *Bylaw 18-09*
- 6.6.6 *Landscaping* may include hard elements such as decorative rock, brick, ceramic, wood and/or concrete; and soft elements such as grass, trees, *shrubs* and/or flower gardens. Earthen berms, ponds, ornaments, decorative walls, and *fences* may also be incorporated into *landscaping* designs. Other *landscaping elements* may be accepted by the *Development Authority*, especially when *landscaping* is done according to a specific theme. *Bylaw 18-09*
- 6.6.7 For the purposes of this *Bylaw*, a tree or *shrub* shall be:
- (a) structurally sound, well-balanced, healthy and vigorous,
- (b) of normal growth habits, and
- (c) densely foliated when in leaf, with a healthy, well developed root system. *Bylaw 18-09*
- 6.6.8 For the purpose of *landscaping* requirements as required in this *Bylaw*, a *landscaping element* is considered to be:

- (a) a deciduous tree having a minimum trunk caliper of 50 mm (2.0 in.) measured at 0.5 m (1.6 ft) above grade,
  - (b) a coniferous tree having a minimum height of 2.0 m (6.5 ft.) above grade,
  - (c) a group of three *shrubs*,
  - (d) a vine exceeding 2 meters in length,
  - (e) a flower bed covering a minimum area of 2.0 m<sup>2</sup> (21.5 sq. ft.),
  - (f) a lawn covering the entirety of a yard excepting areas reserved for the maneuvering and/or storage of vehicles or areas occupied by other *landscaping elements* as required by this *Bylaw*, or
  - (g) a combination of hard elements covering an area of 2.0 m<sup>2</sup> (21.5 sq. ft.) or greater, but not including areas reserved for vehicle maneuvering. *Bylaw 18-09*
- 6.6.9 Landscaping shall not include:
- (a) toxic or dangerous materials and/or substances, and
  - (b) materials, devices, components, and elements that *may* constitute a health or safety hazard. *Bylaw 18-09*
- 6.6.10 Vegetation used for *landscaping* shall be located such that it will grow to maturity without causing negative impacts to adjacent properties and/or public infrastructure. *Bylaw 18-09*
- 6.6.11 Where a *landscaping* plan is required, the requirements for the number of elements *may* be varied at the discretion of the *Development Authority* provided that existing elements are incorporated into the *landscaping* plan. *Bylaw 18-09*
- 6.6.12 In *Urban Growth Areas* all front yards on a residential *site*, excluding parking areas and driveways, shall be landscaped within 1 year from completion of the *development*. Other yards shall be landscaped according to a development agreement and/or a landscaping plan where applicable. For *development* in phases, the *landscaping* can follow the *development* phasing, but only if specified in a *landscaping* plan approved by the *Development Authority*. *Bylaw 18-09*
- 6.6.13 Where the required number of elements in a yard is a fractional number, it shall be rounded down if below 0.5 and rounded up if equal to or greater than 0.5. When calculating this requirement, the *lot* area required for primary or *accessory buildings* shall not be included in the calculation. *Bylaw 18-09*
- 6.6.14 Where a *development* does not include a *building*, *landscaping* requirements for the *front yard* shall be applied to the entire *lot* area. *Bylaw 18-09*
- 6.6.15 The owner of the property, or his/her successor or *assignees*, shall be responsible for the maintenance of *landscaping* to the satisfaction of the *Development Authority* and in concordance with any drainage plan affecting the property. If a *landscaping element* does not survive a two (2) year maintenance period, the *applicant* must replace it with a similar species type of comparable caliper width. *Bylaw 18-09*
- 6.6.16 At the time of *subdivision*, or as a condition of a *development permit*, an irrevocable letter of credit *may* be required, up to a value of one hundred twenty five percent (125%) of the estimated cost of the proposed *landscaping* to ensure that the *landscaping* is carried out with reasonable diligence. The condition of the security shall be that the *landscaping* shall be completed in accordance with this *Bylaw* and the plan within one (1) growing season after the completion of the *development*. If the *landscaping* does not survive the two (2) year maintenance period specified in Section 6.6.15, the amount fixed shall be paid to the *County* for the *County* to replace the *landscaping*. *Bylaw 18-09*
- 6.6.17 *Landscaping* plans addressing streetscape, screening, and/or nuisance mitigation shall be approved by Leduc County or its delegated authority prior to endorsement of a *subdivision*. *Bylaw 18-09*
- 6.6.18 *Landscaping* plans addressing streetscape, screening, and/or nuisance mitigation shall be approved by Leduc County or its delegated authority prior to approval of a *development permit*. *Bylaw 18-09*
- 6.6.19 Landscaping shall comply with:
- (a) plans approved for an existing *subdivision*,
  - (b) provisions stipulated in an existing agreement with Leduc County,
  - (c) provisions stipulated by an approved Area Structure Plan or an outline plan, or

- (d) any other documents, policies, Acts and Regulations that the *Development Authority* deems applicable. *Bylaw 18-09*
- 6.6.20 Notwithstanding the requirements for *landscaping* and/or screening in each district, *landscaping* and/or screening shall be required for all non-agricultural *development* within the Highway 2 corridor in accordance with the provisions of the Highway 2 Corridor Design Guidelines. *Bylaw 18-09*
- 6.6.21 A *site* used for a multi-unit residential or row housing *development* shall provide an amenity area within a year of construction completion for the active or *passive recreation* and enjoyment of the occupants of the *development*. The amenity area may consist of a single landscaped communal area or the amenity area may be divided into private, individual amenity areas adjacent to, and for the private use of, each residential *dwelling* unit, or some combination thereof. *Bylaw 18-09*
- 6.6.22 *Sites* in *Urban Growth Areas* shall be subject to the following requirements:
- (a) The owner of a *site* abutting a boulevard or a sidewalk adjacent to a boulevard is responsible for *landscaping* and maintaining said boulevard at the owner's expense. *Bylaw 18-09*
- (b) Where there is a separate *County* sidewalk, the owner of a *site* abutting a *County* boulevard is responsible, at the owner's expense, for the initial excavating, backfilling, leveling to final grade, and seeding or to perform other works that may be necessary to construct a turf boulevard. *Bylaw 18-09*
- (c) That portion of a *lane* that is not paved shall be maintained by the owner of the *site* abutting the *lane*, at the owner's expense. *Bylaw 18-09*
- 6.7 Lighting
- 6.7.1 Outdoor lighting on a *site* shall be located and designed so as to not interfere with the use and enjoyment of neighbouring properties, or with the safe and effective use of public roadways.
- 6.7.2 The maximum permitted height for a freestanding light pole is 9.0 m (29.5 ft.) above *building grade* unless otherwise determined by the *Development Authority* who shall have regard for the scale and character of adjacent *development* and any matters of aesthetics or public safety considered to be relevant.
- 6.7.3 Any applicant for a development or building permit in an Urban Growth Area shall submit evidence that proposed work involving outdoor lighting fixtures complies with the principles of dark sky lighting as outlined by the International Dark Sky Association. The submission shall include, but may not be limited to:
- (a) Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. *Bylaw 18-09*
- (b) Description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices and the description may include, but is not limited to, catalog cut sheets by manufacturers and drawings (including sections where required). *Bylaw 18-09*
- (c) Photometric data, such as that furnished by manufacturers, or similar showing the angle of cutoff or light emissions. Photometric data need not be submitted when the full cutoff performance of the fixture is obvious to the reviewing official. *Bylaw 18-09*
- 6.7.4 When submittal includes a statement by a registered design professional that the design is in accordance with this bylaw, the requirements of sub-sections 6.7.3 (a) and 6.7.3 (b) shall not apply. *Bylaw 18-09*
- 6.7.5 In an Urban Growth Area, bottom mounted outdoor advertising sign lighting shall be prohibited. *Bylaw 18-09*
- 6.7.6 In an Urban Growth Area, bottom mounted outdoor accent lighting shall be prohibited. *Bylaw 18-09*
- 6.7.7 In an Urban Growth Area, whenever possible outdoor lighting shall be shielded or utilize full cutoff light fixtures. *Bylaw 18-09*
- 6.7.8 The total amount of outdoor illumination on any *site* in an Urban Growth Area shall not exceed:



- (a) In commercial or industrial areas 200,000 total lumens per acre with 12,000 unshielded lumens;
  - (b) In residential areas 55,000 total lumens per acre with 12,000 unshielded lumens;
  - (c) In Town Centres 200,000 total lumens per acre with 12,000 unshielded lumens.
- Bylaw 18-09*

6.8 Lot Requirements

- 6.8.1 In all land use districts, a *development permit* for a *discretionary use* shall not be approved unless, in the opinion of the *Development Authority*, the *lot* is suitable for the proposed *development*.
- 6.8.2 When determining the suitability of a *lot* for *development*, the *Development Authority* shall consider the following elements:
- (a) *lot* size;
  - (b) topography and natural features;
  - (c) availability of potable water;
  - (d) method of sewage disposal;
  - (e) site drainage;
  - (f) road access;
  - (g) *environmental impacts*; and
  - (h) any other site-related factors considered to be relevant.
- 6.8.3 Where not prescribed in Parts 7 or 9 of this *Bylaw*, the minimum *lot* size for a proposed *development* shall be determined by the *Development Authority*, taking into account the setback requirements of the land use district, requirements for on-site sewage disposal and parking, and where specified, the minimum *floor area* required for the *development*.

6.9 Parking and Loading

- 6.9.1 All *development*, including building additions and changes in the use or intensity of use on a site shall be required to provide on-site parking in accordance with this *Bylaw*.
- 6.9.2 The minimum number of on-site *parking spaces* required for each use of a *building* or *development* shall be as follows:

- (a) Residential:

<i>Principal dwelling</i>	2 per <i>dwelling</i>
<i>Secondary dwelling</i>	1 per <i>dwelling</i> *
<i>Apartment dwelling</i>	1.5 per <i>dwelling</i> (for 1 or 2 bedroom <i>dwelling</i> ) or 2 per <i>dwelling</i> (3 bedrooms or more) + 1 per 7 <i>dwellings</i> for visitors
<i>Townhouse dwelling</i>	2 per <i>dwelling</i>
<i>Guest house</i>	1 per <i>dwelling</i> *
<i>Group home</i>	1 per 2 employees*
<i>Home Based Business</i>	1 per non-resident employee**
<i>Bed and breakfast</i>	1 per guest unit*
<i>Garden suite</i>	1 per garden suite*

\* In addition to the number of spaces required for the *principal dwelling*.

\*\* In addition to the number of spaces required for the *principal dwelling* as well as any commercial vehicles associated with the Home Based Business.

*Bylaw 18-09*

(b) Commercial:

<i>Business offices</i>	1 per 30.0 m <sup>2</sup> (323 sq. ft.) of GFA*
Medical and/or dental offices or clinics	4 per doctor or dentist
Retail and service shops with a GFA below 2000 m <sup>2</sup>	1 per 45.0 m <sup>2</sup> (484 sq. ft.) of GFA
Retail and service shops with a GFA 2000 m <sup>2</sup> to 20,000 m <sup>2</sup>	1 per 30.0 m <sup>2</sup> (323 sq. ft.) of GFA
Retail/service shops with GFA more than 20,000 m <sup>2</sup>	1 per 25.0 m <sup>2</sup> (269 sq. ft.) of GFA
<i>Restaurants, drinking establishments</i>	the greater of 1 per 4.0 seats or 1 per 10.0 m <sup>2</sup> (108 sq. ft.) of GFA
<i>Drive-in restaurants</i>	1 per 2.8 m <sup>2</sup> (30 sq. ft.) used by patrons
Automotive repair and services, auto body shops and tire shops	2 per service bay
<i>Hotels and motels</i>	1 per guest room + 1 per three employees on maximum shift +1 per 4 seats of any associated eating or <i>drinking establishment</i>

\* Gross Floor Area

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(c) Industrial:

Manufacturing plants; <i>general industrial, warehousing and storage</i> yards; servicing and repair establishments; research laboratories; and public utility buildings	1 per 100.0 m <sup>2</sup> (1076 sq. ft.) of GFA up to 2000 m <sup>2</sup> + 0.5 per extra 100 m <sup>2</sup>
Auction marts and <i>outdoor storage</i> yards	Determined by <i>Development Authority</i>

Bylaw 18-09

(d) Places of Assembly:

Private clubs, cultural facilities <i>religious assemblies</i> , recreation centres and other amusement or recreational establishments	the greater of 1 per 5 seats or 1 per 10.0 m <sup>2</sup> (108 sq. ft.) of GFA used by patrons
Exhibition and/ <i>convention facility</i>	1 per 5 fixed seating spaces + 1 per 10.0 m <sup>2</sup> of area used by patrons
<i>Golf course</i>	4 <i>parking spaces</i> per hole + parking for associated users as required by this <i>bylaw</i>

Bylaw 18-09

(e) Schools:

Elementary and Junior High Schools	the greater of 2 per classroom or 1 per 10 students
Senior High Schools	the greater of 5 per classroom or 1 per 5 students
Post-secondary and other college-type facilities	as determined by <i>Development Authority</i>

Bylaw 18-09

6.9.3 Where a use is not specified in 6.9.2, the number of stalls provided *shall* be the same as for a similar use as determined by the *Development Authority*.

6.9.4 Where a *development* on a *lot* includes more than one use, the required number of spaces *shall* be the sum of the requirements for each of the uses as specified in 6.9.2 unless it can be shown to the satisfaction of the *Development Authority* that *parking spaces* may be shared between uses with different hours of operation.

- 6.9.5 Where a fractional number of *parking spaces* are required by this *Bylaw*, the next highest number of stalls *shall* be provided.
- 6.9.6 All required on-site *parking spaces shall* be provided on the *lot* served by the parking unless arrangements have been made to the satisfaction of the *Development Authority*, to provide such parking on another *lot*. If another *lot* is to be used, the parking shall be located within 150.0 m (492.1 ft.) of the use they are intended for, and a safe and secure connection must be provided between the parking area and the use. *Bylaw 18-09*
- 6.9.7 Where permitted in the District Regulations, on-site parking within a front yard or flanking side yard *shall* be incorporated into a landscaping plan and screened to the satisfaction of the *Development Authority*.
- 6.9.8 A *parking space shall* be rectangular with a minimum width of 2.6 m (8.5 ft.) and length of 5.5 m (18 ft.), and minimum vertical clearance of 2.0 m (6.5 ft.).
- 6.9.9 Notwithstanding 6.9.8, where parallel *parking spaces* are provided, each internal space *shall* be increased to a minimum length of 7.0 m (23 ft.).
- 6.9.10 Aisles within on-site parking areas *shall* have a minimum width of 7.5 m (25 ft.) for 90° parking, 7.0 m (23 ft.) for 75° parking, 5.5 m (18ft.) for 60° parking and 3.6 m (12 ft.) for 45° parking or parallel parking.
- 6.9.11 Included within the required number of *parking spaces* for a development, sufficient public parking spaces for the disabled *shall* be provided in accordance with the requirements of the Alberta Building Code.
- 6.9.12 Where a merchandise and/or material loading area is required as part of a *development*, it *shall* be provided entirely within the *lot* boundaries to the satisfaction of the *Development Authority*. *Bylaw 18-09*
- 6.9.13 Where a passenger loading area is required as part of a *development*, it *shall* be:
  - (a) located as close as reasonably possible from an entry to the *building*,
  - (b) located in such a manner as not to interfere with any required space for emergency vehicles,
  - (c) not less than 5 meters in width,
  - (d) not less than 6 meters in length. *Bylaw 18-09*
- 6.9.14 Where a certain number of *parking spaces* are required for a use under section 6.9.2 of this By-Law, vehicle parking credit *may* be issued by the *Development Authority* if additional bicycle parking is provided *on-site*. *Bylaw 18-09*

6.10 Bicycle Parking

- 6.10.1 Where any *development* is proposed in a Multi-family, Town Centre, Convenience Commercial, or Neighbourhood Commercial district, including new *development*, change of use of existing *development*, or substantial enlargement of existing *development*, on-site bicycle parking shall be provided and maintained by the property owner in accordance with the requirements of this *Bylaw*. *Bylaw 18-09*
- 6.10.2 The minimum number of on-site *bicycle parking spaces* required for each use of a *building* or *development shall* be as follows:

1. All non-residential uses in an <i>Urban Growth Area</i> outside of a Town Centre district	5% of the number of vehicular parking spaces required under Section 6.9.3 to a maximum of 20 <i>bicycle parking spaces</i> with a minimum of 3 <i>bicycle parking spaces</i> to be provided
2. Institutional uses and educational facilities in an <i>Urban Growth Area</i>	10% of the number of vehicular <i>parking spaces</i> required under Section 6.9.3, with a minimum of 5 <i>bicycle parking spaces</i> to be provided
3. All residential and residential-related uses of 16 <i>dwellings</i> or more excluding freehold units, and all non-residential uses within a Town Centre district	20% of the number of vehicular <i>parking spaces</i> required under Schedule 1 to a maximum of 50 <i>bicycle parking spaces</i> , with a minimum of 5 <i>bicycle parking spaces</i> to be provided

*Bylaw 18-09*

### Size and Location of Bicycle Parking Facilities

- 6.10.3 Each *bicycle parking space* shall be a minimum of 0.6 m in width with a minimum clear length of 1.8 m. *Bicycle Parking spaces shall have a vertical clearance of at least 2.0 m.*  
*Bylaw 18-09*
- 6.10.4 Required *bicycle parking spaces* shall be wholly provided on the same *site* as the building unless arrangements have been made to the satisfaction of the *Development Authority* to provide such parking on another *lot*. *Bylaw 18-09*
- 6.10.5 Adequate access to and exit from individual *bicycle parking spaces* shall be provided with an aisle of not less than 1.5 m in width, to be provided and maintained beside or between each row of *bicycle parking*. *Bylaw 18-09*
- 6.10.6 Required *bicycle parking spaces* and accesses shall be located on hard paved surfaces.  
*Bylaw 18-09*
- 6.10.7 Bicycle parking shall be separated from vehicular parking by a physical barrier or a minimum 1.5 m of open space. *Bylaw 18-09*
- 6.10.8 *Bicycle parking spaces* shall be visibly located where possible and provided in one or more of the following ways:
- (a) secure bicycle storage rooms, lockers, racks, railings or other such devices inside the *building*, preferably at the ground level;
  - (b) secure bicycle storage rooms, lockers, racks, railings or other such devices in any accessory parking area; or
  - (c) within a required or non-required *yard* or *building setback* of a *site* but not more than 15.0 m from a principal entrance of the *building*, except: in the case of educational services *developments* where the students are restricted from using the principal entrance of the *building*, *Bicycle parking spaces* may be provided in the required or non-required *yards* of a *site*, no more than 15.0 m from the principal entrance of the *building* designated for student use. *Bylaw 18-09*
- 6.10.9 Where *bicycle parking* is not visibly located on a *site*, directional signage shall be displayed indicating its location. *Bylaw 18-09*
- 6.10.10 All *bicycle parking spaces* shall be situated to maximize visibility so as to discourage theft and vandalism, and shall be illuminated. *Bylaw 18-09*

### Design of Bicycle Parking Facilities

- 6.10.11 *Bicycle parking* shall be designed so that bicycles may be securely locked to the rack, railing or other such device without undue inconvenience and shall be reasonably safeguarded from intentional or accidental damage, in accordance with the following standards:
- (a) Bicycle parking shall hold the bicycle securely by means of the frame. The frame shall be supported so that the bicycle cannot fall or be pushed over causing damage to the bicycle.
  - (b) Bicycle parking shall accommodate:
    - i) locking both the frame and the wheels to the rack, railing or other such device with a high security U-shaped shackle lock, if the cyclist removes the front wheel;
    - ii) locking the frame and one wheel to the rack, railing or other such device with a high security U-shaped shackle lock, if the cyclist leaves both wheels on the bicycle; and
    - iii) locking the frame and wheels both to the rack, railing or other such device with a chain or cable not longer than 2.0 m without the removal of any wheels. *Bylaw 18-09*
- 6.10.12 Bicycle parking racks, railings or other such devices shall be anchored securely to a hard surface or fixed structure. *Bylaw 18-09*

6.11 Pipeline Setbacks

- 6.11.1 Development setbacks from pipeline rights-of-way, oil and gas installations and other utility corridors *shall* meet or exceed the requirements of the Province.
- 6.11.2 Notwithstanding 6.11.1, for the following uses, the minimum setback from the right-of-way of a pipeline with a maximum licensed operating pressure of 3447.5KPa or greater is:
- (a) 1.0 m (3.3 ft.) for an *accessory building*
  - (b) 15.0 m (50 ft.) for a principal residential, commercial or industrial *building*; and
  - (c) 200 m (656 ft.) for a *principal building* for community recreation services, private education, public education, spectator entertainment, exhibition and convention facilities, major health services, *religious assemblies*, or spectator sports.
- 6.11.3 The minimum setback from a pipeline with a maximum licensed operating pressure less than 3447.5KPa is 5.0 m (16 ft.) for all *principal buildings*.
- 6.11.4 Notwithstanding anything else in this Section, minimum setbacks from pipelines in *Urban Growth Areas* may be reduced by the *Development Authority*. *Bylaw 18-09*
- 6.11.5 In *Urban Growth Areas*, where pipelines and/or energy related facilities or infrastructure are located within or adjacent to a proposed *subdivision*, the *applicant shall* contact the facility or infrastructure operator in writing to inform it of the nature of the proposed project. *Bylaw 18-09*

6.12 Protection of Agricultural Operations

- 6.12.1 Within a land use district where an *agricultural operation* is listed as a permitted use, the *County shall* endeavor to protect such *agricultural operations* from any undue pressures that may arise due to nearby non-agricultural *development*.
- 6.12.2 Notwithstanding any other provision of this *Bylaw* that requires a minimum setback, the minimum distance of separation between a *dwelling* and a *Confined Feeding Operation* allowed under the Agricultural Operation Practices Act *shall* be equivalent to the required distance of separation between a proposed *Confined Feeding Operation* from an existing *dwelling*, as determined by the Natural Resources Conservation Board.
- 6.12.3 Where more than one minimum setback distance is applicable under this *Bylaw*, the greater distance *shall* prevail.
- 6.12.4 In all land use districts, residential development *shall* be discretionary if it is within the minimum distance separation for a *Confined Feeding Operation* allowed under the Agricultural Operation Practices Act.

6.13 Public Roadways

- 6.13.1 *Development* shall be set back from public roads in accordance with the minimum distances established in the district regulations, unless a variance is granted in a *development permit*.
- 6.13.2 *Development* within 300 m (984 ft.) of a provincial highway or 800 m (2625 ft.) of an intersection with a provincial highway *may* require approval from the *Province*.
- 6.13.3 *Development* adjacent to a provincial highway *may* be required to satisfy conditions that exceed the provisions of this *Bylaw*.
- 6.13.4 The location and construction standards of an access approach onto a *County* road *shall* be to the satisfaction of the *County*.
- 6.13.5 The location and construction standards of an access approach onto a provincial highway *shall* be to the satisfaction of the *Province*.
- 6.13.6 *Development* adjacent to the intersection of two or more roads *shall* not impede the visibility or safe movement of traffic.
- 6.13.7 The *Development Authority shall* consider the Highway 2 Corridor Design Guidelines when reviewing a proposed *development* located near or adjacent to Highway 2.
- 6.13.8 The location and construction standards of an access approach onto 41 Avenue SW at the southern boundary of the City of Edmonton shall be to the satisfaction of the Transportation Department of the City of Edmonton.
- 6.13.9 Sites *shall* be designed to adequately provide access to emergency vehicles in accordance with the requirements of the *Safety Codes Act*. *Bylaw 18-09*

- 6.14 Site Leveling, Infilling, Grading & Stockpiling *Bylaw 22-15*
- 6.14.1 No topsoil, fill, aggregate or other similar material shall be deposited on, moved within, or removed from a property without first obtaining a development permit, unless specifically exempt under section 3.2.
- 6.14.2 Any application made for Site Leveling, Infilling, Grading or Stockpiling under section 6.14 shall be processed as a *discretionary use* in all Districts, unless specifically exempt under section 3.2.
- 6.14.3 Where a development *site* requires leveling, infilling or grading, the topsoil on the site shall be removed, stockpiled, and replaced following completion of the site modifications.
- 6.14.4 Any development permit application that involves importing material from outside of the subject property to which the application is being considered, shall include the following, in addition to the application requirements set out in part 3.3, as an integral part of the application:
- Soil Testing, subject to the provisions of 6.14.10,
  - A detailed description of the source of the material being considered for the development permit (eg. legal land location, site map, aerial imagery),
  - A detailed description of the reason(s) for making the application (eg. infilling for construction purposes; to increase agricultural productivity; flood control)
  - Any other supporting information deemed necessary by the County to protect agricultural crop land from harmful contaminants.
- 6.14.5 Should any works undertaken under the provisions of 6.14 require the removal of any materials from the subject site, a disposal plan providing an overview of the means of disposal for any surplus topsoil or material shall be required at the time of application.
- 6.14.6 Site grading shall not be permitted to direct additional surface drainage from the subject lot onto an adjacent lot unless provided for in an approved drainage plan or storm water management plan for the area.
- 6.14.7 Site grading shall not be permitted to impede or interfere with the natural flow of surface water onto adjacent lands or public ditches.
- 6.14.8 Notwithstanding 6.13.7, where provincial approval to divert a natural water course has been obtained, a *development permit* may be issued for lot grading or site development that includes the approved diversion.
- 6.14.9 Materials used for infilling, grading or stockpiling on a site shall be free of contaminants and debris to the satisfaction of the *Development Authority* and the *Province* (where applicable). Any materials brought onto a premise from outside of the parcel subject to the development permit application, shall be required to submit, prior to approval being issued, professional testing to ensure that all materials are free of agricultural soil borne pests (including, but not limited to Clubroot of Canola) that may be of detriment to the development site, or surrounding areas, in accordance with the provisions of 6.14.8.
- 6.14.10 In order to protect the County's agricultural community, any material brought onto a property under the provisions of 6.14, unless exempt under section 3.2, shall require soil testing for agricultural soil borne pests (including, but not limited to Clubroot of Canola) to be completed by an accredited laboratory and the results be submitted to the County to accompany a Development Permit application. The following sample numbers (at minimum) shall be tested from the source material to reflect the amount of material being deposited:
- Up to 100m<sup>3</sup> – 1 sample
  - Up to 100,0m<sup>3</sup> – 5 samples
  - Up to 100,00m<sup>3</sup> – 10 samples
  - Up to 100,000m<sup>3</sup> – 20 samples
  - Over 100,000m<sup>3</sup> – To be determined by the County
- 6.14.11 Any sample results provided under the provisions of 6.14.10, that are found to contain any known contaminants, that in the opinion of the County, pose a risk to the site, surrounding area or agricultural community shall not be permitted.

- 6.14.12 Any sample results provided under the provisions of 6.14.10 for material sourced from outside of the County that is found to contain agricultural soil borne pests (including, but not limited to Clubroot of Canola) *shall* not be permitted.
- 6.14.13 Any sample results provided under the provisions of 6.14.10 for material sourced from within the County and intended for use on an agricultural parcel, or in close proximity to an agricultural parcel, that is found to contain agricultural soil borne pests (including, but not limited to Clubroot of Canola) *shall* not be permitted unless the applicant can demonstrate that the level of infection within the source material will not increase the existing infection level, (if any) of the lands in which the material will be placed.
- 6.14.14 Any sample results provided under the provisions of 6.14.10 for material sourced from within the County and intended for use on non-agricultural parcels, for non-agricultural use, and is found to contain agricultural soil borne pests (including, but not limited to Clubroot of Canola) *may* be permitted, providing the applicant can demonstrate, to the satisfaction of the County, that the material, its transit and its end use will not pose a risk to the Agricultural Crop land areas.
- 6.14.15 Development sites within the Nisku Business Park *shall* be graded to the satisfaction of the Leduc County Public Works and Engineering Department and *shall* meet the requirements of the approved storm water management plan for the area.
- 6.14.16 The Development Authority *shall* not issue a permit for the development of sites within an Urban Growth Area unless a Grading Deposit, as outlined in the Leduc County Fee Schedule, has been submitted to the County in accordance with the Leduc County Urban Lot Grading Policy. *Bylaw 29-11*
- 6.14.17 A Grading Deposit shall be refunded upon confirmation of grading compliance in accordance with the Leduc County Urban Lot Grading Policy. *Bylaw 29-11*
- 6.14.18 Proposals for the *stockpiling* of materials sourced from outside of the property, in which the development permit is being considered, *shall* be determined at the discretion of the Development Authority. The stockpiling of any materials that do not form an implicit part of a wider development proposal, that, in the opinion of the Development Authority, will create visual detriment to the surrounding area, *shall* not be permitted.
- 6.14.19 Should any proposed infilling or grading works be for the provision of future development, it *shall* be the responsibility of the applicant to demonstrate to the County, at the application stage, that the material being imported to the development site provides adequate ground stability for the intended use.
- 6.14.20 Any proposed works under 6.14 that affect a wetland, watercourse, environmentally sensitive area or any other factor deemed applicable, may be referred to Alberta Environment & Sustainable Resource Development for comment as deemed necessary. The County shall not issue a development approval on any proposal where approval is required under the Water Act, until the required approvals have been issued by the Province.
- 6.14.21 Any works that require a development permit under section 6.14 that are undertaken without a valid development permit *shall* be subject to the provisions of Part 4 – Enforcement, of this Bylaw. Where a contravention of this Bylaw has been identified under the provision of Part 4, any necessary enforcement action *shall* be strictly enforced and will be taken against the landowner of the property in contravention of the Bylaw in order to remedy any identified infringement. *Bylaw 22-15*
- 6.15 Sour Gas Facility – Setback Requirements
- 6.15.1 In the case of a Level 1 sour gas facility as determined by provincial authorities, no *development shall* be permitted within 100 m (330 ft.).
- 6.15.2 In the case of Level 2 sour gas facility as determined by provincial authorities:
- (a) No *dwelling shall* be permitted within 100 m (330 ft.); and
  - (b) No public facility *shall* be permitted within 500 m (1,670 ft.).
- 6.15.3 In the case of Level 3 or Level 4 sour gas facility as determined by provincial authorities:
- (a) No *dwelling shall* be permitted within 100 m (330 ft.);
  - (b) No residential *development* having a density of more than 8 *dwellings* per quarter section *shall* be permitted within 500 m (1,670 ft.); and

- (c) No public facility *shall* be permitted within 1500 m (4,921 ft.).

6.16 Tree Clearing

- 6.16.1 Tree clearing is considered to be a *discretionary use* in all land use districts, and shall require a *development permit* unless exempted by this *Bylaw*. Tree farms and the clearing of land for agricultural developments are exempted.
- 6.16.2 For the purposes of this *Bylaw*, tree clearing does not include commercial logging operations which are considered to be a *natural resource extraction* industry.
- 6.16.3 As part of an application for tree clearing, an *applicant* shall be required to provide the following information:
- (a) reasons for the proposed tree clearing;
  - (b) a description of the vegetation to be cleared;
  - (c) a site plan with dimensions showing the area to be cleared and any significant natural features on and adjacent to the area to be cleared;
  - (d) a proposed schedule for tree clearing and hauling,
  - (e) the proposed access and haul routes for removing timber; and
  - (f) plans for site restoration.
- 6.16.4 When considering an application for tree clearing, the *Development Authority* shall have regard for the environmental significance of the area to be cleared and the potential impacts on *adjacent lands*.

6.17 Wildfire Provisions

- 6.17.1 When evaluating a development application in or adjacent to *wildlands*, the *Development Authority* shall refer the application to the County Fire Chief and the County Safety Codes Inspectors for their review and comments with respect to fire safety.
- 6.17.2 As part of a development application in or adjacent to *wildlands*, an *applicant* may be required to provide the following information:
- (a) a description of all vegetation on the site;
  - (b) a site plan with dimensions showing all combustible materials on the site, including *buildings*, decks, fences, firewood storage, trees and brush;
  - (c) a description of the exterior building materials on all buildings;
  - (d) a contour drawing of the site;
  - (e) a description of any fire pit, burning barrel or chimney outlet and its location relative to combustible materials;
  - (f) a description of any propane, gasoline or diesel oil storage and its location on the site; and
  - (g) the location of overhead power lines on the site.
- 6.17.3 As part of a development application in or adjacent to *wildlands*, the *County* may require a wildfire hazard assessment.
- 6.17.4 As a condition of approval for a *development* in or adjacent to *wildlands*, the *County* may require that actions be taken to reduce the risk of wildfire, including the removal of natural vegetation and other combustible materials on the site and the use of non-combustible materials on the exterior of buildings.
- 6.17.5 Notwithstanding any other provision of this *Bylaw*, the minimum setbacks for a *building* situated adjacent to a *wildland* may be increased, in accordance with recommendations of the Alberta Fire Smart Program, in order to provide an adequate defensible space around the *building* in the event of wildfire.

6.18 Yard, Front

- 6.18.1 In the case of a corner *lot*, the front yard *shall* be the narrower of the two frontages unless otherwise determined by the *Development Authority*.
- 6.18.2 Where a corner site comprises more than one *lot*, the front yard of the entire site *shall* be taken on the same frontage as the corner *lot*.
- 6.18.3 The *Development Authority* may require a *double fronting lot* to provide front yard setbacks on each road to improve the streetscape appearance and achieve setback consistency with *development* on adjacent properties.



- 6.18.4 Where a *lot* is both a *corner lot* and a *double fronting lot*, the *Development Authority* shall determine which frontages shall be considered the front yard for purposes of building orientation and setback.
- 6.19 Screening and Fencing
- 6.19.1 Screening *may* be required by the *Development Authority* to minimize the impact of elements considered to be unsightly.
- 6.19.2 The *landowner shall* be responsible for the maintenance of screening and/or fencing to the satisfaction of the *Development Authority*.
- 6.19.3 In an *Urban Growth Area*, except as herein provided, the maximum height of a *fence shall* be:
- (a) for internal *sites*:
    - i) 2 m (6.6 ft) for that portion of the *fence* that does not extend beyond the foremost portion of the *principal building* on the *site*;
    - ii) 1 m (3.3 ft) for that portion of the *fence* that does extend beyond the foremost portion of the *principal building* on the *site*;
  - (b) for corner *sites*:
    - i) where there is a *front yard* and a flanking yard, 1 m (3.3 ft) where the *fence* extends into the *front yard* and/or the flanking yard;
    - ii) where there are two *front yards*, 1 m (3.3 ft) where the *fence* extends into the *front yard* on the narrow frontage and 1 m (3.3 ft) where the *fence* is located within the foremost portion of the *lot* between the *front yard* and the *rear yard*;
    - iii) 2 m (6.6 ft) for the portion of the fence located on those portions of the lot not included in Section 6.19.3(b)(i) and (ii). *Bylaw 3-13*
  - (c) i) Where a property in a residential district abuts or faces an arterial road or incompatible adjacent land use the *Development Authority* may approve a fence height to a maximum of 3.05 m (10 ft). *Bylaw 3-13*
- 6.19.4 In an *Urban Growth Area*, where a *site* has both its front and *rear yards* facing onto a street, approval of the *Development Authority* must be obtained prior to the erection of any *fences* on such a *site*. Size and specifications for *fences* in these areas must conform to the overall standard set for the area. *Bylaw 18-09*
- 6.19.5 A multi-family district adjacent to a single *detached dwelling* or district *shall* provide a *fence*, or other screening approved by the *Development Authority*, of not less than 1.5 m (5 ft) along the side abutting the single *detached dwelling* or district. *Bylaw 18-09*
- 6.19.6 No electrification of *fences* will be permitted in *Urban Growth Areas*. *Bylaw 18-09*
- 6.19.7 No barbed wire fences will be permitted in *Urban Growth Areas*. *Bylaw 18-09*
- 6.19.8 Screening elements *shall* be unobtrusive and aesthetically pleasing, with a size and height considered appropriate by the *Development Authority*, unless otherwise specified in a District with specific screening requirements. *Bylaw 18-09*
- 6.19.9 In an *Urban Growth Area*, the *Development Authority* may approve an entrance feature where the inclusion of such a feature is considered appropriate, and to a maximum height deemed acceptable at the discretion of the *Development Officer*. *Bylaw 3-13*
- 6.20 Noise mitigation
- 6.20.1 To ensure a high quality of life, the *Subdivision Authority may* require from an *applicant*, a sound study as a condition for approval of its *subdivision* when such proposal is adjacent to an *arterial road*, a *highway*, or a collector road within an *Urban Growth Area*, subject to Section 6.21.2. *Bylaw 18-09*
- 6.20.2 In the event that noise mitigation is required, the terms and conditions associated with such mitigation measures will be inserted in the *development* agreement. *Bylaw 18-09*
- 6.20.3 Costs associated with a noise study and resulting noise mitigation measures are the sole responsibility of the *applicant*. *Bylaw 18-09*

6.20.4 The *Subdivision Authority* or *Development Authority* may require specific materials, shape, or color to be included in a noise mitigation structure to the satisfaction of the County, in order to ensure its compatibility with other adjacent structures. Aesthetic values *shall* be considered in terms of strengthening the neighbourhood character, but without compromising the functionality of the structure. *Bylaw 18-09*

6.21 6.21 Projections into Yards

6.21.1 In *Urban Growth Areas*, the following *may* project up to 1.0m, provided the projection meets the provisions of the Alberta Building Code:

- (a) Architectural or ornamental features such as cornices, leaders, eaves, gutters, sills and awnings;
- (b) Cantilevered projections with or without windows but in all cases at least 1.2 m *shall* be maintained between the wall of the projection and the property line;
- (c) Fireplaces and chimneys, provided the horizontal length of the projection *shall* not exceed a total of 1.55 m;
- (d) Satellite dishes less than 1.0 m in diameter; and
- (e) Air conditioning units. *Bylaw 18-09*

6.21.2 Where there is more than one cantilevered projection and/or fireplace, the total horizontal length *shall* not exceed one-third of the length of the *building* wall exclusive of the *garage* walls. *Bylaw 18-09*

6.21.3 Where the cantilevered projection in Section 6.21.1 b) is in a required *side yard* that is not flanking a road, the horizontal length of anyone projection *shall* not exceed 3.0 m. *Bylaw 18-09*

6.21.4 In *Urban Growth Areas*, the following *may* project into a required yard as outlined below:

- (a) Patios, a maximum of 2.0 m into a required *front yard* and up to the *lot* line of a side and *rear yard* in non-residential districts;
- (b) Patios, a maximum of 2.0m into a required *front yard* and up to 1.2m from the lot line of a side and rear yard in residential districts;
- (c) Decks, a maximum of:
  - i) 0.6 m into a required yard less than 4.0 m;
  - ii) 2.0 m into a required yard of 4.0 m to 7.4 m; and
  - iii) 3.5 m into a required yard of greater than 7.4 m;
- (d) Unenclosed steps, landings and stairs (attached to a *principal building* and providing direct access to the *principal building* from ground level), a maximum of 2.0 m into a front and *rear yard* and not less than 0.3 m from the *lot* line of a *side yard*; and
- (e) Balconies, a maximum of 2.0 m into a required *front yard*, 3.5 m into a required *rear yard* and 0.6 m into a required *side yard*. *Bylaw 18-09*

6.21.5 Notwithstanding anything in this *Bylaw*, structures erected and equipment installed to ensure barrier-free access to a *development* or *building*, and which are projecting into a required yard, *may* be approved by the *Development Authority*, provided that the projection meets the provisions of the Alberta Building Code. *Bylaw 18-09*

6.21.6 Utilities, underground parking, and similar structures constructed entirely beneath the surface of the ground *may* encroach into required yards provided such underground encroachments do not result in a grade inconsistent with abutting properties and the encroachments are covered by sufficient soil depth or surface treatment to foster *landscaping*. *Bylaw 18-09*

## 7. PART SEVEN – SPECIFIC USE REGULATIONS

### 7.1 Applicability

7.1.1 The Specific Use Regulations apply to the identified use categories in all land use districts in the *County* unless specifically excluded or modified by provisions elsewhere in the *Bylaw*.

