

# CLEAR HILLS COUNTY LAND USE BYLAW





BYLAW NO. 278-23

**BEING A BYLAW OF CLEAR HILLS COUNTY, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REPEALING AND REPLACING CLEAR HILLS COUNTY LAND USE BYLAW NO. 189-16 AND ALL AMENDMENTS THERETO, AND ENACT THE CLEAR HILLS COUNTY LAND USE BYLAW NO. 278-23**

**WHEREAS** Pursuant to the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, Council may amend a Land Use Bylaw, and;

**WHEREAS** Pursuant to Sections 63, 69 and 692 of the Province of Alberta Municipal Government Act, a Council may repeal and replace a bylaw, and

**WHEREAS** The Municipal Council of Clear Hills County, in the Province of Alberta, has adopted Clear Hills County Land Use Bylaw No. 107-08, as amended, and;

**WHEREAS** The Municipal Council of Clear Hills County, in the Province of Alberta, deems it necessary to repeal and replace the Clear Hills County Land Use Bylaw No. 189-16 and all amendments thereto, and adopt a new Clear Hills County Land Use Bylaw.

**WHEREAS** Pursuant to Sections 230 and 606 of the Province of Alberta Municipal Government Act, a Council must hold a public hearing after giving notice of it after first reading.

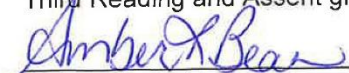
**NOW THEREFORE** The Municipal Council of Clear Hills County, in the Province of Alberta, IN COUNCIL DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. To repeal Land Use Bylaw No. 189-16 and all amendments thereto as described in attached Schedule A, and replace it with Land Use Bylaw No. 278-23 as attached Schedule B.
2. That this bylaw shall take force and effect on the date of its final passage.

First Reading given on the 24 day of October, 2023.

Second Reading given on the 12 day of December, 2023.

Third Reading and Assent given on the 12 day of December, 2023.

  
Amber Bean, Reeve

  
Allan Rowe, Chief Administrative Officer



## Contents

<b>Guide to using the Clear Hills County Land Use Bylaw .....</b>	<b>1</b>
<b>SECTION 1: ADMINISTRATION.....</b>	<b>3</b>
1.1 General.....	3
1.2 Purpose .....	3
1.3 Application .....	3
1.4 Conformity .....	3
1.5 Interpretation.....	4
1.6 Forms and Notices .....	5
1.7 Transition .....	5
1.8 Definitions .....	6
<b>SECTION 2: SUBDIVISION AND DEVELOPMENT AUTHORITY .....</b>	<b>47</b>
2.1 Development Officer .....	47
2.2 Duties and Responsibilities of the Development Officer .....	47
2.3 Municipal Planning Commission .....	48
2.4 Variance Powers.....	49
2.5 Planning Authority .....	50
<b>SECTION 3: DEVELOPMENT PERMIT .....</b>	<b>52</b>
3.1 Control of Development.....	52
3.2 Development Not Requiring a Development Permit .....	52
3.3 Development Permit Application Requirements .....	53
3.4 Environmental Audits and Assessment.....	54
3.5 Development Permit Application Completeness .....	55
3.6 Development Permit Referrals.....	56
3.7 Temporary Use Applications .....	56
3.8 Development Permit Decision Timelines .....	57
3.9 Development Permit Notification .....	57
3.10 Development Permit Conditions .....	58
3.11 Re-application for Development Permit.....	59
<b>SECTION 4: SUBDIVISION AND DEVELOPMENT APPEALS.....</b>	<b>61</b>
4.1 Establishment of the Subdivision and Development Appeal Board.....	61
4.2 Appeal Procedure.....	61



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<b>SECTION 5: ENFORCEMENT</b> .....	<b>64</b>
5.1 Contravention .....	64
5.2 Enforcement.....	64
<b>SECTION 6: BYLAW AMENDMENT</b> .....	<b>67</b>
6.1 Amendment Application .....	67
6.2 Amendment Process .....	68
6.3 Re-application for Amendments .....	68
<b>SECTION 7: GENERAL LAND USE PROVISIONS</b> .....	<b>70</b>
7.1 Area Aquifer .....	70
7.2 Corner Sites in Hamlets .....	70
7.3 Design, Character, and Appearance of Buildings .....	70
7.4 Development near Provincial Highways .....	71
7.5 Dwellings Per Parcel .....	71
7.6 Illumination .....	71
7.7 Keeping of Animals.....	72
7.8 Landscaping and Screening .....	72
7.9 Lands Susceptible to Flooding, Slumping or Soil Erosion .....	72
7.10 Minimum Servicing Requirements.....	73
7.11 Municipal Road Setbacks .....	74
7.12 Non-Conforming Buildings and Uses .....	74
7.13 Objects Prohibited or Restricted in Yards.....	75
7.14 Projections over Yards .....	75
7.15 Relocated Buildings.....	75
7.16 Water Course and Waterbody .....	76
7.17 Water Reservoir Setbacks .....	77
<b>SECTION 8: SPECIAL LAND USE PROVISIONS</b> .....	<b>83</b>
8.1 Accessory Buildings .....	83
8.2 Communication Towers and Communication Structures .....	83
8.3 Confined Feeding Operations .....	84
8.4 Dwelling, Manufactured Home .....	86
8.5 Home Occupations .....	87
8.6 Multi-Parcel Country Residential Subdivision .....	87
8.7 Natural Resource Extraction and Gravel Pits .....	87
8.8 Recreational Vehicle Parks .....	88



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8.9	Signs .....	89
8.10	Waste Transfer Station .....	91
8.11	Work Camps.....	91
<b>SECTION 9:</b>	<b>LAND USE DISTRICTS .....</b>	<b>93</b>
9.1	Establishment and Classification of Land Use Districts .....	93
9.2	Crown Land Management District (CLM) .....	100
9.3	Agricultural District – 1 (AG-1) .....	102
9.4	Agricultural District – 2 (AG-2) .....	105
9.5	Country Residential District - 1 (CR-1).....	107
9.6	Country Residential District - 2 (CR-2).....	109
9.7	Highway Development District (HD) .....	111
9.8	Rural Industrial District (RI) .....	113
9.9	Rural Recreational District (R-REC).....	115
9.10	Hamlet General District (HG) .....	116
9.11	Hamlet Estate Residential District (HER) .....	118
9.12	Hamlet Residential District (HR) .....	120
9.13	Hamlet Commercial District (HC).....	124
9.14	Hamlet Industrial District (HI) .....	126
9.15	Hamlet Public District (HP).....	128
<b>Schedules .....</b>		<b>129</b>
<b>Schedule A: Land Use Bylaw Districts – South part of Clear Hills County .....</b>		<b>130</b>
<b>Schedule B: Hamlet of Cleardale .....</b>		<b>131</b>
<b>Schedule C: Hamlet of Worsley .....</b>		<b>132</b>
<b>Schedule D: Municipal Historic Resource (All Saints Anglican Church) .....</b>		<b>133</b>
<b>Schedule E: Zoning District Detail Maps .....</b>		<b>134</b>
<b>Schedule F: Land Use Bylaw Amendments .....</b>		<b>135</b>
<b>Appendices .....</b>		<b>136</b>
<b>Appendix A: Sample Forms and Notices .....</b>		<b>137</b>



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

## Guide to using the Clear Hills County Land Use Bylaw

The Land Use Bylaw establishes the regulations on how land can be developed in Clear Hills County. Regulations vary depending on the location and type of development. Other Bylaws or regulations of the County, Province, or Federal government also have to be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. Firstly, the Land Use Bylaw maps divide the County into various land use districts. Secondly, the text of the Land Use Bylaw details which uses are appropriate in each land use district. Thirdly, the text provides additional regulations that apply to specific uses. The following steps may assist the user:

- 1) Locate the subject property on the land use district maps. Each land use district has a designation such as “AG-1” for AGRICULTURAL DISTRICT – 1 or “CR-1” for COUNTRY RESIDENTIAL DISTRICT – 1. Take note of which land use district the subject property is located in. The subject property may be affected by an Area Structure Plan (ASP) if it is located within the hamlets of Worsley and Cleardale, which may modify some of the uses and regulations of the Land Use Bylaw or impose additional regulations.
- 2) Next, check the table of contents and locate the land use district that you are working with, in Section 9. In each land use district, you will find a list of permitted and discretionary uses, and various regulations. This determines how and what can be developed in any given land use district. There are definitions in Section 1 that may help with unfamiliar terminology.
- 3) Review the table of contents to see if there might be any general or special land use provisions that apply to the situation or use in question. For example, Section 5 describes the enforcement procedure. Section 7 contains General Land Use Provisions, including “dwellings per parcel,” “landscaping and screening,” and “developments near Provincial Highways.” Section 8 contains Special Land Use Provisions, including “accessory buildings,” “manufactured homes,” and “home occupations.”
- 4) Discuss your proposal/concern with the Planning and Development staff. Clear Hills County staff is more than willing to assist you with development, subdivision, or general inquiries and explain procedures. They can also assist with other situations, such as enforcement or Land Use Bylaw amendments.



## **SECTION 1: ADMINISTRATION**



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## SECTION 1: ADMINISTRATION

### 1.1 General

Clear Hills County is predominantly an oil and gas-based community with vast forestry. The County actively supports the growth and development of these sectors, while continually working on preserving lands that have high agricultural production and protecting lands that are environmentally sensitive. Therefore, in addition to promoting and supporting the oil, gas, and forestry industries, the County recognizes that lands capable of agricultural production should be used for farming, as expressed in the County's Municipal Development Plan.

The normal sights, sounds, and smells of agricultural operations are part of the County's rural character. In accordance with the principle that agriculture, and activities associated with agriculture in all its forms, have priority in rural areas. No legitimate activity related to the production of food should be curtailed solely because of objections of nearby landowners.

### 1.2 Purpose

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within Clear Hills County to achieve orderly, planned, and beneficial development of land in accordance with the aspirations of the County's Municipal Development Plan. In order to achieve this, the Clear Hills County Land Use Bylaw:

- (1) identifies the development and subdivision authorities, and defines the roles and responsibilities of these authorities;
- (2) defines the appropriate uses of land and buildings allowed within the County, and includes general and special provisions related to these uses;
- (3) classifies the County into land use districts, with each land use district enabling uses that are permitted or discretionary;
- (4) outlines the steps/procedure in the development permit and Land Use Bylaw amendment approval process, including the notification of those affected by a proposed development or amendment, referral to relevant agencies and departments, and appeal of development authority decisions; and
- (5) establishes procedures for enforcing the provisions of the Bylaw.

### 1.3 Application

This Land Use Bylaw shall be applied to all uses / developments within the corporate boundaries of Clear Hills County, unless exempted by the *Municipal Government Act*, or any other provincial statute.

### 1.4 Conformity

- (1) No person shall commence any development unless it is in accordance with the terms and conditions of this Bylaw.





- (2) Other Approvals & Licenses  
In addition to meeting the requirements of this Bylaw, it is the applicant or developer's responsibility to obtain other such approvals or licenses as may be required by Clear Hills County or other Provincial and/or Federal government departments or organizations.
- (3) In instances where there is a discrepancy between this Bylaw and the *Municipal Government Act* (MGA), the MGA prevails.

## 1.5 Interpretation

Compliance with the policies and regulations in this Bylaw shall be interpreted and applied as follows:

- (1) The meaning of all terms and expressions used in this Bylaw shall be interpreted in accordance with:
  - (a) the Province of Alberta *Municipal Government Act*, R.S.A. 2000, c.M-26 and any other applicable Statutes of Alberta, to which this Bylaw refers;
  - (b) the definitions provided for in section 1.8;
  - (c) their usual and customary meaning, where such words are not defined in this Bylaw or the MGA or other applicable Statutes of Alberta.
- (2) Words used in the singular include the plural and vice-versa. In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall govern.
- (3) In accordance with Alberta Land Titles practice, all areas and distances in this Bylaw are in metric measure. Imperial equivalents are given as a convenience but may not be exact. In case of conflict, the metric measure shall govern.
- (4) Where this Bylaw allows an exercise of discretion or judgment, the discretion or judgment is that of the Development Authority, or in the case of an appeal, the judgment of the Appeal Body.
- (5) This Bylaw uses the operative terms of "shall/will/must," "should," and "may." The interpretation of these operative terms is set out below:
  - (a) Shall/will/must means compliance or adherence to a course of action or perspective;
  - (b) Should means compliance is desired or recommended, but may be impractical or premature due to valid planning principles or unique/extenuating circumstances;
  - (c) May means discretionary compliance or a choice in applying a policy.



- (6) When a regulation involves two or more conditions or provisions connected by a conjunction, the following interpretation shall apply:
- (a) “And” means all the connected items shall apply in combination;
  - (b) “Or” indicates that the connected items may apply singularly;
  - (c) “And/Or” means the items may apply singularly or in combination.
- (7) The following acronyms used in this Bylaw refer to the following:

A.R.	Alberta Regulation
AEPA	Albert Environment and Protected Areas
AER	Alberta Energy Regulator
AOPA	Agricultural Operation Practices Act
AEUB	Alberta Energy and Utility Board
ASP	Area Structure Plan
ATEC	Alberta Transportation and Economic Corridors
AUC	Alberta Utilities Committee
c.M-26	Chapter M-26
CAN/CSA	Standards Council of Canada
CSA	Canadian Standards Association
CFO	Confined Feeding Operation
DO	Development Officer
GOV	Government of Alberta
ERCB	Energy Resources Conservation Board
IDP	Intermunicipal Development Plan
LUB	Land Use Bylaw
MDP	Municipal Development Plan
MGA	Municipal Government Act
MPC	Municipal Planning Commission
NRCB	Natural Resources Conservation Board
PA	Planning Authority
R.S.A.	Revised Statutes of Alberta
SDAB	Subdivision and Development Appeal Board

## 1.6 Forms and Notices

For the purpose of administering the provisions of this Bylaw, the Development Authority shall prepare forms and notices as may be deemed necessary.

## 1.7 Transition

An application for subdivision, development permit, or amendment to the Land Use Bylaw submitted prior to coming into force of this Bylaw shall be evaluated under the provisions of the County’s Land Use Bylaw No. 189-16, as amended.



## 1.8 Definitions

**“ABATTOIR”** means a facility used for the slaughtering of animals and the processing of meat products.

**“ACCESSORY BUILDING OR STRUCTURE OR USE”** means a building, structure, or use which is separate from, subordinate to, exclusively devoted to, and located on the same site as the principal use of the land or building. Accessory buildings include, but are not limited to, a detached garage, a detached deck, a gazebo, a private greenhouse, a deck, a boathouse, an above ground swimming pool, an in-ground swimming pool, and a satellite dish greater than 1.2 m (3.94 ft) in circumference; but does not include a farm building or dwelling unit. Accessory buildings or structures shall not be used for overnight habitation, except for a farm help accommodation located in an agricultural zone or accessory dwellings as defined in this Bylaw. For the purposes of this Bylaw, an accessory building shall not be used as a dwelling unit, except as noted.

**“ADJACENT LAND”** means land or a portion of land that shares a common boundary with a parcel of land that is subject to a development permit application and/or subdivision application and includes land that would be adjacent if not for a public roadway, railway, utility right of way, water body/course, or reserve land. See Figure 4 (Adjacent Land) for the explanation note.

- Outside the hamlets, adjacent landowners requiring notification under this bylaw will be administered as a full quarter section. Subdivisions within a quarter section will use the quarter section boundaries as the boundaries for adjacent landowner notification. The eight quarter sections and any subdivisions within the eight quarter sections around the development area will be considered adjacent landowners under this bylaw.



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**“AGRICULTURAL INDUSTRY”** means any industrial use directly related to agriculture, involving the production, storage, or sale of farm related products, and generally includes:

- (1) Agricultural machinery sales and service;
- (2) Agricultural supplies;
- (3) Auction mart;
- (4) Bulk fuel sales or storage;
- (5) Grain elevator;
- (6) Hay or grain dryer plant;
- (7) Livestock holding station;
- (8) Pellet plant;
- (9) Seed cleaning plant; or
- (10) Other agricultural industry developments.

**“AGRICULTURAL USE, INTENSIVE”** means a commercial agricultural operation, other than Confined Feeding Operations that, due to the nature of the operation, require smaller tracts of land. Without restricting the generality of the foregoing, this Use Class includes nurseries, greenhouses, market gardens, kennels, sod farms, bee keeping, and tree farms.

**“AMENITY”** means an area within a site which has been designed to be used for passive or active recreation, and may include features such as patios, balconies, landscaping, recreation facilities, and communal gathering spaces.

**“APPEAL BODY”** means the Subdivision and Development Appeal Board (SDAB) or the Land and Property Rights Tribunal, as the case may be.

**“AQUIFER”** means a layer of rock, sand, or earth that contains water or allows water to pass through it.

**“AUTO BODY AND SERVICE STATION”** means a use where the primary activities include the repairing and maintaining of motor vehicles, such as a truck stop and auto body repair shop; and the retail dispensing or sale of vehicular fuels. The development may include, as an accessory use, the sale and installation of lubricants, tires, batteries, and other similar accessories. It may also include an enclosed restaurant facility or convenience store facility as a secondary use. Where the primary use is the sale of vehicular fuels, the development shall be treated as a Service Station, as defined in this Bylaw.



**"AUTOMOBILE SALES"** means the premises used for the display and sale of new or used automobiles and light duty trucks less than 5000 kilograms G.V.W. (11,023 lbs.). This Use Class does not include recreation vehicles, boats, trailers, campers, and similar vehicles.

**"BALCONY"** means a platform attached to, and projecting from, the face or back of a building, with or without a supporting structure above the first story; normally surrounded by a balustrade or railing, and used as an outdoor porch or sundeck, with access only from within the building.

**"BASEMENT"** means the portion of a building or structure which is partially or wholly below lot grade and having a floor below lot grade by a distance greater than one-half the distance from floor to ceiling.

**"BETTER AGRICULTURAL LAND"** means lands that fall within classes 1, 2, 3, and 4, according to the Canadian Land Inventory (CLI) rating, or lands falling within classes 1, 2, 3, and 4, according to the Land Suitability Rating System (LSRS).

**"BOULEVARD"** means the part of a road right-of-way that is between the travelled roadway and the lot frontage along the road right-of-way. Clear Hills County owns the boulevard land. See Figure 5 (Boulevard) for the explanation note.

**"BUFFER"** means an area where development is restricted to a row of trees, shrubs, fencing, berming, or other similar means to provide visual screening and separation between sites, roadways, or districts. See Figure 12 (Buffer) and Figure 21 (Fencing) for the explanation notes.

**"BUILDING HEIGHT"** means the vertical distance between grade and the highest point of a building. See Figure 13 (Building Height) for the explanation note.

**"BUILDING OR SITE STORAGE FACILITY"** means a building or site that is used to store goods, products, or equipment, and is usually associated with a commercial and/or industrial operation.

**"BULK FUEL SALES OR STORAGE"** means a facility and/or grounds, other than a service station, used for the bulk storage and sale of oil and fuel products.

**"BUS DEPOT"** means a building and associated facilities used by bus operators for the loading and unloading of persons and goods and may be used to store buses and related equipment.

**"BUSINESS"** means the use of land or buildings for business activities of a commercial nature, other than specifically defined in this Bylaw.



**"BYLAW"** means the Clear Hills County Land Use Bylaw No. 278-23.

**"CABIN"** means a building intended for short term occupancy. A cabin normally does not include a full kitchen or bathroom facilities and is not connected to services (sanitary, water, electrical).

**"CAMPGROUND"** means any parcel of land on which holiday trailers, tents, or recreational vehicles are parked for camping purposes on a temporary basis for a stipulated time period.

**"CANNABIS"** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil, and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

**"CAR OR TRUCK WASH"** means the provision of facilities, including a central water supply, for washing vehicles.

**"CEMETERY"** means a parcel of land that is used as a burial ground and is licensed by the appropriate provincial government department.

**"COLD STORAGE FACILITY"** means the use of buildings or structures for the cold storage of goods, products, or other items.

**"COMMERCIAL SERVICE CENTRE"** means a multi-unit commercial development that may contain commercial uses or services, such as but not limited to, general retail establishment; specialty stores; professional, financial, office and business support services; and meets the general purpose of the respective district.

**"COMMUNICATION TOWER"** means a structure that is used to convey broadband signals for radio, cell phones, internet, and television; and may include other structures necessary for the carrying out of this function.

**"COMMUNITY HALL OR CLUBHOUSE"** means a building that is used as a community meeting or activity space.

**"CONFINED FEEDING OPERATION (CFO)"** means a Confined Feeding Operation, as defined and regulated under the provisions of the *Agricultural Operation Practices Act* (AOPA).

**"CORNER LOT"** means a lot having a frontage on two or more roads at their intersection, excluding lots only abutting alleys or lanes.

**"COUNCIL"** means the Council of Clear Hills County.



**“COUNTRY RESIDENTIAL PARCEL”** means the rural subdivision of an undeveloped parcel from a quarter section for residential purposes.

**“COUNTY”** means Clear Hills County and, where required by the context, shall include all lands within the corporate boundaries of Clear Hills County.

**“CROWN LAND”** means land belonging to the Province of Alberta and includes the beds and shores of all permanent and naturally occurring water body / course.

**“DECK”** means an accessory recreational platform, either attached or not attached to the principal building. A deck can be at ground level or elevated and may be an open or closed design construction. See Figure 11 (Deck Perspective) for the explanation note.

**“DENSITY”** means a quantitative measure of the number of dwellings or parcels per unit of area.

**“DEVELOPER”** means a person having an interest in and applying for a permit for the development of land.

**“DEVELOPMENT”** means:

- (1) an excavation or stockpile and the creation of either of them;
- (2) a building, or an addition to or replacement or repair of a building, and the construction or placing of any of them on, in, over, or under land;
- (3) a change of the 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
- (4) a change in the intensity of the 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.

as defined in the *Municipal Government Act*, as amended.

**“DEVELOPMENT AUTHORITY”** means one of the following:

- (1) the Development Officer (DO); or
- (2) the Municipal Planning Commission (MPC)

as established in the Clear Hills County’s Development Authority Bylaw, as amended.



**“DEVELOPMENT OFFICER (DO)”** means a person(s) appointed as Development Officer by the Council pursuant to Section 624 of the *Municipal Government Act*, and who is/are responsible for receiving, considering, and recommending a decision on applications for development and other duties as specified under this Land Use Bylaw.

**“DEVELOPMENT PERMIT”** means a document authorizing development of a specific type on a specific parcel of land to proceed in compliance with this Bylaw.

**“DISCRETIONARY USE”** means the use of land or of a building provided for in this Bylaw for which a development permit may be issued at the judgement of the development authority, with or without conditions.

**“DISTRICT”** means an area of land classified on a land use district map in this Bylaw.

**“DUGOUT OR WATER RESERVOIR”** means an excavation of earth, rock, concrete, or other material designed to supply water for household, landscaping, or general agricultural purposes, but does not include a lagoon for the purpose of processing wastewater.

**“DWELLING”** means any building or portion of a building containing space used for human habitation. A dwelling may contain a single or multiple dwelling units. This Use Class includes, but is not limited to, modular homes, manufactured homes, and apartments.

**“DWELLING, APARTMENT”** means a residential building consisting of at least three dwelling units with shared entrances and other essential facilities and services.

**“DWELLING, CARETAKER'S”** means a dwelling that is secondary or accessory to a principal industrial, commercial, or recreational use on the same lot, and is used for the purpose of providing living accommodation for the individual who is primarily responsible for the maintenance and security of the principal use on that lot.

**“DWELLING, DUPLEX”** means a building containing two dwelling units which share a common wall or ceiling/floor, and which has an independent entrance either directly from outside the dwelling or through a common lobby area. See Figure 15 (Dwelling, Duplex) for the explanation note.

**“DWELLING, MANUFACTURED HOME (Previously known as Mobile Home)”** means a prefabricated transportable detached dwelling unit, which is manufactured to be relocated from one location to another by being towed or carried and is capable of human habitation for residential occupancy. Dwelling, manufactured homes generally have steel supporting beams, running gear or wheels, and can be situated on site without a permanent foundation.

Dwelling, manufactured homes are required to be built to CSA A277 or CAN/CSA Z240 standards and meet the requirements of the Alberta Building Code. This Use Class does not include dwelling, modular homes, recreational vehicles, or work camps.





***“DWELLING, MODULAR HOME”*** means a prefabricated dwelling, single-detached, manufactured to be transported and assembled on site on a permanent perimeter foundation such as a concrete basement wall or a brick wall. A dwelling, modular home has no chassis, running gear or wheels, and is assembled on-site in-home units to form one or more complete dwellings for residential occupancy.

Dwelling, modular homes are required to be built to the CSA A277 standard and to meet the Alberta Building Code. For the purposes of this Bylaw, dwelling, manufactured home shall not be considered to be a dwelling, modular home.

***“DWELLING, ROW HOUSE”*** means a residential use where at least three dwelling units on separate lots share a common wall between the units, with each unit having direct access to the outside grade, but shall not mean “dwelling, apartment.”

***“DWELLING, SECONDARY SUITE”*** means a second self-contained dwelling unit that is located within a principal dwelling unit, either above or below grade level. Further, dwelling, secondary suite shall also constitute a proposed dwelling unit situated above a garage. Dwelling, secondary suites shall meet the standards of the Alberta Building Code.

***“DWELLING, SEMI-DETACHED”*** means a building containing two dwelling units attached side-by-side. Each dwelling unit is located entirely on a separate lot. See Figure 14 (Dwelling, Semi-Detached) for the explanation note.

***“DWELLING, SINGLE-DETACHED”*** means a building containing only one (1) dwelling unit, which is completely separated on all sides from any other dwelling or structure and, except as otherwise allowed by the Bylaw, used for no other purpose.

***“DWELLING, SHOUSE”*** means a building containing a residence that is connected to a shop or storage space by a common or connect roofing system. A Shouse is typically built through pole framing or post-frame construction, and features roll-formed, steel-sheet exterior, with residential style doors and windows along the primary frontage. In addition, the residence portion of the building must meet the definition of a dwelling unit in this Bylaw.

***“DWELLING, TEACHERAGE”*** means a house or lodgings provided for a teacher by a school.

***“DWELLING, TRI-PLEX”*** means a building containing three dwelling units one above the other, each of which has an independent entrance either directly from outside the dwelling or through a common lobby area. See Figure 16 (Dwelling, Triplex) for the explanation note.

***“DWELLING UNIT”*** means a self-contained living quarters (including ATCO Trailers), containing sleeping, cooking, and toilet facilities, with an independent entrance either directly from outside a building or through a common hallway inside a building.



**"EASEMENT"** means a right to use land, generally for access to another property, or as a right-of-way for a public utility.

**"ELECTRICAL FACILITIES"** means building and structures used for the generation of electricity.

**"ENVIRONMENTAL AUDIT"** means a comprehensive site analysis to determine:

- (1) If there are any hazardous substances above, on, or below the surface of the subject property that may pose a threat to the environment and/or human health; and/or
- (2) If there are any breaches of federal, provincial, and/or County environmental standards; and/or
- (3) The level of risk that a contaminated site poses to the environment and/or human health; and/or
- (4) The necessary remedial actions that may be required to reduce the level of risk posed by a contaminated site to an acceptable level.

**"ENVIRONMENTAL IMPACT ASSESSMENT"** means a comprehensive analysis to determine:

- (1) The potential environmental impact of the proposed development on site; and/or
- (2) The potential environmental impact of the proposed development upon adjacent properties or land uses; and/or
- (3) The potential environmental impact the proposed development may have on the future land use potential of the site.

**"EQUIPMENT RENTAL SHOP"** means the use of a building for the renting of equipment, usually on a commercial basis.

**"EXHIBITION GROUNDS AND/OR RODEO"** means an area that is used for public display of arts, objects, industrial achievements, agricultural products, rodeo, merchandise, articles, skills, innovation, or information.

**"EXTERIOR SIDE YARD"** means a side yard immediately adjoining a road. See Figure 7 (Lot Definitions and Yard Definitions) and Figure 8 (Yard Definitions) for the explanation notes.

**"FARM BUILDING"** means a building used in connection with the raising or production of crops, livestock, or poultry, and situated on land used in connection with such farming operations but does not include a dwelling unit. Farm buildings include granaries, barns, sheds, hay storage structures, garages, and shops. Buildings used for the conducting of non-farming business operations are not considered to be farm buildings.



**"FARMING OPERATION"** means a small-scale business operation dependent upon on-site labour (usually family), and which is secondary to the use of a parcel of land for agricultural purposes.

**"FARMSTEAD"** means a farmyard which was once established or is currently established with some or all of the following:

- (1) A dwelling;
- (2) A potable water source;
- (3) A sewage collection system;
- (4) An electrical power service;
- (5) A shelter belt; and/or
- (6) Any other feature which would indicate a previous or present developed farmstead.

**"FIRE HALL"** means a facility in which fire trucks and equipment are stored, and fire-fighting personnel may be accommodated.

**"FLOODPLAIN"** means an area of land bordering a water body / course that would be inundated by a 1 in 100-year flood event, as determined by Alberta Environment and Protected Areas, in consultation with Clear Hills County.

**"FLOOR AREA"** means the total of the floor areas of every room and passageway contained in a building, but does not include the floor areas of basements, attached garages, sheds, open porches, decks, or breezeways. See Figure 17 (Floor Area) for the explanation note.

**"FRAGMENTED PARCEL"** means a parcel that is separated from the balance of a quarter section or a part of a quarter section by a natural barrier such as a river or a coulee, or by a physical barrier such as a road or a highway.

**"FRONT LOT LINE"** means the lot line at the front of a lot. See Figure 7 for the Lot Definitions and Yard Definitions explanation note.

**"FULLY SERVICED"** means having all appropriate services, including water and sewer developed to provincial standards, developed road access and utilities, such as power and gas.

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



**“GRAIN ELEVATOR”** means a structure that is used for the off-farm storage of grain and is usually located in such a manner to take advantage of a rail or truck loading facility.

**“GROUP CARE FACILITY”** means a facility that provides special care for individuals and families that are in need of adult supervision in accordance with their needs and are licensed, if necessary, by the authority having jurisdiction over the group home’s activities.

**“HAMLET”** means an unincorporated community administered by and within the boundaries of Clear Hills County that consists of (5) five or more dwellings, has a generally accepted boundary and name, and has been designated as a hamlet by Council, pursuant to Section 59 of the MGA.

**“HAMLET GENERAL”** means the various uses within the boundary of a Hamlet to include residential, public, institutional, recreational, and business uses.

**“HAMLET ESTATE RESIDENTIAL”** means the residential zones within a hamlet boundary for uses only pertaining to residences, such as dwellings, including houses and trailers.

**“HEAVY INDUSTRIAL MANUFACTURING”** means a large-scale industrial manufacturing or processing activity. Without restricting the generality of the foregoing, heavy manufacturing and processing industry would include:

- (1) plants for the manufacture of petroleum products; pulp and paper products; stone, clay, and glass products; cement and lime products; fertilizers and animal by-products;
- (2) plants engaged in the primary metal industry, including metal processing;
- (3) the processing of natural gas or its derivatives; and
- (4) incinerators, including those for municipal and industrial use.

Heavy industrial uses may have some negative effects on the safety, use, amenity, and enjoyment of adjacent or nearby sites due to appearance, noise, odor, emission of contaminants, fire or explosive hazards, or the presence of dangerous goods.

**“HIGHWAY MAINTENANCE YARD”** means a facility that is used for the storage and maintenance of vehicles and road maintenance equipment.



**“HOME CHILD CARE OR HOME CHILD CARE FACILITY”** means the use of a building or portion thereof for the provision of care, maintenance, and supervision of children under the age of thirteen (13) years; done by persons other than one related by blood or marriage, for periods not exceeding twenty-four (24) consecutive hours, and includes all facilities licensed by the relevant provincial licensing authority. Home childcare or home childcare facilities include daycares.

**“HOTEL”** means a building providing accommodation for the public; containing guest rooms accessed by a common entrance, and commonly include a kitchen, dining, and/or other public rooms.

**“INDUSTRIAL BUILDING OR USE”** means any building or use which the predominant use, as determined by its general purpose and list of permitted uses, is of a general business, general industrial, or heavy industrial nature. This includes the use of land, buildings, and/or structures for an industrial activity that potentially creates impacts beyond the boundaries of the site for which the associated activity takes place due to appearance, emission of contaminants, noise, traffic volume, odour, and fire.

**“INDUSTRY”** means an economic activity carried out by a group of productive enterprises or organizations that produce or supply goods and services, and is usually concerned with the processing of raw materials and the manufacturing of goods.

**“INSTRUMENT”** means a plan of subdivision and an instrument as defined in the *Land Titles Act*.

**“INTERIOR LOT”** means a lot other than a corner lot.

**“INTERIOR SIDE YARD”** means a side yard other than an exterior side yard. See Figure 7 for the Lot Definitions and Yard Definitions explanation note.

**“KENNEL”** means facilities where dogs or cats are boarded, bred, trained, or cared for.

**“LANDSCAPING”** means the modification and enhancement of a site through the use of any or all of the following elements:

- (1) “Soft landscaping” consisting of vegetation, such as trees, shrubs, hedges, grass, and ground cover;
- (2) “Hard landscaping” consisting of non-vegetative materials, such as brick, stone concrete, tile, and wood; excluding monolithic concrete and asphalt.

**“LAUNDRY FACILITY”** means a self-service laundry use, but does not include dry cleaners.



**“LIGHT INDUSTRIAL MANUFACTURING”** means an industry engaged in the assembly, processing, manufacturing, cleaning, testing, repairing, storing, or distribution of various materials into a new product. The industry may exhibit most or all of the following characteristics:

- (1) Can be developed on smaller parcels of land;
- (2) Is suitable for industrial parks;
- (3) Most of the activities are confined to the building;
- (4) Does not require large areas of outdoor storage;
- (5) Does not produce emissions which are obnoxious or hazardous; and
- (6) Employs 50 or fewer people on site.

**“LOT”** means a parcel of land, or a portion of a parcel of land, where the boundaries of the part are separately described in a certificate of title, with or without reference to a plan of subdivision. A lot is owned, or meant to be owned, and is shown on an official plan, as defined in the *Surveys Act* for which there is a certificate of title.

**“LOT DEPTH”** means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. See Figure 7 (Lot Definitions and Yard Definitions) and Figure 8 (Yard Definitions) for the explanation notes.

**“LOT LINE”** means a legally defined limit of any lot. See Figure 7 (Lot Definitions and Yard Definitions) and Figure 8 (Yard Definitions) for the explanation notes.

**“LOT WIDTH”** means the horizontal measurement between the side lot lines measured at a point 1.5 m (5 ft) perpendicularly distant from the front lot line, when the front lot line is irregular in shape. See Figure 7 (Lot Definitions and Yard Definitions) and Figure 8 (Yard Definitions) for the explanation notes.

**“LUMBER YARD”** means a retail outlet used for the storage and selling of wood-related products.

**“MACHINE SHOP”** means where power-driven tools are used for making, finishing, or repairing machinery or machine parts.

**“MANUFACTURED HOME PARK”** means a parcel of land under single ownership which has been designed for the placement of dwelling, manufactured homes on dwelling, manufactured home lots.



**"MARKET GARDEN"** means a parcel of land where fruits, vegetables, flowers, and similar plants are grown for sale.

**"MGA"** means the Province of Alberta *Municipal Government Act*, R.S.A 2000, c.M-26 and amendments thereto.

**"MOTEL"** means a building, or a group of buildings, designed for the accommodation of the public and contains guest rooms, each of which has a separate entrance directly from outside the building.