### 7.2 Agriculture, Confined Feeding Operations

7.2.1 *Confined Feeding Operations* are regulated by the Natural Resources Conservation Board in accordance with provincial regulations and are exempt from municipal control under this *Bylaw*.

7.2.2 Notwithstanding 7.2.1, development of a *confined feeding operation* shall be consistent with the policies of the *Municipal Development Plan*.

### 7.3 Bare land Condominium

7.3.1 Development of land within a *bare land condominium* shall be considered the same as the development of land within a fee simple *subdivision*, with each unit of land treated as an individual *lot*.

7.3.2 *Development* within a *bare land condominium* shall be subject to all of the provisions of the relevant land use district unless otherwise determined through a negotiated development agreement with the *County*.

### 7.4 Bed and Breakfast

7.4.1 A *bed and breakfast* shall be considered to be a *Home Based Business -Type 2* and shall be subject to the provisions of Section 7.18.4.

7.4.2 A *bed and breakfast* shall provide no more than three (3) rooms for the use of paying guests within the home. The *Development Authority* may increase this number to a maximum of six (6) rooms on a *lot* that is 4.0 ha (9.9 ac) or larger.

7.4.3 A *bed and breakfast* shall be located entirely within an approved *dwelling* and operated only by permanent resident(s) of the *dwelling* and no more than two (2) non-resident employees.

7.4.4 There shall be no more than one (1) *bed and breakfast* operation permitted on a *lot*.

7.4.5 The privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained at all times.

7.4.6 Interior or exterior alterations, additions or renovations to accommodate a *bed and breakfast* may be allowed provided such alterations, additions or renovations maintain the principal residential appearance or character of the *dwelling* and comply with this *Bylaw*.

### 7.5 Campground

7.5.1 When considering an application for *development* of a *campground* whether consisting of campsites or *recreational lots*, the *Development Authority* shall have regard for the suitability of the *site* based on its physical attributes, accessibility, surrounding land uses and environmental sensitivity.

7.5.2 A *campground* shall not be permitted within 305 m (1,000 ft.) of a *multi-lot residential subdivision*. Exceptions may be made when a highway bisects the minimum separation distance.

7.5.3 An application for a *campground* shall include a detailed plan showing natural contours and vegetation, vehicle and pedestrian circulation systems, children's play areas, utilities, buildings, service areas and proposed campsites to the satisfaction of the *Development Authority*.

7.5.4 The number and layout of campsites or *recreational lots* in a *campground* shall be to the satisfaction of the *Development Authority* which shall consider environmental sensitivity, privacy of campers, potential impact on roads, adjacent land uses, public recreation facilities and other factors considered relevant.

7.6 Childcare Facility

- 7.6.1 When considering an application for the *development* of a *childcare facility* the *Development Authority* shall take into account the size, configuration and quality of the *site* and associated *buildings*, adjacent land uses, potential traffic generation, proximity to *parks*, open spaces or recreation areas, and potential impacts on other *development* in the surrounding area.
- 7.6.2 The *Development Authority* shall establish the maximum number of children for whom care *may* be provided, having regard for provincial regulations, the nature of the facility and the density of *development* in the district in which it is located.
- 7.6.3 The *Development Authority* may consult with provincial and municipal child service agencies prior to making a decision.
- 7.6.4 A *childcare facility* shall provide, to the satisfaction of the *Development Authority*, a minimum of one (1) on-site *parking space* for every ten (10) children.

7.7 Communication Towers

- 7.7.1 The placement of *communications towers* and equipment are regulated under the Federal Ministry of Industry and are therefore exempt from municipal control. Such facilities however are encouraged to follow policy guidelines established in the *Municipal Development Plan*, any other statutory plan, and the provisions of this *Bylaw*.

7.8 Dwelling, Garden Suite

- 7.8.1 A *dwelling, garden suite* may be approved on a *lot* of 0.8 ha (2.0 ac) or more if, in the opinion of *Development Authority*, it would not interfere with the existing quality of life or character of the neighbourhood.
- 7.8.2 A *dwelling, garden suite* shall be located and designed to connect with *utilities* serving the host residence and shall not jeopardize services to neighbouring *lots*. If a proposed garden suite cannot practically be connected with the water or sewer utility on the site, it may be permitted to have a pump-out holding tank for sewage and/or a cistern for a potable water supply.
- 7.8.3 A *dwelling, garden suite* shall be designed, constructed, and finished in a manner that is, in the opinion of the *Development Authority*, visually compatible with the principal on the site and the general *development* of the neighbourhood.
- 7.8.4 The gross *floor area* of a garden suite shall be no less than 37.2m<sup>2</sup> (400 sq. ft.) and no more than 65m<sup>2</sup> (700 sq. ft.).
- 7.8.5 The maximum height of a garden suite shall be no more than 4.5m (14.7 ft.).
- 7.8.6 A garden suite shall comply with the minimum setback requirements of the district.
- 7.8.7 The *site* around a garden suite shall be graded to minimize pooling under or around the suite and to avoid storm water runoff onto adjacent *lots*.
- 7.8.8 A permit issued for a garden suite shall be temporary, for a term not exceeding five (5) years, and may be renewed upon subsequent application. Upon expiry of the permit, and if it is not renewed, the suite shall be removed or incorporated into the dwelling, principal and the site restored to the satisfaction of the *Development Authority*.

7.9 Dwelling, Manufactured Home

- 7.9.1 A *dwelling, manufactured home* shall have C.S.A. certification, or an equivalent to the satisfaction of the *Development Authority*, to be submitted with the *development permit* application.
- 7.9.2 A *dwelling, manufactured home* shall be placed on a proper foundation in accordance with Alberta Building Code Regulations. The foundation shall be temporary where a *dwelling, manufactured home* is limited to a temporary approval as a *dwelling, secondary* under Section 7.11.4.
- 7.9.3 The undercarriage of a *dwelling, manufactured home* shall be completely screened from view by a foundation, skirting or structural addition to the satisfaction of the *Development Authority*.
- 7.9.4 The design, construction and appearance of all steps, porches, decks and additions shall be of a standard that is compatible with that of the *dwelling, manufactured home*.

7.10 Dwelling, Moved-In

- 7.10.1 In any District allowing residential uses, a previously owned *dwelling, detached* moved onto an existing *lot* shall be considered a *discretionary use*.
- 7.10.2 A *dwelling, moved-in* shall not be approved unless, in the opinion of the *Development Authority*, the *building* is designed, constructed, and finished in a manner that is visually compatible with existing *development* in the neighbourhood.
- 7.10.3 As a condition of development approval, the *Development Authority* may require a letter of agreement and a security from the *applicant* to ensure the satisfactory completion of any required site work, construction, or finishing of a *dwelling, moved-in*.

7.11 Dwelling, Secondary

- 7.11.1 A Dwelling, Secondary may include a Dwelling, Detached, Dwelling, Garden Suite, Dwelling, Secondary Suite, Dwelling, Custodial Suite or Dwelling, Manufactured Home as defined and regulated under this Bylaw.
- 7.11.2 Where permitted in the District Regulations, a Dwelling, Secondary shall be approved on a lot of 32.4 ha (80 ac) or greater provided it complies with the provisions of this Bylaw.
- 7.11.3 Notwithstanding 7.11.2, a lot that is slightly less than 32.4 ha (80 ac) due to the provision of land for a road widening, utility lot or similar use may be considered to be the same as a 32.4 ha (80 ac) lot for the purposes of this section.
- 7.11.4 On a lot 32.4 ha (80.0 ac) or greater, where there are already two dwellings, principal and a dwelling, secondary, an additional dwelling, secondary shall be limited to a Dwelling, Garden Suite, Dwelling, Secondary Suite or Dwelling, Custodial Suite.
- 7.11.5 On a lot between 0.8 ha (2.0 ac) and 32.4 ha (80.0 ac) in area, a Dwelling, Secondary may be approved subject to the following conditions:
- (a) On a lot less than 2.0 ha (4.9 ac) a Dwelling, Secondary shall be limited to a Dwelling, Garden Suite, or Dwelling, Secondary Suite, only;
  - (b) On a lot between 2.0 ha(4.9ac) and 32.4ha (80), dwelling, secondary shall not include a dwelling, detached; but may include a dwelling, manufactured home; a dwelling, garden suite; or dwelling, custodial suite on a discretionary basis.
- 7.11.6 Notwithstanding 7.11.5, on any *full-serviced residential lot* a *dwelling, secondary suite* may be approved subject to such conditions as are deemed to be necessary to ensure that the development will not have an adverse impact on adjacent properties.
- 7.11.7 Where exercising discretion under 7.11.5, the *Development Authority* must be satisfied that the *Dwelling, Garden Suite* or *Dwelling, Secondary Suite* is suitable and compatible with the physical aspects of the *lot* and the residential image of the neighbourhood.
- 7.11.8 Upon expiry of a limited-term permit issued in accordance with 7.11.5 (b), the *dwelling, secondary* shall be removed and the site restored to the satisfaction of the *Development Authority*. In the case of *dwelling, secondary suite*, the cooking facilities, including 240 volt wiring, shall be removed.
- 7.11.9 A limited-term permit for a *dwelling, secondary* on a *lot* less than 32.4 ha (80.0 ac) issued prior to adoption of this *Bylaw*, may be renewed notwithstanding its compliance with 7.11.5 (a).

7.12 Dwelling, Secondary Suite

- 7.12.1 The registered owner of a *lot* shall:
- (a) be limited to one *secondary suite* or, one family care *dwelling*, unless otherwise allowed within the district; and
  - (b) not subdivide title for a *secondary suite*. The restriction of *subdivision* shall be fundamental to the *secondary suite* use. Bylaw 18-09
- 7.12.2 A secondary suite shall:
- (a) be an accessory use to the *principal dwelling*;
  - (b) create minimal structural changes to the front exterior of the *principal building*, which shall appear as a single *dwelling* unit;
  - (c) have a maximum *floor area* of:
    - i) 80 m<sup>2</sup> within *Urban Growth Areas* and in other *hamlets*;
    - ii) 100 m<sup>2</sup> outside *Urban Growth Areas* and other *hamlets*; or

- iii) 40% of the gross *floor area* of the *principal dwelling*, whichever is less.
  - (d) have a minimum *floor area* of 30 m<sup>2</sup>;
  - (e) contain at least two rooms in which a bedroom, cooking facilities and a bathroom are provided;
  - (f) have full *utility* services through service connection from the *principal dwelling* for those *developments* located within *Urban Growth Areas*;
  - (g) comply with the Alberta Building Code and all other Municipal and Provincial regulations;
  - (h) be provided with off-street parking in accordance with Section 6.9.3; and
  - (i) where applicable, not be considered in the maximum density prescribed for the neighbourhood in which it is located. *Bylaw 18-09*
- 7.12.3 A *secondary suite* may be located within a *principal dwelling* or an *accessory building*, provided it meets the regulations of the district in which it is located. *Bylaw 18-09*
- 7.12.4 Notwithstanding provisions elsewhere in this *Bylaw*, in the case of a *secondary suite* in an *accessory building*, the following *shall* apply:
- (a) the maximum height of the accessory structure *shall* be in accordance with the regulations of the district in which it is located;
  - (b) the roof pitch of the accessory structure *shall* match or compliment the roof pitch of the *principal dwelling* or, *shall* be to the satisfaction of the *Development Authority*; and
  - (c) the minimum yard requirements of the district in which the accessory structure is located, *shall* be applicable. *Bylaw 18-09*
- 7.12.5 A secondary suite shall not be developed within the same dwelling containing a group home, care centre, family care dwelling or bed and breakfast. *Bylaw 18-09*
- 7.12.6 Where a *secondary suite* is located on a *site* that is outside any designated Growth Area, adequate water and sewer capacity is required. *Bylaw 18-09*
- 7.12.7 A single *dwelling* use *shall* exist on a parcel prior to the application for a *development permit* for a *secondary suite*. *Bylaw 18-09*
- 7.13 Excavation, Stripping and Grading
- 7.13.1 Where a proposed excavation, stripping or grading operation is not part of the overall *development* of a site for which a *development permit* has been approved, or is not required as a condition of a development agreement with the *County*, a *development permit* for the operation *shall* be required.
- 7.13.2 In addition to the information requirements of Section 3.3, an *applicant shall* submit plans showing the location and dimensions of proposed excavations, stripping and grading, the effect on drainage patterns, a description of the site restoration and proposals for preventing nuisance.
- 7.14 Frame and Fabric Structures
- 7.14.1 A *frame and fabric structure* may be permitted for a period of up to five years and only as an *accessory building* to an approved *principal building* on the *site* and within districts where frame and fabric structure use is listed as discretionary.
- 7.14.2 Notwithstanding 7.14.1, an engineered frame and fabric structure may be permitted on a site with no principal building if the principal use of the site is utility service, major.
- 7.14.3 Notwithstanding 7.14.1, a frame & fabric structure shall be exempt from the requirement of a development permit in agricultural districts for the sole purpose of an Agricultural use that is exempted under 3.2.1 (b), providing that it meets all other relevant provisions of the Land Use Bylaw.
- 7.14.4 A *frame and fabric structure* permitted under 7.14.1 shall only be allowed as an accessory building to an approved principal building on the site, and shall be reviewed in accordance with the accessory building regulations of the appropriate district.
- 7.14.5 If a *frame and fabric structure* permitted under 7.14, it shall be the landowners responsibility to repair, replace or remove the structure should it begin to show signs of wear & tear, damage, discoloration or any other factor deemed to be detrimental to safety

or aesthetical value. Failure to accord to this may result in the pursuit of enforcement action under Part Four.

- 7.14.6 With the exception of an exemption under 7.14.3, in the Agricultural District, a frame and fabric structure shall not be located in a front yard. *Bylaw 10-16*

7.15 Gas and Oil Facilities

7.15.1 The *development* of oil and gas pipelines and associated structures, and wells and batteries as defined in the Oil and Gas Conservation Act, are regulated by provincial authorities and generally exempt from municipal control.

7.15.2 Where a *development* is required by provincial authorities to obtain a *development permit* from the *County*, it *shall* be subject to the applicable district regulations of this *Bylaw* and any conditions deemed appropriate by the *Development Authority* to minimize its impact on adjacent *development* and on the environment.

7.16 Group Home

7.16.1 In considering an application for a *group home*, or a *group home, limited*, the *Development Authority* shall take into account the size of the *lot*, distances from adjacent *developments*, potential traffic generation and impact on the use and enjoyment of neighbouring *lots*.

7.16.2 The *Development Authority* shall establish the maximum number of persons for which care *may* be provided, having regard for provincial regulations, the nature of the facility, and the density of the land use district in which it is located.

7.17 Guest House

7.17.1 A *guest house* may be all or part of an accessory building and is not intended to be used as a self contained unit.

7.17.2 There shall be no more than one *guest house* per *lot*. The *guest house* shall be subordinate in size to the *dwelling, principal*.

7.18 Hazardous Materials

7.18.1 Where allowed under the District Regulations, the location of storage or processing facilities for hazardous materials *shall* be at the discretion of the *Development Authority* and *shall* meet or exceed minimum requirements of provincial and federal legislation.

7.19 Home Based Business

7.19.1 A Home Based Business *shall*:

- (a) Not be approved on a lot without an occupied dwelling.
- (b) Not negatively affect neighbouring or adjacent residents by way of excessive lighting, operation at unreasonable times, traffic, noise, dust, or excessive on-street or off-street parking or any other factor considered relevant.
- (c) Not detrimentally vary the external appearance of land or buildings.
- (d) Not occupy more than 30% of the gross floor area of the principal dwelling or 50% of any accessory buildings.
- (e) Not use a County road for parking.
- (f) Be limited to one home based business per parcel. *Bylaw 23-16*

7.19.2 A Home Based Business *Type 1* shall:

- (a) Not store materials and equipment outdoors.
- (b) Not erect on-site signage.
- (c) Not permit client visits.
- (d) Not utilize commercial business vehicles.
- (e) Employ only residents who permanently reside in the dwelling.
- (f) Not operate outdoors. *Bylaw 23-16*

7.19.3 A Home Based Business *Type 2* shall:

- (a) Not store materials and equipment outdoors.
- (b) Not fabricate, repair or maintain equipment other than to service a permitted commercial vehicle.

- (c) Limit signage to one (1) non-illuminated identification *sign* not exceeding 1.0 m<sup>2</sup> (10.0 ft<sup>2</sup>) in size subject to the provisions Part Eight (8).
  - (d) Be associated with no more than one (1) commercial vehicle, parked and maintained on the site; Vehicles *shall* not exceed one ton in weight.
  - (e) Restrict the number of non-resident employees to one (1).
  - (f) Limit client visits and vehicle traffic at the discretion of the Development Authority.
  - (g) Not occupy more than 30% of the gross floor area of the principal dwelling or 50% of any accessory buildings.
  - (h) Be limited to a maximum two year approval period, which will be subject to review through reapplication prior to expiration.
  - (i) Not be located in a Dwelling, Secondary.
  - (j) Not operate outdoors Bylaw 23-16
- 7.19.4 *A Home Based Business Type 3 shall:*
- (a) Not be permitted in a multi-lot residential subdivision (4 or more contiguous parcels for residential purposes) or within 400 m (1,312 ft) of an existing multi-lot residential subdivision.
  - (b) Screen Outdoor Storage from public view to the satisfaction of the Development Authority. The maximum permissible area for outdoor storage is 92.9m<sup>2</sup> (1000 ft<sup>2</sup>).
  - (c) Be limited to one (1) non-illuminated identification *sign* not exceeding 1.0 m<sup>2</sup> (10.0 ft<sup>2</sup>.) in size subject to the provisions Part Eight (8).
  - (d) Be limited to a maximum two year approval period, which will be subject to review through reapplication prior to expiration.
  - (e) Have no more than two (2) commercial vehicles and one (1) trailer, parked and maintained on the site. Vehicles *shall* be restricted to one vehicle, 1 ton or under and one vehicle over 1 ton up to a maximum of a semi-truck and associated trailer.
  - (f) Limit the number of non-resident employees to a maximum of three (3).
  - (g) Limit the number of non-resident employee vehicles parked on the site to a maximum of three (3).
  - (h) Limit client visits and vehicle traffic at the discretion of the Development Authority.
  - (i) Restrict outdoor activity to the loading and unloading of equipment to within an approved Outdoor Storage area.
  - (j) Not be located in a Dwelling, Secondary. Bylaw 23-16
- 7.20 Kennel
- 7.20.1 *A kennel shall* not be permitted within or adjacent to a *multi-lot residential subdivision* or closer than 400 m (1,312 ft.) from the boundary of a *multi-lot residential subdivision*. Exceptions *may* be made when a highway bisects the minimum separation distance.
  - 7.20.2 *A kennel* within 400 m (1,312 ft.) of a *multi-lot residential subdivision* that provides, to the satisfaction of the *Development Authority*, evidence of its existence prior to passage of this *Bylaw* *may* be permitted to continue operating but will not be permitted to expand.
  - 7.20.3 All *kennel buildings* and exterior exercise areas *may* be required to have soundproofing and *screening* to the satisfaction of the *Development Authority*.
  - 7.20.4 All *kennel operators* shall be required to obtain a *kennel license* from the *County* and are subject to the regulations of the Animal Control Bylaw.
  - 7.20.5 All facilities *shall* be kept in a manner satisfactory to the health authority.
  - 7.20.6 No *building* or exterior exercise area used to accommodate dogs *shall* be located within 30 m (98 ft.) of any property line of the *lot* on which the *kennel* is located.
  - 7.20.7 No *building* or exterior exercise area used to accommodate dogs *shall* be located within 90 m (295 ft.) of any *dwelling* on an adjacent *lot*.
  - 7.20.8 All exterior exercise areas (runs) *shall* be enclosed with a fence acceptable to the *Development Authority*.



7.20.9 All kennel *buildings* and exterior exercise areas *shall* be sited behind the *principal building*.

7.21 Manufactured Home Park

7.21.1 The minimum parcel area for a manufactured home park shall be 4.0 ha (9.88 acres)

7.21.1 Manufactured home sites within a park shall conform to the following:

- (a) Minimum width is 12.0m (39.4 feet) for a single-wide unit and 18.0m (59.0 feet) for a double-wide unit.
- (b) Minimum depth is 33.5m (110.0 feet) for all units.
- (c) The boundaries of each site shall be clearly marked by permanent markers.

7.21.2 A *manufactured home park* shall be required to provide piped water and sewer services to each manufactured home site.

7.21.3 Prior to receiving a *development permit* for a *manufactured home park*, the *applicant* shall enter into an agreement with the *County*, specifying the required standards and respective obligations to be assumed by the *applicant* and the *County* regarding:

- (a) the establishment, operation and maintenance of services during the life of the *manufactured home park*, including but not limited to:
  - i) storm sewers, ditches;
  - ii) sanitary sewers;
  - iii) water services;
  - iv) fire fighting facilities;
  - v) roads, sidewalks, walkways, curbs and easements;
  - vi) *parks* and playgrounds;
  - vii) street lighting;
  - viii) snow clearance; and
  - ix) garbage collection.

(b) other matters as *may* be deemed necessary by *Council*.

7.21.5 Utilities infrastructure and roads *shall* be designed and constructed to the satisfaction of Leduc County Public Works and Engineering.

7.21.6 Two separate means of public vehicular access to a *manufactured home park* shall be provided to ensure access for emergency vehicles.

7.21.7 Two (2) off-street *parking spaces* shall be provided for each manufactured home site.

7.21.8 A minimum of one (1) visitor's *parking space* for every four (4) manufactured home sites shall be provided to the satisfaction of the *Development Authority*.

7.21.9 Within a *manufactured home park* a communal storage area of 14.0 m<sup>2</sup> (151 sq. ft.) per manufactured home site shall be provided for seasonal recreational equipment and other equipment not suitable for storage on individual manufactured home sites. Such areas shall be enclosed and screened by landscape features or fencing to the satisfaction of the *Development Authority*.

7.21.10 A *manufactured home park* may include a community service or recreation *building* for the common use of park residents.

7.21.11 A minimum of 10% of the gross area of a *manufactured home park* shall be designated for recreational use. Such areas shall be free from traffic hazards and conveniently situated for the use of all park residents.

7.21.12 All open areas not used for traffic circulation, parking, storage and service facilities shall be landscaped to the satisfaction of the *Development Authority*.

7.22 Natural Resource Extraction

7.22.1 *Natural Resource Extraction* shall be allowable only in the Direct Control District.

7.22.2 *Natural Resource Extraction* shall be subject to the district regulations of this *Bylaw* and may require community, provincial and/or federal involvement in determining the conditions of any development approvals in order to minimize the impact on adjacent *developments* and on the environment.

7.22.3 Natural Resource Extraction operations shall be required to reclaim, to the satisfaction of the County and relevant government agencies or departments, all lands affected by the

operations and *shall* be required to submit reclamation plans when applying for a development permit.

- 7.22.4 Notwithstanding the discretionary uses prescribed within the various Land Use Districts within this Bylaw, *Natural Resource Extraction shall* not be permitted within 100m of an existing dwelling, nor *shall a dwelling* be permitted within 100m of a Natural Resource Extraction operation. This minimum setback requirement *shall* not be applicable if an existing dwelling is on the same parcel as a proposed *Natural Resource Extraction* operation.
- 7.22.5 The following conditions *shall* be included upon approval of an application for natural resource extraction use in addition to any other conditions imposed pursuant to this Bylaw:
- (a) Limitations on the hours of operation; and
  - (b) Requirement to enter into a Road Use Agreement with the County for the provision of dust control and the maintenance of roads used in direct relation to the operation.

### 7.23 Outdoor Storage

7.23.1 The following *shall* apply in all Districts:

- (a) No person *shall* store goods, products, materials or equipment outside of a *building* unless the storage is subject of an approved *development permit* or deemed by the *Development Authority* to be an integral part of another use that has been approved or 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) No *outdoor storage* activity *may* be undertaken if in the opinion of the *Development Authority* it would unduly interfere with amenities of the district or adversely affect neighbouring *lots* by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious or hazardous emissions.
- (d) *Outdoor storage* areas *shall* be located, developed and maintained in a neat and orderly manner to the satisfaction of the *Development Authority*.

7.23.2 In addition to 7.22.1, the following *shall* apply in the Commercial Districts and Industrial Districts:

- (a) There *shall* be no *outdoor storage* of goods, products, materials or equipment permitted within a required front yard setback.
- (b) *Outdoor storage* areas *shall* be graded and surfaced to the satisfaction of the *Development Authority*.
- (c) Fencing and/or *landscaping* to the satisfaction of the *Development Authority may* be required as a condition of approval for any *outdoor storage*.

### 7.24 Show Homes and Sales Offices

7.24.1 *Sites* used for a *show home shall* require an application to the *Development Officer* for a second *Development Permit* allowing the use of the *building* as a *show home*. Such an application *shall* be accompanied by information indicating:

- (a) the location and area intended as a *show home* site;
- (b) *parking* provisions;
- (c) any exterior lighting; and
- (d) any signs which may be permissible.

*Bylaw 18-09*

7.24.2 The *building shall* not be operated as a *show home* or sales office for a period in excess of twelve months without the renewal of the *Development Permit*. *Bylaw 18-09*

7.24.3 The appearance of the *building shall*, in the opinion of the *Development Officer*, be compatible with the character of other *buildings* in the vicinity. *Bylaw 18-09*

## 8. PART EIGHT - SIGN REGULATIONS

### 8.1 General Provisions

- 8.1.1 Unless specifically exempted under 3.2.1 of this *Bylaw*, placement of a *sign* on any land within the *County* shall require a *development permit*.
- 8.1.2 Unless exempted under 3.2.1 of this *Bylaw*, a *sign* shall be considered a discretionary use in all land use districts.
- 8.1.3 An application for a *development permit* for a *sign* shall include drawings, acceptable to the *Development Authority*, that include:
- (a) a site plan showing distances to property lines, approaches or driveways, and existing *buildings*;
  - (b) elevations showing overall dimensions and height of the *sign*, projections of the *sign* from any part of the *building* or over public property, and clearances above *building grade*;
  - (c) the proposed graphics, including the size of letters or numbers on the *sign*; and
  - (d) the manner of illuminating the *sign*.
- 8.1.4 The quality, aesthetic character and finishing of a *sign* shall be to the satisfaction of the *Development Authority*.
- 8.1.5 A *landowner* may be required to remove or repair any *sign* which in the opinion of the *Development Authority* is unsightly or in such a state of disrepair as to constitute a hazard.
- 8.1.6 No *sign* shall obstruct free and clear vision of vehicular and pedestrian traffic.
- 8.1.7 No *sign* shall interfere with or be confused with an authorized traffic sign, signal or device.
- 8.1.8 No *sign* other than one exempted under 3.2.1 or allowed under 7.19 shall be placed within any *multi-lot residential subdivision*.
- 8.1.9 No *sign* shall be placed within 300 m of a provincial highway or 800 m of an intersection with a provincial highway without prior approval from the *Province*.
- 8.1.10 No *sign* shall be placed on any public lands without prior approval from the administrative authority responsible for those lands.
- 8.1.11 Every application for an illuminated or animated *sign* will be considered according to its individual merits. A permit may be granted, provided that:
- (a) the *sign* conforms to all other regulations in this *Bylaw*;
  - (b) in the opinion of the *Development Authority*, the illumination or animation will not create a hazard to traffic on any public roadway or interfere with the use or enjoyment of any adjacent property.
- 8.1.12 The face area of a freestanding *sign* shall not exceed 8.00 m<sup>2</sup> (86.1 sq. ft.) for the first 15.0m (49.2 ft.) of lineal frontage, plus 0.1 m<sup>2</sup> (1.1 sq. ft.) for each additional lineal foot of frontage to a maximum of 20 m<sup>2</sup> (215 sq. ft.).
- 8.1.13 Notwithstanding 8.1.12, on a *lot* designated industrial or commercial by this *Bylaw*, a freestanding *sign* exceeding the maximum copy area may be approved, provided it complies with this *Bylaw* and, in the opinion of the *Development Authority*, does not detract from or interfere with other approved *developments*.
- 8.1.14 The maximum height of a freestanding *sign* shall be 9.0 m (29.5 ft.) above grade level at the nearest point on the edge of the carriageway of an adjacent public road.
- 8.1.15 Notwithstanding 8.1.14, the *Development Authority* may vary the maximum permitted height of a freestanding sign providing that it does not unduly impact the site or its surroundings and complies with the relevant provisions of this *Bylaw* and any other relevant statutory, or non statutory document. *Bylaw 11-14*
- 8.1.16 There shall be no more than one (1) freestanding sign per *lot* frontage, although there may be multiple sign faces allowed on a freestanding sign where more than one business occupies the *lot*.
- 8.1.17 The maximum height of any sign other than a freestanding sign shall be determined by the *Development Authority* which shall have regard for the scale and character of adjacent *development* and any matters of aesthetics or public safety considered to be relevant.

- 8.1.18 A temporary sign *may* be approved by the Development Authority, in accordance with the following provisions:
- (a) a permit for a temporary sign is effective for a maximum of ninety (90) days;
  - (b) a permit for a temporary sign *may* be renewed once for a maximum of sixty (60) days within a twelve-month period on the same *lot*;
  - (c) only one temporary sign is permitted for each *lot* frontage,
  - (d) a temporary sign *shall*:
    - i) have an overall height no greater than 2.0 m (6.5 ft.) above the grade at its base;
    - ii) have copy area no greater than 3.0 m<sup>2</sup> (32.3 sq. ft); and
    - iii) be placed completely within the boundaries of the *lot* on which it stands.
- 8.1.19 A seasonal sign *may* be approved by the Development Authority, in accordance with the following provisions:
- (a) a permit for a seasonal sign is effective for a maximum of five (5) years;
  - (b) a seasonal sign *shall* be used for a maximum of ninety (90) days per year, and *shall* be removed from the site when not in use;
  - (c) a seasonal sign *shall* be placed completely within the boundaries of the *lot* on which it stands;
  - (d) the dimensions and appearance of a seasonal sign *shall* be at the discretion of the Development Authority; and
  - (e) only one seasonal sign is allowed for each *lot* frontage.

**9. PART NINE – DISTRICT REGULATIONS**

9.1 AG – Agricultural District

9.1.1 General Purpose

The purpose of this district is to provide primarily for larger *agricultural operations* and limited higher intensity agricultural activities on smaller *lots*, while at the same time providing for limited residential and other uses having a secondary role to agriculture. New *residential lots* created after passage of this *Bylaw* shall be between 1.0 ha (2.5 ac) and 2.0 ha (4.9 ac).

9.1.2 Permitted Uses	9.1.3 Discretionary Uses
<i>Accessory Building</i> ≤120.0 m <sup>2</sup> (1,292 ft <sup>2</sup> )	<i>Accessory Building</i> > 120.0 m <sup>2</sup> (1,292 ft <sup>2</sup> )
<i>Agriculture, Extensive</i>	<i>Agricultural Processing, Limited</i>
<i>Agriculture, Horticultural</i>	<i>Animal Care Service</i>
<i>Agriculture, Livestock</i>	<i>Campground</i> *
<i>Dwelling, Detached</i> * <sup>1</sup>	<i>Cemetery</i>
<i>Dwelling, Manufactured Home</i> * <sup>1</sup>	<i>Child Care Facility</i> *
<i>Dwelling, Moved In</i> *	<i>Commercial Greenhouse</i>
<i>Dwelling, Secondary</i> * <sup>1</sup> ≥ 32.4ha (80.0 ac)	<i>Cultural Facility</i>
<i>Group Home, Limited</i> *	<i>Dwelling, Communal</i> *
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Secondary</i> < 32.4ha (80.0 acres)*
<i>Utility Service, Minor</i>	<i>Education Service</i>
	<i>Equestrian Facility</i>
	<i>Farm-Based Alcoholic Beverage Production Facility</i> <i>Bylaw 11-17</i>
	<i>Frame and Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Home Based Business Type 2</i> *
	<i>Home Based Business Type 3</i> *
	<i>Kennel</i> *
	<i>Labour Group Housing</i>
	<i>Landscaping Sales and Service</i> <i>Bylaw 36-11</i>
	<i>Local Community Facility</i>
	<i>Outdoor Storage</i> *
	<i>Park</i>
	<i>Recreation, Outdoor</i>
	<i>Recreation, Indoor</i>
	<i>Recreational Vehicle Storage</i>
	<i>Religious Assembly</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Temporary Asphalt Plant</i>
	<i>Utility Service, Major</i>

<sup>1</sup> Discretionary if situated within the Minimum Separation Distance of a CFO (Section 6.11)

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

**9.1.4 Minimum Building Setback Requirements**

From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway</i> - Front/Side/Rear	40.0 m	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	35.0 m	35.0 m
<i>Road, Internal/Road, Service</i> - Front/Side/Rear	20.0 m	20.0 m
<i>Other lot</i> – Side	7.5 m	7.5 m
<i>Other lot</i> – Rear	7.5 m	7.5 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a highway *may* have increased setbacks as determined by the *Province*.

- 9.1.5 Maximum Number of Dwellings
- (a) On a *lot* of 32.4 ha (80.0 ac) or more there *shall* be a maximum of two (2) *principal dwellings*, which can be a *dwelling, detached, dwelling, manufactured home or dwelling, moved in*, and two (2) *dwellings, secondary* in accordance with the provisions of section 7.11 of this Bylaw.
  - (b) On a *lot* less than 32.4 ha (80.0 ac) there *shall* be no more than one (1) *principal dwelling* and one (1) *dwelling, secondary* in accordance with the provisions of section 7.11 of this *Bylaw*.
- 9.1.6 Recreational Vehicle Storage
- (a) The maximum site coverage of recreational vehicle storage use shall not exceed 5% of the parcel area.
  - (b) Notwithstanding (a) above, 5 acres located at NW 36-50-24-W4 may be used for recreational vehicle storage.
- 9.1.7 Other Regulations
- In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS AND PART TEN - SUBDIVISION DESIGN.

9.2 AG/CR TR – Agricultural/Country Residential Transitional District

9.2.1 The purpose of this district is to provide primarily for agricultural operations, while at the same time providing for limited residential and other uses having a secondary role to agriculture. It is expected that this purpose statement and detailed regulations for this district will change following a Municipal Development Plan review or the preparation of an Area Structure Plan.

9.2.2 Permitted Uses	9.2.3 Discretionary Uses
<i>Accessory Buildings ≤ 85.0m<sup>2</sup> (915ft<sup>2</sup>)</i>	<i>Accessory Buildings &gt; 85.0m<sup>2</sup> (915ft<sup>2</sup>)</i>
<i>Agriculture, Extensive</i>	<i>Cemetery</i>
<i>Agriculture, Horticulture</i>	<i>Dwelling, Moved In *</i>
<i>Agriculture, Livestock</i>	<i>Dwelling, Secondary &lt; 32.4ha (80.0 acres)*</i>
<i>Dwelling, Detached</i>	<i>Education Service</i>
<i>Dwelling, Secondary *<sup>1</sup> ≥ 32.4ha (80.0 ac)</i>	<i>Frame &amp; Fabric Structure Bylaw 10-16</i>
<i>Home Based Business, Type 1*</i>	<i>Home Based Business, Type 2*</i>
	<i>Home Based Business, Type 3*</i>
	<i>Dwelling, Manufactured Home</i>
	<i>Market Garden</i>
	<i>Park</i>
	<i>Public Utilities</i>
	<i>Recreational Vehicle Storage Bylaw 22-09</i>
	<i>Religious Assembly</i>

\* Regulations for these uses are contained within Part 7 of this Bylaw

9.2.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway - Front/Side/Rear</i>	40.0 m	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m
<i>Road, Internal/Road, Service - Front/Side/Rear</i>	20.0 m/10.0m/7.5m	20.0 m/10.0m/7.5m
<i>Other lot – Side</i>	7.5 m	7.5 m
<i>Other lot – Rear</i>	7.5 m	7.5 m

9.2.5 Maximum Number of Dwellings

- (a) On a lot of 32.4 ha (80.0 ac) or more there shall be a maximum of two (2) *principal dwellings*, which can be a *dwelling, detached, dwelling, manufactured home* or *dwelling, moved in*, and two (2) *dwellings, secondary* in accordance with the provisions of section 7.11 of this Bylaw.
- (b) On a lot less than 32.4 ha (80.0 ac) there shall be no more than one (1) *principal dwelling* and one (1) *dwelling, secondary* in accordance with the provisions of section 7.11 of this Bylaw.

9.2.6 Site Coverage and Building Area for Accessory Buildings

9.2.7 The maximum combined *building area of accessory buildings* on a *residential lot* shall be 225.0 m<sup>2</sup> (2,422.0 ft<sup>2</sup>) on a lot 2.0 ha (4.9 ac) or less and 1.125% of the lot area on lots greater than 2.0 ha (4.9 ac) to a maximum of 450 m<sup>2</sup> (4,845 ft<sup>2</sup>).

9.2.8 Recreational Vehicle Storage

- (a) The maximum site coverage of *recreational vehicle storage* use shall not exceed 5% of the parcel area and the maximum number of *recreational vehicle* units shall not exceed fifty (50).
- (b) *Recreational vehicle storage* shall not be permitted within a *multi-lot residential subdivision*.
- (c) A *development permit* issued for *recreational vehicle storage* shall be temporary, for a term not exceeding five (5) years and may be renewed upon application. Upon expiry of the *development permit*, and if it is not renewed, the site shall be restored to the satisfaction of the *Development Authority*.

- (d) The approach to the *recreational vehicle storage* shall be from a Leduc County *municipal grid* road.
- (e) The *recreational vehicle storage* shall be sited, to the satisfaction of the *Development Authority*, in such a location as to ensure it is not visually intrusive from outside the parcel.
- (f) The design and layout, including the vehicle circulation pattern, of the *recreational vehicle storage* shall be to the satisfaction of the *Development Authority*. Bylaw 22-09

9.2.9 Other Regulations

In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS AND PART TEN - SUBDIVISION DESIGN.



9.3 RC - Country Residential District

9.3.1 General Purpose

The purpose of this district is to provide for residential *development* on larger acreage *lots* within *multi-lot residential subdivisions* on lands deemed relatively less viable for larger *agricultural operations*. New *residential lots* created after passage of this *Bylaw* shall be between 1.0 ha (2.5 ac) and 4.0 ha (9.88 ac).

9.3.2 Permitted Uses	9.3.3 Discretionary Uses
<i>Accessory Building</i> ≤ 85.0 m <sup>2</sup> (915 ft <sup>2</sup> )	<i>Accessory Building</i> > 85.0 m <sup>2</sup> (915 ft <sup>2</sup> )
<i>Dwelling, Detached</i>	<i>Child Care Facility</i> *
<i>Group Home, Limited</i> *	<i>Manufactured Homes (as specified in 9.3.7 below)</i>
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Secondary</i> *
<i>Utility Service, Minor</i>	<i>Frame &amp; Fabric Structure</i> <span style="float: right;"><i>Bylaw 10-16</i></span>
	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Home Based Business Type 2</i> *
	<i>Kennel</i> *
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.3.4 Minimum Building Setback Requirements		
From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway</i> - Front/Side/Rear	40.0 m	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	35.0 m	35.0 m /20.0 m /20.0 m
<i>Road, Internal/Road, Service</i> - Front/Side/Rear	20.0 m/ 10.0 m /10.0 m	20.0 m/6.0 m / 6.0 m
Other <i>lot</i> – Side	7.5 m	3.0 m
Other <i>lot</i> – Rear	7.5 m	3.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.3.5 Maximum Number of Dwellings

There *shall* be no more than two (2) *dwellings* allowed on a *lot* including one (1) *dwelling, secondary*, in accordance with the provisions of Section 7.11.