**"MUNICIPAL AND SCHOOL RESERVE"** means land designated as municipal and school reserve under the MGA.

**"MUNICIPAL HISTORIC RESOURCE"** means a building, structure, or zone designated by a municipal, provincial, or federal authority to be historically or architecturally significant.

**"MUNICIPALITY"** means Clear Hills County.

**"MUNICIPAL PLANNING COMMISSION (MPC)"** means the Municipal Planning Commission of Clear Hills County, as established by bylaw, pursuant to the provisions of the *Municipal Government Act*, R.S.A. 2000, c.M-26.

**"NATURAL RESOURCE EXTRACTION OR PROCESSING INDUSTRY"** means an industry engaged in the extraction of natural resources, such as timber, clay, sand, gravel, limestone, shale, coal, and other minerals, including petroleum and natural gas. It may include primary treatment into a marketable form of the resource, and consists of industries like cement plants.

**"NON-CONFORMING BUILDING OR USE"** means a building or use:

- (1) That is lawfully constructed or lawfully under construction at the date a Land Use Bylaw, affecting the building or the land on which the building is situated, becomes effective, and;
- (2) That on the date the Land Use Bylaw becomes effective, does not, or when a building is constructed or under construction will not, comply with the Land Use Bylaw.
- (3) Of existing land(s) or building(s); or land(s) or building(s) lawfully under construction at the time the Land Use Bylaw is passed, and;



**“OWNER”** means:

- (1) In respect of unpatented land, the Crown; or
- (2) In respect of other land, the person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

**“PARCEL”** means the area of land described in a Certificate of Title with or without reference to a plan registered in the Land Titles Office.

**“PARK OR PLAYGROUND”** means an area of land used for recreation purposes, usually including facilities such as picnic benches, slides, swings, and other playground type equipment, built in accordance with the *Alberta Safety Codes Act*.

**“PERMANENT FOUNDATION”** means a structure constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground, with a foundational system or arrangement composed of, but not limited to, footing, raft, or pile and may include walls, light standards, fences, and signs, and renders the structure fixed and immovable but, does not include grain bins.

**“PERMITTED USE”** means the use of land or of a building provided for in this Bylaw for which a development permit shall be issued upon an application having conformed to the provisions of this Bylaw.

**“PET, DOMESTIC”** means a domestic or tamed animal kept for companionship or pleasure; including, but not limited to, a bird, cat, rabbit, or ferret, or similar common domestic animals.

**“PETRO-CARDLOCK FACILITY”** means an outlet where petroleum products are dispensed from fuel pumps utilizing a petro-cardlock or keylock system, but does not include gasoline service stations. A petro-cardlock facility may be supervised or unsupervised, and may include retail petroleum sales, convenience food stores, or restaurants, all of which are accessory to the primary petro-cardlock use.

**“PLACE OF WORSHIP”** means a structure where people gather for prayer and related religious, philanthropic, and/or social activities. Accessory developments include rectories, classrooms, and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries. Places of worship are considered Institutional Use under this Bylaw.

**“PORCH”** means a covered shelter located at the entrance to a building.

**“PRINCIPAL BUILDING OR USE”** means the main purpose for which, in the opinion of the Development Officer, a building or site is ordinarily used.





**“PROVINCIAL HIGHWAY”** means a highway or proposed highway designated as a provincial highway by the Transportation Minister.

**“PUBLIC AND INSTITUTIONAL BUILDING OR USE”** means use which is owned or leased by a department or agency of the Federal, Provincial, or Municipal Government, or a community or religious organization for purposes of public administration and services. This use shall include cemeteries, fire halls, police stations, ambulance stations, government offices, public works yards, public libraries, schools, places of worship, community halls, clubhouses, post offices, correctional centers, assisted living facilities, and hospitals. This use includes a building or structure used for the provision of public utilities, offices, or housing for any equipment used in connection with the public utility, but does not apply to essential infrastructure such as the provision of waterlines, sewer lines, road or utility lines provided by agencies like gas, power, cable, telephone, or internet companies.

**“PUBLIC UTILITY”** means a system or works used to provide one or more of the following for public consumption, benefit, convenience, or use:

- (1) Water or steam;
- (2) Sewage disposal;
- (3) Irrigation;
- (4) Drainage;
- (5) Fuel;
- (6) Electric power;
- (7) Heat;
- (8) Waste management;
- (9) Telecommunications; and
- (10) Street lighting.

**“PUBLIC UTILITY LOT”** means land required to be given under Part 17, Division 8 of the MGA for public utilities.

**“REAR LOT LINE”** means the lot line of a lot which is at the rear of a lot. See Figure 7 for the Lot Definitions and Yard Definitions explanation note.



**“REAR YARD”** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building. See Figure 7 (Lot Definitions and Yard Definitions) and Figure 8 (Yard Definitions) for the explanation notes.

**“RECREATIONAL FACILITY AND USE, EXTENSIVE AND INTENSIVE”** means:

- (1) an indoor facility and/or use for active recreation that may include spectator amenities. This includes field houses, arenas, walking tracks, weight rooms, change rooms, eating establishments, meeting rooms and offices; or
- (2) a recreational land use scattering users and development over a dispersed area of land, such as passive parks, walking trails, and back country campsites which do not typically involve buildings; or
- (3) high density outdoor recreational activities and facilities available to the public for sports and active recreation such as campgrounds, picnic grounds, parks or playgrounds, fishing lodges, beach areas, riding stables, racetracks, baseball diamonds and other sports fields, golf courses, driving ranges, flying clubs, swimming pools, shooting ranges, skateboard parks, ski resorts, tennis courts, outdoor ice rinks, curling rinks, and other similar facilities.

**“RECREATIONAL VEHICLE PARK”** means the use of land for the keeping of recreational vehicles in an organized setting. This type of land use is usually associated with recreation or tourist facilities.

**“REPAIR SHOP”** means a building that is used to repair various goods and appliances on a commercial basis.

**“RESTAURANT”** means the use of a building as a public eating place and may include a licensed dining lounge and other associated facilities.

**“SALVAGE AND/OR AUTO WRECKING YARD”** means a facility for the storage, processing, or trans-shipment of derelict vehicles, machinery, scrap metal, and similar materials for the purpose of wholesale or retail trade.

**“SAND AND GRAVEL PIT”** means a surface mine or excavation used for the removal of sand or gravel for sale or private use.

**“SAWMILL or PLANING MILL”** means a mill that is used for the sawing of logs into usable products.

**“SCREENING”** means a fence, berm, or hedge used to visually separate areas or uses which, in the opinion of the Development Authority, detracts from the roadway or neighboring land uses.



**“SEA CAN”** means a pre-built metal container originally designed and/or constructed for the purpose of cargo storage and/or shipment of goods.

**“SENIORS’ HOUSING”** means housing primarily for elderly persons, with the option of medical and/or supervisory care being provided.

**“SERVICE STATION”** means any land or building where the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered. This includes the dispensing of motor fuel or other petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks or similar commercial vehicles and may include overnight accommodations and restaurant facilities.

**“SETBACK”** means the minimum horizontal distance that the nearest exterior wall of a development must be located from a parcel boundary/property line.

**“SEWAGE TREATMENT FACILITY”** means a man-made body of water or facility for the purpose of collecting sewage and in which the waste is broken down by bacteria.

**“SIDE LOT LINE”** means any lot line other than a front or rear lot line. See Figure 7 for the Lot Definitions and Yard Definitions explanation note.

**“SIDE YARD”** means that portion of land lying between the side lot line of the parcel and the side wall(s) of the principal building situated on the parcel and not including the front and rear yards.

**“SIDE YARD WIDTH”** means the least horizontal distance between the side lot line and the nearest part of a building.

**“SIGHT TRIANGLE”** when applied to hamlets, means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site, 6.1 m (20 ft) from the point where they intersect. See Figure 6 (Sight Triangle) for the explanation note.

**“SIGN”** means anything that serves to indicate the presence or the existence of something; including, but not limited to, a lettered board, a structure, or a trademark displayed, erected or otherwise developed and used, or serving or intended to serve, to identify, to advertise, or to give direction.

**“SIGN, IDENTIFICATION”** means a sign indicating the name of the business or the type of development at the site of the development. See Figure 24 (Signs) for the explanation note.

**“SPACING”** means the measurement, distance, or area required to be left undeveloped between property lines, dwellings, businesses, and other buildings or uses throughout the County.



**“STABLE”** means a facility that is used for horse riding activities, including buildings that are necessary for the keeping of horses or other functions related to this activity.

**“STORE”** means the use of a building or a portion thereof for the sale or display of merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment.

**“SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)”** means the Subdivision and Development Appeal Board for Clear Hills County, established pursuant to the MGA.

**“SUBDIVISION AUTHORITY”** means the Subdivision Authority for Clear Hills County, established pursuant to the *Municipal Government Act*.

**“TEMPORARY”** when referring to a development, means a development lasting for only a limited period of time and not permanent, for which an approximate or definitive end date is known. The development authority may determine the length of time for a temporary development, depending on the nature of the proposed building or use.

**“THROUGH LOT”** means any lot, other than a corner lot, having access on two roads. See Figure 7 (Lot Definitions and Yard Definitions) for the explanation note.

**“TRANSLOADING FACILITY”** means a facility used for the process of transferring materials from one form of transport (i.e., truck or pipeline) to another form of transport (i.e., rail or truck), and may include short-term temporary storage of materials.

**“VARIANCE”** means an alteration or change to a standard prescribed by this Bylaw for the purposes of a proposed development permit application.

**“WAREHOUSE”** means the use of a building for the storage of merchandise or commodities. These are generally larger in scale than “mini storage,” storage facilities and “indoor storage.”

**“WASTE TRANSFER STATION”** means a permanent collection and transportation facility used to contain solid waste, which is then passed on to a larger transfer vehicles for transport to a solid waste handling facility. Transfer stations may also contain recycling bins.

**“WATER BODY / COURSE”** means the bed and shore of a lake, lagoon, swamp, marsh, river, stream, creek, or any other naturally occurring body of water; or a reservoir, canal, ditch, or other man-made surface features, whether it contains water continuously or intermittently.

**“WATER TREATMENT FACILITY”** means a facility for the collection and treatment of the water supply.



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**“WORK CAMP”** means one or more buildings established to accommodate persons who are employed in logging, construction, resource exploration, or any other similar industry, and includes the land on which the building or buildings are situated.

**“YARD”** means a part of a parcel upon or over which no building is to be erected, unless otherwise provided for in this Bylaw.



## EXPLANATION NOTES Development Permit

This graphic is not part of this Bylaw, but is provided to aid in its interpretation

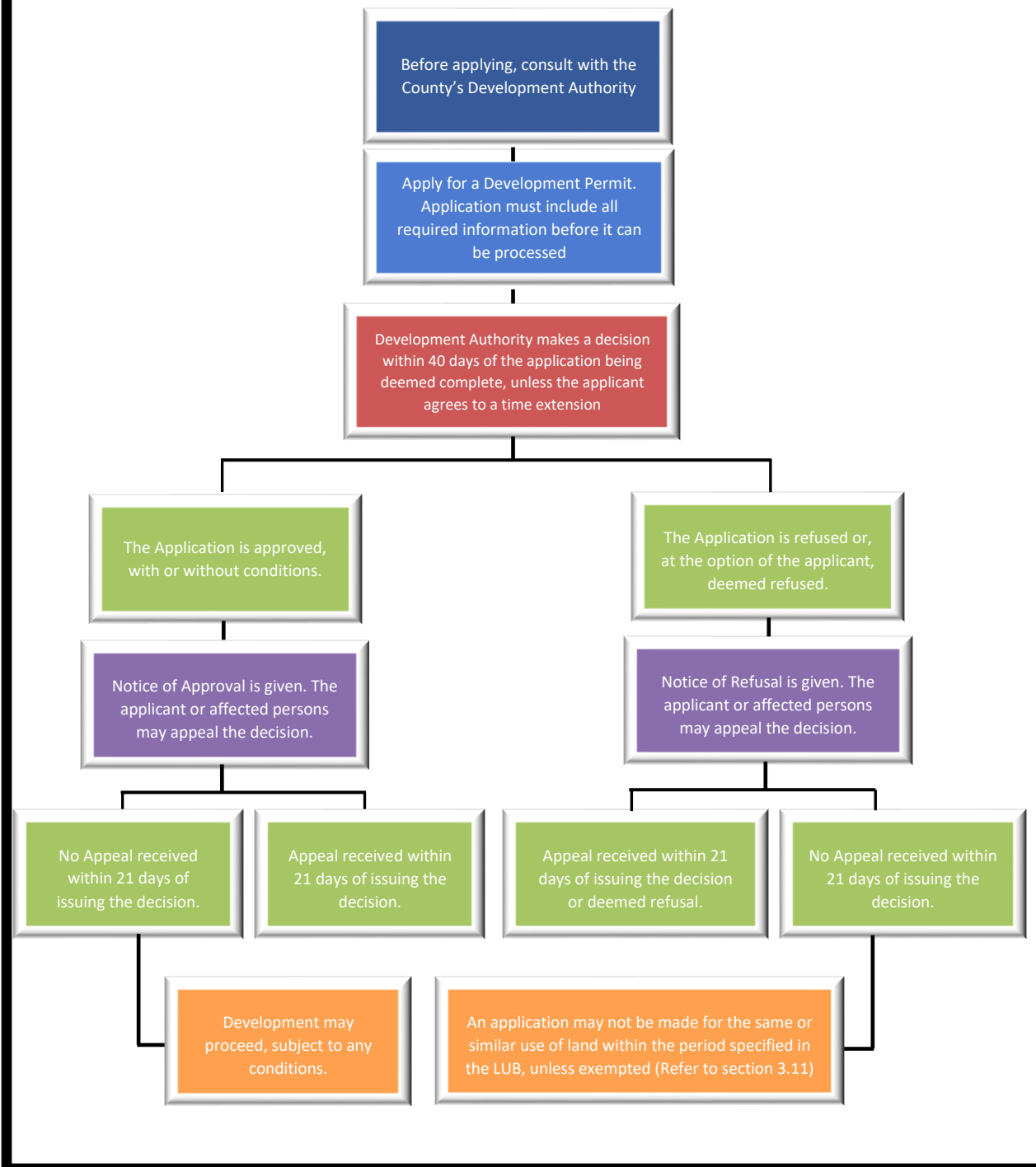


Figure 1: Development Permit Process



## EXPLANATION NOTES

### Amendment to the Land Use Bylaw

This graphic is not part of this bylaw but is provided to aid in its interpretation.

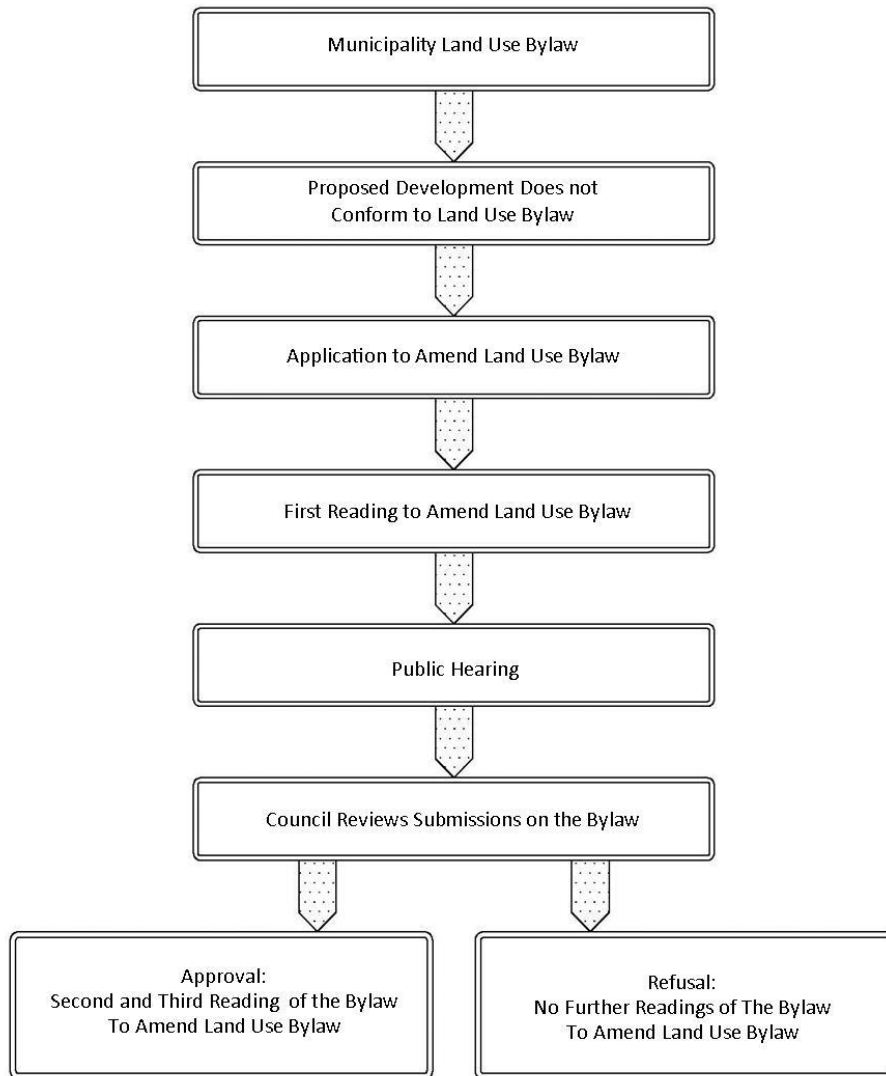


Figure 2: Amendment to the Land Use Bylaw



# EXPLANATION NOTES

## Development Standards –

### Features Traditionally Regulated Through Zoning

This graphic is not part of this bylaw but is provided to aid in its interpretation.