9.3.6 Dwelling Floor Area

The minimum *floor area* for a *dwelling, detached* shall be 95 m<sup>2</sup> (1,025 sq. ft.)

9.3.7 Manufactured Homes

- (a) New manufactured homes may locate only in Hazel Grove on *Lots* 4 and 9, Plan 8020039, Ironhorse Estates on all *lots* within Plan 8221543, and in Looma Estates on all *lots* within Plan 7521709.
- (b) A *dwelling, manufactured home* located pursuant to 9.3.7 (a) shall be no more than one year old and no less than 95 m<sup>2</sup> (1,025 sq. ft.) in *floor area*.  
*By-law 3-11*
- (c) For the purpose of obtaining development approval for a *dwelling, manufactured home*, a residential addition or enlargement, or *accessory development* thereto, a *dwelling, manufactured home* placed in its current location prior to the passage of *Land Use Bylaw 7-08* shall be deemed a discretionary use; however, it shall not be replaced with another *dwelling, manufactured home* unless specifically allowed under this Section.  
*By-law 3-11*
- (d) A manufactured home may locate on N.E. 24-48-25-W4th on a five year renewable basis.  
*By-law 23-11*

9.3.8 Access

Access to individual *lots* shall in all cases be by internal collector or service roads constructed for the subdivision unless there are three or fewer parcels on any one particular public roadway.

9.3.9 Other Regulations

In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS AND PART TEN - SUBDIVISION DESIGN.

9.4 RA - Acreage Residential District

9.4.1 General Purpose

The purpose of this district is to provide for residential *development* on small acreage *lots* within *multi-lot residential subdivisions* on lands deemed relatively less viable for larger *agricultural operations*. New *residential lots* created after passage of this *Bylaw* shall be between 0.4 ha (1.0 ac) and 1.2 ha (3.0 ac).

9.4.2 Permitted Uses	9.4.3 Discretionary Uses
<i>Accessory Building</i> ≤ 75.0 m <sup>2</sup> (807 ft <sup>2</sup> )	<i>Accessory Building</i> > 75.0 m <sup>2</sup> (807 ft <sup>2</sup> )
<i>Dwelling, Detached</i>	<i>Child Care Facility</i> *
<i>Group Home, Limited</i> *	<i>Dwelling, Secondary</i> *
<i>Home Based Business, Type 1</i> *	<i>Frame &amp; Fabric Structure</i> <span style="float: right;"><i>Bylaw No. 10-16</i></span>
<i>Utility Service, Minor</i>	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Home Based Business Type 2</i> *
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.4.4 Minimum Building Setback Requirements		
From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway</i> - Front/Side/Rear	40.0 m	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	35.0 m	35.0 m /20.0 m /20.0 m
<i>Road, Internal/Road, Service</i> - Front/Side/Rear	15.0 m / 7.5 m / 7.5 m	15.0 m / 3.0 m / 3.0 m
Other <i>lot</i> – Side	7.5 m	3.0 m
Other <i>lot</i> – Rear	7.5 m	3.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.4.5 Maximum Number of Dwellings

There *shall* be no more than two (2) *dwellings* allowed on a *lot* including one (1) *dwelling, secondary*, in accordance with the provisions of Section 7.11.

9.4.6 Dwelling Floor Area

The minimum *floor area* for a *dwelling, detached* shall be 95 m<sup>2</sup> (1,025 sq. ft.)

9.4.7 Other Regulations

In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS AND PART TEN - SUBDIVISION DESIGN.

9.5 RE - Estate Residential District

9.5.1 General Purpose

The purpose of this district is to allow for residential *development* on smaller *lots* at higher densities within *full-serviced multi-lot residential subdivisions*. New residential *lots* created after passage of this *Bylaw* shall be between 1350 m<sup>2</sup> (14,532 sq. ft.) and 6000 m<sup>2</sup> (64,586 sq. ft.).

9.5.2 Permitted Uses	9.5.3 Discretionary Uses
<i>Accessory Building</i> ≤ 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )	<i>Accessory Building</i> > 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )
<i>Dwelling, Detached</i>	<i>Child Care Facility</i> *
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Secondary</i> *
<i>Group Home Limited</i> *	<i>Frame &amp; Fabric Structure</i> <span style="float: right;"><i>Bylaw 10-16</i></span>
<i>Utility Service, Minor</i>	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )

\*Regulations for these uses are contained within Part 7 of this *Bylaw*

9.5.4 Minimum Building Setback Requirements		
From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway</i> - Front/Side/Rear	40.0 m	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	35.0 m	35.0 m /20.0 m/20.0 m
<i>Road, Internal/Road, Service</i> - Front/Side/Rear	7.5 m/ 5.0 m /5.0 m	7.5 m/ 3.0 m /3.0 m
<i>Other lot</i> – Side	3.0 m	0.6 m
<i>Other lot</i> – Rear	3.0 m	0.6 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.5.5 Maximum Height of Buildings

- (a) The maximum height of a non-agricultural *principal building* shall be 11.0 m (36.1 ft). *Bylaw No. 27-13*
- (b) The maximum height of a non-agricultural *accessory building* shall be 5.0 m (16.4 ft).

9.5.6 Maximum Number of Dwellings

There shall be no more than two (2) *dwellings* allowed on a *lot* including one (1) *dwelling, secondary*, in accordance with the provisions of Section 7.11.

9.5.7 Site Coverage and Floor Area

- (a) Principal building – maximum 25% of the site.
- (b) Accessory buildings (combined) – maximum 5% of the site, not to exceed 200 m<sup>2</sup> (2,152.8 sq. ft.)
- (c) The minimum floor area for a dwelling, detached shall be 95 m<sup>2</sup> (1,025 sq. ft.)
- (d) Notwithstanding section (a), if a garage or accessory building is to be attached to the principal dwelling by a roof, common wall or foundation, then that dwelling, including the garage and/or accessory building, shall be subject to a 30% *maximum* permitted site coverage providing that the total combined site coverage for *all* buildings and structures does not exceed 30%.

*Bylaw 19-12*

9.5.8 Diamond Estates (formerly known as Lukas Estates II) located at Plan 082 4321

- (a) All developments on lots located in the Diamond Estates (formerly known as Lukas Estates II) subdivision shall be subject to architectural guidelines and an approval process, as attached to and forming Appendix C to this *Bylaw*.

*Bylaw 38-11*

9.5.9 Other Regulations

In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS AND PART TEN - SUBDIVISION DESIGN.

9.6 RMH - Manufactured Home District

9.6.1 General Purpose

The purpose of this district is to provide for development of manufactured homes on country *residential lots* in a *multi-lot residential subdivision* or in a *manufactured home park*. New *residential lots* created after passage of this *Bylaw* shall be between 1300 m<sup>2</sup> (14, 532 sq. ft.) and 1.0 ha (2.47 ac) for *full- serviced* development and 1.0 ha (2.47 ac) and 4.0 ha (9.88 ac) for development with individual on-site services.

9.6.2 Permitted Uses	9.6.3 Discretionary Uses
<i>Accessory Building</i> ≤ 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )	<i>Accessory Building</i> > 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )
<i>Dwelling, Manufactured Home</i> *	<i>Child Care Facility</i> *
<i>Group Home, Limited</i> *	<i>Dwelling, Detached</i>
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Moved In</i> *
<i>Utility Service, Minor</i>	<i>Dwelling, Secondary</i> *
	<i>Frame &amp; Fabric Structure</i> <span style="float: right;"><i>Bylaw 10-16</i></span>
	<i>Group Home</i> *
	<i>Local Community Facility</i>
	<i>Manufactured Home Park</i> *
	<i>Park</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.6.4 Minimum Building Setback Requirements		
From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway</i> - Front/Side/Rear	40.0 m	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	35.0 m	35.0 m /20.0 m /20.0 m
<i>Road, Internal/Road, Service</i> - Front/Side/Rear	7.5 m/ 5.0 m /5.0 m	7.5 m/ 3.0 m /3.0 m
<i>Other lot</i> – Side	6.0 m	3.0 m
<i>Other lot</i> – Rear	6.0 m	3.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.6.5 Maximum Height of Buildings

- (a) The maximum height for a *dwelling* or *accessory building* shall be 6.0 m (19.7 ft)
- (b) The maximum height for a local community facility *building* shall be 10.0 m (32.8 ft)

9.6.6 Maximum Number of Buildings

- (a) There shall be no more than two (2) *dwelling*s allowed on a *lot* including one (1) *dwelling, secondary*, in accordance with the provisions of Section 7.11.
- (b) The number of *accessory buildings* on a *site* developed as a *manufactured home park* shall be at the discretion of the *Development Authority*.

9.6.7 Site Coverage and Building Area

- (a) The maximum *building area* for all *accessory buildings* shall be 200 m<sup>2</sup> (2152.8 sq. ft.) on a *residential lot*.
- (b) The maximum *building area* for all *accessory buildings* on a *site* developed as a *manufactured home park* shall be at the discretion of the *Development Authority*.

9.6.8 Other Regulations

In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS AND PART TEN - SUBDIVISION DESIGN.

9.7 RCS- Residential Cluster Subdivision District

9.7.1 General Purpose

The purpose of this district is to provide for clustered residential *developments* within communally or municipally serviced *multi-lot residential subdivisions* within an approved area structure plan, as well as to provide for remnant lands created as a result of the clustered development form. New *residential lots shall* be between 4046.9 m<sup>2</sup> (43,560 sq. ft.) and 8093.8 m<sup>2</sup> (87,120 sq. ft.) for communally serviced lots, and 2023.5 m<sup>2</sup> (21,870 sq. ft.) and 4046.9 m<sup>2</sup> (43,560 sq. ft.) for municipally serviced lots.

9.7.2 Permitted Uses of Cluster Lots	9.7.3 Discretionary Uses of Cluster Lots
<i>Accessory Building</i> ≤ 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )	<i>Accessory Building</i> > 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )
<i>Agriculture, Extensive</i>	<i>Bed and Breakfast</i> *
<i>Agriculture, Horticultural</i>	<i>Dwelling, Secondary Suite</i>
<i>Dwelling, Detached</i>	<i>Frame &amp; Fabric Structure</i> Bylaw 10-16
<i>Dwelling, Modular</i>	<i>Guest House</i> **
<i>Home Based Business, Type 1</i> **	<i>Local Community Facility</i>
<i>Group Home, Limited</i> **	<i>Park</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Utility Service, Minor</i>

\* Provided this use is municipally serviced.

\*\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.7.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway - Front/Side/Rear</i>	40.0 m *	40.0 m *
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m/ 20.0 m/ 20.0 m
<i>Road, Internal - Front/Side/Rear</i>	7.5 m/ 4.5 m/ 6.0 m	7.5 m/ 3.0 m/ 3.0 m
<i>Other lot – Side/Rear</i>	4.0 m/ 6.0 m	3.0 m/ 3.0 m

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.7.5 Density

- (a) The maximum density *shall* be 5.0 units per hectare (2 units per acre) within the area of any residential cluster.
- (b) The maximum density of a communally or municipally serviced cluster subdivision within a designated Cluster Country Residential Area as defined by the Capital Region Board *shall* be 125 lots per quarter section.
- (c) The maximum density of a communally serviced cluster subdivision *shall* be 35 residential lots per quarter section outside of a designated Cluster Country Residential Area.
- (d) The maximum density of a municipally serviced cluster subdivision *shall* be 50 residential lots per quarter section outside of a designated Cluster Country Residential Area.

9.7.6 Maximum Height of Buildings

- (a) *Principal building* - 10.0 m (33 ft.) or 2½ storeys above grade, whichever is greater.
- (b) *Accessory building* – 5.0 m (16 ft.).

9.7.7 Maximum Number of Dwellings

- (a) There shall be no more than one (1) *dwelling* and one (1) *secondary suite* or *guest house* allowed on a *lot*.

9.7.8 Site Coverage and Floor Area

- (a) All *buildings* including *accessory buildings* shall not exceed 40% of the *lot* area.

- (b) Detached *accessory buildings* shall not exceed 150.0 m<sup>2</sup> (1,615 sq. ft.)
  - (c) The minimum *floor area* for a *dwelling* shall be 95.0 m<sup>2</sup> (1,025 sq. ft.)
- 9.7.9 Lot Dimensions
- (a) The minimum lot depth shall be 33.0 m (108 ft.).
  - (b) The minimum lot width shall be 20.0 m (66 ft.). On a pie shaped *lot*, the *setback* distance shall be measured at 12 m back from the *front property line*.
  - (c) The maximum lot width shall be 40.0 m (131 ft.).
- 9.7.10 Servicing
- (a) Where a communal water system is required to service a development, details shall be provided to Leduc County as to how the system will be managed and operated. A communal system must be designed and constructed in accordance with provincial standards, and shall be licensed by the Province.
  - (b) All clustered lots shall be serviced by a communal wastewater system or municipal wastewater system.
  - (c) Where a communal wastewater system is proposed, developments shall be serviced by a system that complies with the standards of, and has been approved by, Alberta Environment.
- 9.7.11 Design of Cluster Subdivisions
- (a) Subject to the provisions of the FireSmart Manual, on treed lots more than 0.4 ha (1.0 acre) in size, the total amount of cleared space shall not exceed 0.4 ha (1.0 acre).
  - (b) New *buildings* shall use architecture, construction materials, and colours consistent with that of other buildings in the cluster subdivision.
  - (c) Notwithstanding the above, developments incorporating innovative or 'green' design elements may be permitted at the discretion of the Development Authority provided they:
    - i) contribute to significant gains in energy efficiency;
    - ii) act so as to better integrate the development into the surrounding landscape; or
    - iii) preserve important views from the property or adjacent properties; and
    - iv) do not negatively impact properties by way of excessive noise, reflection, or discharge.
  - (d) Outdoor lighting shall be subject to the provisions of subsections 6.7.3 - 6.7.8 inclusive of this Bylaw.
- 9.7.12 Other Regulations
- In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS AND PART TEN - SUBDIVISION DESIGN.

Bylaw 21-10



9.8 RR – Resort Residential District

9.8.1 General Purpose

The purpose of this district is to accommodate smaller resort *lots* in *multi-lot residential subdivisions* adjacent to a lakeshore having due regard to *environmental impacts* including the integrity of watersheds, the demands on lake access and adequate provision of utility servicing and roads. New *residential lots* created after passage of this *Bylaw* shall be at least 1000 m<sup>2</sup> (10,764 sq. ft.) for *full-serviced lots* and 2000 m<sup>2</sup> (21,528 sq. ft.) for *lots* without a piped sewer system.

9.8.2 Permitted Uses	9.8.3 Discretionary Uses
<i>Accessory Building</i> ≤ 65.0 m <sup>2</sup> (700.0 ft <sup>2</sup> )	<i>Accessory Building</i> > 65.0 m <sup>2</sup> (700.0 ft <sup>2</sup> )
<i>Dwelling, Detached</i>	<i>Child Care Facility</i> *
<i>Group Home, Limited</i>	<i>Dwelling, Moved In</i> *
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Secondary and Guest House</i> * <i>Bylaw 15-13</i>
	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Utility Service, Minor</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.8.4 Minimum Building Setback Requirements		
From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway</i> – Front/Side/Rear	40.0 m	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	35.0 m	35.0 m /20.0 m /20.0 m
<i>Road, Internal/Road, Service</i> – Front/Side/Rear	6.0 m /6.0 m /10.0 m	6.0 m/ 3.0 m/3.0 m
Other <i>lot</i> – Side/Rear - With lane	1.5 m / 7.5 m	0.6 m/ 1.0 m <sup>(2)</sup>
- Without lane	3.0 m <sup>(1)</sup> & 1.5 m / 7.5 m	0.6 m

**Note:** Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

<sup>(1)</sup> Yard must be unobstructed by development

<sup>(2)</sup> Where garage doors open onto the lane minimum setback shall be 6.0 m

9.8.5 Maximum Height of Buildings

(a) *Principal building* – 10.0 m (32.8 ft)

(b) *Accessory building* – 5.0 m (16.4 ft), not to exceed one storey

9.8.6 Maximum Number of Dwellings

Maximum number of *dwellings* – one per *lot*.

9.8.7 Site Coverage and Building Area

(a) *Principal building* – maximum 25% of the *site*

(b) *Accessory buildings* – maximum 10% of the *site*, not to exceed 100.0 m<sup>2</sup> (1,080 ft<sup>2</sup>)

9.8.8 For the purpose of obtaining development approval for a *dwelling, manufactured home*, a residential addition or enlargement, or *accessory development* thereto, a *dwelling, manufactured home* placed in its current location prior to the passage of *Land Use Bylaw 7-08* shall be deemed a discretionary use; however, it shall not be replaced with another *dwelling, manufactured home*. *By-law 3-11*

9.8.9 Special Regulations

(a) No more than 80% of the *lot* area shall be cleared of its natural vegetation and existing vegetation should be retained along *shorelines*.

(b) All *development* and *subdivision* shall ensure that suitable public access to lakes is maintained or enhanced.

9.8.10 Other Regulations

- (a) Any lake management plan, area structure plan or area redevelopment plan in effect may provide further regulations and requirements. Where a discrepancy exists between this *Bylaw* and such plans, the *Bylaw shall* prevail.
- (b) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.9 RCM – Rural Centre Mixed District

9.9.1 General Purpose

The purpose of this district is to provide for residential *development* as well as for commercial uses to serve the immediate needs of the area. New *residential lots* created after passage of this *Bylaw* shall be at least 1000 m<sup>2</sup> (10,764 sq. ft.) for *full-serviced lots* and 2000 m<sup>2</sup> (21,528 sq. ft.) for *lots* without a piped sewer system.

9.9.2 Permitted Uses	9.9.3 Discretionary Uses
<i>Accessory Building ≤ 65.0 m2 (700.0 ft2)</i>	<i>Accessory Building &gt; 65.0 m2 (700.0 ft2)</i>
<i>Dwelling, Detached</i>	<i>Accommodation Service</i>
<i>Group Home, Limited *</i>	<i>Business Office</i>
<i>Home Based Business, Type 1 *</i>	<i>Campground *</i>
	<i>Cemetery</i>
	<i>Child Care Facility *</i>
	<i>Convenience Retail Service</i>
	<i>Convention Facility</i>
	<i>Cultural Facility</i>
	<i>Drinking Establishment</i>
	<i>Dwelling, Manufactured Home *</i>
	<i>Dwelling, Moved In *</i>
	<i>Dwelling, Secondary *</i>
	<i>Education Service</i>
	<i>Financial Service</i>
	<i>Frame &amp; Fabric Structure Bylaw No. 10-16</i>
	<i>Gas Bar</i>
	<i>Group Home *</i>
	<i>Guest House</i>
	<i>Home Based Business Type 2 *</i>
	<i>Institutional Use</i>
	<i>Liquor Sales</i>
	<i>Local Community Facility</i>
	<i>Manufacturing, Limited Indoor</i>
	<i>Park</i>
	<i>Personal/Health Care Service</i>
	<i>Recreation, Outdoor</i>
	<i>Religious Assembly</i>
	<i>Restaurant</i>
	<i>Service Station, Minor</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Minor</i>

\*Regulations for these uses are contained within Part 7 of this *Bylaw*

9.9.4 Minimum Building Setback Requirements		
From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway – Front/Side/Rear</i>	40.0 m	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m /20.0 m /20.0 m
<i>Road, Internal/Road, Service – Front/Side/Rear</i>	6.0 m	6.0 m/ 3.0 m/3.0 m
<i>Other lot – Side/Rear - With lane</i>	1.5 m / 7.5 m	0.6 m/1.0 m <sup>(2)</sup>
<i>- Without lane</i>	3.0 m <sup>(1)</sup> & 1.5 m / 7.5 m	0.6 m

**Note:** Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

<sup>(1)</sup> Yard must be unobstructed by development

<sup>(2)</sup> Where garage doors open onto the lane minimum setback shall be 6.0 m

- 9.9.5 Maximum Height of Buildings  
(a) *Principal building* – 10.0 m (32.8 ft)  
(b) *Accessory buildings* – 5.0 m (16.0 ft), not to exceed one storey
- 9.9.6 Maximum Number of Dwellings  
There *shall* be no more than one (1) *principal dwelling* allowed on a *lot* and one (1) *dwelling, secondary suite* in accordance with the provisions of Section 7.11
- 9.9.7 Site Coverage, Building Area and Floor Area on a Residential Lot  
(a) *Principal building* – maximum 25% of the *site*  
(b) *Accessory buildings* – maximum 10% of the *site*, not to exceed 100.0 m<sup>2</sup> (1,080.0ft<sup>2</sup>)  
(c) The minimum *floor area* for a *dwelling, detached shall* be 70 m<sup>2</sup> (750 sq. ft.)
- 9.9.8 Other Regulations  
In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.10 INS – Institutional District

9.10.1 General Purpose

The purpose of this District is to accommodate a range of public and private institutional, community and utility services.

9.10.2 Permitted Uses	9.10.3 Discretionary Uses
<i>Accessory Building</i>	<i>Business Office</i>
<i>Child Care Facility*</i>	<i>Congregate Housing</i>
<i>Educational Service</i>	<i>Cultural Facility</i>
<i>Group Home*</i>	<i>Detention and Correction Service</i>
<i>Group Home, Limited*</i>	<i>Dwelling, Detached</i>
<i>Institutional Use</i>	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
<i>Local Community Facility</i>	<i>Outdoor Storage*</i>
<i>Personal/Health Care Service</i>	<i>Park</i>
<i>Recreation, Indoor</i>	<i>Recycling Depot</i>
<i>Recreation, Outdoor</i>	<i>Recycling Depot, Oil</i>
<i>Religious Assembly</i>	<i>Security Suite</i>
<i>Utility Service, Minor</i>	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Major</i>

\*Regulations for these uses are contained within Part 7 of this *Bylaw*

9.10.4 Minimum Building Setback Requirements	
From the property line adjacent to:	<i>Any Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
<i>Road, internal- Front/Side/Rear</i>	15.0 m
<i>Road, Service</i>	10.0 m front/side and 15.0 m rear
<i>Other front/side/rear</i>	7.5 m

9.10.5 Minimum Setback Requirements for Parking	
From the property line adjacent to:	Parking area
<i>Road, Municipal Grid /Road, Highway</i>	15.0 m
<i>From all other</i>	6.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.10.6 Maximum Height of Buildings

Maximum height of *buildings* will be at the discretion of the *Development Authority*, and may be subject to the regulations of the Airport Vicinity Protection Area (AVPA) and the federal government.

9.10.7 Site Coverage

The combined *site coverage* by *principal* and *accessory buildings* – 50% of the *site*

9.10.8 Other Regulations

- (a) *Landscaping* and/or fencing are required within all front yards, and side and rear yards flanking a road or residential district. Further landscaping requirements are contained within PART 6 – GENERAL REGULATIONS: Landscaping, 6.7.
- (b) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.11 **BP – Business Park District**

9.11.1 General Purpose

The purpose of this district is to allow for *development*, within a park-like setting, of light industrial businesses operated in such a way as to create no disturbances outside of the enclosed *buildings* and to be compatible with non-industrial *development*.

9.11.2 Permitted Uses	9.11.3 Discretionary Uses
<i>Accessory Building</i> ≤ 200 m <sup>2</sup> (2,152.8 ft <sup>2</sup> )	<i>Accessory Building</i> > 200 m <sup>2</sup> (2,152.8 ft <sup>2</sup> )
<i>Business Office</i>	<i>Animal Care Service</i>
<i>Financial Service</i>	<i>Cemetery</i>
<i>Institutional Use</i>	<i>Broadcast Film Studio</i>
<i>Manufacturing, Limited Indoor</i>	<i>Childcare Facility</i> Bylaw 6-13
	<i>Contractor Service, Limited</i>
	<i>Education Service</i>
	<i>Frame &amp; Fabric Structure</i> Bylaw 10-16
	<i>Funeral Service</i>
	<i>Manufacturing, Light</i>
	<i>Outdoor Storage*</i> (≤ 25% of building area)
	<i>Park</i>
	<i>Personal and Health Care Service</i>
	<i>Recreation, Indoor</i>
	<i>Religious Assembly</i>
	<i>Security Suite</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Utility Service, Minor</i>
	<i>Warehousing and Storage (Indoor)</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.11.4 Minimum Building Setback Requirements	
From the property line adjacent to:	Any Building
<i>Road, Highway</i> – Front/Side/Rear	40.0 m
<i>Road, Arterial</i> – Front/Side/Rear	25.0m
<i>Road, Internal/Road, Service</i> – Front/Side/Rear	7.5 m
<i>Other</i> – Side/Rear	7.5 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by provincial transportation authorities.

9.11.5 Maximum Height of Buildings

The maximum height of any *building* shall be 15.0 m (49.2 ft.)

9.11.6 Site Coverage

The combined *site coverage* by *principal* and *accessory buildings* – 60% of the *site*

9.11.7 Additional Site Requirements

- (a) A *development* shall carry out its operations such that no nuisance factor is created or apparent outside an enclosed *building* and such that it is compatible with any adjacent non-industrial *development*.
- (b) A minimum uninterrupted landscaped yard of 7.5 m (25. Ft.) shall be required adjacent to front *lot* lines and on rear and side *lot* lines abutting any road. Where side *lot* lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be 1.5m.
- (c) No *outdoor storage*, loading, service, assembly or trash collection shall be permitted in front of the *principal building*, except that loading and trash collection shall be allowed when it is serving office, warehouse and similar *developments*, where the handling or assembly of goods is carried on within a *building*.

- (d) Vacant, undeveloped, or unused portions of a site *shall* be maintained in grass, landscaping materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (e) The perceived massing of structures, when viewed from adjacent public roadways or public lands, *shall* be minimized through use of building setbacks, articulated building facades and roof lines, trees or shrubbery, and effective use of colour and finishing materials.
- (f) The *Development Authority* *may* require a *development* to be constructed using a specified, consistent architectural theme, which may include, but not be limited to, elements such as roof design, roofing and exterior finishing materials, colours, trim details and the placement of windows and doors.
- (g) All mechanical equipment on the roof of a *building* *shall* be completely screened or incorporated in the roof of the *building* so that it is not visible from at-grade view.
- (h) Exterior lighting of a *development* *may* be installed to provide security and add visual interest provided it does not interfere with the use and enjoyment of neighbouring *lots* or the safe and effective use of public roadways.
- (i) On-site parking, loading and unloading areas *shall* be hard-surfaced, located only at the front or side of the *principal building*, and screened.
- (j) The design, placement and scale of all *signs* shall be to the satisfaction of the *Development Authority* so as to ensure that the signage does not detract from the overall appearance of the *development* and is not obtrusive, having regard to the scale of the *buildings* on the *site* and the distance of the building setback.
- (k) Limited *outdoor storage* areas, accessory to the principal use may be permitted, provided they do not exceed in total 25% of the site coverage of the *principal building* and are screened from the view of abutting public roadways and adjacent development sites.

#### 9.11.8 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.12 CH – Highway Commercial District

9.12.1 General Purpose

The purpose of this District is to accommodate the travelling public through provision of retail, commercial, recreation and tourist uses along highways and in close proximity to attractions.

9.12.2 Permitted Uses	9.12.3 Discretionary Uses
<i>Accessory Building</i>	<i>Agricultural Support Service</i>
<i>Accommodation Service</i>	<i>Agriculture, Horticulture</i>
<i>Automotive and Equipment Repair</i>	<i>Amusement and Entertainment Service</i>
<i>Convenience Retail Service</i>	<i>Automotive and Equipment Body Repair</i>
<i>Convention Facility</i>	<i>Automotive Sales and Service</i>
<i>Gas Bar</i>	<i>Campground</i>
<i>Recreation, Indoor</i>	<i>Commercial Retail Service</i>
<i>Recreation, Outdoor</i>	<i>Cultural Facility</i>
<i>Restaurant</i>	<i>Drinking Establishment</i>
<i>Service Station, Minor</i>	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
<i>Service Station, Major</i>	<i>Institutional Use</i>
	<i>Liquor Sales</i>
	<i>Landscaping Sales and Service</i> <i>Bylaw 36-11</i>
	<i>Manufactured Home Sales and Service</i>
	<i>Park</i>
	<i>Recycling Depot</i>
	<i>Security Suite</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Minor</i>

9.12.4 Minimum Building Setback Requirements

From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m/35.0 m/ 15.0 m	35.0 m/ 6.0 m/ 15.0 m
<i>Road, Internal/Road, Service – Front/ Side/Rear</i>	6.0 m	6.0 m/3.0m/3.0m
<i>Other lot – Side</i>	6.0 m and 2.0 m	3.0 m and 1.0 m
<i>Other lot – Rear</i>	6.0 m	1.0 m
<i>Residential Use Side/Rear</i>	6.0 m	6.0 m

9.12.5 Minimum Setback Requirements for Parking, Storage and Display of Products

From the property line adjacent to:	Parking, storage or display area
<i>Road, Municipal Grid / Road, Highway</i>	15.0 m
<i>From all other</i>	6.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, highway may have increased setbacks as determined by the Province.

9.12.6 Maximum Height of Buildings

The maximum height of *buildings* is 12.0 m (39.4 ft.), except that for accommodation and convention services this *may* be increased at the discretion of the *Development Authority*. Notwithstanding the above, height *may* be restricted to that allowed under regulations of the Airport Vicinity Protection Area (AVPA) and federal government.

9.12.7 Site Coverage

The combined *site coverage* by *principal* and *accessory buildings* – 40% of the site

9.12.8 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.



9.13 CS – Service Commercial District

9.13.1 General Purpose

The purpose of this District is to accommodate a range of predominantly service commercial and compatible light industrial uses in planned centres with good visibility and access.

9.13.2 Permitted Uses	9.13.3 Discretionary Uses
<i>Accessory Building</i>	<i>Amusement and Entertainment Service</i>
<i>Accommodation Service</i>	<i>Auctioneering Service</i>
<i>Animal Care Service</i>	<i>Automotive /Equipment Body Repair</i>
<i>Automotive and Equipment Repair</i>	<i>Casinos/Gambling Establishment</i>
<i>Automotive Sales and Service</i>	<i>Cemetery</i>
<i>Business Office</i>	<i>Childcare Facility*</i>
<i>Commercial Retail Service</i>	<i>Commercial Retail Service</i>
<i>Convenience Retail Service</i>	<i>Commercial Storage</i>
<i>Convention Facility</i>	<i>Contractor Service, Limited</i>
<i>Financial Service</i>	<i>Drinking Establishment</i>
<i>Funeral Service</i>	<i>Education Service</i>
<i>Gas Bar</i>	<i>Entertainment, Adult</i>
<i>Institutional Use</i>	<i>Frame &amp; Fabric Structure</i> <span style="float: right;"><i>Bylaw 10-16</i></span>
<i>Personal and Health Care Service</i>	<i>Liquor Sales</i>
<i>Restaurant</i>	<i>Manufactured Home, Sales and Service</i>
<i>Utility Service, Minor</i>	<i>Manufacturing, Limited Indoor</i>
<i>Warehousing and Storage (indoor)</i>	<i>Outdoor Storage*</i>
	<i>Park</i>
	<i>Recreational Vehicle Storage</i>
	<i>Recreation, Indoor</i>
	<i>Recycling Depot</i>
	<i>Security Suite</i>
	<i>Service Station, Minor</i>
	<i>Service Station, Major</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Major</i>

\*Regulations for these uses are contained within Part 7 of this *Bylaw*

9.13.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m/15.0m/ 35.0 m	35.0 m/ 6.0 m/15.0 m
<i>Road, Internal/Road, Service – Front/Side/Rear</i>	6.0 m	6.0 m/3.0m/3.0m
<i>Other lot – Side</i>	6.0 m and 2.0 m	3.0 m and 1.0 m
<i>Other lot – Rear</i>	6.0 m	1.0 m
<i>Residential Use Side/Rear</i>	6.0 m	6.0 m

9.13.5 Minimum Setback Requirements for Parking, Storage and Display of Products	
From the property line adjacent to:	Parking, storage or display area
<i>Road, Municipal Grid / Road, Highway</i>	15.0 m
<i>From all other</i>	6.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.13.6 Maximum Height of Buildings

The maximum height of *buildings* is 13.5 m (44.3 ft.), except that for accommodation and convention services this *may* be increased at the discretion of the *Development Authority*.

Notwithstanding the above, height *may* be restricted to that allowed under regulations of the Airport Vicinity Protection Area (AVPA) and federal government.

9.13.7 Site Coverage

The combined *site coverage* by *principal* and *accessory buildings* – 50% of the *site*

9.13.8 Other Regulations

- (a) Landscaping and/or fencing is required within all front yards, and side and rear yards flanking a road or residential district. Landscaping and/or fencing may also be required in order to screen the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained within PART 7 – GENERAL REGULATIONS: Landscaping, 6.7.
- (b) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN

*Bylaw 18-14*

9.14 **IND – Industrial District**

9.14.1 **General Purpose**

The purpose of this District is to accommodate a range of compatible industrial and commercial uses, the location of which is typically guided by an Area Structure Plan or Area Redevelopment Plan. Such uses should have a low to moderate impact on adjacent land uses.

9.14.2 Permitted Uses	9.14.3 Discretionary Uses
<i>Accessory Building</i>	<i>Abattoir</i>
<i>Automotive/Equipment Repair</i>	<i>Agricultural Processing</i>
<i>Automotive/Equipment Body Repair</i>	<i>Agricultural Support Service</i>
<i>Business Office</i>	<i>Amusement and Entertainment Service</i>
<i>Contractor Service, General</i>	<i>Animal Care Service</i>
<i>Contractor Service, Limited</i>	<i>Asphalt Plant</i>
<i>Equipment Sales and Service</i>	<i>Auctioneering Service</i>
<i>Gas Bar</i>	<i>Automotive Sales and Service</i>
<i>Manufacturing, Light</i>	<i>Broadcast Film Studio</i>
<i>Manufacturing, Limited Indoor</i>	<i>Industrial, General</i>
<i>Personal and Health Care Service</i>	<i>Bulk Oil Sales</i>
<i>Recycling Depot</i>	<i>Casinos/Gaming Establishment</i>
<i>Service Station, Minor</i>	<i>Childcare Facility Bylaw 6-13</i>
<i>Utility Service, Minor</i>	<i>Convenience Retail Service</i>
<i>Warehousing and Storage</i>	<i>Drinking Establishment</i>
	<i>Education Service</i>
	<i>Entertainment, Adult</i>
	<i>Financial Service</i>
	<i>Frame &amp; Fabric Structure Bylaw 10-16</i>
	<i>Funeral Service</i>
	<i>Institutional Use</i>
	<i>Kennel</i>
	<i>Landscaping Sales and Service Bylaw 36-11</i>
	<i>Liquor Sales</i>
	<i>Manufactured Home, Sales and Service</i>
	<i>Outdoor Storage*</i>
	<i>Park</i>
	<i>Recreation, Indoor</i>
	<i>Recreation, Outdoor</i>
	<i>Recycling Depot, Oil</i>
	<i>Restaurant</i>
	<i>Security Suite</i>
	<i>Service Station, Major</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Temporary Asphalt Plant</i>
	<i>Utility Service, Major</i>
	<i>Warehouse Sales</i>
	<i>Wrecking Yard</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.14.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m	40.0 m
<i>Road, Arterial – Front/Side/Rear</i>	25.0m	25.0m
<i>Road, Internal/Road, Service – Front/Side/Rear</i>	6.0 m	6.0 m/3.0m/3.0m
<i>Other lot – Side</i>	6.0 m and 2.0 m	3.0 m and 1.0 m
<i>Other lot – Rear</i>	6.0 m	1.0 m
<i>Residential Use Side/Rear</i>	6.0 m	6.0 m

**Note:** Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, road, highway may have increased setbacks as determined by the *Province*.

9.14.5 Maximum Height of Buildings

Maximum height of *buildings* will be at the discretion of the *Development Authority*, and may be subject to the regulations of the Airport Vicinity Protection Area (AVPA) and federal government.

9.14.6 Site Coverage

The combined *site coverage* by *principal* and *accessory buildings* – 60% of the *site*.

9.14.7 Other Regulations

- (a) No parking shall be permitted within the required front yard setback.
- (b) No outdoor storage, loading, service, assembly or trash collection shall be permitted in front of the principal building, except that loading and trash collection shall be allowed when it is serving office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building.
- (c) Landscaping and/or fencing is required within all front yards, and side and rear yards flanking a road or residential district. Landscaping and/or fencing may also be required in order to screen the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained within PART 6 – GENERAL REGULATIONS: Landscaping, 6.7.
- (d) No use or operation shall cause or create any conditions which, in the opinion of the Development Authority, may be objectionable beyond the boundary of the site which contains it, by way of but not limited to the following:
  - i) odorous and toxic matter
  - ii) dust, fly ash or other particulate matter
  - iii) noise
  - iv) vibrations
  - v) air pollution
  - vi) industrial waste
  - vii) water quality deterioration
  - viii) groundwater quality or quantity deterioration
  - ix) glare
  - x) radiation emissions
  - xi) high brightness light sources
- (e) No operation or activity shall emit air or water contaminants in excess of the standards prescribed by the Province pursuant to the Environmental Protection and Enhancement Act.
- (f) Environmental impact assessments may be required where there is uncertainty as to potential health or environmental effects.
- (g) Notwithstanding the designation of a particular use as permitted or discretionary, the Development Authority may not issue a permit for development which may have a significant adverse environmental effect.
  - i) An asphalt plant shall not be sited on a parcel within an intermunicipal referral area.
- (h) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.15 IAR Industrial/Agricultural Resource District

9.15.1 General Purpose

The purpose of this District is to provide for clustered agriculture-related and a limited range of resource-related businesses, including the processing of agricultural products, as well as locally-oriented industrial and business service activities that for reasons of the service area would not be appropriate to locate within the Nisku Business Park. Areas for such uses will be identified within area structure plans or area redevelopment plans.

9.15.2 Permitted Uses	9.15.3 Discretionary Uses
<i>Agricultural Support Service</i>	<i>Abattoir</i>
<i>Agriculture, Extensive</i>	<i>Accessory Building</i>
<i>Agriculture, Horticultural</i>	<i>Agricultural Processing</i>
<i>Agriculture, Livestock</i>	<i>Agricultural Processing, Limited</i>
<i>Animal Care Service</i>	<i>Auctioneering Service</i>
<i>Equipment Sales and Service</i>	<i>Bulk Oil Sales</i>
<i>Recycling Depot</i>	<i>Commercial Greenhouse</i>
<i>Utility Service, Minor</i>	<i>Contractor Service, Limited</i>
	<i>Frame &amp; Fabric Structure Bylaw 10-16</i>
	<i>Labour Group Housing</i>
	<i>Livestock Auction Mart</i>
	<i>Outdoor Storage*</i>
	<i>Park</i>
	<i>Recycling Depot, Oil</i>
	<i>Security Suite</i>
	<i>Service Station, Minor</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Warehousing and Storage</i>

\* Regulations for these uses are contained within Part 7 of this Bylaw

9.15.4 Minimum Building Setback Requirements	
From the property line adjacent to:	<i>Any Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
All other	10.0 m

9.15.5 Minimum Setback Requirements for Parking, Storage and Display of Products	
From the property line adjacent to:	Parking, storage or display area
<i>Road, Municipal Grid / Road, Highway</i>	15.0 m
From all other	6.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a highway may have increased setbacks as determined by the Province.

9.15.6 Maximum height of *buildings*

Maximum height of *buildings* will be at the discretion of the *Development Authority*, and may be subject to the regulations of the Airport Vicinity Protection Area (AVPA) and federal government.

9.15.7 Other Regulations

- (a) All uses are limited to the servicing of agricultural activity, associated businesses and the servicing of locally-oriented resource industries and enterprises.
- (b) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.16 Genesee Power Project Overlay

9.16.1 General Purpose

To provide for orderly development of the Genesee Power Project as an interim land use.

9.16.2 Application

- (a) This overlay shall apply to all lands within the Genesee Power Project area as shown on the overlay map in Appendix B.
- (b) Industrial buildings and structures above 10.0 m in height shall be allowed only in Area I, as shown on Appendix B – Genesee Power Project Overlay Map.
- (c) Where a provision of this Overlay appears to conflict with a provision of the underlying District or another Section of the Bylaw, the provisions of this Overlay shall take precedence and apply in addition to the provisions of the underlying District and other Sections of the Bylaw.
- (d) Since coal mining and reclamation is a dynamic process over time, it may become necessary to pass bylaws to amend this Overlay in order to remove mined out and reclaimed lands and to add lands containing additional coal resources required to support continued electrical generation or other industrial activities.

9.16.3 Permitted Uses	9.16.4 Discretionary Uses <sup>(1)</sup>
<i>Cemetery</i>	<i>Accessory Building</i>
<i>Cultural Facility</i>	<i>Child Care Facility</i>
<i>Industrial, General</i>	<i>Commercial Greenhouse</i>
<i>Labour Group Housing</i>	<i>Frame &amp; Fabric Structure</i> <span style="float: right;"><i>Bylaw 10-16</i></span>
<i>Park</i>	<i>Recreation, Indoor</i>
<i>Natural Resource Extraction</i>	<i>Security Suite</i>
<i>Utility Service – Major</i>	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
<i>Warehousing and Storage</i>	

<sup>(1)</sup> All permitted and discretionary uses within the underlying district designations are considered as discretionary uses within the Overlay.

9.16.5 Minimum Building Setback Requirements	
From the property line adjacent to:	<i>Any Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
<i>Road, Internal/Road, Service – Front/Side/Rear</i>	7.5 m
<i>Other – Side/Rear</i>	7.5 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.16.6 Setbacks from Cemeteries

Subject to the directions and order of provincial authorities, no coal mining shall take place within a minimum of 250 m of a *cemetery*.

9.16.7 Development Permit Conditions

- (a) A development permit issued for a permitted industrial use shall be conditional upon the development receiving any required provincial and federal approvals.
- (b) A development permit issued for a permitted industrial use shall be conditional upon meeting the terms of the existing Development Agreement between the County of Leduc No. 25 and the City of Edmonton, dated August 19, 1983.
- (c) An approved landscaping plan may be required as a condition of approval for a development permit issued for an industrial use. The landscaping plan should provide ways and means of improving the overall appearance of the *site* through the use of such techniques as berms, tree vegetation, etc. to improve the view from the road both on Highway 770 and local County roads.

9.16.8 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.17 NSRV North Saskatchewan River Valley District

9.17.1 General Purpose

The purpose of this district is to provide for primarily agricultural uses as well as active and passive recreation activities, and limited non-recreational land uses in the North Saskatchewan River Valley area.

9.17.2 Permitted Uses	9.17.3 Discretionary Uses
<i>Accessory Building</i> ≤ 100 m <sup>2</sup> (1,080 ft <sup>2</sup> )	<i>Accessory Building</i> > 100 m <sup>2</sup> (1,080 ft <sup>2</sup> )
<i>Agriculture, Extensive</i>	<i>Agricultural Processing, Limited</i>
<i>Agriculture, Horticultural</i>	<i>Animal Care Service</i>
<i>Agriculture, Livestock</i>	<i>Campground</i> *
<i>Dwelling, Detached</i> <sup>2</sup>	<i>Cemetery</i>
<i>Dwelling, Manufactured Home</i> <sup>(1)</sup>	<i>Child Care Facility</i> *
<i>Dwelling, Secondary</i> * <sup>(2)</sup> ≥ 32.4ha (80.0 ac)	<i>Cultural Facility</i>
<i>Group Home Limited</i> *	<i>Dwelling, Moved In</i> *
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Secondary</i> < 32.4ha (80.0 acres)*
	<i>Education Service</i>
	<i>Equestrian Facility</i>
	<i>Frame &amp; Fabric Structure</i> Bylaw 10-16
	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Home Based Business Type 2</i> *
	<i>Kenel</i> *
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Recreation, Outdoor</i> <sup>1</sup>
	<i>Religious Assembly</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Utility Service, Minor</i>

<sup>(1)</sup> Discretionary if situated within the Minimum Separation Distance of a CFO (Section 6.11)

<sup>(2)</sup> The scale of this use shall be consistent with the carrying capacity of the land to support the natural systems of the land.

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.17.4 Minimum Building Setback Requirements	
From the property line adjacent to:	<i>Any Building</i>
<i>Road, Highway</i> – Front/Side/Rear	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	35.0 m
<i>Road, Internal/Road, Service</i> – Front/Side/Rear	20.0 m front-15.0 m side/rear
<i>Other lot</i> – Side/Rear	7.5 m

**Note:** Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the *Province*.

9.17.5 Maximum Height of Buildings

The maximum height of a non-agricultural *building* shall be 10.0 m (32.8 ft.).

9.17.6 Maximum Number of Buildings

- (a) On a *lot* of 32.4 ha (80.0 ac) or more there shall be a maximum of two (2) *principal dwellings*, which can be a *dwelling, detached; dwelling, manufactured home* or *dwelling, moved in*, and two (2) *dwellings, secondary* in accordance with the provisions of section 7.11 of this *Bylaw*.
- (b) On a *lot* less than 32.4 ha (80.0 ac) there shall be no more than one (1) *principal dwelling* and one (1) *dwelling, secondary* in accordance with the provisions of section 7.11 of this *Bylaw*.

9.17.7 Other Regulations

- (a) For both agricultural and non-agricultural uses, the Development Authority may require an environmental impact assessment in order to ascertain whether a



- proposed development may have detrimental effects on the natural environment, including potential effects on wildlife habitat and groundwater as well as the potential effects on areas which are deemed to have a high scenic value.
- (b) For both permitted and discretionary uses, the Development Authority may impose development conditions, including those that may have been identified in an environmental impact assessment, in order to mitigate any potential negative development impacts. Such conditions may include, but are not limited to restrictions on tree clearing and vegetation clearing, additional setback requirements (see also Section 6.6), the retention of shelterbelts, the siting and standards of buildings, and buffering requirements.
  - (c) The County may refer development, subdivision, redistricting, outline plan, area structure plan or area redevelopment plan applications to the Province for review and comment for proposals involving lands that are possibly environmentally sensitive, including those that may have high value as wildlife habitat and those that may be subject to erosion damage, as well as those with high scenic or recreational values.
  - (d) Any development or subdivision proposal within the Edmonton-Devon Restricted Development Area submitted within the County shall require written approval from the Province.
  - (e) Golf course and other developments typically subject to potentially large amounts of fertilizer use may be required to submit a nutrient loading assessment that would address possible nutrient discharge to waterways and groundwater. Such an assessment would be required to identify mitigative measures to address any areas of concern, including nutrient loading minimization, if required.
  - (f) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.18 LW - Lake Watershed District

9.18.1 General Purpose

The purpose of this district is to protect the integrity of the lakes and watersheds, preserving tree cover, and minimizing adverse *environmental impacts* while allowing for minimal *development* of recreational, residential and agricultural uses. *Lot* sizes in this district shall be between 1.0 ha (2.5 ac) and 2.0 ha (4.9 ac) for a country residential acreage and no less than 8.0 ha (19.8 ac) for a *residential woodlot*. Notwithstanding the above, the minimum *lot* size if the site is within 400m of the Lake shall be 2 ha (5.0 ac).

9.18.2 Permitted Uses	9.18.3 Discretionary Uses
Accessory Building ≤ 100 (1,080 ft <sup>2</sup> )	Accessory Building > 100 m <sup>2</sup> (1,080 ft <sup>2</sup> )
Agriculture, Extensive	Agricultural Processing, Limited
Agriculture, Horticultural <sup>(1)*</sup>	Campground *
Agriculture, Livestock <sup>(2)</sup>	Cemetery
Dwelling, Detached <sup>(3)</sup>	Child Care Facility *
Dwelling, Manufactured Home <sup>(3)</sup>	Cultural Facility
Group Home Limited *	Dwelling, Moved In *
Home Based Business, Type 1 *	Dwelling, Secondary *
	Education Service
	Equestrian Facility
	Frame & Fabric Structure Bylaw 10-16
	Group Home *
	Guest House*
	Home Based Business Type 2 *
	Kennel*
	Local Community Facility
	Park
	Recreation, Outdoor*
	Religious Assembly
	Resort Recreational Facility
	Sign (in accordance with Part 8 of this Bylaw)
	Utility Service, Minor

<sup>(1)</sup> Except market garden which is Discretionary

<sup>(2)</sup> Only where it can be demonstrated that there will no negative effects on the lakes

<sup>(3)</sup> Discretionary if situated within the Minimum Separation Distance of a CFO (Section 6.11)

\* Regulations for these uses are contained within Part 7 of this Bylaw

9.18.4 Minimum Building Setback Requirements		
From the property line adjacent to:	Principal Building	Accessory Building
Road, Highway – Front/Side/Rear	40.0 m	40.0 m
Road, Municipal Grid – Front/Side/Rear	35.0 m	35.0 m/ 20.0 m/ 20.0 m
Road, Internal/Road, Service – Front/Side/Rear	20.0 m	20.0 m/ 10.0 m/ 10.0 m
Other lot – Side	7.5 m	7.5 m
Other lot – Rear	7.5 m	7.5 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, highway may have increased setbacks as determined by the Province.

9.18.5 Maximum Height of Buildings

The maximum height of a non-agricultural *building* shall be 10.0 m (32.8 ft.).

9.18.6 Maximum Number of Buildings

- (a) On a *lot* of 32.4 ha (80.0 ac) or more there shall be a maximum of two (2) *principal dwellings*, which can be a *dwelling, detached; dwelling, manufactured home* or *dwelling, moved in*, and two (2) *dwellings, secondary* in accordance with the provisions of section 7.11 of this Bylaw.

- (b) On a *lot* less than 32.4 ha (80.0 ac) there *shall* be no more than one (1) *principal dwelling* and one (1) *dwelling, secondary* in accordance with the provisions of section 7.11 of this *Bylaw*.
  - (c) The maximum number of *accessory buildings* is three (3).
- 9.18.7 Other Regulations
- (a) All *development shall* be encouraged to retain existing tree cover and/or plant additional trees to reduce erosion and nutrient loading of the lake.
  - (b) In regard to discretionary uses, the Development Officer shall also have regard to policies contained in any Lake Management Plan.
  - (c) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.19 DC – Direct Control District

9.19.1 General Purpose

To provide for *development* that due to unique characteristics, unusual site conditions, or innovative design, requires specific regulations unavailable in other land use districts or as deemed appropriate by Council. *Bylaw 21-12*

9.19.2 Land Uses

Land uses within a Direct Control District *shall* be determined by *Council* and adopted through a bylaw, and *may* apply to a specific development application on a single *lot* or to unspecified future development on more than one *lot*, in accordance with the regulations of the Direct Control District.

9.19.3 Delegation of Authority

Where Council deems that there are sufficient and appropriate regulations within a Direct Control Bylaw, authority to approve development within the Direct Control District *may* be delegated to the *Development Authority*.

9.19.4 Re-designation of Existing Parcels

A parcel designated as Direct Control District prior to passage of this *Bylaw* *may* be re-designated to a new Land Use District where the development is consistent with the regulations of the new district.

9.19.5 Direct Control District Regulations

All Direct Control District Regulations are contained in Appendix “A” which forms part of this Bylaw.

9.19.6 Interpretation

Direct Control District Regulations adopted under Land Use Bylaw 1665-83 *shall* be interpreted using the definitions and context of that Bylaw.

- (a) All regulations in the Land Use Bylaw shall apply to development within any Direct Control district, unless such regulations are specifically excluded or modified within Appendix ‘A’, the Direct Control district, Council’s directions or the development permit.
- (b) Council has the discretion to grant variances to regulations respecting development within a Direct Control district and the restrictions in 3.6.1 do not apply.

9.20 RU1 –Residential Urban 1 District

9.20.1 General Purpose

The purpose of this district is to provide for low density residential *development* within fully-serviced *multi-lot residential subdivisions*. New residential lots shall be between 1350.0 m<sup>2</sup> (14,531 sq. ft.) and 6000.0 m<sup>2</sup> (64,584 sq. ft.)

9.20.2 Permitted Uses	9.20.3 Discretionary Uses
<i>Accessory Building</i> ≤ 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )	<i>Accessory Building</i> > 65.0 m <sup>2</sup> (700 ft <sup>2</sup> )
<i>Dwelling, Detached</i>	<i>Child Care Facility</i> *
<i>Home Based Business Type 1</i> *	<i>Dwelling, Secondary</i> *
<i>Group Home Limited</i> *	<i>Frame &amp; Fabric Structure</i> Bylaw 10-16
	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Show Home</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Utility Service, Minor</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.20.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m*	40.0 m*
<i>Road, Municipal Grid – Front/Side/Rear</i>	7.5 m/ 4.5 m/ 6.0 m	7.5 m/ 3.0 m/ 3.0 m
<i>Road, Internal – Front/Side/Rear</i>	7.5 m/ 4.5 m/ 6.0 m	7.5 m/ 3.0 m/ 3.0 m
<i>Other lot – Side/Rear</i>	3.0 m/ 6.0 m	1.5 m/ 1.5 m**

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, *highway* may have increased setbacks as determined by the Province.

\*\* Where a common wall of an accessory building is located on a mutual side *lot* line, the side yard is 0.0 m.

9.20.5 Density

The maximum density shall be in compliance with the approved statutory plan.  
*Bylaw No. 17-15*

9.20.6 Maximum Height of Buildings

(a) *Principal building* – 11.0 m (36.1 ft) or 2½ storeys above grade, whichever is lesser.  
*Bylaw No. 27-13*

(b) *Accessory building* – 5.0 m (16 ft).

9.20.7 Site Coverage and Floor Area

(a) All *buildings* including *accessory buildings* shall not exceed 45% of the *lot* area. *Detached accessory buildings* shall not exceed 5% of the *lot* area, not to exceed 100.0 m<sup>2</sup> (1,076 sq. ft.)  
*Bylaw No. 19-14*

(b) The minimum *floor area* for a *dwelling* shall be 95.0 m<sup>2</sup> (1,025 sq. ft.)

9.20.8 Lot Dimensions

(a) The minimum *lot depth* shall be 33.0 m (108 ft).

(b) The minimum *lot width* shall be 20.0 m (66 ft). On a pie shaped *lot*, the *setback* distance shall be measured at 12 m back from the *front property line*.

(c) The maximum *lot width* shall be 40.0 m (131 ft).

9.20.9 Servicing Standards

*Lots shall* be designed and constructed to meet the Leduc County's engineering standards for municipal water, municipal sanitary sewer, storm water management, paved roads, noise attenuation, grading, and utilities.

9.20.10 Landscaping

- (a) Uses permitted in this district *shall* maintain 1 element of *landscaping* per 35 m<sup>2</sup> (378 sq. ft.) with a minimum of 3 soft elements in a *front yard*.
- (b) Hard materials *shall* not cover more than 10% of the *front yard* area, excluding the areas reserved for vehicle manoeuvring and/or parking.

9.20.11 Design

- (a) A range of *front yard setbacks* is recommended in order to achieve a diversity of *setbacks* on the streetscape. *Front yard setbacks shall* be subject to an approved outline plan. *Bylaw No. 19-14*
- (b) Privacy fencing for *dwellings* on *corner lots* and *flank lots shall* be encouraged to occupy no more than 50% of the *lot* frontage measured from the rear property line. Privacy fencing *shall* be kept to the rear corner of the house in order to allow the flanking elevation to address the street.
- (c) Residential neighbourhoods should be defined by natural and/or manmade boundaries and *shall* be distinct from one another.
- (d) *Porch* and deck dimensions *shall* be generous enough to accommodate furnishings and ensure their active use. The minimum area of a *porch* or deck *shall* be 2.2 m<sup>2</sup> (24 square feet).
- (e) Finish materials *shall* extend to all sides of the *porch* and stairs. The underside of the *porch shall* not be exposed to the street.

9.20.12 Other Regulations

In addition to the above regulations, others apply. See PART SIX –GENERAL REGULATIONS, PART SEVEN –SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN –SUBDIVISION DESIGN.

9.21 RU2 –Residential Urban 2 District

9.21.1 General Purpose

9.21.2 The purpose of this district is to provide for medium density residential *development* within fully-serviced *multi-lot residential subdivisions*. New residential lots shall be between 360.0 m<sup>2</sup> (3,875 sq. ft.) and 1500.0 m<sup>2</sup> (16,146 sq. ft.), except on *corner lots*, where new residential lots shall be between 450.0 m<sup>2</sup> (4,844 sq. ft.) and 1500.0 m<sup>2</sup> (16,146 sq. ft.)

9.21.3 Permitted Uses	9.21.4 Discretionary Uses
<i>Accessory Building</i> ≤ 33.0 m <sup>2</sup> (355 ft <sup>2</sup> )	<i>Accessory Building</i> > 33.0 m <sup>2</sup> (355 ft <sup>2</sup> )
<i>Dwelling, Detached</i>	<i>Child Care Facility</i> *
<i>Group Home Limited</i> *	<i>Dwelling, Secondary Suite</i>
<i>Home Based Business Type 1</i> *	<i>Frame &amp; Fabric Structure</i> Bylaw 10-16
	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Show Home</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Utility Service, Minor</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.21.5 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway</i> – Front/Side/Rear	40.0 m*	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	6.0 m/ 3.0 m/ 6.0 m	6.0 m/ 3.0 m/ 3.0 m
<i>Road, Internal</i> – Front/Rear Side Bylaw 35-11	6.0 m/6.0 m 20% of site width (min. 2.0 m/ max. 4.5 m)	6.0 m/ 3.0 m 20% of site width (min. 2.0 m/ max. 4.5 m)
<i>Other lot</i> – Side/Rear	2.0 m/ 6.0 m	1.5 m/ 1.5 m**

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, *highway* may have increased setbacks as determined by the Province.

\*\* Where a common wall of an accessory building is located on a mutual side *lot* line, the side yard is 0.0 m.

9.21.6 Density

The maximum density shall be in compliance with the approved statutory plan.  
*Bylaw 17-15*

9.21.7 Site Coverage and Floor Area

(a) All buildings including *accessory buildings* shall not exceed 55% of the lot area. Detached accessory buildings shall not exceed 8% of the lot area not to exceed 100.0 m<sup>2</sup> (1,076 sq. ft).  
*Bylaw No. 19-14*

9.21.8 Maximum Height of Buildings

(a) *Principal building* -11.0 m (36.1 ft) or 2½ storeys above grade, whichever is lesser.  
*Bylaw No. 27-13*

(b) *Accessory building* -5.0 m (16 ft).

9.21.9 Minimum Lot Dimensions

(a) The minimum *lot* depth shall be 30.0 m (98 ft).

(b) The minimum *lot* width shall be 12.0 m (39 ft). On a pie shaped *lot*, the setback distance shall be measured at 10 m back from the *front property line*.

9.21.10 Design

- (a) A range of front yard setbacks is recommended in order to achieve a diversity of setbacks on the streetscape. Front yard setbacks shall be subject to an approved outline plan. *Bylaw 19-14*

9.21.11 Servicing Standards

9.21.12 *Lots shall* be designed and constructed to meet the Leduc County's engineering standards for municipal water, municipal sanitary sewer, storm water management, paved roads, noise attenuation, grading, and utilities.

9.21.13 Landscaping

- (a) Uses permitted in this district *shall* maintain 1 element of *landscaping* per 35 m<sup>2</sup> (378 sq. ft.) with a minimum of 3 soft elements in a *front yard*.
- (b) Hard materials *shall* not cover more than 10% of the *front yard* area, excluding the areas reserved for vehicle manoeuvring and/or parking.

9.21.14 Design

- (a) A range of *front yard setbacks* is recommended in order to achieve a diversity of setbacks on the streetscape. *Front yard setbacks shall* be a maximum of 10.0 metres. *Bylaw 35-11*
- (b) *Dwellings* on corner and flank *lots*, at gateways, and at the termini of streets *shall* employ *building* elements and designs that emphasize their visibility and potential role as landmark or orienting structures within the community.
- (c) Privacy fencing for *dwellings* on *corner lots* and flank *lots shall* be encouraged to occupy no more than 50% of the *lot* frontage measured from the rear property line. Privacy fencing *shall* be kept to the rear corner of the house in order to allow the flanking elevation to address the street.
- (d) *Porch* and deck dimensions *shall* be generous enough to accommodate furnishings and ensure their active use. The minimum area of a *porch* or deck *shall* be 2.2 m<sup>2</sup> (24 square feet).
- (e) Finish materials *shall* extend to all sides of the *porch* and stairs. The underside of the *porch shall* not be exposed to the street.
- (f) Adjacent single family *dwellings* with front attached, front facing garages *shall* where possible orient said garages such that a shared courtyard effect is maintained (ie. The garages are located towards the outer property lines). *Bylaw 35-11*

9.21.15 Other Regulations

9.21.16 In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.



9.22 RU3- Residential Urban 3 District

9.22.1 General Purpose

The purpose of this district is to provide for higher density residential *development* within fully-serviced *multi-lot residential subdivisions*. New *residential lots* shall be between 180.0 m<sup>2</sup> (1,938 sq. ft.) and 660.0 m<sup>2</sup> (7,104 sq. ft.), except on *corner lots*, where new *residential lots* shall be between 225.0 m<sup>2</sup> (2,422 sq. ft.) and 660.0 m<sup>2</sup> (7,104 sq. ft.)

9.22.2 Permitted Uses	9.22.3 Discretionary Uses
<i>Accessory Building</i> ≤ 33.0 m <sup>2</sup> (355 ft <sup>2</sup> )	<i>Accessory Building</i> > 33.0 m <sup>2</sup> (355 ft <sup>2</sup> )
<i>Dwelling, Detached</i>	<i>Child Care Facility</i> *
<i>Dwelling, Semi-detached</i>	<i>Dwelling, Secondary Suite</i>
<i>Group Home Limited</i> *	<i>Dwelling, Townhouse</i>
<i>Home Based Business Type 1</i> *	<i>Frame &amp; Fabric Structure</i> Bylaw 10-16
	<i>Group Home</i> *
	<i>Guest House</i> *
	<i>Local Community Facility</i>
	<i>Park</i>
	<i>Show Home</i>
	<i>Sign</i> (in accordance with Part 8 of this <i>Bylaw</i> )
	<i>Utility Service, Minor</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.22.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway</i> – Front/Side/Rear	40.0 m*	40.0 m
<i>Road, Municipal Grid</i> – Front/Side/Rear	6.0 m/ 3.0 m/ 6.0 m	6.0 m/ 3.0 m/ 3.0 m
<i>Road, Internal</i> – Front/Rear Side Bylaw 35-11	6.0 m/ 6.0 m 20% of site width (min. 2.0 m/ max. 4.5 m)	6.0 m/ 3.0 m 20% of site width (min. 2.0 m/ max. 4.5 m)
<i>Other lot</i> – Side/Rear	1.5 m/ 6.0** m	1.5 m/ 1.5 m**

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, *highway* may have increased setbacks as determined by the Province.

\*\* Where a common wall of a *semi-detached* or *townhouse dwelling* or *accessory building* is located on a mutual side *lot* line, the side yard is 0.0 m.

9.22.5 Density

The maximum density shall be in compliance with the approved statutory plan.

*Bylaw 17-15*

9.22.6 Maximum Height of Buildings

(a) *Principal building* – 11.0 m (36.1 ft) or 2½ storeys above grade, whichever is greater. *Bylaw No. 27-13*

(b) *Accessory building* – 5.0 m (16 ft).

9.22.7 Site Coverage and Floor Area

(a) All *buildings* including *accessory buildings* shall not exceed 55% of the *lot* area. *Detached accessory buildings* shall not exceed 8% of the *lot* area, not to exceed 80.0 m<sup>2</sup> (861 sq. ft.). *Bylaw No. 19-14*

(b) The minimum *floor area* for a *dwelling* shall be 75.0 m<sup>2</sup> (807 sq. ft.).

9.22.8 Minimum Lot Dimensions

(a) The minimum *lot depth* shall be 30.0 m (98 ft).

(b) The minimum *lot width* shall be 6.0 m (20 ft). On a pie shaped *lot*, the *setback* distance shall be measured at 10 m back from the *front property line*.

9.22.9 Maximum Number of Attached Dwelling Units

- (a) For townhouse dwellings, there shall be no more than 6 units attached together.

9.22.10 Servicing Standards

- 9.22.11 *Lots shall* be designed and constructed to meet the Leduc County's engineering standards for municipal water, municipal sanitary sewer, storm water management, paved roads, noise attenuation, grading, and utilities.

9.22.12 Landscaping

- (a) Uses permitted in this district *shall* maintain 1 element of *landscaping* per 35 m<sup>2</sup> (378 sq. ft) with a minimum of 3 soft elements in a *front yard*.  
(b) Hard materials *shall* not cover more than 10% of the *front yard* area, excluding the areas reserved for vehicle manoeuvring and/or parking.

9.22.13 Design

- (a) A range of *front yard setbacks* is recommended in order to achieve a diversity of *setbacks* on the streetscape. *Front yard setbacks shall* be subject to an approved outline plan. *Bylaw No. 19-14*  
(b) *Dwellings* on corner and flank *lots*, at gateways, and at the termini of streets *shall* employ *building* elements and designs that emphasize their visibility and potential role as landmark or orienting structures within the community.  
(c) Privacy fencing for *dwellings* on *corner lots* and flank *lots shall* be encouraged to occupy no more than 50% of the *lot* frontage measured from the rear property line. Privacy fencing *shall* be kept to the rear corner of the house in order to allow the flanking elevation to address the street.  
(d) End units in a *townhouse* or multiplex block *shall* place windows and entrances facing the public street and along pedestrian walkways where appropriate to encourage these areas to be attractive, active and safe.  
(e) *Porch* and deck dimensions *shall* be generous enough to accommodate furnishings and ensure their active use. The minimum area of a *porch* or deck *shall* be 2.2m<sup>2</sup> (24 square feet).  
(f) Finish materials *shall* extend to all sides of the *porch* and stairs. The underside of the *porch shall* not be exposed to the street.  
(g) Removed as per *Bylaw 11-13*

9.22.14 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.23 RM1 • Residential Multi Family District

9.23.1 General Purpose

The purpose of this district is to provide for the *development* of fully serviced, higher density, multi-family residential complexes. Housing in the Residential Multi Family district *may* take the form of *semi-detached dwellings, townhouse dwellings, and apartment dwellings*. The maximum *lot* size of a single complex *shall* be 1.4 ha (3.5 acres).

9.23.2 Permitted Uses	9.23.3 Discretionary Uses
<i>Dwelling, Apartment</i>	<i>Accessory Building</i>
<i>Dwelling, Semi-detached</i>	<i>Adult Care Facility</i>
<i>Dwelling, Townhouse</i>	<i>Dwelling, Secondary Suite</i>
<i>Home Based Business Type 1*</i>	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Park</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Minor</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.23.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m*	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	6.0 m/ 3.0 m/ 6.0 m	6.0 m/ 1.5 m/ 1.5 m
<i>Road, Internal – Front/Side/Rear</i>	6.0 m/ 3.0 m/ 6.0 m	6.0 m/ 1.5 m/ 1.5 m
<i>Other lot – Side/Rear</i>	3.0 m/ 6.0 m**	1.0 m/ 1.0 m**

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, *highway* may have increased setbacks as determined by the Province.

\*\* Where a common wall of a semi-detached or townhouse dwelling or accessory building is located on a mutual side *lot* line, the side yard is 0.0 m.

\*\*\*Where an exterior wall of a semi-detached or townhouse dwelling or accessory building is located adjacent to a municipal reserve lot, public utility lot or a lot zoned as RM1, the minimum side yard be 1.5 metres.  
*Bylaw-33-15*

9.23.5 Density

9.23.6 The maximum density *shall* be 95 units per hectare (38.4 units/ acre).

9.23.7 Maximum Height of Buildings

- (a) *Principal building* -11.0 m (36 ft) or 3½ storeys above grade, whichever is greater.
- (b) *Accessory building*-5.0 m (16 ft).

9.23.8 Site Coverage and Floor Area

- (a) All *buildings* including *accessory buildings* *shall* not exceed 55% of the *lot* area.  
*Bylaw No. 19-14*
- (b) The minimum *floor area* for a *dwelling* *shall* be 40.0 m<sup>2</sup> (430 sq. ft.).

9.23.9 Maximum Number of Attached Dwellings Units

- (a) For *townhouse dwellings*, there *shall* be no more than 6 units attached together.

9.23.10 Servicing Standards

9.23.11 *Lots* *shall* be designed and constructed to meet the Leduc County's engineering standards for municipal water, municipal sanitary sewer, storm water management, paved roads, noise attenuation, grading, and utilities.

9.23.12 Landscaping

- (a) Uses permitted in this district *shall* maintain or exceed the following *landscaping* requirements:
  - i) 1 element per 35 m<sup>2</sup> (378 sq. ft.) with a minimum of 3 soft elements in the front yard.

- ii) 5 elements per rear yard.
  - iii) 1 element per yard in other yards.
  - iv) 1 element per 30 m<sup>2</sup> (323 sq. ft.) with a minimum of 3 soft elements in any amenity space.
- (b) Hard materials *shall* not cover more than 10% of the *front yard* area, excluding the areas reserved for vehicle manoeuvring and/or parking.

9.23.13 Design

- (a) End units in a *townhouse* or multiplex block *shall* place windows and entrances facing the public street and along pedestrian walkways where appropriate to encourage these areas to be attractive, active and safe.
- (b) The proportion of rooflines, wall *planes* and openings *shall* be consistent with other *buildings* on the street.
- (c) Consistent rhythms of similar but not identical details and architectural elements *shall* be used to reinforce the continuity of the street and assist in the creation of a strong neighbourhood image.
- (d) Multi-family residential development shall be designed with a visual appearance and building form (height, scale and massing) complementary to the surrounding built environment.
- (e) A minimum of 30% of *dwellings* in any multi-unit *development shall* have at least one of the following: a *porch*, a *deck*, or a balcony.
- (f) *Porch* and deck dimensions *shall* be generous enough to accommodate furnishings and ensure their active use. The minimum area of a *porch* or deck *shall* be 2.2 m<sup>2</sup> (24 square feet).
- (g) Finish materials *shall* extend to all sides of the *porch* and stairs. The underside of the *porch shall* not be exposed to the street.
- (h) There *shall* be continuity of front *porch* design between *buildings*. Material and detail variations *may* occur between *porches* provided there is an accord of scale and proportion.
- (i) Within *townhouse dwelling lots*, no more than four double car *garages shall* occur in a row.
- (j) Parking facilities *shall* not be located in the front yard of any apartment building.
- (k) Parking facilities other than private driveways *shall* not be located in the front yard of any townhouse dwelling.
- (l) Removed as per *Bylaw 11-13*

9.23.14 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.24 TC –Town Center District

9.24.1 General Purpose

The purpose of this district is to provide for a range of mixed higher density residential, personal, commercial, and *institutional uses*. This district will promote a pedestrian-friendly environment, and *shall* be subject to a high architectural design standard of *buildings* and public realm. At grade *development* adjacent to collector roads in the Town Centre will be primarily non-residential in use.

9.24.2	Permitted Uses	9.24.3	Discretionary Uses
	<i>Business Office</i>		<i>Accessory Building</i>
	<i>Commercial Retail Service</i>		<i>Adult Care Facility</i>
	<i>Convenience Retail Service</i>		<i>Child Care Facility</i>
	<i>Dwelling, Apartment</i>		<i>Drinking Establishment</i>
	<i>Dwelling, Townhouse</i>		<i>Dwelling, Semi-detached</i>
	<i>Financial Service</i>	<i>Frame &amp; Fabric Structure</i>	<i>Bylaw 10-16</i>
			<i>Institutional Use</i>
			<i>Liquor Sales</i>
			<i>Local Community Facility</i>
			<i>Park</i>
			<i>Personal and Health Care Service</i>
			<i>Recreation, Indoor</i>
			<i>Religious Assembly</i>
			<i>Restaurant</i>
			<i>Sign (in accordance with Part 8 of this Bylaw)</i>
			<i>Veterinary Clinic</i>

9.24.4 Prohibited Uses

- (a) Drive through facilities are not permitted.
- (b) No part of a *development* at street level and fronting onto a collector road *shall* be used for residential purposes, with the exception of entranceways.

9.24.5	Minimum Building Setback Requirements
From the property line adjacent to:	<i>Principal Building</i>
<i>Road, Municipal Grid – Front/Side/Rear</i>	1.0 m/ 1.0 m/ 6.0 m
<i>Road, Internal – Front/Side/Rear</i>	1.0 m/ 3.0 m/ 6.0 m
<i>Other lot – Side/Rear (abuts residential district)</i>	6.0 m/ 6.0 m
<i>- Side/Rear (abuts other Town Centre lot)</i>	0.0 m/ 3.0 m*
<i>Road, Town Centre Collector – Front/Side/Rear</i>	1.0 m/ 1.0 m/ 6.0 m

\* Where a common wall of a *development* is located on a mutual rear *lot* line, the *rear yard* is 0.0 m.

9.24.6 Density

The maximum density *shall* be:

- (a) Commercial: 1.5 FAR (*Floor Area Ratio*).
- (b) Residential: 100 units/ha (40.5 units/acre).

9.24.7 Maximum Height of Buildings

- (a) *Principal building* -14.0 m (46 ft), measured from grade to the ceiling of the highest habitable storey.

9.24.8 Minimum Floor Area of Dwelling Units

- (a) The minimum *floor area* for a *dwelling* shall be 46.5 m<sup>2</sup> (500 sq. ft.).
- 9.24.9 Servicing Standards  
*Lots* shall be designed and constructed to meet the Leduc County's engineering standards for municipal water, municipal sanitary sewer, storm water management, paved roads, noise attenuation, grading, and utilities.
- 9.24.10 Landscaping
- (a) Uses permitted in this district and abutting a Town Centre Collector road shall maintain the amount of *landscaping elements* deemed necessary by the *Development Authority* to ensure a high aesthetic appeal.
- (b) *Buildings* abutting a Town Centre Collector road shall have their *front yard* landscaped with the same hard materials as those used in the public right-of-way, or a material deemed similar by the *Development Authority*.
- (c) Uses permitted in this district that are not abutting Main Street shall maintain or exceed the following *landscaping element* requirements:
- i) 1 soft element per 25 m<sup>2</sup> (269 sq. ft.) in any required yard.
- 9.24.11 Design
- (a) *Buildings* adjacent to a Town Centre Collector road shall have a maximum *front yard setback* of 1 meter and a maximum side yard setback to adjacent lots of 0 meters.
- (b) Notwithstanding 9.24.11 (a), buildings which incorporate patio or terrace spaces shall have a maximum *front yard setback* of 4 meters, which shall only be used for such purposes.
- (c) Collector roadways in a Town Centre district shall be designed with a high degree of pedestrian amenity and shall include a minimum 1.8 m (6 ft.) wide sidewalk, pedestrian scale street lighting, street trees where practical, on-street parking, and may include on-street bicycle lanes and feature paving on sidewalks and crosswalks.
- (d) A Town Centre district shall incorporate rear *laneways* where appropriate.
- (e) *Landscaping*, boulevard and sidewalk treatments on streets in the Town Centre district shall be substantial relative to streets in other districts of *Urban Growth Areas*. Such treatments shall be as deemed by the *Subdivision Authority* and may include, but are not limited to benches, human scale decorative street lighting, waste and recycling bins, bicycle racks, decorative planters, way-finding installations, information centres, and historic plaques or signs.
- (f) Mixed commercial/residential *buildings* shall be preferred over purely residential or purely commercial *developments* fronting collector roads in a Town Centre district.
- (g) *Buildings* shall be oriented to the street. Where possible, *buildings* shall provide both front and rear public entrances.
- (h) Corner *buildings* in a Town Centre district shall have strong exposure on both of their street frontages. Where appropriate, corner *developments* shall provide access to interior block spaces.
- (i) *Buildings* in a Town Centre district shall be subject to architectural control. *Building* frontages shall include covered entranceways, awnings, or canopies where appropriate and large front window spaces, and may include front patios, retractable or 'roll-up' front walls for *commercial retail*, *restaurant*, and *drinking establishment* uses.
- (j) The base, middle and top of *building* facades in a Town Centre district shall be expressed through the use of materials and detail design.
- (k) For *buildings* above 2½ storeys, a front *stepback* of 2.5 m shall apply above the second storey.
- (l) Blank or single material facades that extend the entire length of the *building* parallel to the public street shall not be permitted.

- (m) Blank walls in other locations, which are visible to the public, *shall* incorporate additional architectural detailing and/or *signs*, murals, sculptural or graphic design.
- (n) Façades wider than 15.0 m (49 ft) *shall* be subdivided through a combination of windows and projections and recessions in the *building* wall to create a consistent rhythm across the facade.
- (o) The proportion of rooflines, wall *planes*, and openings of *buildings shall* complement those of other *buildings* in a Town Centre district.
- (p) *Buildings* in a Town Centre district which are adjacent to residential districts *shall* include traditional house form elements such as pitched roofs, gable ends, *dormer* windows, front *porches*, front steps, or other architectural features to create a transition between the Town Centre and other uses.
- (q) Parking *shall* be located to the rear of, below, or above *buildings* in a Town Centre district. Vehicular access to parking *shall* be from a rear *lane* where possible.
- (r) Where appropriate, taller non-habitable structures (such as church steeples, towers, or entrance pavilions) *shall* be permitted in order to frame and signal the importance of a Town Centre district.
- (s) Units of commercial space in a Town Centre district *shall* be no more than 930 m<sup>2</sup> (10,010 sq. ft) in size.
- (t) A Town Centre district *shall* include one commercial *development* of up to 3700 m<sup>2</sup> (39,826 sq. ft.) which is intended for a grocery store use.
- (u) Antennae, satellite dishes, and other similar structures *shall* not be installed in a yard abutting a public street other than a *lane*. Installations *shall* include screening such that the structures remain unobtrusive and *shall* be done to the satisfaction of the *Development Authority*.
- (v) Front attached garages *shall* not protrude further than 3 m (10 ft.) from the front entrance of any *dwelling*.

9.24.12 Other Regulations

9.24.13 In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.25 UC1 – Urban Commercial 1 District

9.25.1 General Purpose

9.25.2 The purpose of this district is to provide for a range of commercial uses to meet basic and daily needs in close proximity to residential areas. The convenience commercial district will promote a pedestrian-friendly environment, and *shall* be subject to a high architectural design standard of *buildings*. The maximum lot size *shall* be 2.0 hectares (4.9 acres).

9.25.3 Permitted Uses	9.25.4 Discretionary Uses
<i>Commercial Retail Service</i>	<i>Accessory Building</i>
<i>Convenience Retail Service</i>	<i>Automotive Service and Repair Shop</i>
<i>Financial Service</i>	<i>Child Care Facility</i>
<i>Personal and Health Care Service</i>	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Gas Bar</i>
	<i>Park</i>
	<i>Religious Assembly</i>
	<i>Restaurant</i>
	<i>Service Station, Minor</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Veterinary Clinic</i>

9.25.5 Minimum Building Setback Requirements	
From the property line adjacent to:	<i>Principal Building</i>
<i>Road, Municipal Grid – Front/Side/Rear</i>	3.0 m/ 3.0 m/ 6.0 m
<i>Road, Internal – Front/Rear</i>	3.0 m/ 6.0 m
<i>Other lot – Side (abuts residential district)</i>	6.0 m
<i>- Side (abuts other Convenience Commercial district)</i>	0.0 m

9.25.6 Maximum Height of Buildings

- (a) *Principal building* – 10.0 m (33 ft).
- (b) *Accessory building* – 5.0 m (16 ft).