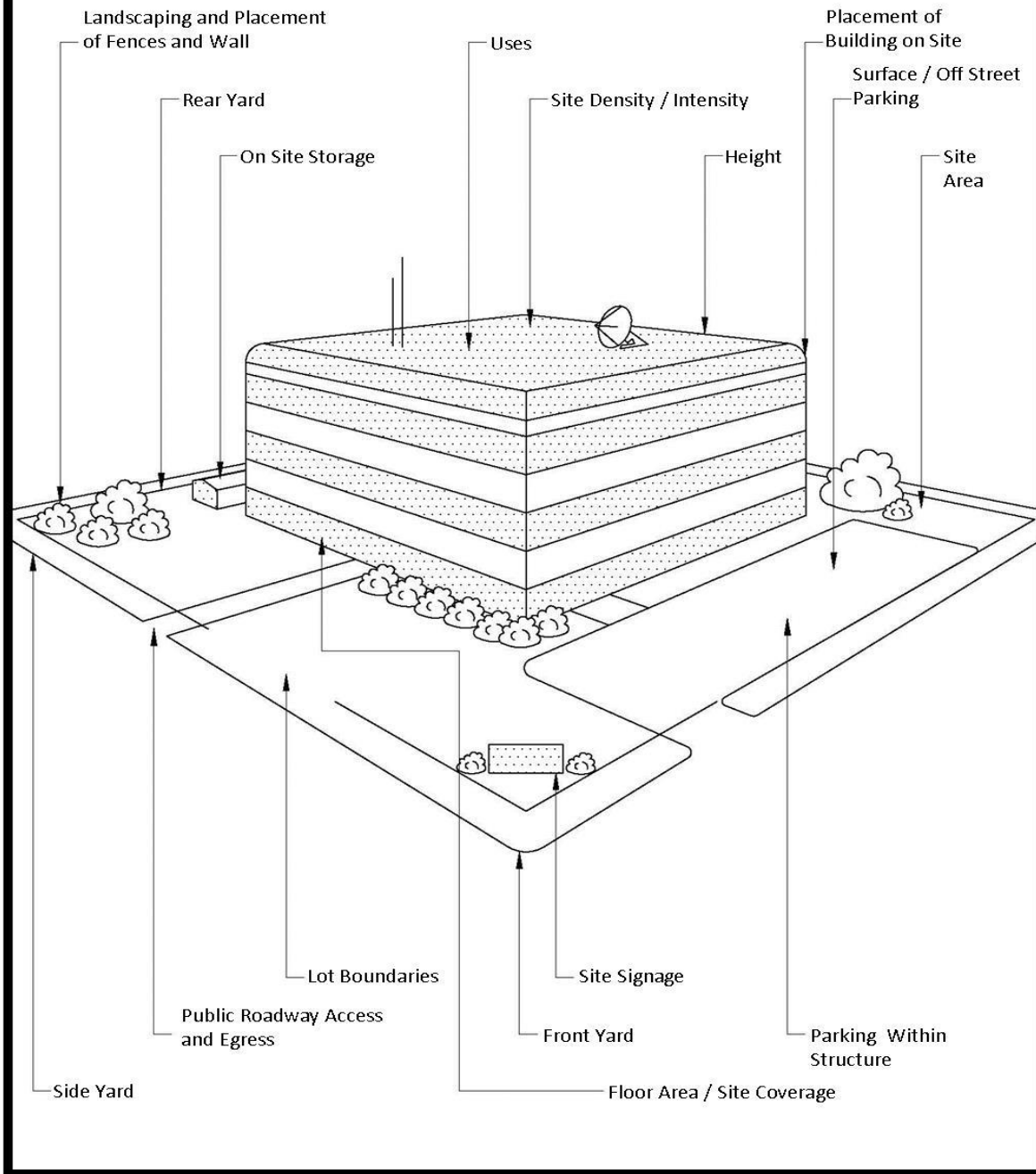


Figure 3: Development Standards - Features Traditionally Regulated through Zoning





## EXPLANATION NOTES

### Adjacent Land

This graphic is not part of this bylaw but is provided to aid in its interpretation.

"ADJACENT LAND" means land or a portion of land that shares a common boundary with a parcel of land that is subject to a development application and/or subdivision application and includes land that would be adjacent if not for a public roadway, railway, utility right of way, water feature or reserve land

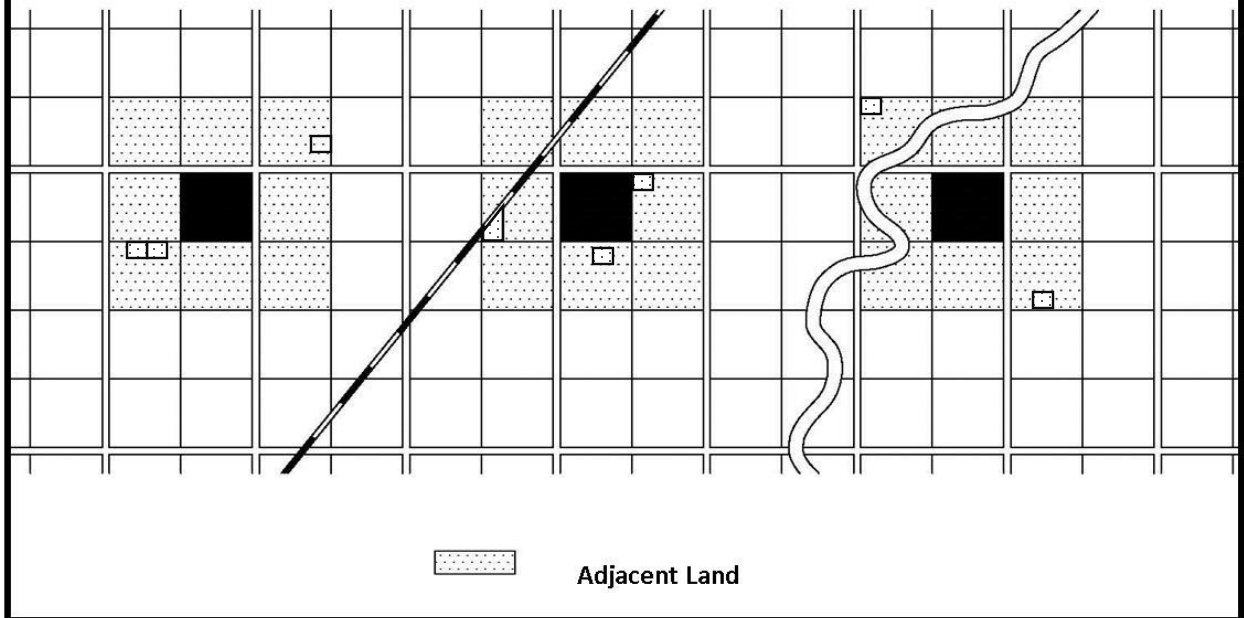


Figure 4: Adjacent Land

# EXPLANATION NOTES

## Boulevard

This graphic is not part of this bylaw but is provided to aid in its interpretation.

A "Boulevard" means that part of a road right-of-way that is between the travelled roadway and the lot frontage along the road right-of-way. Clear Hills County owns the boulevard land.

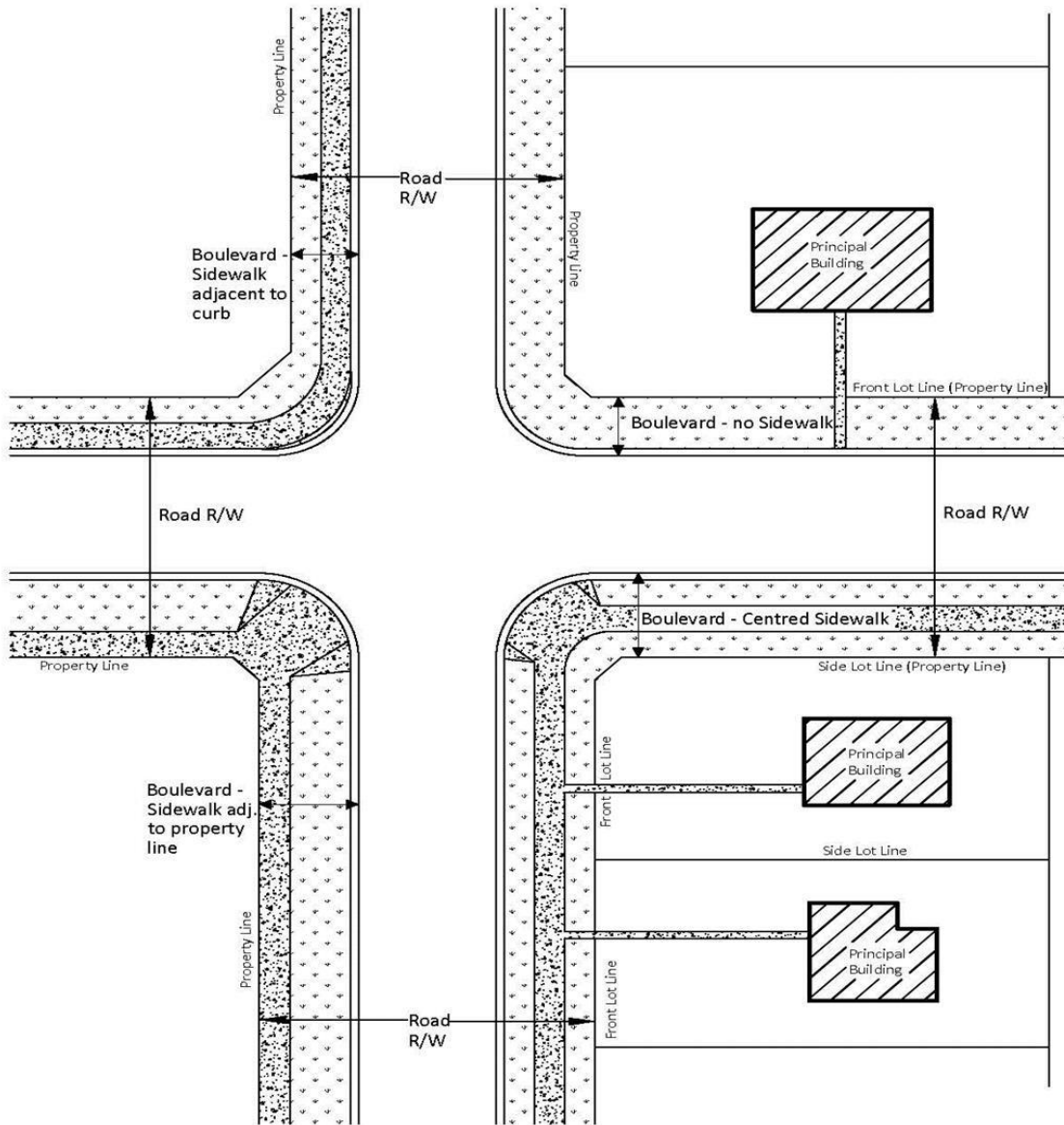


Figure 5: Boulevard



## EXPLANATION NOTES

### Sight Triangle

This graphic is not part of this bylaw but is provided to aid in its interpretation.

A "SIGHT TRIANGLE" when applied to hamlets, means that triangle formed by a straight line drawn between two points on the exterior boundaries of the said site, 6.1 m (20 ft) from the point where they intersect.

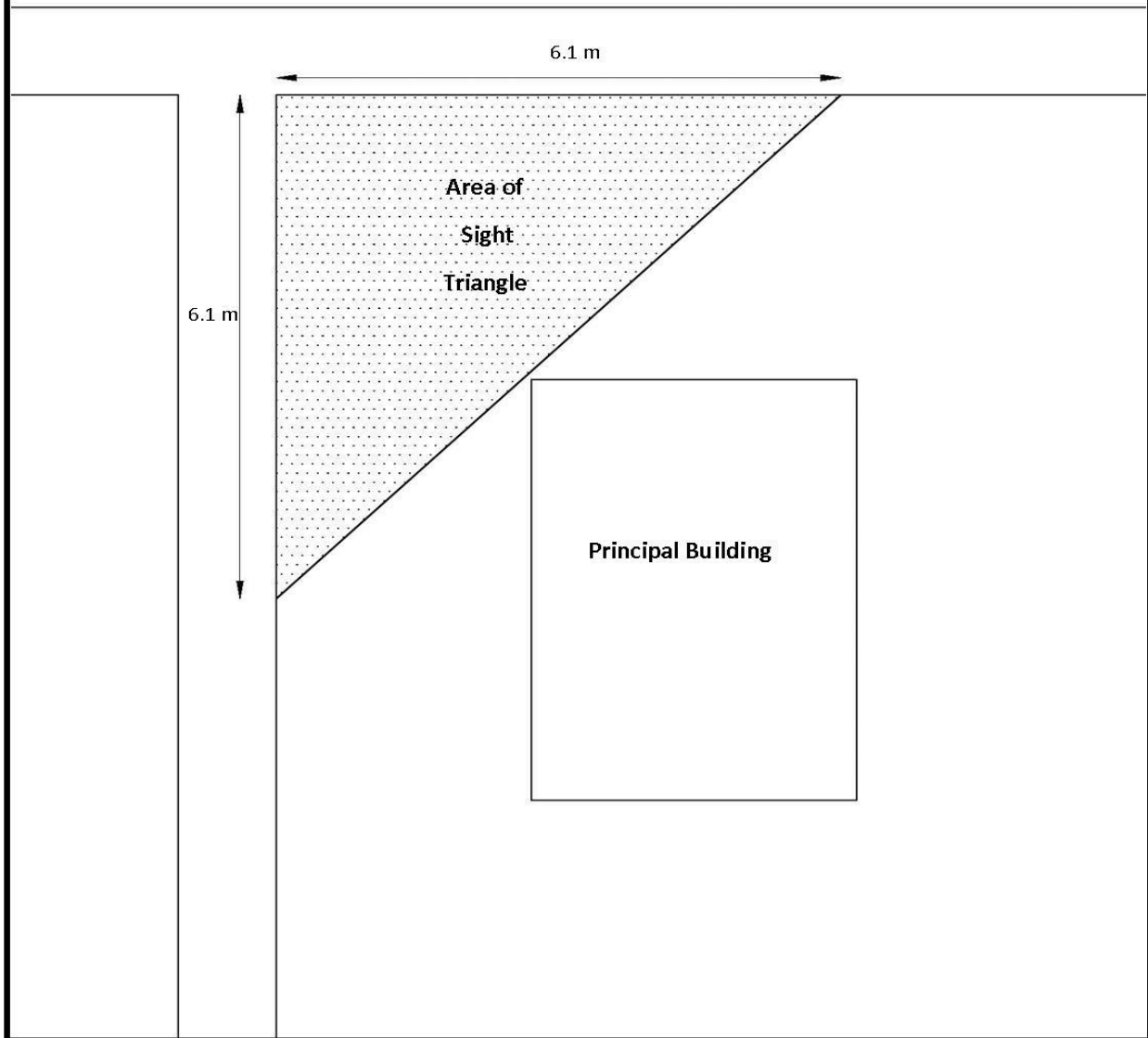
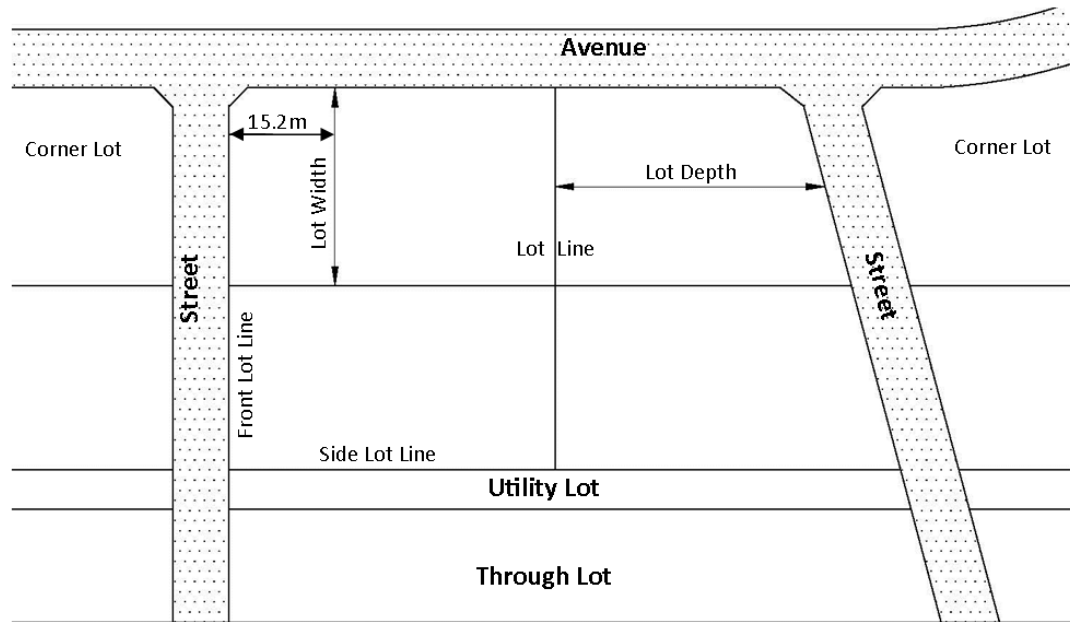


Figure 6: Sight Triangle

## EXPLANATION NOTES

### Lot Definitions

This graphic is not part of this bylaw but is provided to aid in its interpretation.