9.25.7 Site Coverage and Floor Area

- (a) All *buildings* including *accessory buildings* shall not exceed 50% of the *lot* area.
- (b) The maximum *floor area* for any individual business premises shall not exceed 700.0 m<sup>2</sup> (7535 sq. ft.).

9.25.8 Minimum Lot Dimensions

- (a) The minimum *lot* depth shall be 30.0 m (98 ft).
- (b) The minimum *lot* width shall be 12.2 m (40 ft).

9.25.9 Servicing Standards

9.25.10 *Lots* shall be designed and constructed to meet the Leduc County's engineering standards for municipal water, municipal sanitary sewer, storm water management, paved roads, noise attenuation, grading, and utilities.

9.25.11 Landscaping

- (a) Uses permitted in this district shall maintain or exceed the following *landscaping elements* requirements:
  - i) 1 soft element per 25 m<sup>2</sup> (269 sq. ft.) in any required *yard*.

9.25.12 Design

- (a) *Buildings* shall be positioned close to the street edge wherever reasonably possible to reinforce an urban streetscape.



- (b) *Buildings shall* be designed to address the intersection of collector with other collector roads or *arterial roads* and provide a pedestrian entry court into the *development* at the corner or directly adjacent to it.
- (c) Street edges and public spaces (entry forecourts, courtyards) *shall* incorporate consistent landscape edge treatments to enhance the image of *buildings* and screen surface parking areas.
- (d) *Building* façades facing streets *shall* incorporate substantial window area, entry elements (colonnades, canopies, awnings) and architecturally integrated *signs*.
- (e) *Buildings shall* be oriented such that they face the street as well as any interior courtyards.
- (f) *Building* elevations *shall* be developed with equal design quality on all sides.
- (g) Service areas *shall* be screened from public view.
- (h) Surface parking areas *shall* be defined by interior planted *parking courts* and grade separated walkway connections where possible to *building* entrances.

9.25.13 Other Regulation

9.25.14 In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.26 UC2 – Urban Commercial 2 District

9.26.1 General Purpose

The purpose of this district is to provide for a range of commercial uses to serve the larger Leduc County community. The neighbourhood commercial district will promote a pedestrian-friendly environment, and *shall* be subject to a high architectural design standard of *buildings*. The minimum *lot* size *shall* be 2.0 hectares (4.9 acres).

9.26.2 Permitted Uses	9.26.3 Discretionary Uses
<i>Commercial Retail Service</i>	<i>Accessory Building</i>
<i>Convenience Retail Service</i>	<i>Amusement Entertainment</i>
<i>Financial Service</i>	<i>Automotive Service and Repair Shop</i>
<i>Personal and Health Care Service</i>	<i>Child Care Facility</i>
	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Gas Bar</i>
	<i>Park</i>
	<i>Recreation Indoor</i>
	<i>Religious Assembly</i>
	<i>Restaurant</i>
	<i>Service Station, Minor</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Veterinary Clinic</i>

9.26.4 Minimum Building Setback Requirements	
From the property line adjacent to:	<i>Principal Building</i>
<i>Road, Municipal Grid – Front/Side/Rear</i>	6.0 m/ 6.0 m/ 6.0 m
<i>Road, Internal/Road, Service – Front/Side/Rear</i>	6.0 m/ 6.0 m/ 6.0 m
<i>Other lot – Front/Side/Rear (abuts residential district)</i>	15.0 m
<i>- Side (abuts other commercial district)</i>	6.0 m

9.26.5 Maximum Height of Buildings

- (a) *Principal building* – 14.0 m (46 ft).
- (b) *Accessory building* – 7.0 m (23 ft).

9.26.6 Site Coverage and Floor Area

- (a) All *buildings* including *accessory buildings* shall not exceed 50% of the *lot* area.

9.26.7 Servicing Standards

*Lots* shall be designed and constructed to meet the Leduc County’s engineering standards for municipal water, municipal sanitary sewer, storm water management, paved roads, noise attenuation, grading, and utilities.

9.26.8 Landscaping

- (a) Uses permitted in this district shall maintain or exceed the following *landscaping elements* requirements:
  - i) 1 soft element per 25 m<sup>2</sup> (269 sq. ft.) in any required yard.

9.26.9 Design

- (a) *Buildings* shall be positioned close to the street edge wherever reasonably possible to reinforce an urban streetscape.
- (b) *Buildings* shall be designed to address the intersection of collector roads with other collector roads or with *arterial roads* and provide a pedestrian entry court into the *development* at the corner or directly adjacent to it.

- (c) Street edges and public spaces (entry forecourts, courtyards) *shall* incorporate consistent landscape edge treatments to enhance the image of *buildings* and screen surface parking areas.
- (d) *Building* façades facing streets *shall* incorporate substantial window area, entry elements (colonnades, canopies, awnings) and architecturally integrated *signs*.
- (e) *Buildings shall* be oriented such that they face the street as well as any interior courtyards.
- (f) *Building* elevations *shall* be developed with equal design quality on all sides.
- (g) Service areas *shall* be screened from public view.
- (h) Surface parking areas *shall* be defined by interior planted parking ‘courts’ and grade separated walkway connections where possible to *building* entrances.

9.26.10 Other Regulations

9.26.11 In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS. PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

9.27 WLC – Wizard Lake Central District

9.27.1 General Purpose

The purpose of this district is to protect the integrity of the lake and watershed, preserve tree cover and minimize adverse *environmental impacts* while allowing for minimal development of recreational and agricultural uses as well as residential *development* on smaller *lots* at lower densities. This district shall be supported by the Wizard Lake Area Structure Plan. *Residential lots* created after passage of this Bylaw shall be greater than 2.0 ha (4.94 ac) in size unless the Wizard Lake Cluster Design is employed. In the case of the Wizard Lake Cluster Design, residential lots shall be a minimum of .4 ha (1.0 ac) and maximum of 2.0 ha (4.94 ac) in size with the exception of:

- the *remnant lot* as prescribed by the *Wizard Lake Area Structure Plan (ASP)*, which has no lot size restriction.

9.27.2 Permitted Uses	9.27.3 Discretionary Uses
<i>Accessory Building ≤ 65.0 m<sup>2</sup> (700 ft<sup>2</sup>)</i>	<i>Accessory Building &gt;65.0 m<sup>2</sup> (700 ft<sup>2</sup>)</i>
<i>Agricultural, Extensive</i> <sup>1</sup>	<i>Campground</i> *
<i>Agricultural, Horticultural</i> <sup>1</sup>	<i>Cemetery</i>
<i>Agricultural, Livestock</i> <sup>2</sup>	<i>Child Care Facility</i> *
<i>Dwelling, Detached</i>	<i>Cultural Facility</i>
<i>Group Home, Limited</i> *	<i>Dwelling, Moved In</i> *
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Manufactured Home</i> <sup>2</sup>
	<i>Dwelling, Secondary and Guest House*</i> <i>Bylaw 15-13</i>
	<i>Equestrian Facility</i> <sup>2</sup>
	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Home Based Business Type 2</i>
	<i>Park</i>
	<i>Recreation, Outdoor</i> *
	<i>Religious Assembly</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Minor</i>

\* - Regulations for these uses are contained within Part 7 of this Bylaw

<sup>1</sup> – Discretionary if located within the *Wizard Lake Cluster Residential Design*

<sup>2</sup> – Only where it can be demonstrated that there will be no negative effects on the lake

9.27.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m *	40.0 m *
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m/ 20.0 m/ 20.0 m
<i>Road, Internal – Front/Side/Rear</i>	7.5 m/ 4.5 m/ 6.0 m	7.5 m/ 3.0 m/ 3.0 m
<i>Other lot – Side</i>	4.0 m	3.0 m
<i>Other lot – Rear</i>	6.0 m	3.0 m

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the Province.

9.27.5 Maximum Height of Buildings

(a) *Principal building* – 10.0 m (32.8 ft)

(b) *Accessory buildings* – 5.0 m (16.4 ft), not to exceed one storey

9.27.6 Maximum Number of Dwellings

There shall be no more than one (1) *dwelling* allowed on a *lot*.

9.27.7 Density

- (a) The maximum density *shall* be no greater than 32 *lots* per quarter section.

9.27.8 Site Coverage and Floor Area

- (a) *Principal building* – maximum of 25% of the site.  
(b) *Accessory buildings* (combined) – maximum of 5% of the site. Not to exceed 200 m<sup>2</sup> (2,152 sq. ft.)  
(c) The minimum floor area for a *dwelling, detached* shall be 95 m<sup>2</sup> (1,025 sq. ft.)

9.27.9 Access

Access to individual *lots shall* in all cases be by internal collector or service roads for the subdivision constructed to Leduc County Design standards unless there are four or fewer *lots* on one particular roadway.

9.27.10 Special Regulations

- (a) The maximum area that *shall* be cleared for residential purposes is 0.4 ha (1 ac) per *lot*.  
(b) Landscaping *shall* be required to maximize water infiltration on site.  
(c) A landscaping plan requiring a minimum of two trees per gross acre of land *shall* be required unless the title area is already 90 percent forested or devoted to agricultural use. A deciduous tree *shall* have a minimum trunk calliper of 5.0 cm (2.0 in) measured at 0.5 m (1.6 ft.) above grade and a coniferous tree *shall* have a minimum height of 2.0 m (6.5 ft.) above grade.  
(d) No vegetation *shall* be removed from the riparian areas or riparian buffer areas.  
(e) There *shall* be no development within the riparian areas or riparian buffer areas subject to the following: “Excepting thereout the N.W. 5-48-27-W4th. On these parcels a dwelling shall be permitted to be rebuilt in the same footprint as the dwelling existing at the time of adoption of this amendment. Further, that all other areas of the Land Use Bylaw shall apply.”  
(f) There *shall* be no *development* within the organic zones as identified by the Wizard Lake Area Structure Plan.  
(g) Either the *Wizard Lake Cluster Design* or *Traditional Residential* subdivision design shall be employed on any given title area, but not both.  
(h) In the case of the Wizard Lake Cluster Design:  
i) a minimum of 70% of the title area shall be retained in its natural state or devoted to agricultural use.  
ii) an outline plan *shall* be required that explains the Low Impact Development (LID) strategy that *shall* be implemented.  
iii) an integrated management approach to water (managing potable water, wastewater and storm water as one element) *shall* be incorporated.  
iv) the design *shall* be such that future servicing of water and wastewater can be facilitated efficiently and cost-effectively.

9.27.11 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

*Bylaw 26-10*

9.28 WLW/CC Wizard Lake Watershed/Conjuring Creek District

9.28.1 General Purpose

The purpose of this district is to protect the integrity of the lake and watershed, preserve tree cover and minimize adverse *environmental impacts* while allowing for minimal development of recreational and agricultural uses as well as residential *development* on larger *lots* at lower densities. This district shall be supported by the Wizard Lake Area Structure Plan. *Residential lots* created after passage of this Bylaw shall be a minimum of 4.0 ha (9.88 ac) in size unless the *Wizard Lake Cluster Design* is employed. In the case of the *Wizard Lake Cluster Design*, *residential lots* shall be a minimum of 0.4 ha (1.0 ac) and maximum of 2.0 ha (4.94 ac) in size with the exception of: the *remnant lot* as prescribed by the *Wizard Lake Area Structure Plan (ASP)*, which has no *lot size* restriction.

9.28.2 Permitted Uses	9.28.3 Discretionary Uses
<i>Accessory Building ≤ 65.0 m<sup>2</sup> (700 ft<sup>2</sup>)</i>	<i>Accessory Building &gt;65.0 m<sup>2</sup> (700 ft<sup>2</sup>)</i>
<i>Agricultural, Extensive</i> <sup>1</sup>	<i>Campground</i> *
<i>Agricultural, Horticultural</i> <sup>1</sup>	<i>Cemetery</i>
<i>Agricultural, Livestock</i> <sup>2</sup>	<i>Child Care Facility</i> *
<i>Dwelling, Detached</i>	<i>Cultural Facility</i>
<i>Group Home, Limited</i> *	<i>Dwelling, Moved In</i> *
<i>Home Based Business, Type 1</i> *	<i>Dwelling, Manufactured Home</i> <sup>2</sup>
	<i>Dwelling, Secondary and Guest House*</i> <i>Bylaw 15-13</i>
	<i>Equestrian Facility</i> <sup>2</sup>
	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Home Based Business Type 2</i>
	<i>Park</i>
	<i>Recreation, Outdoor</i> *
	<i>Religious Assembly</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Minor</i>

\* - Regulations for these uses are contained within Part 7 of this Bylaw

<sup>1</sup> – Discretionary if located within the *Wizard Lake Cluster Residential Design*

<sup>2</sup> – Only where it can be demonstrated that there will be no negative effects on the lake

9.28.4 Minimum Building Setback Requirements		
From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m *	40.0 m *
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m/ 20.0 m/ 20.0 m
<i>Road, Internal – Front/Side/Rear</i>	7.5 m/ 4.5 m/ 6.0 m	7.5 m/ 3.0 m/ 3.0 m
<i>Other lot – Side</i>	4.0 m	3.0 m
<i>Other lot – Rear</i>	6.0 m	3.0 m

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a road, *highway* may have increased setbacks as determined by the Province.

9.28.5 Maximum Height of Buildings

(a) *Principal building* – 10.0 m (32.8 ft)

(b) *Accessory buildings* – 5.0 m (16.4 ft), not to exceed one storey

9.28.6 Maximum Number of Dwellings

There shall be no more than one (1) *dwelling* allowed on a lot.

9.28.7 Density

- (a) The maximum density *shall* be no greater than 16 *lots* per quarter section, except in the case of a *Wizard Lake Cluster Design*.
- (b) In the case of a *Wizard Lake Cluster Design*, the maximum density *shall* be no greater than 32 residential lots per quarter section.
- (c) Notwithstanding (a) and (b) above, the SW 1-4B-27-W4 may be further subdivided providing the subdivision:
  - i) does exceed 50 *residential lots* per quarter section, and
  - ii) is in accordance with the minimum lot size criteria within its respective character area as identified by the Wizard Lake ASP [4.0 ha (9.88 acres)].

9.28.8 Site Coverage and Floor Area

- (a) *Principal building* – maximum of 25% of the site.
- (b) *Accessory buildings* (combined) – maximum of 5% of the site, not to exceed 200 m<sup>2</sup> (2,152 sq. ft.)
- (c) The minimum *floor area* for a *dwelling, detached shall* be 95 m<sup>2</sup> (1,025 sq. ft.)

9.28.9 Access

Access to individual *lots shall* in all cases be by internal collector or service roads for the subdivision constructed to Leduc County Design standards unless there are four or fewer *lots* on one particular roadway.

9.28.10 Special Regulations

- (a) The maximum area that *shall* be cleared for residential purposes is 0.4 ha (1 ac) per lot.
- (b) Landscaping *shall* be required to maximize water infiltration on site.
- (c) A landscaping plan requiring a minimum of two trees per gross acre of land *shall* be required unless the title area is already 90 percent forested or devoted to agricultural use. A deciduous tree *shall* have a minimum trunk calliper of 5.0 cm (2.0 in) measured at 0.5 m (1.6 ft) above grade and a coniferous tree *shall* have a minimum height of 2.0 m (6.5 ft.) above grade.
- (d) No vegetation *shall* be removed from the riparian areas or riparian buffer areas.
- (e) There shall be no development within the riparian areas or riparian buffer areas subject to the following: “Excepting thereout the S.E. 4-48-27-W4th and N.E. 4-48-27-W4th. On these parcels a dwelling shall be permitted to be rebuilt in the same footprint as the dwelling existing at the time of adoption of this amendment. Further, that all other areas of the Land Use Bylaw shall apply.”
- (f) There *shall* be no *development* within the organic zones as identified by the Wizard Lake Area Structure Plan.
- (g) Either the *Wizard Lake Cluster Design* or *Traditional Residential* subdivision design shall be employed on any given title area, but not both.
- (h) In the case of the *Wizard Lake Cluster Design*:
  - i) a minimum of 70% of the title area shall be retained in its natural state or devoted to agricultural use.
  - ii) an outline plan *shall* be required that explains the Low Impact Development (LID) strategy that *shall* be implemented.
  - iii) an integrated management approach to water (managing potable water, wastewater and storm water as one element) *shall* be incorporated.
  - iv) the design *shall* be such that future servicing of water and wastewater can be facilitated efficiently and cost-effectively.

9.28.11 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

Bylaw 26-10

9.29 WLW – Wizard Lake West District

9.29.1 General Purpose

The purpose of this district is to protect the integrity of the lake and watershed, preserve tree cover and minimize adverse *environmental impacts* while allowing for minimal development of recreational and agricultural uses as well as residential *development* on larger *lots* at lower densities. This district shall be supported by the Wizard Lake Area Structure Plan. *Residential lots* created after passage of this Bylaw shall be a minimum of 16.0 ha (39.54 ac) in size unless the *Wizard Lake Cluster Design* is employed. In the case of the *Wizard Lake Cluster Design*, *residential lots* shall be a minimum of 0.4 ha (1.0 ac) and maximum of 2.0 ha (4.94 ac) in size with the exception of: the *remnant lot* as prescribed by the *Wizard Lake Area Structure Plan (ASP)*, which has no *lot size* restriction.

9.29.2 Permitted Uses	9.29.3 Discretionary Uses
<i>Accessory Building ≤ 65.0 m<sup>2</sup> (700 ft<sup>2</sup>)</i>	<i>Accessory Building &gt;65.0 m<sup>2</sup> (700 ft<sup>2</sup>)</i>
<i>Agricultural, Extensive<sup>1</sup></i>	<i>Campground *</i>
<i>Agricultural, Horticultural<sup>1</sup></i>	<i>Cemetery</i>
<i>Agricultural, Livestock<sup>2</sup></i>	<i>Child Care Facility *</i>
<i>Dwelling, Detached</i>	<i>Cultural Facility</i>
<i>Group Home, Limited *</i>	<i>Dwelling, Moved In *</i>
<i>Home Based Business, Type 1 *</i>	<i>Dwelling, Manufactured Home<sup>2</sup></i>
	<i>Dwelling, Secondary and Guest House*</i> <i>Bylaw 15-13</i>
	<i>Equestrian Facility<sup>2</sup></i>
	<i>Frame &amp; Fabric Structure</i> <i>Bylaw 10-16</i>
	<i>Home Based Business Type 2</i>
	<i>Park</i>
	<i>Recreation, Outdoor *</i>
	<i>Religious Assembly</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Utility Service, Minor</i>

\* - Regulations for these uses are contained within Part 7 of this Bylaw

<sup>1</sup> – Discretionary if located within the *Wizard Lake Cluster Residential Design*

<sup>2</sup> – Only where it can be demonstrated that there will be no negative effects on the lake

9.29.4 Minimum Building Setback Requirements	<i>Principal Building</i>	<i>Accessory Building</i>
From the property line adjacent to:		
<i>Road, Highway – Front/Side/Rear</i>	40.0 m *	40.0 m *
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m/ 20.0 m/ 20.0 m
<i>Road, Internal – Front/Side/Rear</i>	4.5 m/ 6.0 m/ 7.5 m	7.5 m/ 3.0 m/ 3.0 m
<i>Other lot – Side</i>	4.0 m	3.0 m
<i>Other lot – Rear</i>	6.0 m	3.0 m

\* Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by the Province.

9.29.5 Maximum Height of Buildings

(a) *Principal building* – 10.0 m (32.8 ft)

(b) *Accessory buildings* – 5.0 m (16.4 ft), not to exceed one storey

9.29.6 Maximum Number of Dwellings

There shall be no more than one (1) *dwelling* allowed on a lot.



9.29.7 Density

- (a) The maximum density *shall* be no greater than 4 *lots* per quarter section, except in the case of a *Wizard Lake Cluster Design*.
- (b) In the case of a *Wizard Lake Cluster Design*, the maximum density *shall* be no greater than 8 *residential lots* per quarter section.

9.29.8 Site Coverage and Floor Area

- (a) *Principal building* – maximum of 25% of the site.
- (b) *Accessory buildings* (combined) – maximum of 5% of the site, not to exceed 200 m<sup>2</sup> (2,152 sq. ft.)
- (c) The minimum *floor area* for a *dwelling, detached shall* be 95 m<sup>2</sup> (1,025 sq. ft.)

9.29.9 Access

Access to individual *lots shall* in all cases be by internal collector or service roads for the subdivision constructed to Leduc County Design standards unless there are four or fewer lots on one particular roadway.

9.29.10 Special Regulations

- (a) The maximum area that *shall* be cleared for residential purposes is 0.4 ha (1 ac) per lot.
- (b) Landscaping *shall* be required to maximize water infiltration on site.
- (c) A landscaping plan requiring a minimum of two trees per gross acre of land *shall* be required unless the title area is already 90 percent forested or devoted to agricultural use. A deciduous tree *shall* have a minimum trunk calliper of 5.0 cm (2.0 in) measured at 0.5 m (1.6 ft) above grade and a coniferous tree *shall* have a minimum height of 2.0 m (6.5 ft.) above grade.
- (d) No vegetation *shall* be removed from the riparian areas or riparian buffer areas.
- (e) There *shall* be no *development* within the riparian areas or riparian buffer areas subject to the following: “Excepting thereout the N.W. 7-48-27-W4th. On these parcels a dwelling shall be permitted to be rebuilt in the same footprint as the dwelling existing at the time of adoption of this amendment. Further, that all other areas of the Land Use Bylaw shall apply.”
- (f) There *shall* be no *development* within the organic zones as identified by the Wizard Lake Area Structure Plan.
- (g) Either the *Wizard Lake Cluster Design* or *Traditional Residential* subdivision design shall be employed on any given title area, but not both.
- (h) In the case of the *Wizard Lake Cluster Design*:
  - i) a minimum of 70% of the title area shall be retained in its natural state or devoted to agricultural use.
  - ii) an outline plan *shall* be required that explains the Low Impact Development (LID) strategy that *shall* be implemented.
  - iii) an integrated management approach to water (managing potable water, wastewater and storm water as one element) *shall* be incorporated.
  - iv) the design *shall* be such that future servicing of water and wastewater can be facilitated efficiently and cost-effectively.

9.29.11 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

*Bylaw 26-19*

9.30 IB – Industrial Business District

9.30.1 General Purpose

The purpose of this district is to allow for development of a wide array of business/corporate offices, retail/commercial operations, entertainment facilities/complexes, and high standard accommodations. All of the uses found within the Industrial Business District will operate in such a way as to create no disturbances outside of the enclosed *buildings* and to be compatible with all adjacent land uses.

9.30.2 Permitted Uses	9.30.3 Discretionary Uses
<i>Accessory Building ≤ 200.0 m<sup>2</sup> (2,152.8 ft<sup>2</sup>)</i>	<i>Accessory Building &gt; 200.0 m<sup>2</sup> (2,152.8 ft<sup>2</sup>)</i>
<i>Business Office</i>	<i>Amusement Entertainment Service, Indoor</i>
<i>Broadcast Film Studio</i>	<i>Automotive Sales and Service</i>
<i>Commercial Retail Service</i>	<i>Animal Care Service</i>
<i>Cultural Facility</i>	<i>Casino/Gambling Establishment</i>
<i>Drive-in food services</i>	<i>Childcare Facility Bylaw 6-13</i>
<i>Financial Services</i>	<i>Commercial Greenhouse</i>
<i>Hotel</i>	<i>Commercial Storage</i>
<i>Information Service</i>	<i>Contractor Service, Indoor</i>
<i>Institutional Use</i>	<i>Drinking Establishment</i>
<i>Liquor Sales</i>	<i>Frame &amp; Fabric Structure Bylaw 10-16</i>
<i>Motel</i>	<i>Funeral Service</i>
<i>Professional, Scientific, and Technical Service</i>	<i>Gas Bar</i>
<i>Recreation, Indoor</i>	<i>Kennel</i>
<i>Restaurant</i>	<i>Manufacturing, Light</i>
<i>Utility Service, Minor</i>	<i>Manufacturing, Limited Indoor</i>
	<i>Night Club</i>
	<i>Park</i>
	<i>Personal and Health Care Service</i>
	<i>Protective and Emergency Services</i>
	<i>Recreation, Outdoor</i>
	<i>Recycling Depot, Indoor</i>
	<i>Religious Assembly</i>
	<i>Schools, Commercial</i>
	<i>Security Suite</i>
	<i>Service Station, Major</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
	<i>Warehousing and Storage, Indoor</i>
	<i>Warehousing and Storage, Limited</i>
	<i>Warehouse Sales</i>



9.30.9 Building and Site Design

- (a) Excepting Clause 6.4.9, building and site design shall be subject to Clauses 6.4.7 – 6.4.17 of this Bylaw.
- (b) Architectural treatment of building façade shall include design elements that reduce the perceived mass of the building and add architectural interest.
- (c) Blank walls (i.e. that have no opening) facing public streets are not permitted.
- (d) Principal building entrances shall be clearly articulated and linked to any pedestrian walkway systems.
- (e) In multi-building complexes, a consistent architectural concept *shall* be maintained through the use of complementary building design, material and colours.
- (f) Pre-engineered *principal buildings* of non-permanent/not durable materials *shall* not be permitted.
- (g) Parking *shall* be encouraged to be provided underground and/or at the side or rear of *principal buildings*.
- (h) On-site parking, loading and unloading areas *shall* be *hard-surfaced*. Loading and unloading areas *shall* be located only at the side or rear of the *principal building*, and screened from view from any public roadway.
- (i) Roof-top mechanical equipment and mechanical penthouses *shall* be screened from view.
- (j) Exterior lighting of a *development* *shall* be subject to Clauses 6.7.3 – 6.7.8 of this *Bylaw*.
- (k) Pedestrian circulation *shall* be clearly marked through paving and lighting treatments.
- (l) All pedestrian *pathways* *shall* link between building entrances, *street* sidewalks, future transit stops/stations, *trail* systems, and *parking areas*.
- (m) Shared lot access *shall* be encouraged in an Industrial Business district and *shall* be secured with access agreements.
- (n) Adjacent parking areas on adjacent lots may connect to one another in order to facilitate off street vehicular movement from one development to the next.
- (o) Lot configuration and associated buildings *shall* have designs that consider the natural environment including, but not limited to:
  - i) Passive solar energy
  - ii) Wind protection for adjacent trails and public open spaces
  - iii) Use of captured rainwater for landscape maintenance
  - iv) Landscaping for passive cooling
- (p) Page wire and barbed wire fences shall not be permitted.
- (q) Trash enclosures, loading docks, mechanical equipment and other service elements *shall* be located away and not visible from *street* or perimeter walkway view.
- (r) The design, placement and scale of all *signs* *shall* be to the satisfaction of the *Development Authority* so as to ensure that the signage does not detract from the overall appearance of the *development* and is not obtrusive, having regard to the scale of the *buildings* on the *site* and the distance of the *building* setback.
  - i) A minimum set back of 5 m (16.4 ft.) must be maintained from a Highway right-of-way for free standing permanent signs.
  - ii) Business identification signs visible from a Highway travel lanes, whether free standing or located on building facades, should be similar as to the proportion, construction material and placement as those located elsewhere throughout the Corridor segment.
- (s) A *development* *shall* carry out its operations such that no nuisance factor is created or apparent outside an enclosed *building*. Nuisance factors include excessive noise, vibration, odour, unsightliness, liquid or gaseous emanations, reflection, dust, and the harbouring of restricted or noxious weeds.

- (t) Vacant, undeveloped, or unused portions of a site shall be maintained in grass, landscaping materials or such other ground cover as deemed appropriate by the Development Authority.
- (u) All developments shall be serviced with the most up-to-date telecommunications technologies available at time of construction.
- (v) Within the vicinity of an airport, developments that include characteristics which increase wildlife and bird hazards to the airport are prohibited.

9.30.10 Airport Vicinity Protection Area (AVPA)

- (a) Any development within the defined AVPA boundary must comply with the AVPA regulations.
- (b) Performance based insulation required for commercial developments are required in developments located within the AVPA boundaries.

*Bylaw 13-12*

9.31 LI – Light Industrial District

9.31.1 General Purpose

The purpose of this district is to allow logistics and distribution land uses with opportunities for related and supporting land uses. This district will offer greater flexibility for outdoor storage, while being subject to a high standard of architectural design and landscaping in order to maintain the aesthetic environment and contain the great majority of the nuisances created within the building and/or the site.

9.31.2 Permitted Uses	9.31.3 Discretionary Uses
<i>Accessory Building ≤ 200.0 m<sup>2</sup> (2,152.8 ft<sup>2</sup>)</i>	<i>Accessory Building &gt; 200.0 m<sup>2</sup> (2,152.8 ft<sup>2</sup>)</i>
<i>Automotive and Equipment Body Repair</i>	<i>Amusement Establishment</i>
<i>Automotive and Equipment Repair</i>	<i>Animal Care Service</i>
<i>Broadcast Film Studio</i>	<i>Childcare Facility Bylaw 6-13</i>
<i>Bulk Oil Sales</i>	<i>Commercial Retail Service, Major</i>
<i>Business Office</i>	<i>Contractor Service, General</i>
<i>Casino/Gambling Establishment</i>	<i>Entertainment, Adult</i>
<i>Commercial Greenhouse</i>	<i>Equipment Sales and Services</i>
<i>Contractor Service, Indoor</i>	<i>Frame &amp; Fabric Structure Bylaw 10-16</i>
<i>Convenience Retail</i>	<i>Manufactured Home, Sales and Service</i>
<i>Cultural Facility</i>	<i>Manufacturing, Light</i>
<i>Distribution facility</i>	<i>Park</i>
<i>Drinking Establishment</i>	<i>Parking Facility</i>
<i>Financial Services</i>	<i>Protective and Emergency Services</i>
<i>Funeral Service</i>	<i>Recreation, Outdoor</i>
<i>Gas Bar</i>	<i>Recreational Vehicle Storage</i>
<i>Hotel</i>	<i>Recycling Depot</i>
<i>Industrial, Light</i>	<i>Retail Store, Large format</i>
<i>Information Service</i>	<i>Security Suite</i>
<i>Institutional Use</i>	<i>Sign (in accordance with Part 8 of this Bylaw)</i>
<i>Liquor Sales</i>	<i>Warehousing and Storage, Limited</i>
<i>Manufacturing, Limited Indoor</i>	
<i>Motel</i>	
<i>Personal Health Care Services</i>	
<i>Recreation, Indoor</i>	
<i>Religious Assembly</i>	
<i>Restaurant</i>	
<i>Schools, Commercial</i>	
<i>Service Station, Major</i>	
<i>Truck Terminal</i>	
<i>Truck Weigh Scale</i>	
<i>Utility Service, Minor</i>	
<i>Warehousing and Storage, Indoor</i>	
<i>Warehouse Sales</i>	
<i>Wholesaling Facility</i>	

9.31.4 Minimum Building Setback Requirements	
From the property line	Any Building or Structure
Road, Highway – Front/Side/Rear	7.5 m
Road, Arterial – Front/Side/Rear	7.5 m
Road, Internal/Service or Street – Front/Side/Rear	7.5 m
Other Lots - Side	0.0 m
- Rear	1.2 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a Road, highway may have increased setbacks as determined by Provincial Transport Authorities.

9.31.5 Building Height

- (a) The maximum height of any building or structure located in the vicinity of an airport shall be determined by the limits as described in the Edmonton International Airport Zoning Regulations (CRC, c81), and shall be subject to the approval of Transportation Canada and NAV Canada.
- (b) The maximum height of any building or structure not located in the vicinity of an airport shall not exceed 6 storeys.

9.31.6 Landscaping

All lands within this District shall have a landscaped area. A landscaping plan shall be provided for all developments in accordance with Section 6.6 of this Bylaw

- (a) Within this district, Landscaped Area shall be defined as the following:
  - i) All front yards and side yards adjacent to a road to a minimum depth of 6 metres,
  - ii) all minimum required side yards between the front and rear of a principal building where they are not used for vehicular circulation.
- (b) Xeriscaping landscaping techniques shall be encouraged to reduce watering requirements.
- (c) Vegetation utilized for landscaping shall be hardy to the central Alberta climate, as determined by the Development Authority in coordination with the Leduc County horticulturalist.
- (d) In landscaped areas, trees must be planted in clusters, double rows or triangles instead of as a single tree row, and must be spaced in accordance with recognized horticultural practice.
- (e) In the vicinity of an airport, landscaping is to minimize attractants to birds and wildlife that may affect safe airport operations.
- (f) In the vicinity of an airport, traffic/automobile lights, traffic control devices, street lighting and building lighting shall not interfere with the operation of any airport function.

9.31.7 Site Coverage

The combined site coverage by principal and accessory buildings shall not exceed 80% of the site.

9.31.8 Outdoor Storage

Outdoor Storage shall meet the following requirements:

- (a) Outdoor storage must be visually screened from adjacent roadways and adjacent districts through the use of building orientation and design, landscaping, berms and fencing.
- (b) Outdoor storage shall not be comprised of materials or equipment that are, or cause, runoff or airborne particulate pollutants (i.e. heavy metals, chemicals, oils, dust), safety hazards or interrupt airport function.
- (c) Recycling bins, garbage bins, parked fleet vehicles, parked trucks and outdoor display areas of new retail sales (i.e. automobiles, farm equipment, etc.) are not considered outdoor storage in this district.
- (d) Outdoor storage shall not be the dominant or sole use on any lot.

- (e) *Yard* and storage areas may be surfaced with recycled asphalt, recycled concrete or other compacted, non-dust emitting materials. Areas surfaced with such materials shall be visually screened and not have direct access to public roads.
- (f) Within the vicinity of an airport, the outdoor storage of food sources and wildlife attractants is prohibited.

9.31.9 Building and Site Design

- (a) Excepting Clause 6.4.9, *building* and *site* design shall be subject to Clauses 6.4.7 – 6.4.17 of this *Bylaw*.
- (b) *Principal building* entrances shall be clearly articulated and linked to any pedestrian walkway systems.
- (c) In multi-building complexes, a consistent architectural concept shall be maintained through the use of complementary building design, material and colours.
- (d) Pre-engineered *principal buildings* of non-permanent/not durable materials shall not be permitted.
- (e) Parking shall be encouraged to be provided underground and/or at the side or rear of *principal buildings*.
- (f) On-site parking, loading and unloading areas shall be *hard-surfaced*. Loading and unloading areas shall be located only at the side or rear of the *principal building*, and screened from view from any public roadway.
- (g) Roof-top mechanical equipment and mechanical penthouses shall be screened from view.
- (h) Exterior lighting of a *development* shall be subject to Clauses 6.7.3 – 6.7.8 of this *Bylaw*.
- (i) Pedestrian circulation shall be clearly marked through paving and lighting treatments.
- (j) All pedestrian *pathways* shall link between building entrances, *street* sidewalks, future transit stops/stations, *trail* systems, and *parking areas*.
- (k) Shared lot access shall be encouraged in a Light Industrial district and shall be secured with access agreements.
- (l) Lot configuration and associated buildings shall have designs that consider the natural environment including, but not limited to:
  - i) Passive solar energy
  - ii) Wind protection for adjacent trails and public open spaces
  - iii) Use of captured rainwater for landscape maintenance
  - iv) Landscaping for passive cooling
- (m) Trash enclosures, loading docks, mechanical equipment and other service elements shall be located away and not visible from *street* or perimeter walkway view.
- (n) The design, placement and scale of all *signs* shall be to the satisfaction of the *Development Authority* so as to ensure that the signage does not detract from the overall appearance of the *development* and is not obtrusive, having regard to the scale of the *buildings* on the *site* and the distance of the *building* setback.
- (o) A *development* shall carry out its operations such that no nuisance factor is created or apparent beyond the property. Nuisance factors include excessive noise, vibration, odour, unsightliness, liquid or gaseous emanations, reflection, dust, and the harbouring of restricted or noxious weeds.
- (p) All developments shall be serviced with the most up-to-date telecommunications technologies available at time of construction.
- (q) Within the vicinity of an airport, developments that include characteristics which increase wildlife and bird hazards to the airport are prohibited.



9.31.10 Airport Vicinity Protection Area (AVPA)

- (a) Any development within the defined AVPA boundary must comply with the AVPA regulations.
- (b) Performance based insulation required for commercial developments are required in developments located within the AVPA boundaries

9.32 UC3 – Urban Commercial 3 District

9.32.1 General Purpose

The purpose of this district is to provide for development of large scale, commercial shopping centres, entertainment and cultural uses in comprehensively planned developments. This district is intended to provide opportunities for a wide range of goods and services to be available in locations with high visibility and accessibility. Developments in the Urban Commercial 3 District will promote a pedestrian-friendly environment, and *shall* be subject to a high standard of architectural design and landscaping.

9.32.2 Permitted Uses	9.32.3 Discretionary Uses
<i>Commercial Retail Service</i>	<i>Accessory Building</i>
<i>Convenience Retail Service</i>	<i>Amusement Entertainment Services</i>
<i>Cultural Facility</i>	<i>Automotive Sales and Service</i>
<i>Drive-In Food Services</i>	<i>Automotive Service and Repair Shop</i>
<i>Financial Service</i>	<i>Casino/Gambling Establishment</i>
<i>Information Service</i>	<i>Child Care Facility</i>
<i>Institutional Use</i>	<i>Commercial Greenhouse</i>
<i>Hotel</i>	<i>Drinking Establishment</i>
<i>Motel</i>	<i>Frame &amp; Fabric Structure</i> <span style="float: right;"><i>Bylaw 10-16</i></span>
<i>Personal and Health Care Service</i>	<i>Gas Bar</i>
<i>Restaurant</i>	<i>Liquor Sales</i>
<i>Utility Services, Minor</i>	<i>Night Club</i>
	<i>Park</i>
	<i>Parking Facility</i>
	<i>Protective and Emergency Services</i>
	<i>Recreation Indoor</i>
	<i>Religious Assembly</i>
	<i>Retail Store, Large format</i>
	<i>Service Station, Minor</i>
	<i>Sign (in accordance with Part 8 of this</i>
	<i>Veterinary Clinic</i>
	<i>Recycling Depot- Indoor</i>
	<i>Warehouse Sales Services</i>

9.32.4 Discretionary Uses	
From the property line	Any Building or Structure
<i>Road, Highway – Front/Side/Rear</i>	<b>6.0 m</b>
<i>Road, Municipal Grid – Front/Side/Rear</i>	<b>6.0 m</b>
<i>Road, Arterial – Front/Side/Rear</i>	<b>6.0 m</b>
<i>Road, Internal/Service or Street –</i>	<b>6.0 m</b>
Other Lots - Side	<b>0.0 m</b>
- Rear	<b>1.2 m</b>

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a Road, highway may have increased setbacks as determined by Provincial Transport Authorities.

9.32.5 Building Height

- (a) *Principal building – 14.0 m (46ft)*
- (b) *Accessory Building – 7.0 m (23 ft)*
- (c) *Notwithstanding (a), and (b) the maximum height of any building or structure shall be subject to the Edmonton International Airport Zoning Regulations (CRC, c81), and shall be subject to the approval of Transportation Canada and NAV Canada within the Edmonton International Airport Vicinity Protection Area.*

9.32.6 Site Coverage

The combined *site coverage* by *principal* and *accessory buildings* shall not exceed 60% of the site.

9.32.7 Landscaping

All lands within the Urban Commercial 3 District *shall* have a *landscaped area*. A *landscaping plan* *shall* be provided for all *developments* in accordance with Section 6.6 of this Bylaw.

- (a) Within this district, *Landscaped Area* shall be defined as the following:
  - i) All front yards and side yards adjacent to a street to a minimum depth of 6 metres,
  - ii) all minimum required side yards between the front and rear of a principal building where they are not used for vehicular circulation
- (b) Parking areas greater than 5000.0 square metres shall provide landscaped parking islands which must:
  - i) be provided at the beginning and end of every row;
  - ii) be a minimum area of 12.0 square metres with at least one side of the island being a minimum length of 2.0 metres; and
  - iii) shall provide a minimum of 1.0 tree or 2.0 shrubs
- (c) *Xeriscaping* landscaping techniques *shall* be encouraged to reduce watering requirements.
- (d) Vegetation utilized for landscaping shall be hardy to the central Alberta climate, as determined by the Development Authority in coordination with the Leduc County horticulturalist.
- (e) Developments must include one soft element per 25 m<sup>2</sup> in any required yard.
- (f) In landscaped areas, trees must be planted in clusters, double rows or triangles instead of as a single tree row, and must be spaced in accordance with recognized horticultural practice
- (g) In the vicinity of an airport, traffic/automobile lights, traffic control devices, street lighting and building lighting shall not interfere with the operation of any airport function.
- (h) In the vicinity of an airport, landscaping is to minimize attractants to birds and wildlife that may affect safe airport operations.

9.32.8 Building and Site Design

- (a) *Buildings shall* be positioned close to the street edge wherever reasonably possible to reinforce an urban streetscape.
- (b) *Buildings shall* be designed to address the intersection of collector roads with other collector roads or with *arterial roads* and provide a pedestrian entry court into the *development* at the corner or directly adjacent to it.
- (c) Street edges and public spaces (entry forecourts, courtyards) *shall* incorporate consistent landscape edge treatments to enhance the image of *buildings* and screen surface parking areas.
- (d) *Building* façades facing streets *shall* incorporate substantial window area, entry elements (colonnades, canopies, awnings) and architecturally integrated *signs*.
- (e) *Buildings should* be oriented such that they face the street as well as any interior courtyards or parking areas.
- (f) *Building* elevations *shall* be developed with equal design quality on all sides.

- (g) Garbage and waste materials shall be stored in weatherproof and animal-proof containers in service areas visually screened from all adjacent sites and public roadways.
- (h) Surface parking areas *shall* be defined by interior *parking courts* and grade separated walkway connections where possible to *building* entrances.
- (i) All developments shall be serviced with the most up-to-date telecommunications technologies available at time of construction.
- (j) Within the vicinity of an airport, developments that include characteristics which increase wildlife and bird hazards to the airport are prohibited.

#### 9.32.9 Outdoor storage

No outdoor storage shall be permitted in an Urban Commercial 3 District.

#### 9.32.10 Airport Vicinity Protection Area (AVPA)

- (a) Any development within the defined AVPA boundary must comply with the AVPA regulations.
- (b) Performance based insulation required for commercial developments are required in developments located within the AVPA boundaries.

*Bylaw 13-12*

9.33 MB – Manufacturing Business Incubation District

9.33.1 General Purpose

The purpose of this district is to allow for *development*, within a business park-like setting, of mixed-use live/work units combined with manufacturing and business development, for the purpose of business incubation, and to be operated in such a way as to create no disturbances outside of the enclosed *buildings*. The implementation of this District to any lands within the County must first be supported through the provision of an adopted Area Structure Plan, Local Area Structure Plan or Outline Plan, as deemed appropriate by the County.

9.33.2 Permitted Uses	9.33.3 Discretionary Uses
<i>Accessory Building ≤ 200 m<sup>2</sup> (2,152.8 ft<sup>2</sup>)</i>	<i>Accessory Building &gt; 200 m<sup>2</sup> (2,152.8 ft<sup>2</sup>)</i>
<i>Agriculture, Horticulture</i>	<i>Agricultural Processing</i>
<i>Broadcast Film Studio</i>	<i>Amusement and Entertainment Service</i>
<i>Business Office</i>	<i>Animal Care Service</i>
<i>Commercial Retail Service</i>	<i>Automotive and Equipment Repair</i>
<i>Convenience Retail Service</i>	<i>Automotive Sales and Service</i>
<i>Education Service</i>	<i>Casinos/Gaming Establishment</i>
<i>Financial Service</i>	<i>Child Care Services</i>
<i>Government Service</i>	<i>Commercial Storage</i>
<i>Information Service</i>	<i>Cultural Facility</i>
<i>Manufacturing Business Incubator</i>	<i>Drinking Establishment</i>
<i>Mixed Use Residential/Office</i>	<i>Entertainment, Adult</i>
<i>Personal and Health Care Service</i>	<i>Frame &amp; Fabric Structure Bylaw 10-16</i>
<i>Recreation, Indoor</i>	<i>Industrial, Light</i>
	<i>Liquor Sales</i>
	<i>Outdoor Storage (&lt;25% of building area)</i>
	<i>Park</i>
	<i>Recreation, Outdoor</i>
	<i>Religious Assembly</i>
	<i>Restaurant</i>
	<i>Security Suite</i>
	<i>Warehouse Sale</i>
	<i>Sign (in accordance with Part 8 of this Bylaw)</i>

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

9.33.4 Minimum Building Setback Requirements	
From the property line adjacent to:	Any Building
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Arterial – Front/Side/Rear</i>	25.0m
<i>Road, Internal/Road, Service – Front/Side/Rear</i>	6 m
<i>Other – Side/Rear</i>	6 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, highway* may have increased setbacks as determined by provincial transportation authorities.

9.33.5 Maximum Height of Buildings

The maximum height of any *building shall* be 25.6m (84 ft.) and up to 6 stories in height

9.33.6 Site Coverage

The maximum combined *site coverage* by *principal* and *accessory buildings* – 50% of the total site area.

9.33.7 Facilitating Uses

Any use of land, as deemed acceptable by the County, required to facilitate the construction of the manufacturing business incubator shall be strictly limited to a maximum five (5) year term and shall only be permitted in accordance with an adopted Plan. Should a use on an adjacent parcel of land be subsequently approved that is not considered compatible with any temporary facilitating use(s), the County may revoke the permit following a notice period of ninety (90) days.

9.33.8 Mixed Use Residential/Office

The County will strive to ensure the livability of any residential element within the development and on adjacent properties. Residences shall be protected from the intrusion of light, noise, pollution, and other nuisances caused by adjacent commercial and industrial activity. Setbacks, screening, or the placement and orientation of low impact uses shall be utilized to help reduce the impacts on residential elements.

- (a) Any proposals that contain a residential element shall provide sufficient amenity and play space to a standard deemed satisfactory to the County. The applicant shall demonstrate during the development permit process that any proposed residences are satisfactorily protected from surrounding land uses and traffic movements within the site.
- (b) There shall be no permanent residences allowed on the site. Any development permits issued for a building containing a residential element shall restrict the tenure of each tenant to a maximum five (5) year occupancy.
- (c) Should a residential element be permitted on the site, any approval shall require adequate traffic calming measures to the satisfaction of the County to be implemented to all roads within the site ahead of any occupancy.

Any *mixed use residential/office* development will be developed and managed in accordance with an approved technology brief for the overall development that will form part of an adopted ASP, LASP or Outline Plan.

9.33.9 Site Servicing

Site servicing within this District shall be provided to the satisfaction of the County and informed through appropriate ASP's, LASP's and Outline Plans as deemed acceptable by the County.

9.33.10 Additional Site Requirements

- (a) A *development* shall carry out its operations such that no nuisance factor is created or apparent outside an enclosed *building* and such that it is compatible with any adjacent non-industrial *development*.
- (b) A minimum uninterrupted landscaped yard of 6 m (19.7 Ft.) shall be required adjacent to front *lot* lines and on rear and side *lot* lines abutting any road. Where side *lot* lines are not adjacent to a road, the minimum uninterrupted landscaped yard shall be 1.5m.
- (c) No *outdoor storage*, loading, service, assembly or trash collection shall be permitted in front of the *principal building*, except that loading and trash collection shall be allowed when it is serving office, warehouse and similar *developments*, where the handling or assembly of goods is carried on within a *building*.
- (d) Vacant, undeveloped, or unused portions of a site shall be maintained in grass, landscaping materials or such other ground cover as deemed appropriate by the *Development Authority*.
- (e) The perceived massing of structures, when viewed from adjacent public roadways, public lands, or residential properties shall be minimized through use of building setbacks, articulated building facades and roof lines, trees or shrubbery, and effective use of colour and finishing materials.
- (f) The *Development Authority* may require a *development* to be constructed using a specified, consistent architectural theme, which may include, but not be limited

to, elements such as roof design, roofing and exterior finishing materials, colours, trim details and the placement of windows and doors.

- (g) All mechanical equipment on the roof of a *building* shall be completely screened or incorporated in the roof of the *building* so that it is not visible from at-grade view.
- (h) Exterior lighting of a *development* may be installed to provide security and add visual interest provided it does not interfere with the use and enjoyment of neighbouring *lots* or the safe and effective use of public roadways.
- (i) On-site parking, loading and unloading areas shall be hard-surfaced, located only at the front or side of the *principal building*, and screened.
- (j) The design, placement and scale of all *signs* shall be to the satisfaction of the *Development Authority* so as to ensure that the signage does not detract from the overall appearance of the *development* and is not obtrusive, having regard to the scale of the *buildings* on the *site* and the distance of the building setback.
- (k) Limited *outdoor storage* areas, accessory to the principal use may be permitted, provided they do not exceed in total 25% of the site coverage of the *principal building* and are fully screened from the view of abutting public roadways and adjacent development sites.

#### 9.33.11 Other Regulations

In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

*Bylaw 15-14*

**10. PART TEN – SUBDIVISION DESIGN**

10.1 General

- 10.1.1 Subdivision should conform to the prescribed minimum and maximum lot sizes for each Land Use District in this Bylaw.
- 10.1.2 The minimum size for agricultural lots in all Land Use Districts should be 32.4 ha (80.0 ac) or such size as results from a physical severance.
- 10.1.3 Notwithstanding 10.2, where it is demonstrated to the satisfaction of the Subdivision Authority that a lot less than the prescribed minimum can support an economically viable agricultural operation, the lot size may be reduced, subject to the provisions of relevant statutory plans.
- 10.1.4 Unless otherwise indicated in a statutory plan, the sizes for new residential lots should be as follows:

LAND USE DISTRICT	MINIMUM LOT SIZE	MAXIMUM LOT SIZE
AG -Agricultural	1.0 ha (2.47 ac)	2.0 ha (4.94 ac) <b>See 10.6</b>
AG/CR Transitional	1.0 ha (2.47 ac)	<b>See 10.6</b>
AGR – Agricultural Restricted	1.0 ha (2.47 ac)	2.0 ha (4.94 ac)
ROS – Recreation/Open Space	1.0 ha (2.47 ac)	8.0 ha (19.76 ac)*
LW – Lake Watershed	1.0 ha (2.47 ac)	8.0 ha (19.76 ac)*
RC – Country Residential	1.0 ha (2.47 ac)	4.0 ha (9.88 ac)
RA - Acreage Residential	0.4 ha (1.0 ac)	1.2 ha (2.96 ac)
RE – Estate Residential	1350 m <sup>2</sup> (14,532 sq. ft.)	6000 m <sup>2</sup> (64,586 sq. ft.)
NSRV-N.Saskatchewan River Valley	1.0 ha (2.47 ac)	2.0 ha (4.94 ac) <b>See 10.6</b>
RMH - Manufactured Home Residential		
▪ Full-serviced (piped water <u>and</u> sewer)	1350 m <sup>2</sup> (14,532 sq. ft.)	6000 m <sup>2</sup> (64,586 sq. ft.)
▪ On-site services	1.0 ha (2.47 ac)	4.0 ha (9.88 ac)
RCS – Residential Cluster Subdivision <i>Bylaw 21-10</i>	0.2 ha (0.5 ac)	0.8 ha (2.0 ac) <sup>1</sup>
BRR - Resort Residential		
▪ Full-serviced (piped water <u>and</u> sewer)	1000 m <sup>2</sup> (10,764 sq. ft.)	No maximum
▪ Single utility (piped water <u>or</u> sewer)	2000 m <sup>2</sup> (21,528 sq. ft.)	No maximum
RCM - Rural Centre Mixed		
▪ Full-serviced (water <u>and</u> sewer)	1000 m <sup>2</sup> (10,764 sq. ft.)	No maximum
▪ Single utility (piped water <u>or</u> sewer)	2000 m <sup>2</sup> (21,528 sq. ft.)	No maximum
RU1 – Residential Urban 1	1350 m <sup>2</sup> (14,532 sq. ft.)	6000 m <sup>2</sup> (64,586 sq. ft.)
RU2 – Residential Urban 2		
▪ On a corner lot	360 m <sup>2</sup> (3,875 sq. ft.)	1500 m <sup>2</sup> (16,146 sq. ft.)
▪ On a corner lot	450 m <sup>2</sup> (4,844 sq. ft.)	
RU3 – Residential Urban 3		
▪ On a corner lot	180 m <sup>2</sup> (1,938 sq. ft.)	660 m <sup>2</sup> (7,104 sq. ft.)
▪ On a corner lot	225 m <sup>2</sup> (2,422 sq. ft.)	
RM – Residential Multi Family	180 m <sup>2</sup> (1,938 sq. ft.)	1.2 ha (2.96 ac)
TC – Town Centre	180 m <sup>2</sup> (1,938 sq. ft.)	No maximum
WLC - Wizard Lake Central District		
• <i>Traditional Residential Design</i>		
• <i>Wizard Lake Cluster Design</i>		
<i>Bylaw 26-10</i>	>2.0 ha (4.94 ac) 0.4 ha (1.0 ac)	No maximum 2.0 ha (4.94 ac) <sup>1</sup>



LAND USE DISTRICT	MINIMUM LOT SIZE	MAXIMUM LOT SIZE
WLW/CC - Wizard Lake Watershed/ Conjuring Creek District • <i>Traditional Residential Design</i> • <i>Wizard Lake Cluster Design</i> <i>Bylaw 26-10</i>	4.0 ha (9.88 ac) 0.4 ha (1.0 ac)	No maximum 2.0 ha (4.94 ac) <sup>1</sup>
WLW - Wizard Lake West District • <i>Traditional Residential Design</i> • <i>Wizard Lake Cluster Design</i> <i>Bylaw 26-10</i>	16.0 ha (39.54 ac) 0.4 ha (1.0 ac)	No maximum 2.0ha (4.94 ac) <sup>1</sup>

\* Extensive tree coverage shall be required for lots exceeding 2.0 ha (4.94 ac).

<sup>1</sup> With the exception of the remnant lot as prescribed by an approved Area Structure Plan (ASP), which has no lot size restriction. *Bylaw 26-10*

- 10.1.5 Lot sizes for all uses shall be at the discretion of the Subdivision Authority in accordance with an approved statutory plan and guided by the provisions of applicable management plans.
- 10.1.6 Unless otherwise provided for in an approved statutory plan or management plan, a non-agricultural lot shall be no larger than is required to include buildings and natural features considered necessary by the Subdivision Authority for reasonable development and use of the lot.
- 10.1.7 The maximum number of lots within a multi-lot residential subdivision shall be determined by the policies of the Municipal Development Plan and other approved statutory plans and guided by the provisions of applicable management plans.
- 10.1.8 If the Development Authority is satisfied by the submission of a professional environmental and/or geotechnical assessment that the variance of a setback is warranted, the setback may be increased or reduced accordingly.

## 11. PART ELEVEN - DEFINITIONS

**ABATTOIR** means a *lot* or *building* where animals are slaughtered and butchered and *may* include the packing, treating, storing and sale of the products.

**ACCESSORY DEVELOPMENT** means a use or *building* that is incidental and subordinate to a *principal use* or *principal building* located on the same *lot*.

**ACCESSORY BUILDING** means, for the purpose of administering the provisions of Part Nine – District Regulations, a *building* that is incidental and subordinate to a *principal use* or *principal building* on the same *lot* and is more than 10.0m<sup>2</sup> (107.6 sq. ft.) in area or 2.0m (6.5 ft.) in height.

**ACCOMMODATION SERVICE** means a facility that serves the traveling public and primarily provides rooms or suites for temporary sleeping accommodation such as *hotels* and *motels*.

**ACT** means the Municipal Government Act, being the Revised Statutes of Alberta, 2000, Chapter M -26 and amendments.

**ADJACENT LAND** means land that is contiguous to a *lot* of land that is subject of a *development* or subdivision application and includes land that would be contiguous if not for a public roadway, highway, river or stream, or reserve *lot*.

**ADULT CARE FACILITY** means an adult residential care facility that provides room, board and personal services. *Bylaw 18-09*

**ADULT ENTERTAINMENT** – (See *Entertainment, Adult*)

**AGRICULTURAL OPERATION** means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward and includes *Agriculture, Confined Feeding Operation; Agriculture, Extensive; Agriculture, Horticulture and Agriculture, Livestock*.

**AGRICULTURAL PROCESSING** means the use of land or a *building* for the processing of agricultural and food products for distribution or sale, but does not include an *abattoir*.

**AGRICULTURAL PROCESSING, LIMITED** means on-site processing of the products from an *agricultural operation* for distribution or sale, but does not include an *abattoir* or the processing of the products from any other *agricultural operation*.

**AGRICULTURAL SOIL BORNE PESTS** mean any identified contaminant found within soils, clays or similar materials, that in the opinion of the County *may* be harmful to agriculture and agricultural lands, including, but not limited to, the Clubroot of Canola. *Bylaw 22-15*

**AGRICULTURAL SUPPORT SERVICE** means a facility providing products or services directly relating to the agricultural industry. Without restricting the generality of the foregoing, this *shall* include such facilities as: grain elevators, feed mills, bulk fertilizer and chemical distribution plants, farm implement sales and services and crop spraying.

**AGRICULTURE, CONFINED FEEDING OPERATION** means a fenced or enclosed area where *livestock* are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing, and which requires approval by the Natural Resources Conservation Board.

**AGRICULTURE, EXTENSIVE** means a system of tillage which depends upon large areas of land for raising crops and includes *buildings* and structures incidental to farming.

**AGRICULTURE, HORTICULTURAL** means a growing operation that, due to its nature may require smaller tracts of land and includes *buildings* and structures incidental to farming. Without restricting the

generality of the foregoing, this land use category *may* include a use such as a plant nursery, *market garden*, tree farm and specialty crop production but not a *commercial greenhouse*.

**AGRICULTURE, LIVESTOCK** means an *agricultural operation* that involves keeping of *livestock* where the number or density of animals on the subject *lot* is less than the threshold which requires approval by the Natural Resources Conservation Board as a *Confined Feeding Operation* and includes *buildings* and structures incidental to farming.

**AMENITY SPACE** means generally green space and planting which softens the urban fabric, allows for informal leisure, and provides a setting for *buildings*. *Bylaw 18-09*

**AMUSEMENT ENTERTAINMENT SERVICE** means a *lot* or *building* used for providing entertainment and amusement to patrons, usually for a fee or admission charge. Typical uses and facilities would include a go-cart track, miniature golf course, carnival, circus, table or electronic games establishment, amusement theme-park and drive-in motion picture theatre.

**AMUSEMENT ENTERTAINMENT SERVICE, INDOOR** means a *building* or a *group of buildings* used for providing entertainment and amusement to patrons, usually for a fee or admission charge. Typical uses and facilities would include indoor go-cart track, miniature golf course, table or electronic games establishment, amusement theme-park and theatre. *Bylaw 13-12*

**ANIMAL CARE SERVICE** means a facility such as a hospital or shelter used for the temporary accommodation, care, treatment or impoundment of animals. This would include such uses as veterinary clinics, animal training and grooming facilities.

**APIARY** means land and *buildings* used for the production of honey, including facilities for the maintenance of the hives and bees and the extraction, processing and packaging of raw honey.

**APPLICANT** means the registered owner of land or persons authorized by the registered owner to act as representative or agent.

**AREA STRUCTURE PLAN** means a statutory plan adopted by Leduc County under the provisions of the Municipal Government Act. *Bylaw-26-10*

**AUCTIONEERING SERVICE** means a facility specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment. This Use Class does not include *livestock auction marts*.

**AUTOMOTIVE SALES AND SERVICE** means the retail sale, rental of new or used automobiles, trucks, motorcycles, and *recreational vehicles*, together with incidental maintenance services and sales of parts, but does not include major equipment sales and service.

**AUTOMOTIVE AND EQUIPMENT BODY REPAIR** means a facility where automobiles, trucks, other vehicles and equipment undergo body repair, sandblasting and/or painting.

**AUTOMOTIVE AND EQUIPMENT REPAIR** means a facility for the servicing and mechanical repair of automobiles, trucks and utility vehicles, motorcycles, snowmobiles, motor homes and similar vehicles; the sale, installation, or servicing of related accessories and parts; and servicing and repair of small engines and equipment; but does not include auto body repair, paint shops, or wrecking yards.

**BARE LAND CONDOMINIUM** means a condominium *development* with “bare land units” as defined in the Condominium Property Act.

**BED AND BREAKFAST** means the accessory use of a principal dwelling unit in which short term overnight accommodation and limited meals are provided to overnight guests.

**BICYCLE PARKING SPACE** means an area set aside for the parking of one bicycle. *Bylaw 18-09*

**BROADCAST FILM STUDIO** means a facility used for the production, recording and/or broadcasting of presentations typically associated with radio, television and motion pictures.

**BUILDING** means anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

**BUILDING AREA** means the area of land covered by a *building* and measured between the exterior surfaces of the outer walls of the *building*.

**BUILDING GRADE** – (See *Grade, Building*).

**BUILDING HEIGHT** means the vertical distance between *building grade* and the highest point of a *building*, excluding an elevator housing, mechanical skylight, ventilating fan, steeple, chimney, fire wall, parapet wall, flagpole or similar device not structurally essential to the *building*.

**BULK OIL SALES** means a facility used for the bulk storage and distribution of petroleum products and may include card-lock retail sales.

**BUSINESS OFFICE** means a *building* or part of a *building* used primarily for clerical, managerial or administrative functions and may include the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; secretarial services; professional, scientific and technical services; *information services*; office maintenance or custodial services; office security; and the sale, rental, repair, or servicing of office equipment.

**BYLAW** means the Leduc County Land Use Bylaw.

**CAMPGROUND** means *development* of land for temporary placement of holiday trailers, motor homes, tents, campers and similar accommodations for short term occupancy, together with such necessary facilities as washroom, laundry and camp shop, to meet the needs of campground users.

**CASINO/GAMBLING ESTABLISHMENT** means a facility licensed by Alberta Gaming and Liquor, where the principal activity is gaming with the chance of monetary loss or gain through playing such games. Types of gaming may include card or other table games, video lottery terminals, slot machines, or other electronic or mechanical gambling devices. Development *may* include *restaurants, drinking establishments* and *commercial retail services*.

**CEMETERY** means land that is used for the burial of human or animal remains and may include such developments as memorial parks, burial grounds and mausoleums.

**CHARACTER AREA** means a defined area within an *area structure plan* that by its condition, affinity, interrelation, and/or by the element present within, has been identified and mapped, and is subject to one or more policies, principles, and/or objectives in the Area Structure Plan. *Bylaw-26-10*

**CHILD CARE FACILITY** means *buildings* and lands used for the provision of care, instruction, maintenance or supervision of seven or more children by a person other than one related by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day-care centres, early childhood services, nurseries and after-school or baby-sitting programs which meet this definition.

**COMMERCIAL GREENHOUSE** means a facility used to raise, display and sell plants within an enclosed structure and may include sales of related gardening or plant-care products as a minor component.

**COMMERCIAL RETAIL SERVICE** means the retail sale or rental of consumer goods and services to the general public. Heavy equipment sales or rentals and *liquor sales* are not included within this definition.

**COMMERCIAL STORAGE** means a *building* or group of *buildings* in which rentable space is provided for the storage of goods of a non-hazardous nature.

**COMMUNAL DWELLING** – (See *Dwelling, Communal*)

**COMMUNICATIONS TOWER** means a structure for supporting equipment for transmitting and/or receiving television, radio, telephone or other electronic communications.

**CONFINED FEEDING OPERATION (CFO)** - (see *Agriculture, Confined Feeding Operation*).

**CONGRAGATE HOUSING** means housing in multiple unit form for semi-independent persons within which is provided living and sleeping facilities, meal preparation, laundry services and room cleaning. Such facilities may also provide other services such as transportation for routine medical appointments and counseling. This does not include *group homes* where the occupants are living as a single housekeeping unit. This may include housing for seniors.

**CONSERVATION EASEMENT** means an agreement registered on title, whereby the *landowner* grants to the County or other qualified easement holder, provisions for protection, conservation and enhancement of the environment, its biological diversity and its natural scenic or aesthetic features. A conservation easement *may* provide for other uses such as recreation, environmental research and education, grazing and limited resource development.

**CONTRACTOR SERVICE, GENERAL** means a service of a major construction nature that requires *outdoor storage* and warehouse space. Any sales, display, office or technical support service areas *shall* be accessory to the principal general contractor service use only.

**CONTRACTOR SERVICE, INDOOR** means a construction related service such as electrical, plumbing, heating, painting and landscaping primarily to individual *landowners* but may also service other businesses, and may include the limited sale of goods normally accessory to the service. Outdoor storage of equipment is not permitted and commercial vehicles kept on the premises shall be of a maximum of 1 Ton or smaller. *Bylaw 13-12*

**CONTRACTOR SERVICE, LIMITED** means a construction related service such as electrical, plumbing, heating, painting and landscaping primarily to individual *landowners*, and may include the limited sale of goods normally accessory to the service and limited *outdoor storage* of equipment and vehicles.

**CONVENIENCE RETAIL SERVICE** means the retail sale of goods to area residents and employees on a day to day basis, from *buildings* not exceeding 275 m<sup>2</sup> (2,960 ft<sup>2</sup>) in total gross *floor area*. Typical uses include small food stores, drug stores and variety stores. *Liquor sales* and gas bars are not included within this definition.

**CONVENTION FACILITY** means a development that provides accommodations for meetings, seminars, conventions, product and trade fairs and other exhibitions, with or without eating and drinking facilities or sleeping accommodations.

**CORNER LOT** – (See *Lot, Corner*)

**COUNCIL** means the Council of Leduc County.

**COUNTY** means Leduc County.

**CULTURAL FACILITY** means a *development* used for the collection and/or appreciation of literary, artistic, musical, historical, scientific, natural and similar reference materials, or a *building* intended for live theatrical, musical or dance performances. Typical facilities would include libraries, museums, art galleries, auditoriums, theatres and concert halls.

**CUSTODIAL SUITE** – (See *Dwelling, Custodial Suite*)

**DETENTION AND CORRECTION SERVICE** means the confinement and treatment of persons in a secure facility with controlled access for the general public. Typical facilities would include prisons, mental institutions, jails, remand centres, asylums and correction centres.

**DETACHED DWELLING** – (See *Dwelling, Detached*)

**DEVELOPMENT** means:

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

**DEVELOPMENT AUTHORITY** means persons authorized by the Development Authority Bylaw of Leduc County pursuant to 624(1) of the *Act*, to exercise development powers in accordance with this *Bylaw*.

**DEVELOPMENT OFFICER** means a person designated by *Council* under the Development Authority Bylaw of Leduc County to serve as a *Development Authority*.

**DEVELOPMENT PERMIT** means a document or permit, which *may* include attachments, issued pursuant to this *Bylaw* authorizing a *development*.

**DISCRETIONARY USE** – (See *Use, Discretionary*)

**DISTRIBUTION FACILITY** means a building for the storage and/or distribution of goods and may include the temporary storage of Motor Vehicle, Commercial (i.e. trucks and tractor trailers) for freight handling including the pick-up, delivery and transitory storage of goods incidental to motor freight shipment.

*Bylaw 13-12*

**DORMER** means a vertical structure, usually housing a window, which projects from a sloping roof and is covered by a separate roof structure.

*Bylaw 18-09*

**DOUBLE FRONTING LOT** – (See *Lot, Double Fronting*)

**DRINKING ESTABLISHMENT** means a commercial facility, licensed by the Alberta Gaming and Liquor Commission, in which alcoholic beverages are served for consumption on the premises, and includes a licensed lounge that is ancillary to a *restaurant*.

**DRIVE-IN FOOD SERVICES** means a development used for eating and drinking, which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car-attendant services, drive-through food pick-up services; or parking primarily intended for on-site consumption of food within a motor vehicle or within the building which contains limited amount of seating.

*Bylaw 13-12*

**DWELLING** means a self-contained *building* or part of a *building* used for human habitation and usually containing living, sleeping, cooking, eating and sanitary facilities for a single *household*.

**DWELLING, APARTMENT** means a room or suite of rooms designed as a residence and generally located in a building occupied by more than one *dwelling* unit.

*Bylaw 18-09*

**DWELLING, COMMUNAL** means an arrangement of *dwelling*s as an integral part of an agricultural, educational, recreational or religious facility operated by a recognized communal organization.

**DWELLING, CUSTODIAL SUITE** means a *dwelling* within a non-residential *building* and intended for use by persons employed to provide on-site security and/or maintenance of land, *buildings*, animals or equipment.

**DWELLING, DETACHED** means a *dwelling* that is separate from other *buildings* and constructed or assembled on site upon a permanent foundation and includes a *dwelling, modular*.

**DWELLING, GARDEN SUITE** means a *dwelling, secondary* with or without permanent cooking facilities, separate from the principal dwelling and intended as temporary accommodation for specified persons associated with the residents of the principal *dwelling* as farm help or in a care-giving or domestic capacity.

**DWELLING, MANUFACTURED HOME** means a factory constructed transportable single or multiple section detached dwelling conforming to the CAN/CSA A277 or CAN/CSA Z240 MH series certified standards at the time of manufacture designed with a steel frame substructure, and is ready for residential occupancy upon completion of set-up in accordance with required factory recommended installation instructions including placement on a foundation and hook up to utilities.

**DWELLING, MODULAR** means a finished factory constructed single or multiple section dwelling, detached designed with a wood frame substructure intended to be relocated in modules or as a single unit, assembled and placed on a permanent foundation. Finished means fully enclosed on the exterior and interior but may not include interior painting, taping, and installation of cabinets, floor covering, fixtures, heating system, and exterior finishes.

**DWELLING, MOVED IN** means a *dwelling, detached* that was constructed at a location other than the *lot* on which it is to be placed for use as a dwelling.

**DWELLING, PRINCIPAL** means the *dwelling* determined by the *Development Authority* to be primary for the purpose of assigning secondary status to an additional *dwelling* under this *Bylaw*.

**DWELLING, SECONDARY** means an additional *dwelling* that is ancillary to a *dwelling, principal* on the same *lot*, and may include a *garden suite, secondary suite, manufactured home* or *custodial suite*.

**DWELLING, SECONDARY SUITE** means a designated area within a *dwelling, detached*, providing accommodation as a separate *dwelling*.

**DWELLING, SEMI-DETACHED** means a *building* comprised of two attached *dwelling* units. *Bylaw 18-09*

**DWELLING, TOWNHOUSE** means a *building* comprised of three or more attached *dwelling* units, each of which having an external access. *Bylaw 18-09*

**EAVE** means the projecting overhang at the lower edge of a roof.

**EDUCATION SERVICE** means a service involving the assembly of persons for educational, training or instruction purposes and may include related administrative offices, dormitories and *accessory buildings*. Typical facilities include public and separate schools, private schools or seminaries, community colleges, universities, technical and vocational facilities.

**ENTERTAINMENT, ADULT** means the provision of live performances, motion pictures, videos, books, or other reproductions for the amusement of patrons, the central feature of which is generally deemed to be unsuitable for minors.

**ENTRANCE FEATURE** means a decorative feature with strong architectural theming identifying the entrance of a unique subdivision. *Bylaw 3-13*

**ENVIRONMENTAL IMPACT** means an adverse effect on the use or enjoyment of an area due to noise, odour, illumination, dust, smoke, vibration, hazardous or dangerous emission or material, visual appearance or any other elements deemed relevant by the *Development Authority*.

**ENVIRONMENTALLY SENSITIVE AREA** means:

- (a) hazardous lands and areas that are unsuitable for *development* in their natural state (i.e. floodplains, steep and unstable slopes);
- (b) areas that perform a vital environmental, ecological or hydrological function (i.e. aquifer or recharge groundwater storage areas);
- (c) areas that contain unique geological or physiological features;
- (d) areas, *buildings* or features that are important for cultural, historical, prehistoric or archeological reasons;
- (e) areas that contain significant rare or endangered animal or plant species;
- (f) areas containing unique habitats with limited representation in the region or small remnants of previously abundant habitats which have virtually disappeared;
- (g) areas that contain large, relatively undisturbed habitats and provide shelter for species that are intolerant of human disturbance; and
- (h) areas that provide an important link for the natural migration of wildlife.

**ENVIRONMENTALLY SENSITIVE AREA STUDY** means the "*Environmentally Sensitive Areas Study: County of Leduc*", prepared by D. A. Westworth & Associates Ltd. and published by the Edmonton Metropolitan Regional Planning Commission in September 1991.

**EQUIPMENT SALES AND SERVICE** means a facility used for the sale, rental, service, or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations, and agricultural production.

**EQUESTRIAN FACILITY** means a facility used for the training of horses and riders and may include facilities for horse boarding and grooming, horse shows and equestrian competitions.

**EXCAVATION** means digging, scraping or gouging the soil, sand, gravel or other materials from the ground and includes the creation of borrow pits, ponds, ditches, lagoons and dugouts.

**EXTENSIVE AGRICULTURE** - (see *Agriculture, Extensive*)

**EXTRACTIVE RESOURCES** means natural land-based materials that are extracted from the ground and processed into products used for construction, manufacturing and energy generation. Such resources include coal deposits, oil and gas reserves and sand and gravel beds.

**FAÇADE** means the main exterior face of a building, sometimes distinguished from the other faces by elaboration of architectural or ornamental details. *Bylaw 18-09*

**FARM ASSESSMENT RATING** means an evaluation of potential for crop production expressed as a percentage figure with 100% being the highest rating and 1% being the lowest rating.

**FARM-BASED ALCOHOLIC BEVERAGE PRODUCTION FACILITY** means a building or part thereof used for the processing of ingredients for the production of spirits, beers, wines, mead or ciders. The fermentation, production, bottling, aging and/or storage of such products shall be permitted and may include a laboratory, administrative office, hospitality room, tour services and a retail outlet. At least 30% of the ingredients used to manufacture the beverages shall be sourced from the operator's farm operation.

*Bylaw 11-17*

**FENCE** means a vertical physical barrier constructed to prevent visual intrusions, unauthorized access, or to provide sound abatement.



**FILLING** means the placement of natural uncontaminated earth or aggregate materials (i.e. clay, silt, sand, gravel) on a *lot* to alter drainage grades or to build up a site for a proposed *building* or *development*, but does not include placement of dry-waste or land fill waste materials.

**FINANCIAL SERVICE** means a service related to money management and investment typically provided by a bank, trust company, investment dealer, credit union, mortgage broker or related business, and may include rapid customer service such as a drive-through. *Bylaw 13-12*

**FLOODPLAIN** means the area of land bordering a water course or water body that would be inundated by a 1 in 100 year flood event.

**FLOOR AREA** means the total horizontal area of all floors of a *building* above *building grade*, and including in the case of a bi-level or split-level *building* a floor level less than 1.2 m below *building grade*, within the outside surface of exterior walls and the centreline of fire walls but not including attached garages, basements, decks, patios, driveways, sidewalks, open porches or breezeways.

**FLOOR AREA RATIO** means the total building area divided by the site area. As a formula:  
Floor Area Ratio = (Total covered area on all floors of all buildings on a certain plot)/(Area of the plot) *Bylaw 18-09*

**FOSTER HOME** means a *dwelling* in which the *household* includes foster children placed within the resident family by Alberta Children's Services.

**FOUNDATION** means the lower portion of a *building*, usually concrete or masonry, and includes the footings that transfer the weight of, and loads on a *building* to the ground.

**FRAME AND FABRIC STRUCTURE** means a *building* designed and constructed with a rigid frame that supports an exterior fabric covering and may also include some rigid exterior wall panels containing windows and/or doors.

**FRONT PROPERTY LINE** means a property line adjacent to a public roadway other than a lane. Where more than one property line is adjacent to a public roadway, the *Development Authority* may consider the *lot* to have two or more front property lines for the purposes of this *Bylaw*.

**FRONT YARD** – (See *Yard, Front*)

**FULL CUTOFF LIGHT FIXTURE** means a luminaire where no candela occur at or above an angle of 90 degrees above the nadir. This applies to all lateral angles around the luminaire. Such candela information shall be as determined by a photometric test report from a nationally recognized independent testing laboratory and as certified by the manufacturer. Any structural part of the luminaire providing full cutoff angle shielding shall be permanently attached. *Bylaw 18-09*

**FULL-SERVICED** means multiple *lots* served by a piped water system and a sanitary sewer system, each constructed to *County* standards and municipally, communally or privately owned and operated.

**FUNERAL SERVICE** means a facility used for the preparation of the dead for burial, the purification and reduction of the human body by heat and the keeping of bodies other than in a *cemetery* and the holding of associated services. Typical Uses include funeral homes, crematoriums, and mausoleums.

**GARAGE** means an *accessory building* or part of the *principal building*, designed and used primarily for the storage of motor vehicles.

**GARDEN SUITE** – (see *Dwelling, Garden Suite*)

**GAS BAR** means a facility used for the sale of motor fuel, lubricating oils, automotive fluids, and associated convenience store products. The gas bar *may* be a self-service, full service, key lock, card

lock, or other similar operation and *may* include a vehicle-washing facility as an *accessory use* but does not provide auto repair or servicing.

**GAS PROCESSING PLANT** means a plant for the extraction from gas of hydrocarbon sulfide, helium, natural gas liquids or other substances, but does not include a well head separator, treater or dehydrator.

**GENERAL INDUSTRIAL** – (See *Industrial, General*)

**GRADE, BUILDING** means, for the purposes of determining *building height* to implement this *Bylaw*, the average level of finished ground adjacent to the front of the *building*, excluding any localized depressions.

**GRADE, LOT** means the ground elevations established in a *lot* drainage plan for controlling the flow of surface water on the *lot*.

**GROSS FLOOR AREA** means the total horizontal area of all floors in a *building* between the outside surfaces of the exterior walls and not including a basement, deck, patio, attached *garage*, open porch or breezeway.

**GROUP HOME** means a *dwelling* that is recognized, authorized, licensed or certified as a social care facility by a relevant government authority, to provide room and board for persons with physical, mental, social or behavioural problems living together as a single *household* of more than six (6) members, which may include resident staff. Group homes *shall* not include substance abuse treatment centres, boarding and lodging houses, temporary shelter services or *detention and correction services*.

**GROUP HOME, LIMITED** means a *dwelling* that is recognized, authorized, licensed or certified as a social care facility by a relevant government authority to provide room and board to persons with physical, mental, social or behavioural problems living together as a single *household* of no more than six (6) members including resident staff. Limited group homes *shall* not include substance abuse treatment centres, boarding, lodging houses or temporary shelter services and *detention and correction services*.

**GUEST HOUSE** means all or part of an *accessory building* which has sleeping accommodation, and may have sanitary services but which does not have cooking facilities and is not intended to be used as a self-contained dwelling unit. Sleeping accommodation above a detached *garage* shall be deemed to be a *guest house*.

**HAMLET** means an area designated as a hamlet by a resolution of *Council*.

**HARD SURFACING** means a durable and dust free surface constructed of concrete, asphalt, paving bricks, permeable pavement or similar material used for a parking lot, storage area or driveway.