## EXPLANATION NOTES

### Yard Definitions

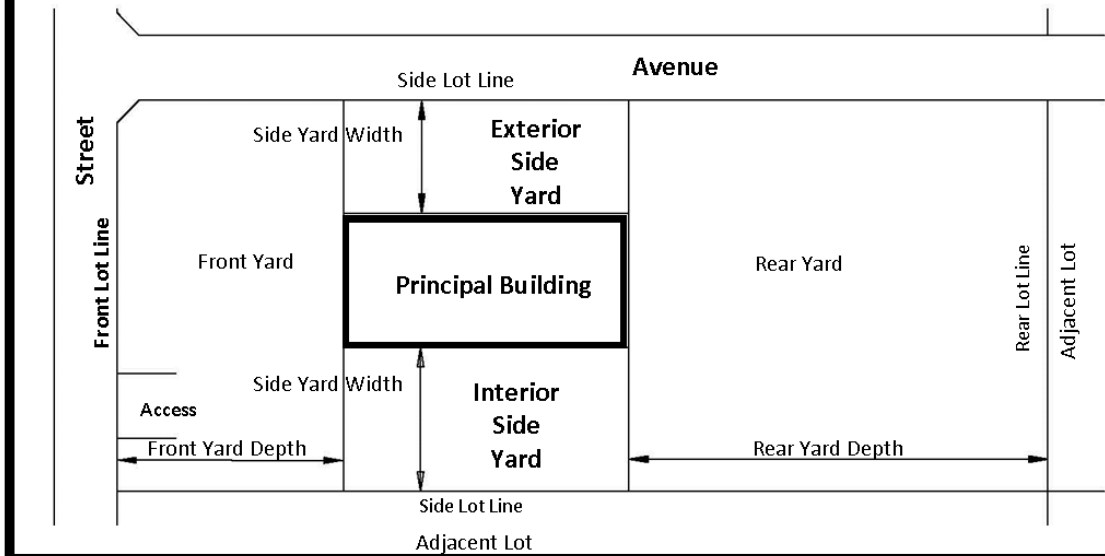


Figure 7: Lot Definitions and Yard Definitions



# EXPLANATION NOTES

## Yard Definitions

This graphic is not part of this bylaw but is provided to aid in its interpretation

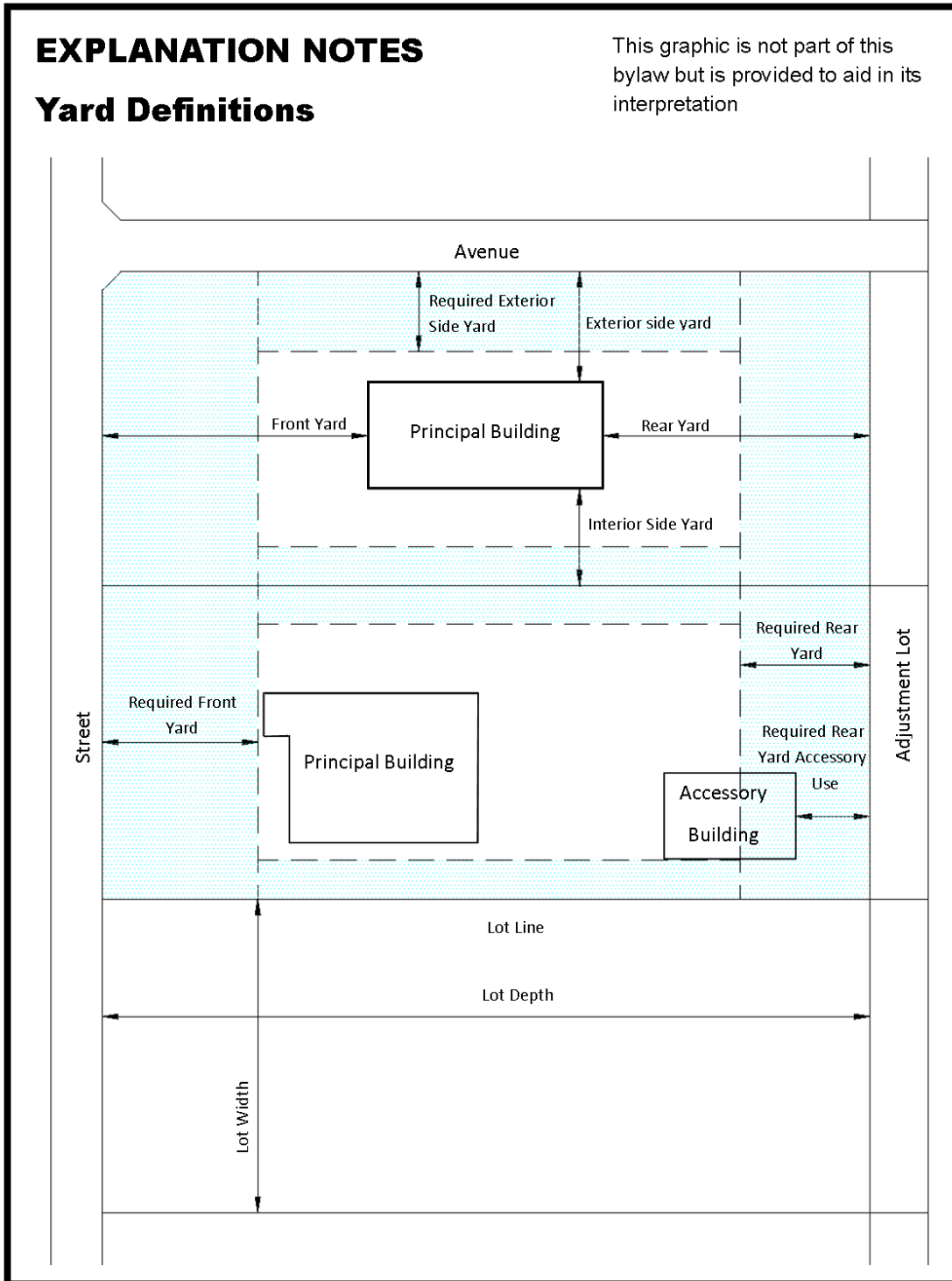


Figure 8: Yard Definitions

## EXPLANATION NOTES

### Lot Width on curved Lot Frontage

This graphic is not part of this bylaw but is provided to aid in its interpretation.

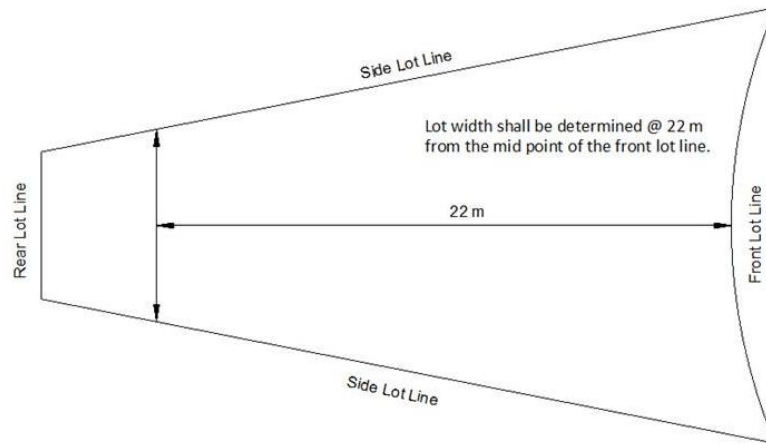


Figure 9: Lot Width on Curved Lot Frontage

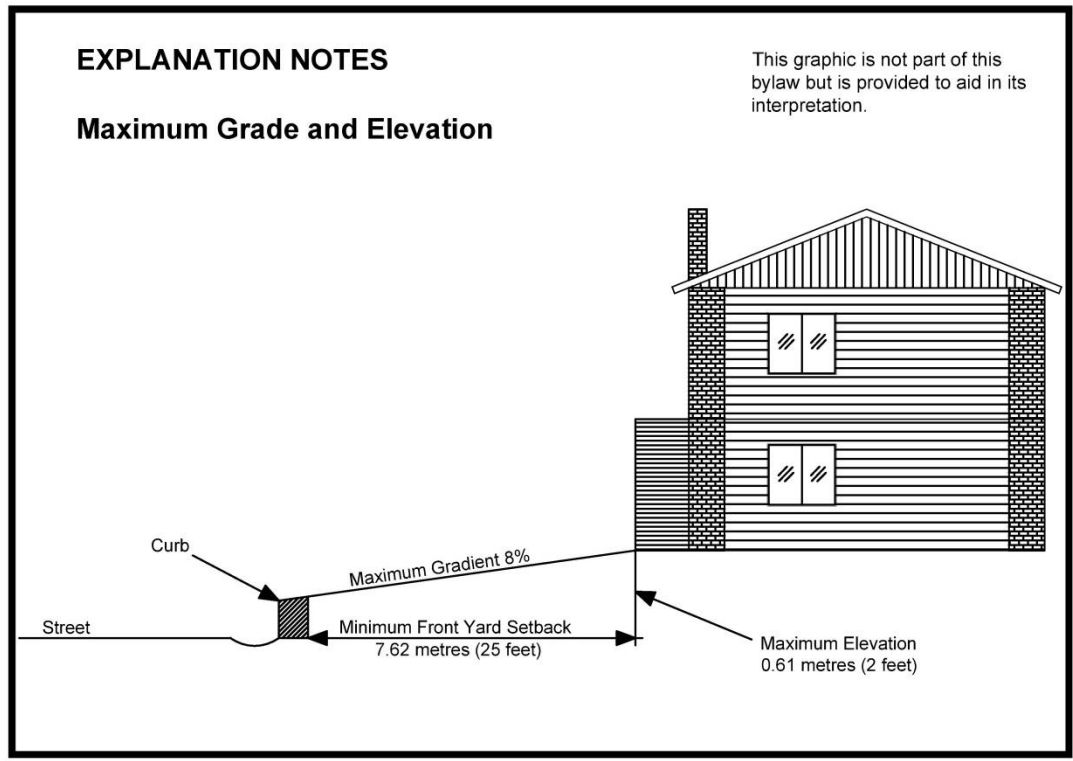
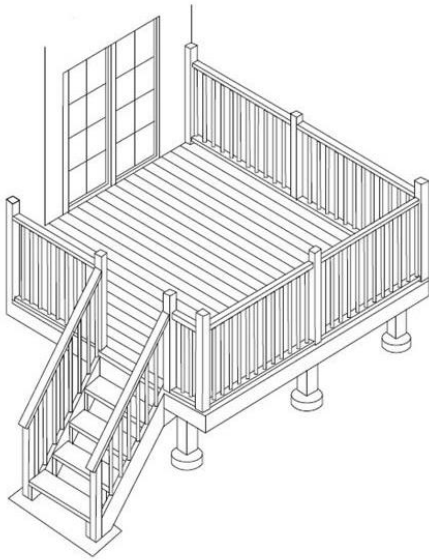


Figure 10: Maximum Grade and Elevation

## EXPLANATION NOTES

### Deck Perspective

This graphic is not part of this bylaw but is provided to aid in its interpretation.



Example of an uncovered deck up to 1.8 m (6 ft) in height.

Figure 11: Deck Perspective



## EXPLANATION NOTES

### Buffer

This graphic is not part of this bylaw but is provided to aid in its interpretation.

"BUFFER" means an area where development is restricted to a row of trees, shrubs, fencing, berming or other similar means to provide visual screening and separation between sites, roadways, or districts.

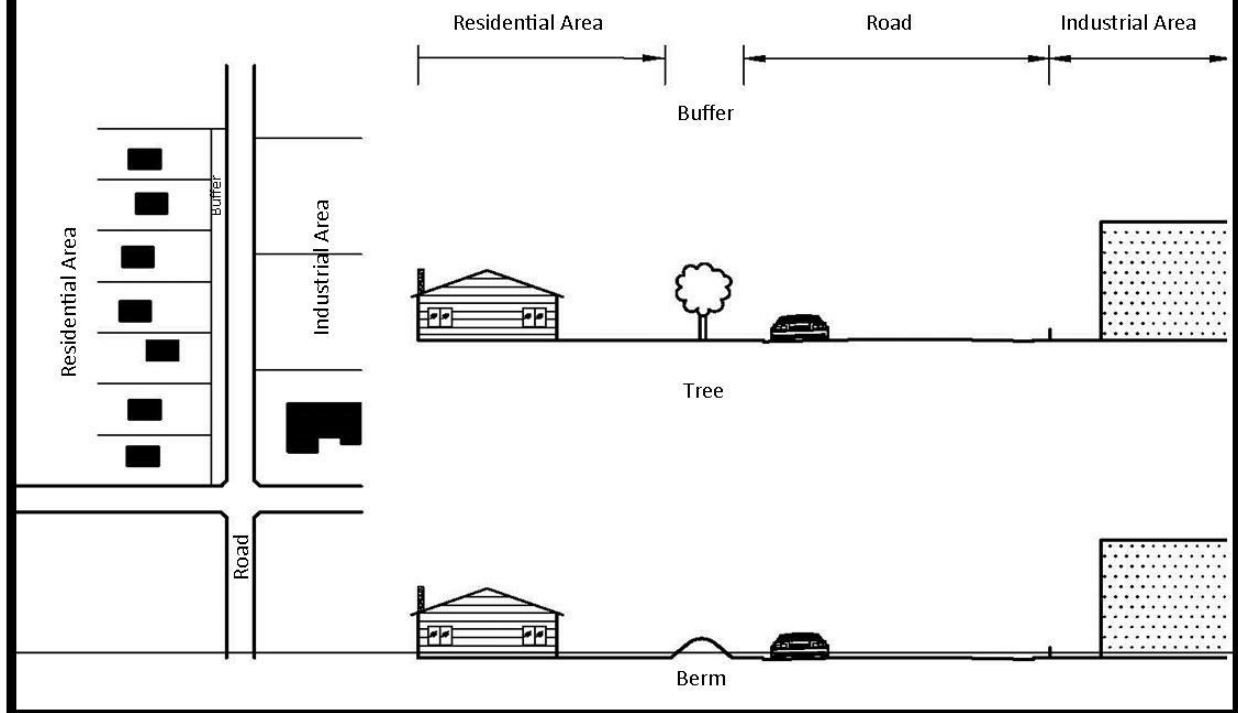


Figure 12: Buffer

## EXPLANATION NOTES

### Building Height

This graphic is not part of this bylaw but is provided to aid in its interpretation.

"BUILDING HEIGHT" means the vertical distance between grade and the highest point of a building.

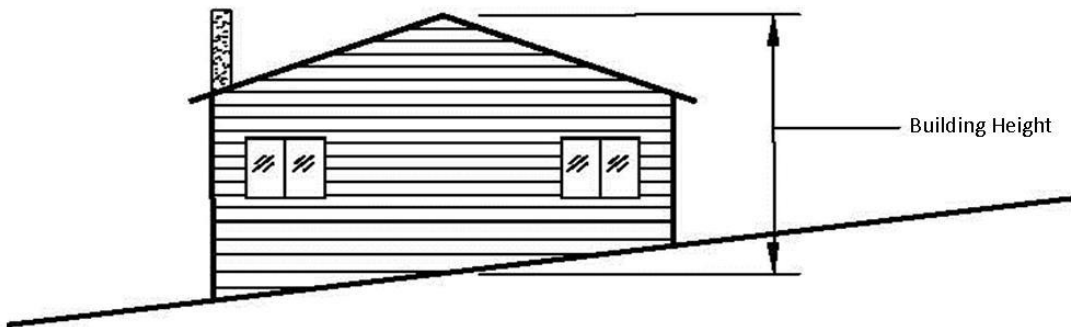
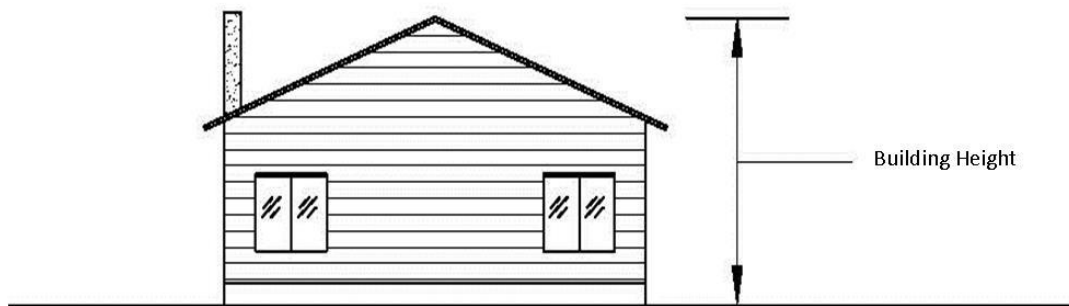
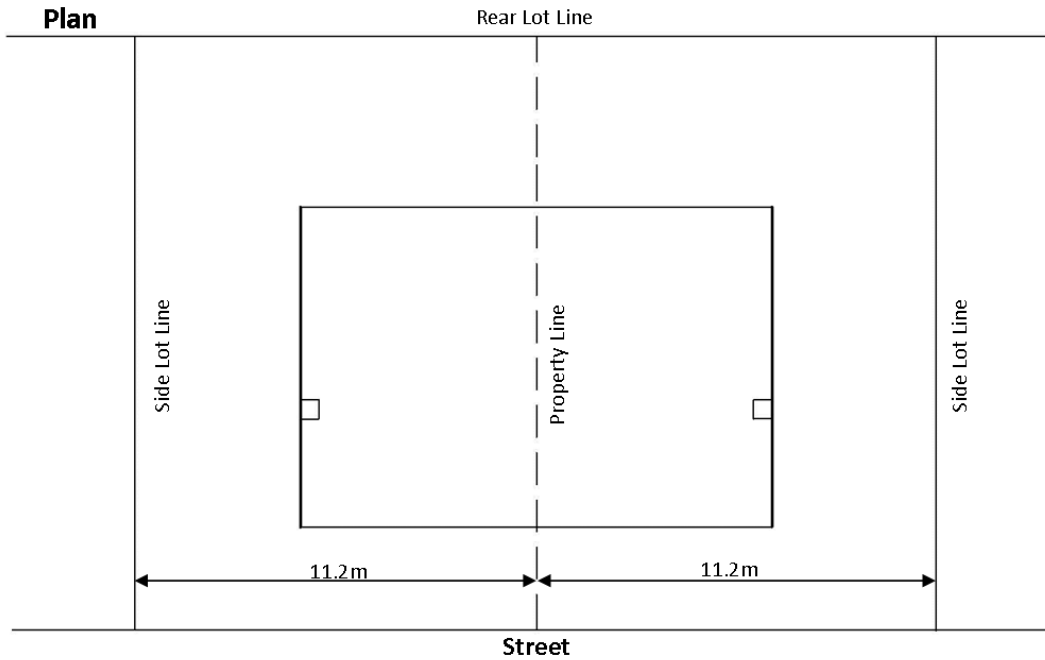


Figure 13: Building Height

## EXPLANATION NOTES

### Dwelling, Semi-Detached

This graphic is not part of this bylaw but is provided to aid in its interpretation.



**DWELLING, SEMI-DETACHED** means a building containing two dwelling units attached side-by-side. Each dwelling unit is located entirely on a SEPARATE lot.

### Elevation

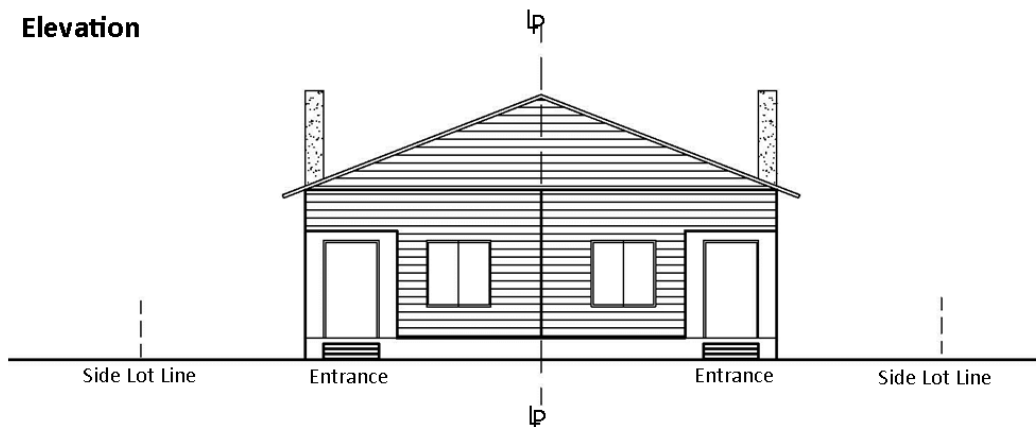
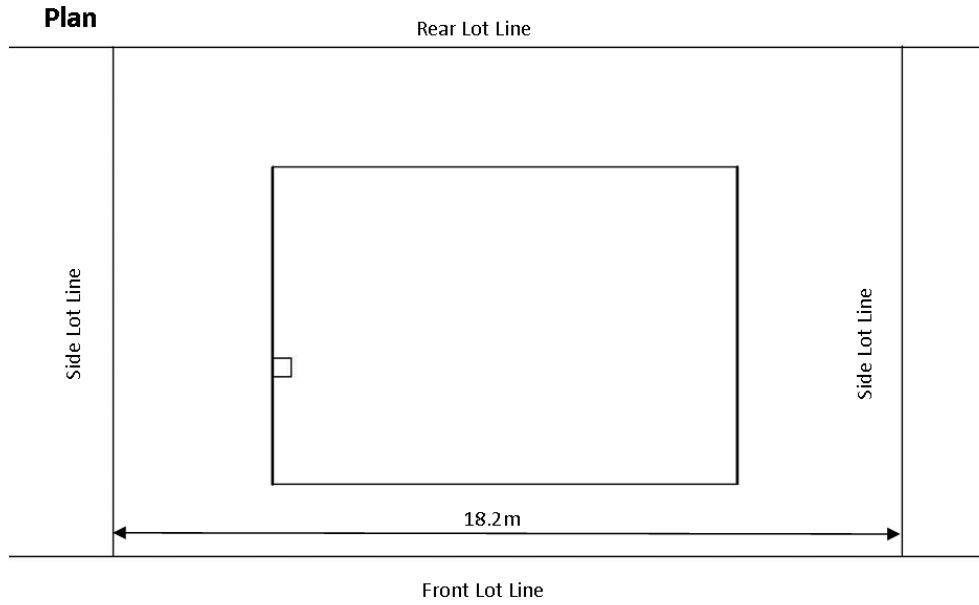


Figure 14: Dwelling, Semi-Detached

## EXPLANATION NOTES

This graphic is not part of this bylaw but is provided to aid in its interpretation.

### Dwelling, Duplex



"DWELLING, DUPLEX " means a building containing two dwelling units which share a common wall or ceiling/floor, and which has an independent entrance either directly from outside the dwelling or through a common lobby area.

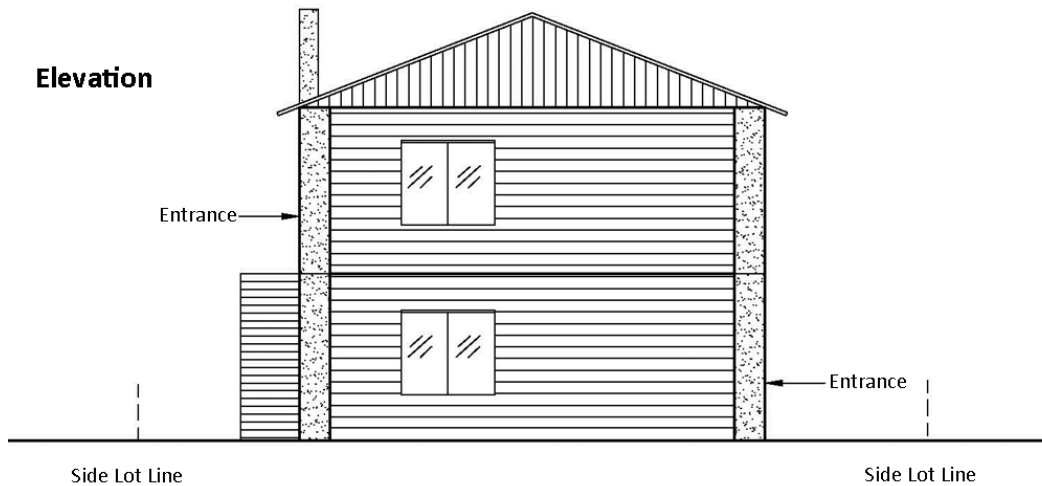
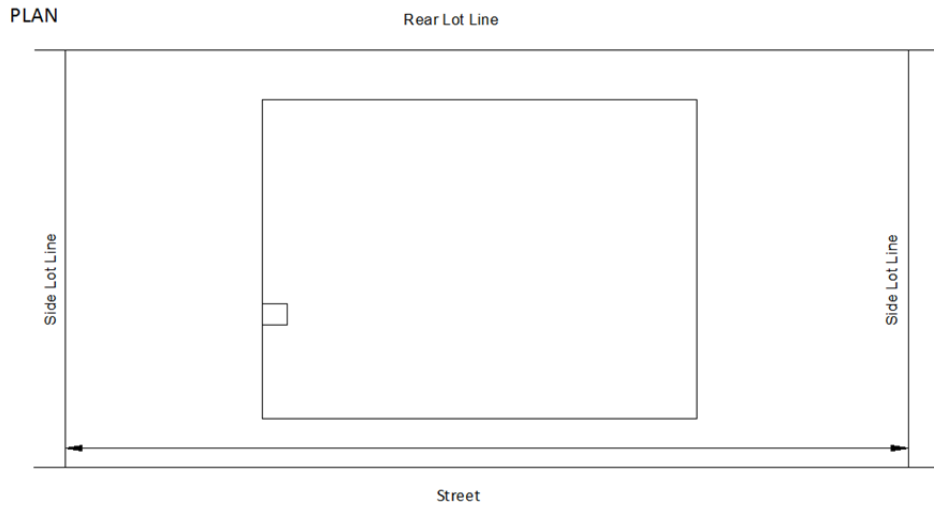


Figure 15: Dwelling, Duplex

# EXPLANATION NOTES

## Dwelling, Tri-Plex

This graphic is not part of this bylaw but is provided to aid in its interpretation.



“DWELLING, TRI-PLEX” means a building containing three dwelling units one above the other, each of which has an independent entrance either directly from outside the dwelling or through a common lobby area.

### ELEVATION

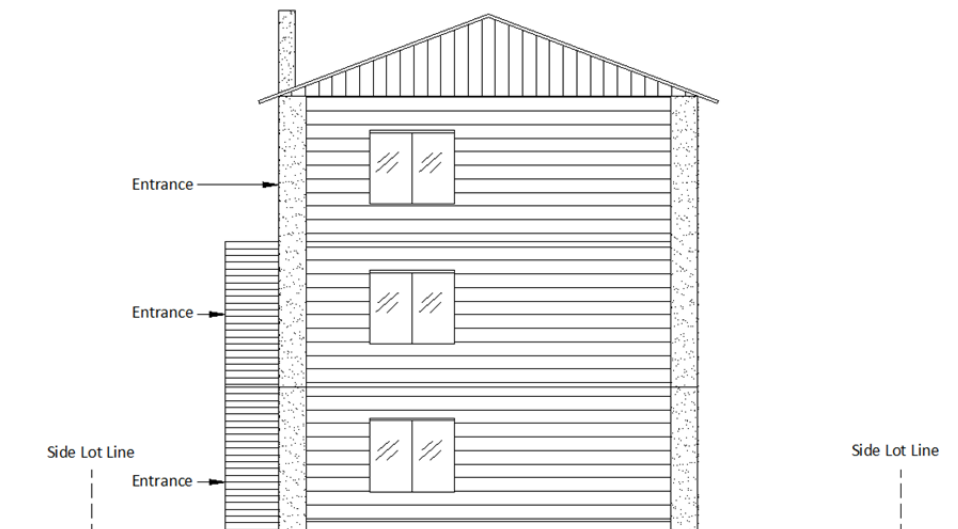
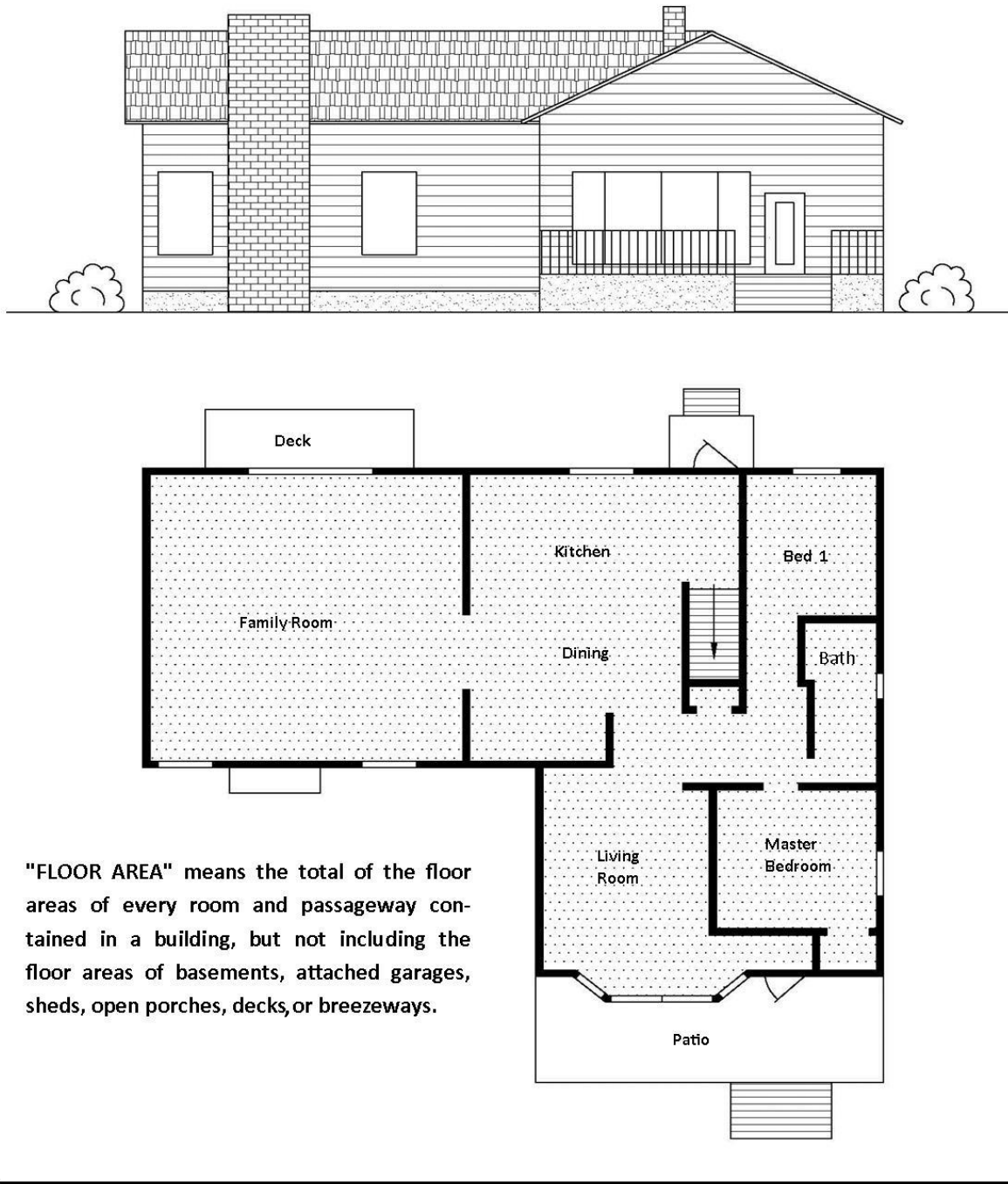


Figure 16: Dwelling, Triplex

## EXPLANATION NOTES

### Floor Area

This graphic is not part of this bylaw but is provided to aid in its interpretation.



"FLOOR AREA" means the total of the floor areas of every room and passageway contained in a building, but not including the floor areas of basements, attached garages, sheds, open porches, decks, or breezeways.

Figure 17: Floor Area

# EXPLANATION NOTES

This graphic is not part of this bylaw but in provided to aid in its interpretation.

## Requirement for Development Permit Application

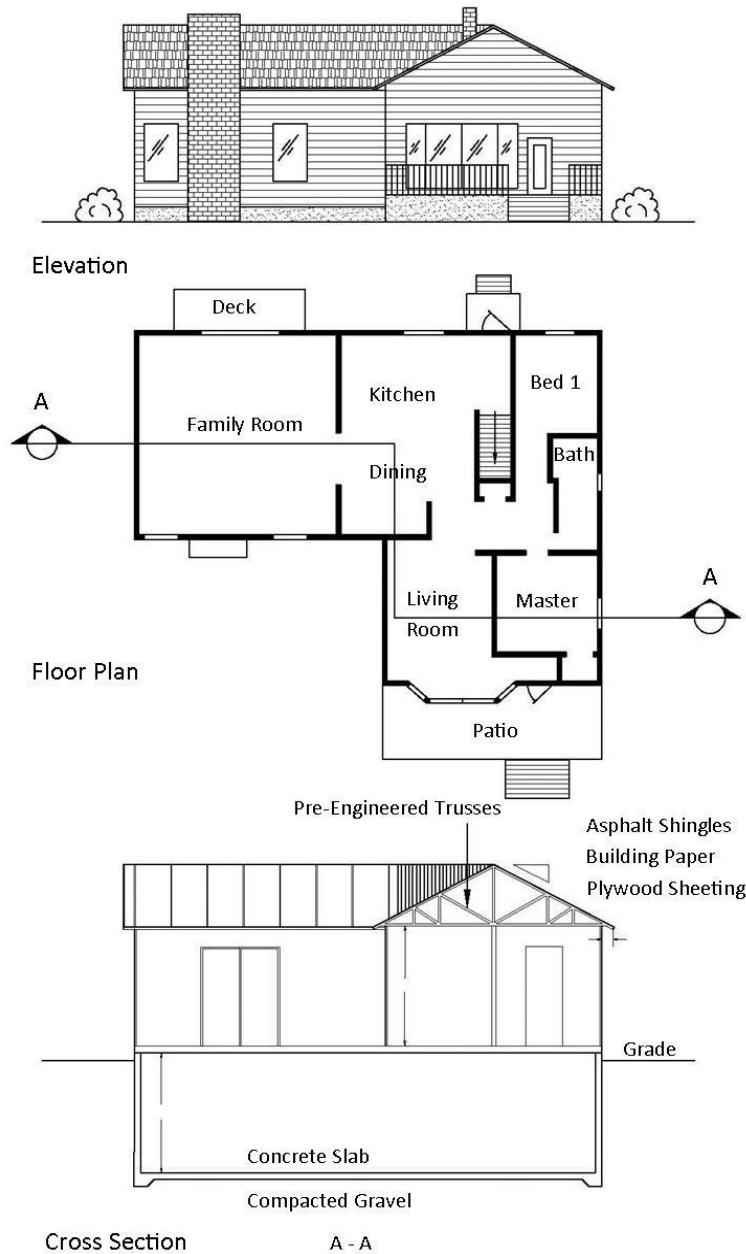


Figure 18: Requirement for Development Permit Application



## EXPLANATION NOTES

### A Typical Site Plan for Rural Development Permit Applications

This graphic is not part of this bylaw but is provided to aid in its interpretation.