*Bylaw 13-12*

**HEAVY INDUSTRIAL** – (See *Industrial, Heavy*)

**HIGHWAY** – (See *Road, Highway*)

**HOME BASED BUSINESS TYPE 1** – means a secondary use of an occupied principal dwelling by the permanent residents of the dwelling to conduct a business, which does not change the character of the dwelling or present any exterior evidence of such activity and does not involve client visits.

*Bylaw 23-16*

**HOME BASED BUSINESS TYPE 2** - means a secondary use of an occupied principal *dwelling* and/or its *accessory buildings* by at least one (1) permanent resident of the *dwelling*. The business may involve client visits at the discretion of the Development Authority and no more than one (1) commercial vehicle on-site (maximum one ton weight).

*Bylaw 23-16*

**HOME BASED BUSINESS TYPE 3** - means a secondary use of an occupied principal *dwelling*, its *accessory buildings* and *site*, or a combination thereof, by at least one (1) permanent resident of the *dwelling*, to conduct a business. The business may include some outdoor activity, some non-resident employees at the discretion of the Development Authority (maximum 3), client visits at the Development Authority's discretion, and a maximum of 2 commercial vehicles.

*Bylaw 23-16*

**HOTEL** means a commercial *development* that provides rooms or suites for temporary sleeping accommodation with access from a common interior corridor and that may include accessory food services, licensed *drinking establishments*, entertainment facilities, meeting rooms, personal service establishments and *commercial retail services*.

**HOUSEHOLD** means a person or a group of persons living together as a single housekeeping group and using cooking facilities shared in common, and may also include domestic or personal care staff.

**INDOOR RECREATION** – (See *Recreation, Indoor*)

**INDUSTRIAL, GENERAL** means an industrial activity which, in the opinion of the *Development Authority*, does not normally create a significant adverse *environmental impact* or nuisance beyond the boundaries of the *site*, is compatible with other industrial and commercial uses in a concentrated industrial park setting and involves manufacturing, storing, distributing, wholesaling, testing, servicing, processing, repairing or salvaging of goods and materials. This category includes all industrial activity not included in other specific categories but does not include such developments as regional power generation plants, pulp and paper mills, major asphalt or gravel crushing plants and oil refineries.

**INDUSTRIAL, LIGHT** means an indoor industrial or manufacturing activity which, in the opinion of the *Development Authority*, cannot be detected (noise, glare, vibration or airborne emissions) from outside of the building that houses the operation, and may involve altering, assembling, fabricating, finishing, inspecting, making, processing, producing, treating or repairing, items either by hand or through the use of machinery. Industrial, light may include the temporary storage of onsite motor vehicle, commercial for freight handling including pick-up, delivery and transitory storage of goods incidental to motor freight shipment directly related to the permitted use. In certain districts Industrial, Light may include small areas of Outdoor Storage (actual availability and area provided for Outdoor Storage to be outlined within applicable district policies). Industrial, Light may include accessory thereto Retail, Small Format.

*Bylaw 13-12*

**INDUSTRIAL, HEAVY** means a large scale manufacturing or processing facility which, in the opinion of the *Development Authority*, is likely to have a significant detrimental effect on the use or enjoyment of adjacent or nearby sites as a result of its normal operations. This category includes such developments as pulp and paper mills, major asphalt or gravel crushing plants and oil refineries.

**INFILLING** – (see *Filling*) *Bylaw 22-15*

**INFORMATION SERVICE** means a facility engaged in producing and distributing information in a digital or printed format and includes data processing, library services and archives, publishing and printing services.

**INSTITUTIONAL USE** means public administration and service, and may include libraries, museums, auditoriums, schools, colleges, hospitals, *protective and emergency services*, and other government and community activities as determined by the *Development Authority*.

**INTERNAL ROAD** – (See *Road, Internal*)

**KENNEL** means a facility used primarily for the breeding, boarding, caring or training of dogs and may include other *small animal breeding and boarding services*.

**LABOUR GROUP HOUSING** means a facility to provide limited-term accommodation for persons employed on a specific work project on or near the facility and *may* include manufactured homes, *recreational vehicles* and holiday trailers.

**LANDOWNER** means the current assessed owner(s) of a *lot* as shown in the assessment files of the *County*.

**LANDSCAPING** means the incorporation, preservation, or enhancement of vegetation and other materials on a *site* which are intended to improve the aesthetic appeal of the *site*, contribute to the character of a neighbourhood, and/or harmonize the *site* with its surrounding natural environment.

*Bylaw 18-09*

**LANDSCAPING ELEMENT, HARD** means an impermeable *landscaping element* such as, but not limited to, ceramic, brick, wood, concrete, or marble. Fences, decorative walls, fountains, and ornaments are also considered as hard *landscaping elements*.

*Bylaw 18-09*

**LANDSCAPING ELEMENT, SOFT** means vegetation adapted to the Alberta climate such as, but not limited to, grass, flowering plants, *shrubs*, and trees. A rock garden incorporating vegetative elements is also considered a soft *landscaping element*.

*Bylaw 18-09*

**LANDSCAPING SALES AND SERVICE** means the use of lands, buildings or structures, or part thereof, for the purpose of selling soft landscaping materials such as seeds, plants, trees and shrubs, as well as hard landscaping materials such as rocks, pavers, ornaments, shale, crushed rock or other similar materials associated with landscaping.

*Bylaw 36-11*

**LIGHT MANUFACTURING** – (See *Manufacturing, Light*)

**LIMITED INDOOR MANUFACTURING** – (See *Manufacturing, Limited Indoor*)

**LIQUOR SALES** means the wholesale or retail sale or distribution to the public of any and all types of alcoholic spirits or beverages as defined by the Alberta Liquor Control Act.

**LIVESTOCK** means cattle, swine, poultry, sheep, goats, horses, game and similar animals.

**LIVESTOCK AUCTION MART** means a facility specifically intended for the auctioneering of *livestock* and *may* include temporary holding of *livestock*.

**LOCAL COMMUNITY FACILITY** means a facility provided by a municipality, group or organization without profit for recreational, social or cultural purposes and intended primarily for the use of the local area residents.

**LOCALITY** means an area having some characteristics of a *hamlet* but not officially designated as such by the *County*.

**LOT** means a quarter section; a river *lot* or a settlement *lot* shown on an official plan registered in a Land Titles Office; or part of a parcel of land described in a certificate of title.

**LOT, CORNER** means a *lot* that abuts a road on two sides that intersect with each other.

**LOT, DOUBLE FRONTING** means a *lot* that abuts a road on two sides that do not intersect.

**LOT GRADE** – (See *Grade, Lot*)

**LOW IMPACT DEVELOPMENT (LID)** means an approach to land development that uses various land planning and design practices and technologies to simultaneously conserve and protect natural resource systems and reduce infrastructure costs. LID still allows land to be developed, but in a cost effective manner that helps mitigate potential environmental impacts. One of LID's primary goals is to reduce runoff

volume by infiltrating rainfall water to groundwater, evaporating rainwater back to the atmosphere after a storm and finding beneficial uses for water rather than exporting it as a waste product down storm sewers. The result is a landscape functionally equivalent to predevelopment hydrological conditions, which means less surface runoff and less pollution damage to streams, creeks and rivers. *Bylaw-26-10*

**MANUFACTURED HOME** – (See *Dwelling, Manufactured Home*)

**MANUFACTURED HOME PARK** means a residential *development* in which unsubdivided spaces are rented for the placement and occupancy of manufactured homes within a planned setting that includes roads, *parks*, utility services, communal facilities and *buildings*.

**MANUFACTURED HOME SALES AND SERVICE** means *development* used for the display, sale or rental of new or used manufactured homes and includes the provision of maintenance services and sale of parts and accessories.

**MANUFACTURING BUSINESS INCUBATOR** means a business development facility for the temporary use of indoor, low-impact industrial or manufacturing activity. A *Manufacturing Business Incubator* shall only be approved in accordance with a defined manufacturing incubation area delineated within a Land Use map of an approved Plan and developed in accordance with an approved technology brief that forms part of an adopted ASP, LASP or Outline Plan. The following uses are considered acceptable within an approved Manufacturing Business Incubator: *Agriculture, Horticulture; Contractor Service General; Contractor Service Limited; Equipment Sales and Services; Manufacturing Light; Manufacturing Limited Indoor; Warehousing and Storage (Indoor); Business Office; Education Service; Personal and Health Services; Commercial Retail Services*. Any Use within a Manufacturing Business Incubator will, in the opinion of the Development Authority, create no detrimental impact outside of the property by way of noise, glare, vibration, airborne emissions or any other factor deemed to be detrimental to the site or its surroundings. *Bylaw-15-14*

**MANUFACTURING, LIGHT** means a facility used for indoor processing, assembly and packaging of goods using innovative or advanced technology, a highly skilled work force and having no adverse *environmental impact* with respect to noise, glare, vibration or airborne emissions, and may include indoor storage and display of materials and products.

**MANUFACTURING, LIMITED INDOOR** means a facility used for small scale on-site indoor production of goods by hand; manufacturing primarily involving the use of hand tools and fewer than five (5) production employees. Typical uses include but are not limited to jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.

**MARKET GARDEN** means a facility where plants such as flowers, herbs, fruits and vegetables are cultivated in greenhouses or outdoor garden plots and sold on-site to the general public.

**MAY** is an operative word that means a choice is available, with no particular direction or guidance intended.

**MIXED USE RESIDENTIAL/OFFICE** means a building or part of a building that combines the use of residential units and business offices. This use *shall* operate only within an approved Manufacturing Business Incubation District and in accordance with an adopted ASP, LASP or Outline Plan as deemed appropriate by the County. Acceptable uses within a *Mixed Use Residential/Office* will be limited to residential units and those defined as *Business Office* and *Personal & Health Care Service*.

*Bylaw 15-14*

**MODULAR HOME** – (See *Dwelling, Modular*)

**MOTEL** means a commercial development that provides self-contained rooms or suites for temporary sleeping accommodation with or without kitchen facilities where each room or suite has its own sanitary facilities and an exterior access. A *motel* may include accessory food services, meeting rooms and personal service establishments.

**MOVED-IN DWELLING** – (See *Dwelling, Moved In*)

**MULTI-LOT RESIDENTIAL SUBDIVISION** means a *subdivision* of land, registered by plan of survey or descriptive plan containing four (4) or more contiguous *lots* where the *lots* have been created for, or are being principally used for, residential purposes.

**MUNICIPAL DEVELOPMENT PLAN** means the Leduc County Municipal Development Plan.

**MUNICIPAL GRID ROAD** – (See *Road, Municipal Grid*)

**NATURAL RESOURCE EXTRACTION** means the removal of natural resources (excluding oil and gas), including peat, timber and wood fibre, metallic and non-metallic minerals (such as sand, gravel, coal, limestone, gypsum, granite and salt). Typical facilities or uses would include gravel pits, sand pits, clay or marl pits, peat extraction, stripping of topsoil and commercial tree clearing.

**NATURAL STATE** means a condition where the natural environment is left undisturbed, and where the only allowed development *shall* be limited to a walking trail with associated amenities such as benches, trash cans and fences to delineate the natural state area. Clearing of existing tree cover *shall* be limited to the development of a walking trail and associated amenities. *Bylaw 26-10*

**NIGHT CLUB** means a building or part thereof used primarily for the provision of pre-recorded music or/and live musical entertainment for listening and/or dancing by the patrons, and/or the provision of live comedic entertainment for patrons, and whose secondary function is the sale and consumption on the premises of food and alcoholic beverages (to be licensed by the Alberta Gaming and Liquor Commission). This operation is only open to the public between the hours of 17h30 and 02h00.

*Bylaw 13-12*

**NEIGHBOURING LAND** means any lands in the *County* that *may* be affected by a proposed *subdivision* or *development*, as determined by the *County*.

**OUTDOOR RECREATION** – (See *Recreation, Outdoor*)

**OUTDOOR STORAGE** means the accessory storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the use of permanent structures or the material alteration of the existing state of the land.

**PARK** means land specifically developed or reserved for active or passive public recreational use and includes natural and man-made landscaping, playing fields, infrastructure, and *buildings* that are consistent with the general purposes of the land. Typical uses include *tot-lots*, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds and water features.

**PARKING COURT** means a portion of a parking lot which generally includes one or more access aisles & parking stalls, and may include bioswales, landscaped boulevards, sidewalks or pathways, lighting, and other elements. *Bylaw 18-09*

**PARKING FACILITY** means the area set aside for the storage and parking of vehicles that includes one or more parking courts, used to service a development, a group of developments accessible within a walking distance, or enable the users to access a mode of transportation other than a private vehicle, and whereas the owner and / or the operator may require at his own discretion, a fee or an admission charge. *Bylaw 13-12*

**PARKING SPACE** means an area set aside for the parking of one motor vehicle.

**PASSIVE RECREATION** – (See *Recreation, Passive*)

**PERMITTED USE** – (See *Use, Permitted*)

**PERSONAL AND HEALTH CARE SERVICE** means the provision of a personal aesthetic or grooming service; or physical or mental health service of a preventative, diagnostic or therapeutic nature. Typical facilities would include hair salons and barbershops, medical and dental offices, health clinics, counseling services, fitness centres and chiropractic offices. *Bylaw 23-16*

**PERSONAL COMPANY VEHICLE** means a vehicle which is owned or leased by a company or organization that is also operated by an employee as a personal vehicle and is not directly associated with any business operation conducted at the premises on which the vehicle is stored. *Bylaw 23-16*

**PORCH** means a structure attached to the front of a *building*, forming a covered entrance to a vestibule or doorway. It is external to the walls of the main *building* proper, but *may* be enclosed by screen, latticework, broad windows, or other light frame walls extending from the main structure. *Bylaw 18-09*

**PRINCIPAL BUILDING** means a *building* which:

- (a) occupies the major or central portion of a *site*,
- (b) is the chief or main *building* among one or more *buildings* on the *site*, or
- (c) constitutes by reason of its use the primary purpose of the *site*.

**PRINCIPAL DWELLING** – (See *Dwelling, Principal*)

**PRINCIPAL USE** – (See *Use, Principal*)

**PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICE** means a facility that provides services that require a high degree of expertise and training. Services may include legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; consulting services; research services; advertising services; photographic services; translation and interpretation services; and other similar activities.

**PROTECTIVE AND EMERGENCY SERVICE** means a facility providing protection of persons and property from injury, harm, or damage, together with incidental storage of emergency equipment which is necessary for the distribution of services. Typical uses include police, fire and ambulance stations.

**PROVINCE** means the Province of Alberta and includes all Ministries and Departments within the Government of Alberta.

**RECYCLING DEPOT, INDOOR** means a facility used for sorting, storage and distribution of bottles, cans, tetra-packs, newspapers, cardboard, plastics and similar household goods for reuse, and whereas all material and goods are contained within the building. *Bylaw 13-12*

**REMNANT LOT** means a *lot* resulting from the clustering of *residential lots* that *shall* be protected in perpetuity from further subdivision to ensure appropriate dedication of open space, conservation of natural space, or preservation of agricultural use in accordance with the provisions of an approved *Area Structure Plan*. A caveat or other legal instrument *shall* be registered on the title to ensure preservation of open space or agricultural use and that no further subdivision of the *lot* is undertaken. *Development* of the remnant *lot shall* be limited to a *dwelling, detached* and *accessory development* related thereto. Clearing of existing tree cover *shall* be limited to the development of a *dwelling, detached* and *accessory development* related thereto. The remnant lot *shall* be used in the calculation of density. *Bylaw-26-10*

**REAR YARD** – (See *Yard, Rear*)

**RECREATION, INDOOR** means a facility where patrons participate in sports events and other recreational activities in an enclosed *building* that may include *restaurants* and *commercial retail services*. Typical uses include but are not limited to, arenas, athletic clubs, health and fitness clubs, gymnasiums, swimming pools, rifle and pistol ranges, bowling alleys, and racquet clubs.

**RECREATION, OUTDOOR** means a facility where patrons participate in sports and other outdoor recreational activities and it may include on-site *restaurants* and *commercial retail services*. Typical uses

include golf courses, driving ranges, ski hills, tennis courts, swimming pools, waterslides, sports fields, equestrian trails, boating facilities and recreational trails.

**RECREATION, PASSIVE** means outdoor recreational pursuits that generally do not require significant infrastructure or facility development and are quiet and peaceful in character. Typical uses include nature studies, bird watching, picnicking, fishing, walking and similar activities that do not significantly disturb the natural environment.

**RECREATIONAL LOT** means a *lot* intended for recreational development as principal use.

**RECREATIONAL VEHICLE** means a motor vehicle or structure attached to a motor vehicle that is designed to provide mobile living accommodations and includes a travel trailer, truck camper, tent trailer, fifth wheel and motor home.

**RECREATIONAL VEHICLE STORAGE** means a facility used for the storage of *recreational vehicles* including but not limited to motor homes, travel trailers, fifth wheels, truck campers, tent trailers, or similar vehicles.

**RECYCLING DEPOT** means a facility used for sorting, storage and distribution of bottles, cans, tetra-packs, newspapers, cardboard, plastics and similar household goods for reuse.

**RECYCLING, OIL DEPOT** means a facility for collecting, storing and distributing for reuse, used automotive petroleum products and containers, excluding dangerous or hazardous materials.

**RELIGIOUS ASSEMBLY** means a facility operated by a recognized religious organization for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other *buildings*. Typical facilities include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

**RESIDENTIAL LOT** means a *lot* intended for residential *development* as principal use.

**RESIDENTIAL WOODLOT** means a tree-covered *lot* upon which the natural vegetation is largely retained or enhanced except for a relatively small residential development *site*.

**RESORT RECREATIONAL FACILITY** means a comprehensive *development* which *may* consist of *accommodation services, convention facility, restaurants, indoor and outdoor recreational facilities* and minor retail establishments.

**RESTAURANT** means a facility primarily intended for the preparation and sale of foods and beverages to the public for consumption on or off the site. This use typically has a varied menu, with a fully equipped kitchen and preparation area.

**RETAIL STORE, LARGE FORMAT** means a building or part thereof, in which goods are offered for sale, lease and/or rental to consumers. Where the primary function of the retail store is the sale of food, food may be prepared on the premises and offered for sale to the public for consumption on the premises or off the premises. Retail Store, Large Format, buildings shall have a gross floor area greater than 930 m<sup>2</sup> (10,000 ft<sup>2</sup>). Typical uses include, but are not limited to, warehouse retail, outlet stores and large-scale grocery stores. This use excludes the sale, lease and/or rental of motor vehicles and commercial motor vehicles.

*Bylaw 13-12*

**ROAD, ARTERIAL** means a road designed for high volumes of traffic with uninterrupted flow, which provides connectivity between a collector road and a freeway with no direct access to *lots*.

**ROAD, HIGHWAY** means a road designated by the *Province* as a highway.

**ROAD, INTERNAL** means a public roadway, not designated as a *Road, Municipal Grid*, providing direct access to *lots* within a registered multi-*lot* subdivision.



**ROAD, LANE** means rear access roads that act as a secondary vehicular network in urban and suburban areas. *Bylaw 18-09*

**ROAD, MUNICIPAL GRID** means a Township or Range Road.

**ROAD, SERVICE** means a public road adjacent to a *road, highway*, providing direct road access to *lots* adjacent to the highway.

**SCHOOL, COMMERCIAL** means a building of part thereof, where specialized instruction is provided for the financial gain of the individual or company owning the school, and includes, but is not limited to, a business school, a trade school, a driving school, a dance school, a music school, a fine arts school, a martial arts school, language/cultural school, or a tutoring school. *Bylaw 13-12*

**SCREENING** means a structure, berm, or planting used to visually obscure a development *site* from *adjacent lands*.

**SECONDARY DWELLING** – (See *Dwelling, Secondary*)

**SECONDARY SUITE** – (See *Dwelling, Secondary Suite*)

**SECURITY SUITE** means a *dwelling, custodial suite, manufactured home*, holiday trailer, or motor home no larger than 55.7 m<sup>2</sup> (600 sq. ft.) used to provide on-site accommodation for security personnel during working shifts and not to be used as a permanent residence.

**SERVICE ROAD** – (See *Road, Service*)

**SERVICE STATION, MAJOR** means a facility used for the servicing, washing, or repairing of vehicles; and the sale of gasoline, other petroleum products, and vehicle parts and accessories. A major service station *may* include a *restaurant, convenience retail services* and specialty food services. Typical uses include truck stops and highway service stations.

**SERVICE STATION, MINOR** means a facility used for the routine repair, servicing or washing of vehicles within a *building* containing up to three (3) service bays; and for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories and may include *convenience retail services*.

**SETBACK** means the perpendicular distance to a *development* from an adjacent natural or man-made feature, such as an escarpment, road, or property line.

**SHALL** is an operative word that means the action is obligatory.

**SHORELINE** means the line or contour depicting the mean high water mark of a body of water as identified on a township plan or survey plan.

**SHOW HOME** means a house in a housing development that is decorated and furnished to show to prospective buyers and may include a sales office. *Bylaw 18-09*

**SHRUB** means a horticultural rather than strictly botanical category of woody plant that has a spread and/or height greater than 30.48 cm (1.0 ft.), distinguished from a tree by its multiple stems and lower height, usually less than 5-6 m (15-20 ft.) tall. *Bylaw 18-09*

**SIDE YARD** – (See *Yard, Side*)

**SIGN** means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.

**SIGN, AWNING** means a *sign* painted, stenciled or attached to the surface of an awning.

**SIGN, CANOPY** means a *sign* attached to the face of a building canopy.

**SIGN, DIRECTIONAL** means a *sign* providing directions to a facility which *may* not be located on the same site as the *sign*, and does not include any advertising of products or services.

**SIGN, FASCIA** means a *sign*, no more than 40 cm in thickness, attached flat against the exterior surface of a *building*.

**SIGN, FREE STANDING** means a *sign* permanently fixed to the ground independent of a *building* or other structure.

**SIGN, INFLATABLE** means a *sign* designed to be held above the ground by a gas, hot air or air pressure and anchored by cables or ropes to a structure or to the ground.

**SIGN, PORTABLE** means a *sign* designed and constructed so that it can easily be moved to another location or temporarily set-up and removed from a *site*.

**SIGN, ROOF** means a *sign* attached to the roof or *eave* of a *building* and extending in whole or in part above the roofline.

**SIGN, SEASONAL** means a *sign* erected for a limited period of time every year in the same location and providing the same general information to advertise a seasonal activity such as a plant nursery.

**SIGN, TEMPORARY** means a *sign* erected for a specified period of time announcing or advertising an event of limited duration.

**SIGN, WALL** means a *sign* painted upon the external wall of a *building*.

**SITE** means an area of land consisting of one or more adjacent *lots*.

**SITE AREA** means the total area of a *site*.

**SITE COVERAGE** means the proportion of the *site area* covered by *buildings*.

**SMALL ANIMAL BREEDING and BOARDING SERVICE** means a facility for breeding, boarding, caring or training of small animals other than dogs, and normally considered as household pets.

**STEPBACK** means a setback greater than that of the at grade portion of a building above a certain level, and is used to lessen the impact of a building's massing as seen from street level. *Bylaw 18-09*

**STOCKPILING** means the short to long term accumulation of goods, aggregates, soils, clays or similar materials, on a specified property, usually accumulated as a result of earthworks or to accommodate development. *Bylaw 22-15*

**STOREY** means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it. *Bylaw 18-09*

**STREETSCAPE** means the space between the buildings on either side of a street that defines its character. The elements of a streetscape include building frontage/façade, landscaping (trees, yards, bushes, plantings, etc.), sidewalks, street paving, street furniture (benches, kiosks, trash receptacles, fountains, etc.), signs, awnings, and street lighting. *Bylaw 18-09*

**STRUCTURAL ALTERATION** means generally any renovation or addition to a *building* that involves changes to the supporting members of a structure including foundations, bearing walls, rafters, columns, beams, girders, trusses and/or joists.

**SUBDIVISION** means division of a *lot* by an instrument. (“subdivide” has a corresponding meaning).

**SUBDIVISION and DEVELOPMENT APPEAL BOARD** means the same as defined in the *Act*.

**SUBDIVISION AUTHORITY** means persons authorized pursuant to Section 623(1) of the *Act*, to exercise subdivision powers and duties on behalf of the *County*.

**TEMPORARY ASPHALT PLANT** means a facility used for the purpose of producing and distributing asphalt cement products, located on a site for a period not exceeding eight months.

**TEMPORARY PERMIT** means a *development permit* issued on a specified time-limited basis.

**TENT** means a temporary, portable structure made from cloth, fabric or other material and supported by one of more poles, usually incorporating ropes and pegs driven into the ground, without any foundation or footings, and commonly used as a temporary building for outdoor camping, temporary shelter, plant housing, special events or similar.

**TOP OF BANK** means the upper natural topographical break that signifies the upper edge of the slope to a watercourse or water body.

**TRADITIONAL COUNTRY RESIDENTIAL** means subdivision of rural lands that creates multiple residential lots that are serviced with wells or cisterns and septic systems or serviced by connection to communal water and sanitary services. *Bylaw-26-10*

**TRUCK TERMINAL** means a building or part thereof, where trucks and/or tractor trailers are dispatched for hire as common carriers for pick-up, delivery, and transitory storage of goods incidental to motor freight shipment. *Bylaw 13-12*

**TRUCK WEIGH SCALE** means a large scale structure that is usually mounted permanently on a concrete foundation that is used to weigh entire vehicles (Motor Vehicle, Commercial) and their contents. By weighing the vehicle both empty and when loaded the load carried by the vehicle can be calculated. Truck Weight Scale may have accessory thereto a dwelling, custodial suite. *Bylaw 13-12*

**UNREGISTERED and/or INOPERATIVE MOTOR VEHICLE** means a motor vehicle that is either not registered through the Motor Vehicle Administration Act or is inoperative, or both. For the purposes of this *Bylaw*, inoperative means the vehicle cannot be used in its present condition for the purpose for which it was manufactured.

**URBAN GROWTH AREA** means an area designated in the Leduc County Municipal Development Plan for urban form development and characterized by a full urban servicing standard, Smart Growth design principles, and higher residential as well as commercial densities. *Bylaw 18-09*

**USE, DISCRETIONARY** means the use of land or a *building* provided for in the *Bylaw* for which a *development permit* may be issued, with or without conditions, by the *Development Authority* upon application having been received by the *County*.

**USE, PERMITTED** means the use of land or a *building* provided for in the *Bylaw* for which a *development permit* shall be issued, with or without conditions, by the *Development Authority* upon application having been received by the *County*.

**USE, PRINCIPAL** means the primary purpose for which a *building* or *site* is used. There shall be no more than one principal use on a *lot* unless specifically permitted in this *Bylaw*.

**UTILITY** means the components of any sewage, stormwater or solid waste disposal system, potable water system, electrical, telecommunications or gas distribution system and may be publicly, privately or communally owned and operated.

**UTILITY SERVICE, MAJOR** means *development* for utility infrastructure purposes which, in the opinion of the *Development Authority*, is likely to have a major *environmental impact*. Typical uses include but are not limited to sewage treatment plants, water treatment plants, major pump houses, water towers or tanks, sewage lagoons, snow dumping sites, sludge disposal beds, garbage transfer and compacting stations, power terminal and distributing stations, power generating stations, cooling plants, equipment and material storage yards for vehicles, utilities and services, district heating plants, incinerators, and waste recycling plants.

**UTILITY SERVICE, MINOR** means *development* for utility infrastructure purposes which, in the opinion of the *Development Authority*, is likely to have only minor *environmental impact*. Typical uses in this class include but are not limited to works used to provide water, sewage disposal, irrigation, drainage, fuel, telephone, electric power, waste management, public transportation, or street lighting for public benefit, convenience, or use.

**VEHICLE STORAGE** means *outdoor storage* or indoor storage of vehicles that are not directly associated with the principal use of the *lot* on which they are being stored.

**VETERINARY CLINIC** means a facility for the medical care and treatment of small animals and includes provision for their overnight accommodation but does not include outdoor pens, runs or enclosures.

*Bylaw 18-09*

**WAREHOUSE SALES** means a facility used for the wholesale or retail sale of a limited range of goods from within an enclosed *building* where the size and nature of the principal goods being sold typically requires a large *floor area* for storage and display. Typical uses include but are not limited to sales of furniture, carpets, major appliances, and building materials. This use does not include the retail sale of food or of a broad range of goods for personal or household use.

**WAREHOUSING AND STORAGE** means the use of a *building* and/or *site* primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or any waste material.

**WAREHOUSING AND STORAGE, INDOOR** means the use of a building primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or any waste material, and whereas all goods and merchandises are contained within the building.

*Bylaw 13-12*

**WAREHOUSING AND STORAGE, LIMITED** means the use of a building or a portion of a site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or any waste material.

*Bylaw 13-12*

**WATERBODY** means the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh, or other natural body of water whether it contains or conveys water continuously or intermittently.

**WHOLESALE FACILITY** means a building or part thereof where the purpose of the business is buying goods for resale to other employment, commercial, institutional, or agricultural business users including other wholesalers.

*Bylaw 13-12*

**WILDLAND** means an area of uncultivated land that is primarily covered with trees, bushes or wild grasses and left in a natural or near natural state.

**WINDOW OPENING** means the transparent surface of glass contained either in a window or in a door.

*Bylaw 18-09*

**WIZARD LAKE CLUSTER DESIGN** means a design that requires the ecology of a site proposed for multi-lot residential subdivision to be considered such that natural features with a high aesthetic or

environmental value are retained as open space by clustering lots on those portions of the site that have a lesser aesthetic or environmental value. A minimum of seventy per cent (70%) of the original title area *shall* be retained in its *natural state* or devoted to agricultural use. The majority of the area to be retained in its *natural state* or devoted to agricultural use *shall* form a *remnant lot*, or *shall* be dedicated as a Municipal Reserve, Environmental Reserve, or a combination thereof. Lands protected through registration of an environmental or conservation easement *may* also be used in the calculation of the 70%; however, it should not comprise the majority of the 70%. Bylaw-26-10

**WRECKING YARD** means land and associated *buildings* used to store, dismantle, salvage, and recycle components from discarded vehicles, industrial equipment, demolished *buildings* and other large items.

**YARD, FRONT** means that portion of the *lot* extending across the full width of a *lot* from the front property line to the nearest portion of the *building*.

**YARD, REAR** means that portion of the *lot* extending across the full width of the *lot* from the rear property line to the nearest portion of the *building*.

**YARD, SIDE** means that portion of the *lot* extending from the front yard to the rear yard and lying between the side property line and the nearest portion of the *building*.

**APPENDIX A**  
**DIRECT CONTROL DISTRICT REGULATIONS**

**DIRECT CONTROL DISTRICT DC-001**

Blackmud Creek Business Park

**1. General Purpose**

The purpose of this district is to allow for development, within a park-like setting, of light industrial and commercial businesses operated in such a way as to create no disturbances outside of the enclosed buildings, to be compatible with non-industrial development, and to be consistent with Policy 5.2.1 of the Blackmud Creek Area Structure Plan.

**2. Area of Application**

This bylaw will apply to Lot 3, Plan 928 TR (as illustrated in Appendix A.1).

**3. Permitted Uses**

- (a) *Accessory Building (200 m2 or smaller)*
- (b) *Professional, Scientific and Technical Service*
- (c) *Equipment Rentals, provided that all equipment and goods for rent are contained within an enclosed building*
- (d) *Financial Service*
- (e) *Institutional Use*
- (f) *Manufacturing, Limited Indoor*
- (g) *Manufacturing, Light*
- (h) *Warehousing and Storage (Indoor)*
- (i) *Accessory Building (greater than 200 m2)*
- (j) *Animal Care Service*
- (k) *Cemetery*
- (l) *Broadcasting Film Studio*
- (m) *Contractor Service, Limited*
- (n) *Education Service*
- (o) *Funeral Service*
- (p) *Outdoor Storage or Display (limited)*
- (q) *Park, Public*
- (r) *Personal Health Care Service*
- (s) *Recreation, Indoor*
- (t) *Blackmud Creek Direct Control District*
- (u) *Religious Assembly*
- (v) *Security Suite*
- (w) *Sign (in accordance with Section 23 of the Land Use Bylaw)*
- (x) *Utility Service, Minor*

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	Any Building
Road, Internal/Road, Service – Front/Side/Rear	7.5 m
Other – Side/Rear	7.5 m

**5. Maximum Height of Buildings**

The maximum height of any building shall be 10.0 m.

**6. Minimum Lot Size**

The minimum lot size shall be 0.2 ha.

**7. Site Coverage**

The combined site coverage by principal and accessory buildings shall not exceed 40% of the site.

**8. Additional Site Requirements**

- (a) Where applicable, each of the following site requirements shall be considered and implemented with specific consideration of the residential development east of Blackmud Creek.
- (b) A development shall carry out its operations such that no nuisance factor (including noise) is created or apparent outside an enclosed building and such that it is compatible with any adjacent non-industrial development.
- (c) A minimum landscaped yard of 7.5 m shall be required adjacent to all lot lines abutting a non industrial / business district. Where a lot line abuts a public roadway or land districted for industrial / business uses, the minimum landscaped yard shall be 3.0 m.
- (d) No parking, storage, or loading shall be permitted within the east yard of any property abutting the Blackmud Creek floodplain.
- (e) All lots abutting the floodplain of the Blackmud Creek (including the storm water management facility, but excluding environmental / municipal reserve lots) shall be developed with a minimum 2.0 m berm on the abutting property line, landscaped Blackmud Creek Direct Control District 2 with a mix of deciduous and coniferous trees at a 5.0 m spacing. This tree planting shall be completed in two phases: as condition of subdivision, the berm with 10 m spaced trees shall be required; trees to complete the 5 m spacing shall be required at the development permit stage. Deciduous trees must have a minimum 50 mm caliper and coniferous trees must be a minimum of 2.0 m in height.
- (f) There shall be no parking, loading, storage, trash collection, outdoor service or display area within a required yard.
- (g) Vacant, undeveloped, or unused portions of a site shall be grassed, landscaping materials or such other ground cover as deemed appropriate by the Development Authority.
- (h) The perceived massing of structures, when viewed from adjacent public roadways or public lands, shall be minimized through use of building setbacks, articulated building facades and roof lines, trees or shrubbery, and effective use of colour and finishing materials.
- (i) The Development Authority may require buildings to be constructed using a specified, consistent architectural theme, which may include, but not be limited to, elements such as roof design, roofing and exterior finishing materials, colours, trim details and the placement of windows and doors.
- (j) All mechanical equipment on the roof of a building shall be completely screened or incorporated in the roof of the building so that it is not visible from at-grade view.
- (k) Exterior lighting of a development may be installed to provide security and add visual interest provided it does not interfere with the use and enjoyment of neighbouring lots or the safe and effective use of public roadways. Security lighting must be installed such that they are not directed east towards the residential area of the Vistas.
- (l) On-site parking, loading and unloading areas shall be hard-surfaced.



- (m) The design, placement, and scale of all signs shall not detract from the overall appearance of the development and is not obtrusive, having regard to the scale of the buildings on the site and the distance of the building setback.
- (n) Limited outdoor storage areas, if accessory to the principal use, are permitted but shall conform to the following:
  - i) Any outdoor storage area shall be hard surfaced.
  - ii) For lots abutting the Blackmud Creek floodplain, outdoor storage shall not be permitted within a yard facing east (towards the Vistas residential area). Outdoor storage in other yards shall not exceed 20% of the site area and must be screened from view with a minimum of a 1.8 m opaque fence.
  - iii) Outdoor storage for lots not abutting the Blackmud Creek floodplain shall not exceed 35% of the site area and must be screened from the view of abutting public roadways and adjacent development sites.
- (o) Businesses generating high volumes of traffic shall not be permitted. Blackmud Creek Direct Control District
- (p) The installation and use of outdoor intercom or speaker devices shall be prohibited.
- (q) Alarm systems shall not be audible from the exterior of the development.

## 9. Conceptual Scheme

Future Subdivision shall generally comply with Appendix A.1 - Conceptual Scheme.

## 10. Definitions

CONTRACTOR SERVICE, LIMITED means a construction related service such as electrical, plumbing, heating, painting and landscaping primarily to individual landowners, and may include the limited sale of goods normally accessory to the service and limited outdoor storage of equipment and vehicles.

FINANCIAL SERVICE means a service related to money management and investment typically provided by a bank, trust company, investment dealer, credit union, mortgage broker or related business.

INSTITUTIONAL USE means public administration and service, and may include libraries, museums, auditoriums, schools, colleges, hospitals, protective and emergency services, and other government and community activities.

MANUFACTURING, LIGHT means a facility used for indoor processing, assembly and packaging of goods using innovative or advanced technology, a highly skilled work force and having no adverse environmental impact with respect to noise, glare, vibration or airborne emissions, and may include indoor storage and display of materials and products.

MANUFACTURING, LIMITED INDOOR means a facility used for small scale on-site indoor production of goods by hand; manufacturing primarily involving the use of hand tools and fewer than five (5) production employees. Typical uses include but are not limited to jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.

OUTDOOR STORAGE means the accessory storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the use of permanent structures or the material alteration of the existing state of the land.

**PERSONAL AND HEALTH CARE SERVICE** means the provision of a personal aesthetic or grooming service; or physical or mental health service of a preventative, diagnostic or therapeutic nature. Typical facilities would include hair salons and barbershops, medical and dental offices, health clinics, counseling services, fitness centres and chiropractic offices.

**PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICE** means a facility that provides services that require a high degree of expertise and training. Services may include legal advice and representation; accounting, bookkeeping, and payroll services; architectural, engineering, and specialized design services; computer services; Blackmud Creek Direct Control District consulting services; research services; advertising services; photographic services; translation and interpretation services; and other similar activities.

**UTILITY SERVICE, MINOR** means development for utility infrastructure purposes which, in the opinion of the Development Authority, is likely to have only minor environmental impact. Typical uses in this class include but are not limited to works used to provide water, sewage disposal, irrigation, drainage, fuel, telephone, electric power, waste management, public transportation, or street lighting for public benefit, convenience, or use.

**WAREHOUSING AND STORAGE** means the use of a building and or site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or any waste material.

**DIRECT CONTROL DISTRICT DC-002**

**1. General Purpose**

The purpose of this district is to allow for the recovery, processing, and removal of natural extractive resources (sand and gravel) while ensuring the prevention of significant adverse impact on neighboring land uses and environmentally sensitive areas.

**2. Area of Application**

This Bylaw will apply to Pt. SH 16-51-3-W5M and Pt. NH 9-51-3-W5M, affecting approximately 52.28 ha as illustrated in Appendix "A.1".

**3. Discretionary Uses**

- (a) *Accessory Buildings*
- (b) *Dwelling, Custodial Suite*
- (c) *Labor Group Housing*
- (d) *Natural Resource Extraction*
- (e) *Temporary Asphalt Plan*

**4. Additional Site Requirements**

- (a) A minimum setback of 50.0 m (164.0 ft.) is required from the top of the bank of the North Saskatchewan River to any buildings or new excavation to reduce environmental impacts and manage risk.
- (b) There shall be no land disturbance and removal of trees or vegetation within the 50.0 metre setback from the top of the bank of the North Saskatchewan River.
- (c) Only those operations where adverse impacts on the environment and neighboring land uses can be mitigated to the satisfaction of Leduc County will be allowed.
- (d) The extractive resource operations shall not exert a significant adverse impact on neighboring land uses and water resources by way of noxious toxic emissions, increased traffic, noise, dust, water pollution, freshwater depletion, or permanent damage to the landscape.
- (e) The County may require reclamation plans and security for reclamation and/or compliance with provincial requirements.

*By-law No. 16-08*

**DIRECT CONTROL DISTRICT DC-003**

**1. General Purpose**

The purpose of this district is to allow for the operation of an *agricultural support service*.

**2. Area of Application**

This Bylaw will apply to SW-24-48-23-W4, affecting approximately 4.05 ha± (10 ac±) as illustrated in Appendix "A.2".

**3. Discretionary Uses**

- (a) *Accessory Buildings*
- (b) *Agricultural Support Service*
- (c) *Outdoor Storage*
- (d) *Sign*
- (e) *Automotive and Equipment Repair*

*By-law No. 22-12*

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	Any Building
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
<i>Other lot-Side/Rear</i>	6.0 m

**5. Other Regulations**

- (a) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS.
- (b) Landscaping and/or fencing is required within all front yards, and side and rear yards flanking a road or residential district. Landscaping and/or fencing may also be required in order to screen the *outdoor storage* of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained with PART SIX – GENERAL REGULATIONS: Landscaping, 6.7.

*By-law No. 17-08*

**DIRECT CONTROL DISTRICT DC-004**

**1. General Purpose**

The purpose of this district is to allow for the accommodation of a maximum of four dwelling units within existing buildings only.

**2. Area of Application**

This Bylaw will apply to Pt. NW 33-50-24-W4; Lot 1, Plan 8621006, affecting approximately 8.54 ha as illustrated in Appendix "A.1".

**3. Permitted Uses**

- (a) *Accessory Building  $\leq 120 \text{ m}^2$*
- (b) *Dwelling, Detached*
- (c) *Dwelling, Secondary*
- (d) *Group Home, Limited\**
- (e) *Home Based Business, Type 1\**

**4. Discretionary Uses**

- (a) *Accessory Building  $> 120 \text{ m}^2$*
- (b) *Recreational Vehicle Storage*
- (c) *Home Based Business, Type 2\**
- (d) *Group Home\**

*By-law 16-11*

\*Regulations for these uses are contained within Part 7 of Land Use Bylaw No. 7-08

**5. Minimum Building Setback Requirements**

From the property line adjacent to:	Any Building
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m

**6. Additional Site Requirements**

- (a) The maximum number of dwellings, detached, shall not exceed 2.
- (b) The maximum number of dwellings, secondary, shall not exceed 2.
- (c) For the purpose of this District, Secondary Dwelling shall mean a Secondary Suite attached to the existing Dwelling, Principal and a Secondary Suite within the existing Accessory Building (18.28 m X 12.20 m). The floor area of the Secondary Suites shall not exceed 78 m<sup>2</sup> (840 sq. ft.).
- (d) The maximum site coverage of recreational vehicle storage use shall not exceed 5% of the parcel area.

*By-law No. 29-08*

**DIRECT CONTROL DISTRICT DC-006**

**1. General Purpose**

The purpose of this district is to allow for the operation of a *Contractor Service, Limited*.

**2. Area of Application**

This Bylaw will apply to Lot 1, Block 1, Plan 042 7063, Pt. N.W. 16-49-25-W4th, affecting ±1.23 ha (±3.04 acres) as illustrated in Appendix "A.1".

**3. Discretionary Uses**

- (a) *Accessory Building*
- (b) *Dwelling, Detached*
- (c) *Contractor Service, Limited*
- (d) *Outdoor Storage*

**4. Additional Building Setback Requirements**

From the property line adjacent to:	Any Building
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
<i>Other lot - Side/Rear</i>	7.5 m

**5. Other Regulations**

- (a) *Landscaping* and/or fencing is required within all front yards and side and rear yards flanking a road or residential district. *Landscaping* and/or fencing *may* also be required in order to screen the *outdoor storage* of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained with PART SIX - GENERAL REGULATIONS: Landscaping, 6.7.
- (b) In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS.

*By-law No. 9-09*

**DIRECT CONTROL DISTRICT DC-007**

**1. General Purpose**

The purpose of this district is to allow for the recovery, processing, and removal of natural extractive resources (sand) while ensuring the prevention of significant adverse impact on neighbouring land uses and environmentally sensitive areas.

**2. Area of Application**

This Bylaw will apply to Pt. SE 9-51-3-W5 and Pt. SW 10-51-3-W5, affecting ±6.46 ha (±15.96 ac), as illustrated in Appendix "A. 1".

**3. Discretionary Uses**

- (a) *Accessory Buildings*
- (b) *Natural Resource Extraction*

**4. Additional Site Requirements**

- (a) Only those operations where adverse impacts on the environment and neighbouring land uses can be mitigated to the satisfaction of Leduc County will be allowed.
- (b) The extractive resource operations shall not exert a significant adverse impact on neighbouring land uses and water resources by way of noxious toxic emissions, increased traffic, noise, dust, water pollution, freshwater depletion, or permanent damage to the landscape.
- (c) The County may require reclamation plans and security for reclamation and/or compliance with provincial requirements.
- (d) The County may require *landscaping* and/or *screening* to the satisfaction of the *Development Authority*.

*By-law No. 13-10*

**DIRECT CONTROL DISTRICT DC-008**

**1. General Purpose**

The purpose of this district is to allow for the recovery, processing, and removal of natural extractive resources (sand and gravel) while ensuring the prevention of significant adverse impact on neighbouring land uses and environmentally sensitive areas.

**2. Area of Application**

This Bylaw will apply to Pt. 5-51-3-W5 and NW 32-50-3-W5, affecting ±198.17 ha (±489.69 ac), as illustrated in Appendix "A.1".

**3. Discretionary Uses**

- (a) *Accessory Buildings*
- (b) *Dwelling. Custodial Suite*
- (c) *Labour Group Housing*
- (d) *Natural Resource Extraction*
- (e) *Temporary Asphalt Plant*

**4. Additional Site Requirements**

- (a) A minimum setback of 50.0 m (164.0 ft) is required from the top of the bank of the North Saskatchewan River to any buildings or new excavation to reduce environmental impacts and manage risk.
- (b) There shall be no land disturbance and removal of trees or vegetation within the 50.0 metre setback from the top of the bank of the North Saskatchewan River.
- (c) Notwithstanding (a) and (b) above, if the *Development Authority* is satisfied by the submission of a professional environmental and/or geotechnical assessment that a variance of a setback is warranted, the setback may be increased or reduced accordingly.
- (d) Within the minimum setback as required in (a) and (b) above, land disturbance and removal of trees and vegetation shall be minimized to reduce environmental effects and the risk of property damage.
- (e) Only those operations where adverse impacts on the environment and neighbouring land uses can be mitigated to the satisfaction of Leduc County will be allowed.
- (f) The extractive resource operations shall not exert a significant adverse impact on neighbouring land uses and water resources by way of noxious toxic emissions, increased traffic, noise, dust, water pollution, freshwater depletion, or permanent damage to the landscape.
- (g) The County may require *landscaping* and/or *screening* to the satisfaction of the *Development Authority*.
- (h) The County may require reclamation plans and security for reclamation and/or compliance with provincial requirements.

*By-law No. 14-10*



**DIRECT CONTROL DISTRICT DC-009**

**1. General Purpose**

The purpose of this district is to allow for the operation of a *Contractor Service, General*.

**2. Area of Application**

This Bylaw will apply to Lot 1, Block 1, Plan 032 6028, Pt.NE 21-50-23W4, affecting 2.22 ha± (5.49 ac±), as illustrated in Appendix "A.1".

**3. Discretionary Uses**

- (a) *Accessory Building Dwelling,*
- (b) *Detached Contractor Service,*
- (c) *General Outdoor Storage.*

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	<i>Any Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
<i>Other lot - Side/Rear</i>	7.5 m

**5. Other Regulations**

- (a) *Landscaping* and/or fencing is required within all front yards, and side and rear yards flanking a road or residential district. *Landscaping* and/or fencing *may* also be required in order to screen the *outdoor storage* of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained with PART SIX – GENERAL REGULATIONS: Landscaping, 6.7.
- (b) In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS.

*By-law No. 24-10*

**DIRECT CONTROL DISTRICT DC-010**

**1. General Purpose**

The purpose of this district is to allow for *Manufacturing, Light*.

**2. Area of Application**

This Bylaw will apply to Lot 2, Block 1, Plan 002 0370, Pt. NE 34-50-23W4th affecting ±7.93 ha (±19.6 ac) as illustrated in Appendix "A. 1".

**3. Discretionary Uses**

- (a) *Accessory Building,*
- (b) *Manufacturing, Light,*
- (c) *Outdoor Storage.*

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	<i>Any Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
<i>Other lot - Side/Rear</i>	7.5 m

**5. Other Regulations**

- (a) *Landscaping* and/or fencing is required within all front yards, and side and rear yards flanking a road or residential district. *Landscaping* and/or fencing *may* also be required in order to screen the *outdoor storage* of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained with PART SIX – GENERAL REGULATIONS: Landscaping, 6.7.
- (b) In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS.

*By-law No. 28-10*

**DIRECT CONTROL DISTRICT DC-011**

**SAUNDERS LAKE GENERAL INDUSTRIAL**

**1. General Purpose**

To provide for the orderly development of a temporary *General Industrial* business as an interim land use.

**2. Area of Application**

This Direct Control District *shall* apply to the portion of NW 7-50-24-W4M identified in Appendix A of this District.

**3. Discretionary Uses**

- (a) *Accessory Building*
- (b) *Agriculture, Extensive*
- (c) *Agriculture, Horticultural*
- (d) *Agriculture, Livestock*
- (e) *Industrial, General*
- (f) *Signs\**

\* Regulations for these uses are contained within Part 7 of this Bylaw

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	Any building
Road, Highway – Front/Side/Rear	40.0 m
Road, Municipal Grid – Front/Side/Rear	35.0 m
Road, Arterial	25.0 m
Road, Internal/Service	6.0 m
Other Lot – Side/Rear	7.5 m
Residential Use	6.0 m

**5. Maximum Height of Buildings**

The maximum height of buildings will be at the discretion of the *Development Authority*, and *shall* be subject to the regulations of the Airport Vicinity Protection Area (AVPA) and the Federal Government.

**6. Site Coverage**

The combined *site coverage* by *principle* and *accessory buildings* *shall* not exceed 40% of the *site*.

**7. Additional Regulations**

- (a) *Fencing* *shall* be required within all *yards* flanking a *road*. *Fencing* *shall* also be required, to the satisfaction of the *Development Authority*, to *screen* the *outdoor storage* of goods, machinery, vehicles, building materials, waste materials, and other similar *uses*.
- (b) A landscaped buffer *shall* be provided to the satisfaction of the *Development Authority*
- (c) No *parking* *shall* be permitted within the required *setback*.
- (d) No *use* or operation *shall* cause or create any *Environmental Impact* which, in the opinion of the *Development Authority*, *may* be objectionable beyond

the boundary of the *site* which contains it, by way of but not limited to the following:

- Odorous and toxic matter
  - Dust, fly ash or other particulate matter
  - Noise
  - Vibrations
  - Air pollution
  - Industrial Waste
  - Water quality deterioration
  - Glare
  - Radiation emissions
  - High brightness light sources
- (e) No operation or activity *shall* emit air or water contaminants in excess of the standards prescribed by the province pursuant to the Environmental Protection and Enhancement Act.
- (f) Exterior lighting may be installed to provide security and onsite safety provided it does not interfere with the use and enjoyment of neighboring *lots* or the safe and effective use of public roadways.
- (g) The *Development Authority shall* impose the condition that a proposed *General Industrial development* is permitted on a time-limited basis, for a period of ten years.
- (h) At the conclusion of a time-limited permit for a *General Industrial development*, the temporary *development shall* be removed and the land restored to a condition acceptable to the *Development Authority*.
- (i) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC REGULATIONS, PART EIGHT – SIGNS AND PART TEN – SUBDIVISION DESIGN.

*By-law No. 14-11*

**DIRECT CONTROL DISTRICT DC-012**

**1. General Purpose**

The purpose of this district is to allow for *Natural Resource Extraction*, specifically the recovery, processing, and removal of natural extractive resources (clay) while ensuring the prevention of significant adverse impacts on neighbouring land uses and environmentally sensitive areas.

**2. Area of Application**

This Bylaw will apply to Pt. NE 14-50-23-W4M affecting 1.01 ha± (2.5 ac±) as illustrated in Appendix A.

**3. Discretionary Uses**

- (a) *Accessory Building*
- (b) *Natural Resource Extraction*

**4. Other Regulations**

- (a) Only those operations where adverse impacts on the environment and neighbouring land uses can be mitigated to the satisfaction of Leduc County will be permitted.
- (b) The extractive resource operations shall not exert a significant adverse impact on neighbouring land uses and water resources by way of noxious or toxic emissions, increased traffic, noise, dust, water pollution, freshwater depletion, or permanent damage to the landscape.
- (c) The County may require reclamation plans and security for reclamation and/or compliance with provincial requirements.
- (d) The County may require landscaping and/or screening to the satisfaction of the Development Authority.

*Bylaw 37-11*

**DIRECT CONTROL DISTRICT DC-013**

**1. General Purpose**

The purpose of this district is to allow for *Farm and Home and Garden Equipment Sales and Service*.

**2. Area of Application**

This Bylaw will apply to NE 26-49-1-W5M affecting .52 ha± (1.28 ac±) as illustrated in Appendix "A.1".

**3. Discretionary Uses**

- (a) *Accessory Building*
- (b) *Outdoor Storage*
- (c) *Outdoor Display*

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	<i>Any building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m
<i>Other lot – Side/Rear</i>	7.5 m

**5. Other Regulations**

- (a) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS.
- (b) Outdoor storage of equipment for non-display purposes must be screened from view from Highway 39 and from neighbouring lots.

*Bylaw 10-12*

**DIRECT CONTROL DISTRICT DC-014**

**1. General Purpose**

The purpose of this district is to allow for a multi-purpose, recreational and religious development that preserves and respects its natural settings, whilst minimizing environmental and visual impacts on the land and its surroundings.

The site is divided into two distinct sectors to allow use of the lands for seasonal recreational and religious use. These distinct sectors are known as the *Leased Recreational Sector* which provides for temporary, *seasonal accommodation* on small, privately leased parcels of land, and a *Community Sector* that will be utilized for community gatherings and religious services.

**2. Area of Application**

This District applies to Pt. NW 14-47-01 W5, affecting approximately 16.08 ha as illustrated in Appendix “A.1”

**Leased Recreation Sector**

The following applies to the area defined as *Leased Recreation Sector* on Appendix “A.1”

**3. Discretionary Uses.**

- (a) *Seasonal Accommodation*
- (b) *Recreational Vehicle*
- (c) *Accessory Building*
- (d) *Guest House*
- (e) *Recreation, Passive*
- (f) *Sign*

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	Seasonal Accommodation	Recreational Vehicle	Accessory Building
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m	35.0m
<i>Road, Private Internal</i>	6.0m	6.0m	6.0m
<i>Other Lot – Side/Rear</i>	5.0m	5.0m	3.0m
<i>Other Seasonal Accommodation</i>	15m	15m	6.0m
<i>Any Other Building</i>	20m	20m	15m

**5. Maximum Height of Buildings**

The maximum height of any *Seasonal Accommodation* shall be 10.0m or 2.5 storeys above grade, whichever is greater.

The maximum height of any accessory building shall be 5.0m

**6. Maximum Number of Buildings**

There shall be no more than one (1) *Seasonal Accommodation* unit, **or** one (1) *Recreational Vehicle* allowed on each leased parcel within the Leased Recreational Sector up to a maximum total of 68 *Seasonal Accommodation* units.

There shall be no more than one (1) *Accessory Building* allowed per *Seasonal Accommodation* unit **or** per *Recreational Vehicle* on each leased parcel within the Leased Recreational Sector

**7. Site Coverage and Floor Area**

The maximum floor area for a *Seasonal Accommodation* unit shall not exceed 150.0m<sup>2</sup>

The maximum floor area for an *Accessory Building* shall be 100m<sup>2</sup>

All buildings including accessory buildings shall not exceed 20% of the total site area of the Leased Recreational Sector.

**8. Parking**

There shall be off-street provisions for a minimum of 2 vehicle parking spaces per *Seasonal Accommodation* unit.

The parking of any *Recreational Vehicles* on the site associated with any existing *Seasonal Accommodation* shall be limited to a maximum duration of 2 weeks in any calendar month.

**9. Landfill Setbacks**

As inactive Landfill sites have been identified in close proximity to these lands that require a 300 metre setback for any residential, school, hospital and food uses, no Development Permits shall be granted within the affected sections of the District until such time that a variance of the setback requirements has been granted by the Deputy Minister of Environment in accordance with *Section 13(5)* of the *Subdivision and Development Regulations*.

**10. Community Sector**

The following applies to the area defined as *Community Sector* on appendix "A.1"

**Discretionary Uses:**

- (a) *Dwelling, Custodial Suite*
- (b) *Campground*
- (c) *Accessory Building*
- (d) *Guest House*
- (e) *Cultural Facility*
- (f) *Recreation, Outdoor*
- (g) *Recreation, Passive*
- (h) *Religious Assembly*
- (i) *Sign*



**11. Minimum Building Setback Requirements**

From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0 m	35.0 m
<i>Road, Private Internal</i>	6.0m	6.0m
Other Lot – Side/Rear	5.0 m	3.0m
Other Building	15.m	10.0m

**12. Maximum Height of Buildings**

The maximum height of any Principal buildings in the Community Sector shall be at the discretion of the Development Authority.

The maximum height of any Accessory Building shall be 5.0m and of single storey construction.

**13. Site Coverage and Floor Area**

All built development including accessory buildings shall not exceed 10% of the total *Community Sector* area.

**14. Parking**

Vehicle parking within the community sector shall be in conformity with section 6.9: *Parking and Loading* of the Land Use Bylaw.

**15. Landfill Setbacks**

As inactive Landfill sites have been indentified in close proximity to these lands that require a 300 metre setback for any residential, school, hospital and food uses, no Development Permits shall be granted within the affected sections of the District until such time that a variance of the setback requirements has been granted by the Deputy Minister of Environment in accordance with *Section 13(5)* of the *Subdivision and Development Regulations*.

**16. General Site Regulations and Requirements**

- a) No *Seasonal Accommodation* or *Recreational Vehicle* shall be occupied for more than 180 days per calendar year.
- b) The site shall only be open for general use between March 1 and October 31 of any calendar year. Outside of these dates, site access shall be restricted by securely locked gates. Limited access shall be available only for purposes of maintenance and to ensure *seasonal accommodation* and community buildings are secure.
- c) All applications for development permits shall be submitted by the landowners, being the Catholic Hungarian Association.
- d) Any building with plumbing fixtures must provide adequate private sewerage to the satisfaction of Leduc County
- e) Any removal of any healthy trees shall be at the discretion of the *Development Authority*, and require prior approval. The loss of any trees shall be mitigated by appropriate landscaping to the satisfaction of the *Development Authority*.
- f) All development shall be encouraged to retain existing tree cover and/or plant additional trees to reduce erosion and nutrient loading of the lake.
- g) Further to the regulations prescribed within, regard shall also be given to policies contained in any Lake Management Plan.
- h) The use or construction of any buildings for the purpose of school, hospital, food, or residential use, shall not be permitted until the appropriate landfill setbacks are granted by the Deputy Minister of Environment in accordance with *Section 13(5)* of the *Subdivision and Development Regulations*.

- i) To ensure safe and efficient access into, and around the site for emergency services vehicles, no vehicle parking shall be allowed on any road, public or private within the site at any time and access to the site is to be kept clear at all times.
- j) All development within the Leased Recreation Sector must be of a non-permanent nature and constructed, assembled or moved on site and placed upon temporary, removable foundations
- k) Should the Catholic Hungarian Association relinquish full ownership or control of the lands at any period, any Developments Permits granted throughout the site since the inception of this District, regardless of any private leasing agreements between the Association and its members, shall expire, all buildings shall be removed, and the site shall be returned to a pre-developed state considered reasonably acceptable to the County.
- l) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS-

## 17. Definitions

SEASONAL ACCOMMODATION means a temporary building, for seasonal use up to a maximum of 180 days per annum occupancy, that is separate from other *buildings* and constructed, assembled or moved on a site and placed upon temporary, removable foundation.

LEASED PARCEL means a parcel, section or area of land within a larger site that has been leased to a third party for a specified period of time under a private lease agreement.

ROAD, PRIVATE, INTERNAL refers to a private road or driveway within a specified parcel of land that provides access throughout the site or to built development within that site.

*Bylaw 2-13*

**DIRECT CONTROL DISTRICT DC-015**

**1. General Purpose**

The purpose of this district is to allow for Firewood Processing.

**2. Area of Application**

This Bylaw will apply to Pt. N.W. 4-48-27-W4th affecting  $\pm 0.41$  ha ( $\pm 1.01$  ac).

**3. Discretionary Uses**

- (a) *Firewood Processing*
- (b) *Accessory Building*
- (c) *Outdoor Storage*

**4. Other Regulations**

- (a) Landscaping and/or fencing is required within all front yards, and side and rear yards flanking a road or residential district. Landscaping and/or fencing may also be required in order to screen the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained with Part 6 - General Regulations: Landscaping 6.7:
- (b) Hours of operation are limited to 7 AM to 7 PM Monday through Friday and Saturday from 8 AM to 4 PM.
- (c) The applicant must enter into a Road Use Agreement with Leduc County to maintain Range Road 270 and Township Road 481 as required.
- (d) No use or operation shall cause or create any conditions which, in the opinion of the Development Authority, may be objectionable beyond the boundary of the site which contains it, by way of but not limited to the following:
  - i) odorous and toxic matter
  - ii) dust, fly ash or other particulate matter
  - iii) noise
  - iv) vibrations
  - v) air pollution
  - vi) industrial waste
  - vii) water quality deterioration
  - viii) groundwater quality or quantity deterioration
  - ix) glare
  - x) radiation emissions
  - xi) high brightness light sources
- (e) In addition to the above regulations, other apply.

*Bylaw 4-13*

**DIRECT CONTROL DISTRICT DC-016**

**1. General Purpose**

The purpose of this district is to allow for Natural Resource Extraction, specifically the recovery, processing and removal of natural extractive resources (clay) while ensuring the prevention of significant adverse impacts on neighbouring land uses and environmentally sensitive areas.

**2. Area of Application**

This Bylaw will apply to Pt. NW 16-50-26-W4th affecting  $\pm 2.3$  ha ( $\pm 5.7$  ac) of a title area of  $\pm 32.4$  ha ( $\pm 80.0$  ac).

**3. Discretionary Uses**

- (a) *Industrial, General*
- (b) *Accessory Building*
- (c) *Outdoor Storage*

**4. Other Regulations**

- (a) Only those operations where adverse impacts on the environment and neighbouring land uses can be mitigated to the satisfaction of Leduc County will be permitted.
- (b) The County may require reclamation plans and security for reclamation and/or compliance with provincial requirements.
- (c) The County may require landscaping and/or screening to the satisfaction of the Development Authority.

*Bylaw 9-13*

**DIRECT CONTROL DISTRICT DC-017**

**1. General Purpose**

The purpose of this district is to allow for a range of compatible industrial and commercial uses. Appropriate uses should have a low to moderate impact on adjacent land uses.

**2. Area of Application**

This Bylaw will apply to Pt. SE-3-49-2-W5 affecting 3.89 ha± (8.88 ac±) as illustrated in Schedule A.

**3. Discretionary Uses**

- (d) *Accessory Building*
- (e) *Automotive and Equipment Repair*
- (f) *Contractor Service, Limited*
- (g) *Manufacturing, Light*

**4. Other Regulations**

- (a) Landscaping and/or fencing may be required within all front yards, and side and rear yards flanking a road. Landscaping and/or fencing may also be required in order to screen the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses.
- (b) No use or operation shall cause or create any conditions which, in the opinion of the Development Authority, may be objectionable beyond the boundary of the site which contains it, by way of but not limited to the following:
  - i) odorous and toxic matter
  - ii) dust, fly ash or other particulate matter
  - iii) noise
  - iv) vibrations
  - v) air pollution
  - vi) industrial waste
  - vii) water quality deterioration
  - viii) groundwater quality or quantity deterioration
  - ix) glare
  - x) radiation emissions
  - xi) high brightness light sources
- (c) In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN - SPECIFIC USE REGULATIONS

*Bylaw 22-13*

**DIRECT CONTROL DISTRICT DC-018**

**1. General Purpose**

The purpose of this District is to allow for orderly development with provision for an interim Industrial, General use of land to enable temporary storage of industrial materials on the lands and permit support structures where required.

**2. Area of Application**

This Direct Control District *shall* apply to the portion of NW 31-50-24 W4 identified in Appendix A of this District.

**3. Discretionary Uses**

- a) Accessory Building
- b) Animal Care Service
- c) Business Office
- d) Education Services
- e) Financial Service
- f) Industrial, General\*
- g) Institutional Use
- h) Manufacturing, Light
- i) Manufacturing, Limited Indoor
- j) Outdoor Storage
- k) Recreation, Indoor
- l) Signs (in accordance with Part 8 of this Bylaw)
- m) Warehousing and Storage (Indoor)

\*in accordance with Part 7 of this District only.

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	<i>Principal Building</i>	<i>Accessory Building</i>
<i>Road, Highway</i> – Front/Side/Rear	40.0 m	40.0 m
<i>Road, Arterial</i> – Front/Side/Rear	25.0m	25.0m
<i>Road, Internal/Road, Service</i> – Front/Side/Rear	6.0 m	6.0 m/3.0m/3.0m
Other <i>lot</i> – Side	6.0 m and 2.0 m	3.0 m and 1.0 m
Other <i>lot</i> – Rear	6.0 m	1.0 m
Residential Use Side/Rear	6.0 m	6.0 m

Note: Development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a *road, road, highway* may have increased setbacks as determined by the *Province*.

**5. Maximum Height of Buildings**

Maximum height of *buildings* will be at the discretion of the *Development Authority*, and *may* be subject to the regulations of the Airport Vicinity Protection Area (AVPA) and federal government.

**6. Site Coverage**

The combined *site* coverage by *principal* and *accessory buildings* – 60% of the *site*.

## 7. Industrial, General Use of the Site

- (a) The only type of Industrial, General Use that may be supported on the site shall be of a temporary storage nature, including, but not limited to the storage and assembly of pipe and modular units, or other similar low-impact industrial products.
- (b) Any Development Permit issued that is of an Industrial, General nature, and in accordance with regulation (a), shall be strictly limited to a maximum five (5) year permitting term and may only be extended for a further five (5) years upon its expiration should no alternative, more appropriate use of the lands be available at that time due to development constraints associated with the construction of the Nisku Spine Road or surrounding infrastructure.
- (c) At the expiration of a time-limited development permit for an Industrial, General use, any temporary development shall be removed and the lands restored to a condition deemed acceptable to the Development Authority at the landowners expense.
- (d) The Development Authority may revoke or amend any issued temporary development permits for Industrial, General Use at a notice period of 90 days should that approved use interfere with any other proposed works or development on, or adjacent to the site, particularly works associated with the construction of the Nisku Spine Road.

## 8. Other Regulations

- (a) No outdoor storage, loading, service, assembly or trash collection shall be permitted in front of the principal building, except that loading and trash collection shall be allowed when it is serving office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building.
- (b) No use or operation shall cause or create any conditions which, in the opinion of the Development Authority, may be objectionable beyond the boundary of the site which contains it, by way of but not limited to the following:
  - i) odorous and toxic matter
  - ii) dust, fly ash or other particulate matter
  - iii) noise
  - iv) vibrations
  - v) air pollution
  - vi) industrial waste
  - vii) water quality deterioration
  - viii) groundwater quality or quantity deterioration
  - ix) glare
  - x) radiation emissions
  - xi) high brightness light sources
- (c) No operation or activity shall emit air or water contaminants in excess of the standards prescribed by the Province pursuant to the Environmental Protection and Enhancement Act.
- (d) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS.

*Bylaw 26-14*

**DIRECT CONTROL DISTRICT DC-019**

**1. General Purpose**

The purpose of this district is to allow for the operation of an *agricultural support service* and *fuel and oil sales*.

**2. Area of Application**

This Direct Control District *shall* apply to the portion of NW 27-49-26-W4 identified in Appendix A of this District.

**3. Discretionary Uses**

- (a) *Accessory Buildings*
- (b) *Agricultural Support Service*
- (c) *Bulk Oil Sales*
- (d) *Outdoor Storage*
- (e) *Sign*

**4. Minimum Building Setback Requirements**

From the property line adjacent to:	<i>Any Building</i>
<i>Road, Highway – Front/Side/Rear</i>	40.0 m
<i>Road, Municipal Grid – Front/Side/Rear</i>	35.0m
<i>Road, Internal/Road, Service – Front/Side/Rear</i>	6.0 m
<i>Other lot – Side / Rear</i>	6.0 m

Minimum Setback Requirements for Parking, Storage and Display of Products	
From the property line adjacent to	Parking, storage or display area
<i>Road, Municipal Grid / Road, Highway</i>	15.0 m
From all other	6.0 m

**5. Other Regulations**

- (a) In addition to the above regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS.
- (b) Landscaping and/or fencing is required within all front yards, and side and rear yards flanking a road or residential district. Landscaping and/or fencing may also be required in order to screen the *outdoor storage* of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained with PART SIX – GENERAL REGULATIONS: Landscaping, 6.7.

*Bylaw 21-15*



**DIRECT CONTROL DISTRICT DC-020**

**1. General Purpose**

The purpose of this District is to permit the development and operation of light and medium industrial uses. Designation as Direct Control is seen as a temporary measure pending the future redistricting of these lands as Industrial pursuant to the adoption of the proposed South Devon Industrial Area Structure Plan.

**2. Area of Application**

Lot 1 Plan 942 3554 (0.91 ha, 2.26 acres) and the adjacent 4.6 ha (11.3 acres) of SE 22-50-26-4, including approximately 5.5 ha (13.6 acres), as shown on Schedule A.

**3. Discretionary Uses**

- (a) Accessory Building
- (b) Agricultural Processing
- (c) Agricultural Support Service
- (d) Auctioneering Service
- (e) Automotive Sales and Service
- (f) Automotive/Equipment Body Repair
- (g) Automotive/Equipment Repair
- (h) Bulk Oil Sales
- (i) Business Office
- (j) Contractor Service, General
- (k) Contractor Service, Limited
- (l) Convenience Retail Service
- (m) Education Service
- (n) Equipment Sales and Service
- (o) Industrial, General
- (p) Institutional Use
- (q) Landscaping Sales and Service Bylaw 36-11
- (r) Manufactured Home, Sales and Service
- (s) Manufacturing, Light
- (t) Manufacturing, Limited Indoor
- (u) Outdoor Storage\*
- (v) Recycling Depot
- (w) Recycling Depot, Oil
- (x) Security Suite
- (y) Sign (in accordance with Part 8 of this Bylaw)
- (z) Utility Service, Major
- (aa) Utility Service, Minor
- (bb) Warehouse Sales
- (cc) Warehousing and Storage

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

#### 4. Minimum Building Setback Requirements

Minimum building setbacks for all buildings shall be:

From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway – Front/Side/Rear</i>	40.0 m	40.0 m
<i>Road, Arterial – Front/Side/Rear</i>	35.0 m	25.0 m
<i>Road, Internal – Front/Side/Rear</i>	25.0 m	25.0 m
<i>From all other property lines</i>	7.5 m	7.5 m

#### 5. Maximum Height of Buildings

Maximum height of buildings will be at the discretion of the Development Authority and may be subject to the regulations of the Airport Vicinity Protection Area and federal government.

#### 6. Site Coverage

The combined site coverage of principal and accessory buildings - of 60 % of the site.

#### 7. Other Regulations

In addition to the above regulations, the following parts of Bylaw 7-08 apply:

Part	
Six	General Regulations
Seven	Specific Use Regulations
Eight	Sign Regulations

a) No outdoor storage, loading, service, assembly or trash collection shall be permitted in front of the principal building, except that loading and trash collection shall be allowed when it is serving office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building.

b) No use or operation shall cause or create any conditions which, in the opinion of the Development Authority, may be objectionable beyond the boundary of the site which contains it, by way of but not limited to the following:

- i) odorous and toxic matter
- ii) dust, fly ash or other particulate matter
- iii) noise
- iv) vibrations
- v) air pollution
- vi)) industrial waste
- vii) water quality deterioration
- viii) groundwater quality or quantity deterioration
- ix) glare
- x) radiation emissions
- xi) high brightness light sources

c) No operation or activity shall emit air or water contaminants in excess of the standards prescribed by the Province pursuant to the Environmental Protection and Enhancement Act.

*Bylaw No. 30-15*

**DIRECT CONTROL DISTRICT DC-021**

**1. General Purpose**

The purpose of this District is to permit the development and operation of light and medium industrial uses. Designation as Direct Control is seen as a temporary measure pending the future redistricting of these lands as Industrial pursuant to the adoption of the proposed South Devon Industrial Area Structure Plan.

**2. Area of Application**

This Bylaw applies to the SW 23 – 50 – 26 – W4M, as shown on Schedule A.

**3. Discretionary Uses**

- (a) Accessory Building
- (b) Agricultural Processing
- (c) Agricultural Support Service
- (d) Auctioneering Service
- (e) Automotive Sales and Service
- (f) Automotive/Equipment Body Repair
- (g) Automotive/Equipment Repair
- (h) Bulk Oil Sales
- (i) Business Office
- (j) Contractor Service, General
- (k) Contractor Service, Limited
- (l) Convenience Retail Service
- (m) Education Service
- (n) Equipment Sales and Service
- (o) Industrial, General
- (p) Institutional Use
- (q) Landscaping Sales and Service Bylaw 36-11
- (r) Manufactured Home, Sales and Service
- (s) Manufacturing, Light
- (t) Manufacturing, Limited Indoor
- (u) Outdoor Storage\*
- (v) Recycling Depot
- (w) Recycling Depot, Oil
- (x) Security Suite
- (y) Sign (in accordance with Part 8 of this Bylaw)
- (z) Utility Service, Major
- (aa) Utility Service, Minor
- (bb) Warehouse Sales
- (cc) Warehousing and Storage

\* Regulations for these uses are contained within Part 7 of this *Bylaw*

#### 4. Minimum Building Setback Requirements

Minimum building setbacks for all buildings shall be:

From the property line adjacent to:	Principal Building	Accessory Building
<i>Road, Highway – Front/Side/Rear</i>	40.0 m	40.0 m
<i>Road, Arterial – Front/Side/Rear</i>	35.0 m	25.0 m
<i>Road, Internal – Front/Side/Rear</i>	25.0 m	25.0 m
<i>From all other property lines</i>	7.5 m	7.5 m

#### 5. Maximum Height of Buildings

Maximum height of buildings will be at the discretion of the Development Authority and may be subject to the regulations of the Airport Vicinity Protection Area and federal government.

#### 6. Site Coverage

The combined site coverage of principal and accessory buildings - of 60 % of the site.

#### 7. Other Regulations

In addition to the above regulations, the following parts of Bylaw 7-08 apply:

Part	
Six	General Regulations
Seven	Specific Use Regulations
Eight	Sign Regulations

a) No outdoor storage, loading, service, assembly or trash collection shall be permitted in front of the principal building, except that loading and trash collection shall be allowed when it is serving office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building.

b) No use or operation shall cause or create any conditions which, in the opinion of the Development Authority, may be objectionable beyond the boundary of the site which contains it, by way of but not limited to the following:

- i) odorous and toxic matter
- ii) dust, fly ash or other particulate matter
- iii) noise
- iv) vibrations
- v) air pollution
- vi)) industrial waste
- vii) water quality deterioration
- viii) groundwater quality or quantity deterioration
- ix) glare
- x) radiation emissions
- xi) high brightness light sources

c) No operation or activity shall emit air or water contaminants in excess of the standards prescribed by the Province pursuant to the Environmental Protection and Enhancement Act.

*Bylaw-31-15*

**DIRECT CONTROL DISTRICT DC-022**

**General Purpose**

To provide for the orderly development of a *Warehousing & Storage* business supported by *Outdoor Storage* activities related to limited range of *Contractor Service* uses.

**Area of Application**

This Direct Control District *shall* apply to 1.44 ha (3.56 acres), more or less, located in the portion of SE 30-49-25-W4M identified as Plan Number 3274EO as shown in Schedule A.

**Discretionary Uses.**

- a) *Accessory Building* ≤120 m<sup>2</sup> (1,292 ft<sup>2</sup>)
- b) *Contractor Service, Limited*
- c) *Contractor Service, Indoor*
- d) *Outdoor Storage*
- e) *Warehousing and Storage*
- f) *Sign*
- g) *Utility Service, Minor*

**Minimum Building Setback Requirements**

From the property line adjacent to:	Any <i>building</i>
Road, Municipal Grid (Range Road 255)	35.0m
Road, Municipal Grid (Range Road 494A)	6.0 m
Other Lot – Side	6.0 m
Residential Use – Rear (at western boundary)	30.0 m

**Maximum Height of Buildings**

The maximum height of buildings will be 9.0m, and *shall* be subject to the regulations of the AVPA and Federal Government as applicable. The maximum height of any *accessory buildings shall not* exceed 5.0m.

**Site Coverage**

The combined *site coverage* by *principle* and *accessory buildings shall not* exceed 15% of the *site*. A maximum of 3 (three) *accessory buildings* will be permitted on the *site*.

The maximum *site coverage* used for *outdoor storage* activities *shall not* exceed 10% of the *parcel area*.

**Parking**

Parking will be limited to a minimum of 1 per 100m<sup>2</sup> of GFA up to 2000m<sup>2</sup> + 0.5 per extra 100m<sup>2</sup> as outlined in Section 6 of this Land Use Bylaw.

## Business Hours

Business hours and business traffic entering or exiting the *site shall* be limited to the hours between 7:00am and 7:00pm local time, Monday to Friday and excluding statutory holidays.

## Additional Regulations

(a) *Fencing shall* be required within and along all site boundaries flanking a road or residential district, excepting entrance roads. *Fencing shall* also be required to the satisfaction of the *Development Authority*, to *screen* the *outdoor storage* of goods, machinery, vehicles, building materials, waste materials, and other similar *uses*.

(b) No *use or operation shall* cause or create any *Environmental Impact* which, in the opinion of the *Development Authority*, may be objectionable beyond the boundary of the *site* which contains it, by way of but not limited to the following:

- Odorous and toxic matter
- Dust, fly ash or other particulate matter
- Noise
- Vibrations
- Air pollution
- Industrial waste
- Water quality degeneration
- Glare
- Radiation emissions
- High brightness light sources

(c) No operation or activity *shall* emit air or water contaminates in excess of the standards prescribed by the province pursuant to the *Environmental Protection and Enhancement Act*.

(d) In addition to these regulations, others apply. See PART SIX – GENERAL REGULATIONS, PART SEVEN – SPECIFIC USE REGULATIONS, PART EIGHT – SIGNS.

*Bylaw 19-16*

**DIRECT CONTROL DISTRICT DC-023**

**1. General Purpose**

The purpose of this district is to allow for the operation of a Contractor Service, Limited.

**2. Area of application**

This Bylaw applies to Lot 1, Block 2, Plan 0620046 affecting  $\pm 2.63$  ha ( $\pm 6.5$  acres) as illustrated in aerial photo.

**3. Additional Building Setback Requirements**

From the property line adjacent to:	Any Building
Road, Highway- Front/Side/Rear	40.0 m
Municipal Grid - Front/Side/Rear	35.0 m
Other lot - Side/Rear	7.5 m

**4. Other Regulations**

- (a) Landscaping and/or fencing is required within all front yards and side and rear yards flanking a road or residential district. Landscaping and or fencing may also be required in order to screen the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses. Further landscaping requirements are contained with PART SIX - GENERAL REGULATIONS: Landscaping, 6.7.
- (b) In addition to the above regulations, others apply. See PART SIX - GENERAL REGULATIONS, PART SEVEN SPECIFIC USE REGULATIONS, PART EIGHT - SIGNS.

*Bylaw 05-17*