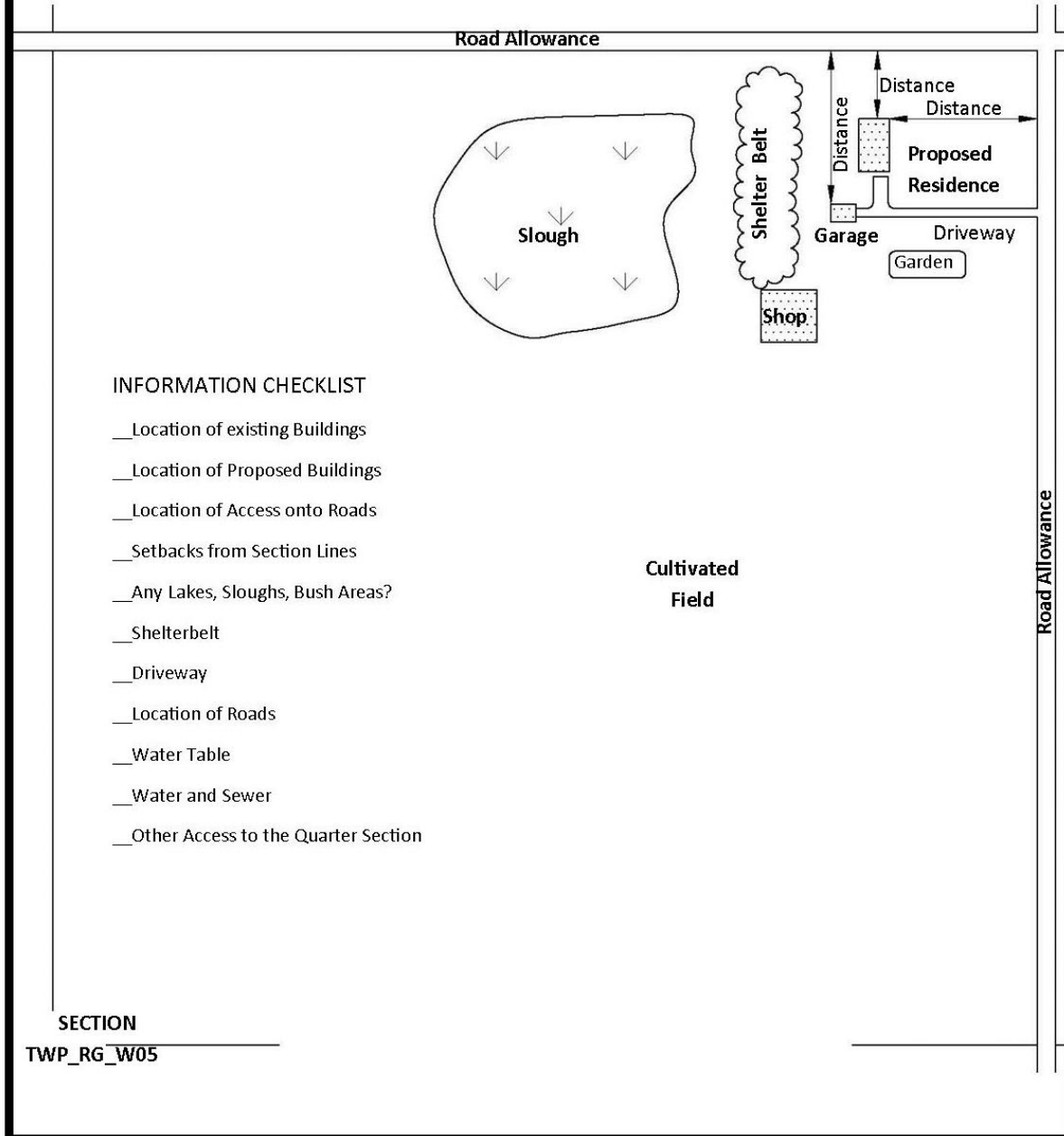


Figure 19: A Typical Site Plan for Rural Development Permit Applications





## EXPLANATION NOTES

### A Typical Site Plan for Non-Rural Development Permit Applications

This graphic is not part of this bylaw but is provided to aid in its interpretation.

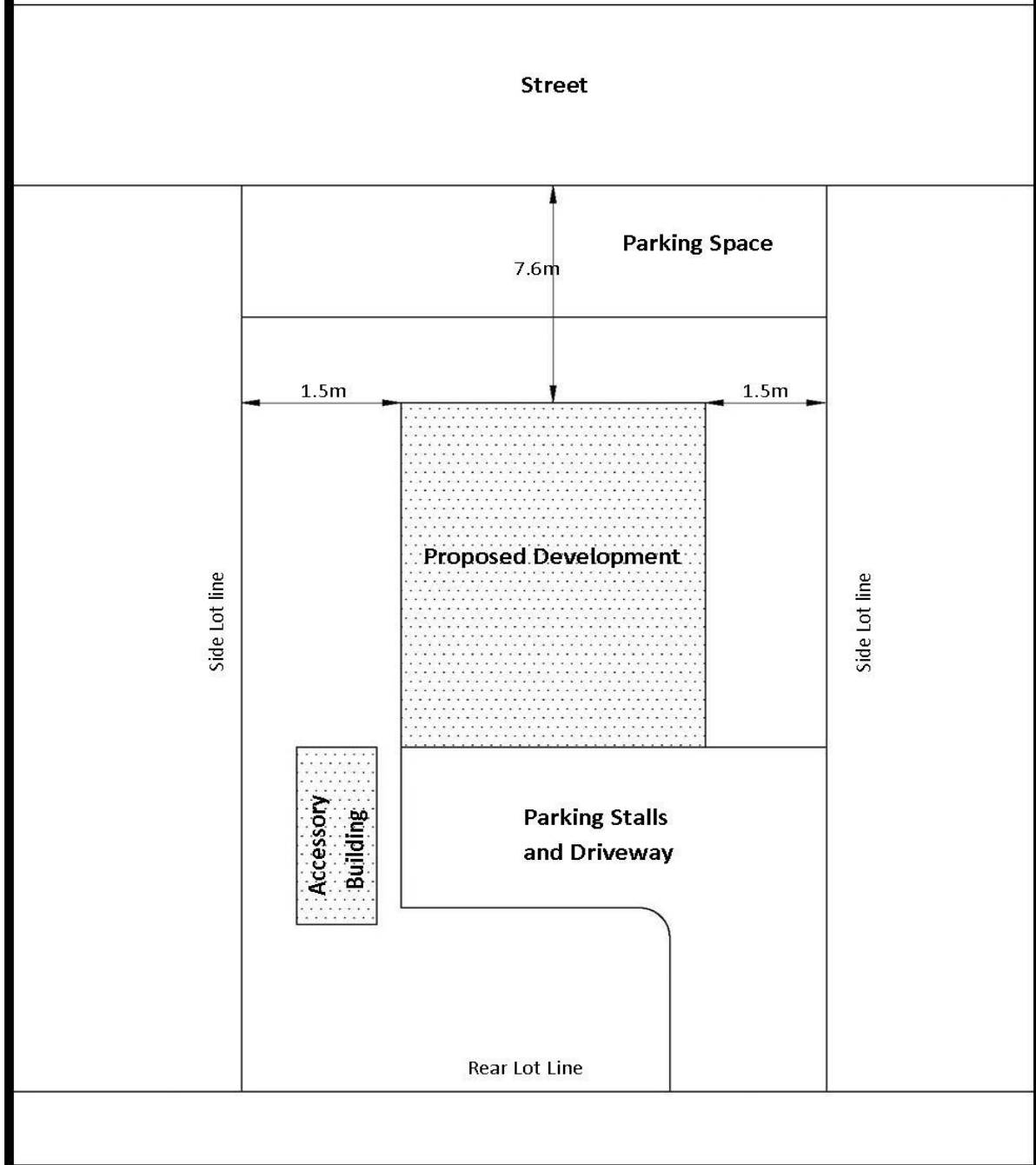


Figure 20: A Typical Site Plan for Non-Rural Development Permit Applications

## EXPLANATION NOTES

### Fencing

This graphic is not part of this Bylaw, but is provided to aid in its interpretation.

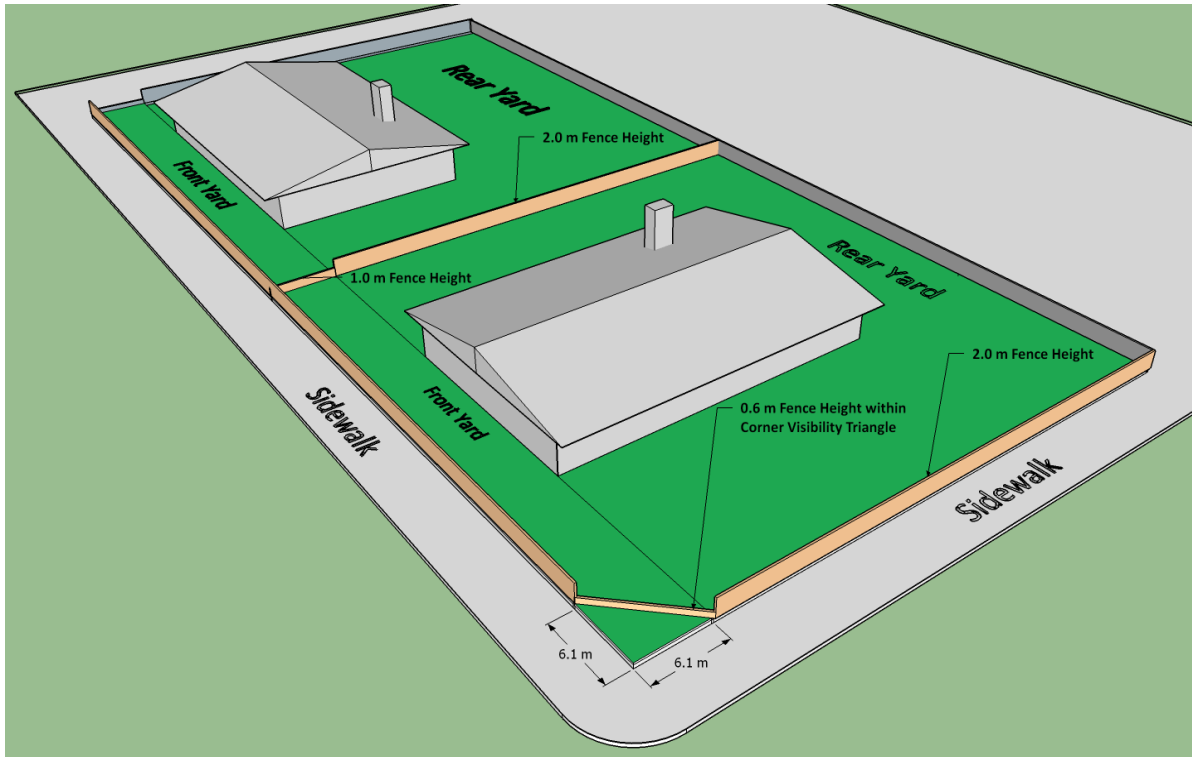


Figure 21: Fencing



## **SECTION 2: APPROVING AUTHORITIES**



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## SECTION 2: SUBDIVISION AND DEVELOPMENT AUTHORITY

### 2.1 Development Officer

- (1) The Development Officer is the person identified in the Development Authority Bylaw as being appointed by Council to function as one of the Development Authorities of the County, in accordance with the *Municipal Government Act*.
- (2) The Development Officer shall carry out those duties, functions, and powers as are specified in this Bylaw.

### 2.2 Duties and Responsibilities of the Development Officer

- (1) The Development Officer shall assist and advise Council, the Municipal Planning Commission, and the public with respect to the requirements of this Bylaw and other pertinent legislation.
- (2) The Development Officer shall receive and review all development permit applications for completeness.
- (3) The Development Officer shall keep and maintain for inspection by the public, during office hours, a copy of this Bylaw, and all amendments and resolutions thereto, and ensure that copies are available to the public at a reasonable charge.
- (4) The Development Officer shall keep a register of all applications for development permit, including the decisions therein and the reasons therefore, for a minimum period of seven (7) years.
- (5) Upon deeming the development permit application complete, the Development Officer shall:
  - (a) Consider and decide on all development permit applications which constitute a "Permitted Use" in any land use district that comply in all respects to the standards of that district, and with all other applicable provisions of this Bylaw;
  - (b) Refer, with comments and/or recommendations, all development permit applications for "Discretionary Uses" in any land use district to the Municipal Planning Commission;
  - (c) Refer, with comments and/or recommendations, to the Municipal Planning Commission all applications for development not listed under the "Permitted Uses" or "Discretionary Uses" in the land district for which the application was made;
  - (d) Refer any development permit application to any agencies or person(s) for comments when deemed appropriate;



- 
- (e) Refer any development permit application which requires a variance to comply with the Land Use Bylaw to the Municipal Planning Commission.
  - (6) The Development Officer may refer to the Municipal Planning Commission, any other matter which in the opinion of the Development Officer does not comply with the intent of the relevant provisions of this Bylaw.
  - (7) In making a decision on a development permit application for a “Permitted Use” in that district, the Development Officer may:
    - (a) Approve the development permit application unconditionally;
    - (b) Approve the development permit application with conditions to ensure it conforms with the Land Use Bylaw; or
    - (c) Refuse the application, if the proposed development does not conform with this Bylaw.

### **2.3 Municipal Planning Commission**

- (1) The Municipal Planning Commission (MPC) is established by a separate Bylaw and is authorized to act as a Development Authority for those matters specified in this Bylaw.
- (2) The Municipal Planning Commission shall:
  - (a) Consider and decide on development permit applications for “Discretionary Uses” in any land use district;
  - (b) Consider and decide on development permit applications for any other uses referred to it by the Development Officer; and
  - (c) Perform such other duties as prescribed in this Bylaw or as may be assigned to it by Council.
- (3) In reviewing a development permit application referred to it by the Development Officer, the Municipal Planning Commission shall have regard for:
  - (a) the purpose and intent of the MGA and other applicable legislation;
  - (b) any statutory plans adopted by the County;
  - (c) the provisions of this Bylaw; and
  - (d) the circumstances and merits of the application, which may include such items as:
    - (i) impact of such nuisance factors as smoke, airborne emissions, odors and noise on nearby properties;



- (ii) the design, character and appearance of the development shall be compatible with and complementary to the surrounding area; and
  - (iii) the servicing requirements for the proposed development.
- (4) In deciding on a development permit application referred to it by the Development Officer, the MPC may:
  - (a) Approve the development permit application;
  - (b) Approve the development permit application with conditions which ensures the development would conform to the provisions of the Land Use Bylaw; or
  - (c) Refuse the application.
- (5) Where any use is applied for which is not specifically shown in any land use district but is, in the opinion of the Municipal Planning Commission, similar in character, intent, and purpose to other uses of land and buildings provided by the Bylaw in the land use district in which such use is proposed, the Municipal Planning Commission may rule that the proposed use is a discretionary use in the land use district in which such use is proposed.
- (6) Where a proposed use falls under more than one defined use in this Bylaw, the Development Authority may, at their discretion, decide the most appropriate use to review and approve the application for.
- (7) Notwithstanding any provisions or requirements set out in the Bylaw, the Municipal Planning Commission may establish a more stringent standard for uses listed under “Discretionary Uses” in any land use district when it is deemed necessary to do so.

## **2.4 Variance Powers**

- (1) The MPC may approve, or conditionally approve, a discretionary use or a permitted use referred to it by the Development Officer that does not comply with this Bylaw if, in the opinion of the Development Officer and/or the Municipal Planning Commission:
  - (a) The proposed development would not:
    - (i) unduly interfere with the amenities of the neighbourhood; or
    - (ii) materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
  - (b) The proposed development conforms to the use prescribed for that land or building in this Bylaw.
- (2) Variances will be considered up to a maximum of 40% of development standards.



- 
- (3) Notwithstanding the requirements in all land use districts for lot width, lot depth, and lot size, the Development Authority may recommend a subdivision variance to the district requirements.
  - (4) Prior to making a recommendation for a subdivision variance, the Development Authority may notify adjacent landowners and indicate a time and place at which they may speak for or against the proposed variance, if Council deems it necessary.
  - (5) Where the Development Authority has deemed it necessary to allow for a variance, written reasons for their recommendation will be sent to the Subdivision Authority.
  - (6) Upon recommendation from the Development Authority, the Subdivision Authority may approve a subdivision application which requires a variance in accordance with Section 2.4(3).

## **2.5 Planning Authority**

- (1) In accordance with Section 623(2) and 625 of the MGA, R.S.A. 2000, c. M-26, Clear Hills County designates a certified planning organization as its subdivision authority, in compliance with the provisions set forth in the Municipal Government Act.
- (2) The Planning Authority also serves as an advisor to the Development Officer, Municipal Planning Commission, Subdivision and Development Appeal Board, and Council on all planning and development related matters.



## **SECTION 3: DEVELOPMENT PERMITS**





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## SECTION 3: DEVELOPMENT PERMIT

### 3.1 Control of Development

- (1) No development other than those designated in Section 3.2 shall be undertaken within Clear Hills County, unless a development permit application has been approved and issued pursuant to this Bylaw.
- (2) Development is to be in accordance with the terms and conditions of the development permit issued, pursuant to this Bylaw.
- (3) A development permit is required for all new developments, including the following, but not limited to:
  - (a) Any new building to be erected;
  - (b) Any major structural addition or changes to a building; and
  - (c) Changes to the use of an existing building.
- (4) A person to whom a development permit has been issued shall obtain from the appropriate federal, provincial, or municipal authority, applicable permits relating to building construction, utility or infrastructure connections, and any other permits and approvals required for the proposed development.

### 3.2 Development Not Requiring a Development Permit

- (1) The following development(s) shall not require a development permit, but shall otherwise comply with the provisions of this Bylaw:
  - (a) The carrying out of works of maintenance or repairs, external or internal, provided that such works do not include structural alterations or change the use or the intensity of use of the structure;
  - (b) The completion and use of a building which was lawfully under construction on the date this Bylaw came into effect. The building shall be completed within a period of twelve months (12) from the date of approval;
  - (c) The placing, construction, or maintenance of gates, fences, walls, or other means of enclosure (other than on corner lots or where abutting on a curved road used by vehicular traffic) less than 0.9 m (3 ft) in height in front yards and less than 1.8 m (6 ft) inside and rear yards, provided the erection of such does not contravene any other provisions of this Bylaw;
  - (d) The placing or construction of a temporary structure or the installation of machinery, the sole purpose of which is incidental to the erection or alteration of a permanent building, for which a development permit has



been issued under this Bylaw and which is removed from the site upon completion of construction/alteration;

- (e) The maintenance or repair of public works, services, and utilities;
- (f) The use of a building in whole or in part as a temporary polling station for a Federal, Provincial, or Municipal election;
- (g) The carrying out of extensive agricultural operations on a parcel greater than 4.05 ha (10 ac) in size;
- (h) Any farm building, shed, dugout, or water reservoir located at least 40.8 m (134 ft) from a road right-of-way or minor accessory use;
- (i) Structures which are accessory to dwellings and are less than 10 m<sup>2</sup> (107.6 ft<sup>2</sup>) in floor area, and decks which are less than 0.6 m (2 ft) from ground level, provided they satisfy all the setback requirements of this Bylaw;
- (j) Signs listed under Section 8.9(3) of this Bylaw.

### **3.3 Development Permit Application Requirements**

- (1) An application for a development permit shall be made to the Development Authority in writing and shall be signed by the owner or designated agent. The Development Authority may require any or all of the following information to be submitted with the application, as deemed appropriate:
  - (a) A dimensional site plan showing the legal description, identifying the building in relationship to the property lines, the front, rear, and side yard setbacks, vehicle parking, and access points to the site;
  - (b) A site plan showing the proposed location of utilities, site drainage, grade elevations, existing and finished lot grades, and street grades;
  - (c) Water supply for firefighting purposes;
  - (d) A dimensional floor plan of the proposed development, including elevations and descriptions of external finishing materials;
  - (e) A site plan indicating any external storage areas, fencing, screening, and landscaping for the proposed development;
  - (f) Any related loading and parking provisions;
  - (g) Development of parks and recreation areas;
  - (h) A statement of existing and proposed uses;
  - (i) A statement of ownership of land and interest of the applicant therein;
  - (j) Estimated commencement and completion dates;
  - (k) Estimated cost of the project or contract price;



- 
- (l) Topographical features, the extent of existing treed areas, and the trees proposed to be removed;
  - (m) A professional engineering report evaluating the site suitability for private sewage disposal;
  - (n) A professional engineering report identifying the quality and quantity of groundwater supply on the site;
  - (o) A professional engineering analysis and evaluation on the impact of development on the Grimshaw Gravels Aquifer;
  - (p) Water/groundwater level contour mapping;
  - (q) The evaluation of such reports by various agencies;
  - (r) Any studies or assessments required for evaluating the proposal; and
  - (s) Any other information to assist in evaluating the development.
- (2) Each application for a development permit shall be accompanied by a non-refundable fee as established by bylaw of Council from time to time.

### **3.4 Environmental Audits and Assessment**

- (1) The Development Authority may require an applicant to conduct an Environmental Audit or Environmental Impact Assessment, as part of a development permit application, an application to amend this Bylaw or a statutory plan, or an application for subdivision approval.
- (2) The Environmental Audit or Environmental Impact Assessment shall be conducted by qualified person(s).
- (3) The Development Authority may use the recommendations of the Environmental Audit and Environmental Impact Assessment report as:
  - (a) Reasons for issuing or not issuing a development permit, with or without conditions;
  - (b) Reasons to amend or not amend this Bylaw;
  - (c) A basis for recommendations to the Subdivision Authority related to applications for subdivision;
  - (d) Reasons to adopt or amend a statutory plan; and
  - (e) Reasons to refuse to adopt or amend a statutory plan.



### **3.5 Development Permit Application Completeness**

- (1) Within twenty (20) calendar days after receipt of a development permit application, the Development Officer shall determine whether the application is complete or incomplete.
- (2) Notwithstanding Section 3.5 (1), the Development Officer may extend the time period for determining the completeness of a development permit application, based on a written agreement between the Development Authority and the applicant.
- (3) When, in the opinion of the Development Officer:
  - (a) sufficient details of a proposed development have been included with the application for a development permit, the Development Officer shall, in a form and manner appropriate, issue a notice of complete application to the applicant, advising that the application is complete within the timeline provided for in Section 3.5 (1) or 3.5 (2).
  - (b) sufficient details of a proposed development have not been included with the application for a development permit, the Development Officer shall, in a form and manner appropriate, issue a notice of incomplete application to the applicant, advising that the application is incomplete within the timeline provided for in Section 3.5 (1) or Section 3.5 (2). The notice shall outline any outstanding information and/or documentation that must be provided by the applicant for the application to be considered complete by a date stated in the notice or as agreed upon between the Development Authority and the applicant.
- (4) If the Development Officer does not issue a notice of complete or incomplete application for a development permit application within twenty (20) calendar days from the date of receipt of the application, or the extended time period agreed upon between the Development Officer and the applicant, the application is deemed to be complete.
- (5) Notwithstanding the issuance of a notice of complete or incomplete application pursuant to Section 3.5(3), or failure to issue a notice under Section 3.5(4), the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
- (6) If an applicant who has been issued a notice of incomplete application:
  - (a) submits all the required information and/or documentation by the date given in Section 3.5 (3) (b), the Development Officer shall, in a form and



manner appropriate, issue a notice of complete application to the applicant, advising that the application is now complete.

- (b) fails to submit all the required information and/or documents by the date given in Section 3.5 (3) (b), the application is deemed refused.
- (7) Where an application for a development permit is deemed refused under Section 3.3, the Development Officer shall issue a notice to the applicant, stating that the application has been refused and the reason for the refusal.

### **3.6 Development Permit Referrals**

- (1) At least fourteen (14) calendar days prior to the MPC meeting at which the Development Authority will be considering the application, the Development Authority may refer a development permit application for comments and/or recommendations to the Planning Authority, any County department, Provincial or Federal Government Agency, including but not limited to (names may be changed by the Government of Alberta from time to time):
  - (a) Alberta Environment and Protected Areas;
  - (b) Alberta Health Services;
  - (c) Alberta Infrastructure;
  - (d) Alberta Transportation and Economic Corridors; and/or
  - (e) Any other agencies that the Development Authority deems appropriate.
- (2) The Development Authority shall refer a development permit application to the Village of Hines Creek when the development proposal affects lands within the Intermunicipal Development Plan Area, in accordance with *Clear Hills County and the Hines Creek Intermunicipal Development Plan*.
- (3) Upon receiving a reply on a matter referred to the Planning Authority and/or any local, Provincial, or Federal government agency, the Development Authority shall make a decision giving due consideration to their recommendations.
- (4) After thirty (30) calendar days from the date of referral, the application may be dealt with by the Development Authority, whether or not comments have been received.

### **3.7 Temporary Use Applications**

- (1) Where a development permit application in a land use district is for a temporary development, the Development Authority:
  - (a) Shall consider and decide upon a development and the specific time duration for the development;



- (b) Shall impose a condition on such a permit that the County is not liable for any costs involved in the removal of the development at the expiration of the time period stated in the permit.

### **3.8 Development Permit Decision Timelines**

- (1) The Development Authority shall consider and decide on a development permit application:
  - (a) within forty (40) calendar days of receipt by the applicant the notice of complete application, issued pursuant to Section 3.5(3)(a) or 3.5(6)(a); or
  - (b) within forty (40) calendar days from the receipt of the application, if a notice of complete application was not issued, pursuant to Section 3.5(1).
- (2) Notwithstanding Section 3.5 (1), the Development Authority may extend the forty (40) day period required for making a decision on a development permit application, based on a written agreement between the Development Authority and the applicant.
- (3) If the Development Authority does not make a decision within the timeline required under Section 3.7(1)(a) or 3.7(1)(b), the application shall, at the option of the applicant, be deemed refused.

### **3.9 Development Permit Notification**

- (1) The Development Authority's decisions on a development permit application shall be prepared in writing and a copy of the notice provided to the applicant.
- (2) When an application for a development permit is approved for a Permitted Use where the provisions of the Bylaw have not been relaxed or varied, the Development Authority is not required to notify adjacent landowners.
- (3) When an application for a development permit is approved for Permitted Use for which a variance has been granted or a Discretionary Use, the Development Authority shall:
  - (a) Immediately mail a notice in writing to all adjacent landowners, advising of the decision and the right to appeal; and
  - (b) Immediately advertise the decision in accordance with the County's Public Notification Bylaw.
- (4) The development permit decision notice shall indicate:
  - (a) the date the decision on the development permit application was made; and



- 
- (b) the location and use of the parcel in respect of which the application has been made and the decision of the Development Authority.
    - (i) Approval decisions will contain conditions, if any.
    - (ii) Refusal decisions will contain reasons for the refusal.
  
  - (5) A development permit issued pursuant to this Bylaw comes into effect twenty-one (21) calendar days following the date of the decision, and any development proceeded with by the applicant prior or during this period is done solely at the risk of the applicant.
  
  - (6) The development permit becomes invalid if the development is not commenced within twelve (12) months from the date of the issuance of the development permit.
  
  - (7) Notwithstanding section 3.9 (4), the Development Authority may extend the period of time that a development permit is valid if, in their opinion, circumstances warrant such a time extension. A written extension request is required from the applicant prior to extension consideration.
  
  - (8) Notwithstanding Section 3.9 (4), for certain discretionary uses such as temporary signage, temporary industrial camps, or other land uses which are intended to be temporary in nature, the Development Authority may determine that a development permit is valid for less than 12 months from its date of issue. The expiry date of a "Temporary Development Permit" shall be clearly indicated on the approved development permit.

### **3.10 Development Permit Conditions**

- (1) In making a development decision, the Development Authority may attach conditions addressing the following matters when issuing a development permit:
  - (a) The developer requires a Development Agreement to do any or all of the following:
    - (i) The construction of public roadways or parking areas;
    - (ii) The provision to install or pay for the installation of utilities and/or any Clear Hills County services mutually agreed upon;
    - (iii) The provision to pay for an off-site levy or redevelopment levy imposed by Bylaw;
  - (b) The operation and maintenance of sewer and water facilities;
  - (c) The location of refuse disposal facilities;
  - (d) Access for fire and police protection;
  - (e) General access and circulation;



- 
- (f) Provision for recreation areas;
  - (g) Landscaping, screening, and other aesthetic considerations for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, or other similar uses;
  - (h) Building design;
  - (i) Provision for off street parking, loading, and unloading facilities;
  - (j) Public safety;
  - (k) Property taxes to be paid in full at the time of development permit approval or to the satisfaction of the County;
  - (l) Other conditions as are necessary, having due regard to the nature of a proposed development and the purpose of the relevant district.

### **3.11 Re-application for Development Permit**

- (1) When an application for a development permit is refused by the Development Authority or the appropriate Appeal Body, the same or another application for development, with respect to the same parcel of land and for the same or similar use of the land, may not be made by the same or any other applicant within six (6) months of the refusal of the application, unless the application was deemed refused under Section 3.5 (7).





## **SECTION 4: SUBDIVISION AND DEVELOPMENT APPEALS**



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## SECTION 4: SUBDIVISION AND DEVELOPMENT APPEALS

### 4.1 Establishment of the Subdivision and Development Appeal Board

- (1) The Subdivision and Development Appeal Board for the County is established by a separate bylaw, in accordance with Section 627 of the *Municipal Government Act*.
- (2) The Subdivision and Development Appeal Board for the County shall perform such duties as are specified in the MGA.

### 4.2 Appeal Procedure

- (1) A decision of the Development or Subdivision Authority must state whether an appeal lies to the Subdivision and Development Appeal Board or to the Land and Property Rights Tribunal.
- (2) A development appeal may be made to the appropriate Appeal Body, where the Development Authority:
  - (a) Refuses a development permit;
  - (b) Fails to issue a development permit within the prescribed timelines under Section 3.7;
  - (c) Issues a development permit, with or without conditions; or
  - (d) Issues an order under Section 5.1 of this Bylaw.
- (3) A subdivision appeal may be made to the appropriate Appeal Body, where the Subdivision Authority:
  - (a) refuses or fails to issue a decision on a subdivision application within the timelines prescribed by the matters related to Subdivision and Development Regulation; or
  - (b) Approves a subdivision application.
- (4) A development or subdivision appeal shall be filed in accordance with the provisions of the *Municipal Government Act*.
- (5) Where an appeal is made to the appropriate Appeal Body, a development permit which has been issued shall not come into effect until the results of the appeal have been determined, at which time the development permit may remain as originally issued, be modified or be nullified.
- (6) When an appeal is filed with respect to a development permit approved by the Development Authority, the development permit which has been issued shall not come into effect before:



- 
- (a) the decision on the permit has been upheld by the Appeal Body; or
  - (b) the appeal has been withdrawn or abandoned by the appellant.
- (7) If the decision to approve a development permit application is reversed by the Appeal Body, the development permit shall be null and void.
- (8) If the decision, permit, or order issued by the Development Authority is upheld by the Appeal Body, the decision, permit, or order is still in effect, notwithstanding further appeal to the appropriate provincial court.



## **SECTION 5: ENFORCEMENT**



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## SECTION 5: ENFORCEMENT

### 5.1 Contravention

- (1) No person shall contravene this Bylaw by:
  - (a) commencing or undertaking a development or use that is not permitted under this Bylaw;
  - (b) authorizing or undertaking any development that is at variance with the description, specifications, or plans that were the basis for the issuing of a development permit pursuant to this Bylaw;
  - (c) violating a condition of a permit issued pursuant to this Bylaw;
  - (d) providing false or misleading information to secure a development permit.
  
- (2) A person shall not prevent or obstruct a designated officer from carrying out any official duty under this Bylaw.

### 5.2 Enforcement

- (1) If, after the issuance of the development permit, the Development Officer becomes aware that:
  - (a) the application for the development contains a misrepresentation;
  - (b) facts concerning the application of the development, which should have been disclosed at the time the application was considered, were not disclosed;
  - (c) the development permit was issued in error; or
  - (d) the applicant fails to comply with a notice under Section 645 of the *Municipal Government Act*

The Development Officer may suspend or cancel the notice of decision or the development permit by notice, in writing, to the development permit applicant.

- (2) Where the Development Authority finds that a development or use of land or buildings is not in accordance with Part 17 of the *Municipal Government Act*, this Bylaw, or a development permit or subdivision approval, the Development Authority may, in accordance with section 645 of the MGA, provide in writing a Stop Order which orders the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them to:
  - (a) Stop the development or use of the land or buildings in whole or in part as directed by the notice;
  - (b) Demolish, remove, or replace the development; or



- 
- (c) Take such other measures as are specified in the notice so that the development, or use of the land or buildings, complies with Part 17 of the MGA, the regulations under the MGA, a development permit or subdivision approval, or this Bylaw, as the case may be.
  - (3) Identify a timeframe within the notice to complete requirements of the Stop Order.
  - (4) A person who receives a notice or order pursuant to Section 5.2 (1) or 5.2(2) may appeal the order or decision to the Subdivision and Development Appeal Board.
  - (5) The Development Authority may apply to the Court of King's Bench for an injunction or another order in compliance with Section 554 of the MGA.
  - (6) Orders to remedy contraventions issued in compliance with Section 545 or 546 of the MGA will be brought to Council for information.
  - (7) Where a notice is issued under Section 5.2 (2) or 5.3(6), the Stop Order or Order to Remedy Contraventions shall state the following and any other information considered necessary by the Development Officer:
    - (a) An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the *Municipal Government Act* the order is being carried out;
    - (b) The alternatives and processes which the person responsible for the contravention may pursue to correct the contravention;
    - (c) A timeframe in which the contravention must be corrected prior to the County pursuing action; and
    - (d) Advise the person of his/her right to appeal the order to the Subdivision and Development Appeal Board or Council, as the case may be.
  - (8) Where a notice is issued under Section 5.2 (2) or 5.2(6), the notice must be served on a person:
    - (a) By delivering it personally to the person; or
    - (b) By leaving it with a person who appears to be 18 years of age or older at the private residence or place of business of the person.
  - (9) Where service under section 5.2 (8) is impractical, the notice must be:
    - (a) Posted on the land to which the notice relates, or at the private residence of the person intended to be served; and
    - (b) Sent by regular mail to the last address listed in the assessment roll of the municipality for the owner of the land.



## **SECTION 6: AMENDMENT TO THE BYLAW**



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## SECTION 6: BYLAW AMENDMENT

### 6.1 Amendment Application

- (1) Any person applying to have this Bylaw amended shall apply in writing to the Development Officer, using the application form provided by Clear Hills County.
- (2) The Development Authority may, at any time on its own motion, present for the consideration of Council any proposed amendment to this Bylaw. The proposed amendment shall be accompanied by a report and recommendation.
- (3) Council may, at any time, initiate an amendment to this Bylaw.
- (4) In accordance with Section 692(6) of the MGA, a bylaw may be amended without giving notice or holding a public hearing, if the amendment corrects clerical, technical, grammatical, or typographic errors and does not materially affect the bylaw in principle or substance.
- (5) As part of the application referred to in Section 6.1 (1), the applicant must provide the following:
  - (a) An application fee, as established from time to time by Council for each application;
  - (b) A current title search of the land affected, or other documents satisfactory to the Development Officer showing the applicant's interest in the subject land(s);
  - (c) Drawings showing the subject site(s), the proposed district(s), the existing/proposed development, and the existing/proposed use of the site(s), when applicable;
  - (d) A signed certificate authorizing right of entry by the Development Officer to such lands or buildings as may be required to investigate the subject lands of the proposed amendment; and
  - (e) Any other information deemed necessary by the Development Authority or by Council.
- (6) An application is not considered complete until all required information is received.
- (7) Notwithstanding Section 6.1 (5) (a), if it appears that the proposed Land Use Bylaw Amendment application is one which is for the benefit of Clear Hills County as a whole, or many properties in an area of the County, Council may direct that the application fee be returned to the applicant.





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## 6.2 Amendment Process

- (1) The Development Authority or Council may refer the Land Use Bylaw Amendment application to such agencies as they consider necessary for comments.
- (2) As soon as is reasonably possible, the Development Authority shall submit the proposed Land Use Bylaw Amendment application to Council with comments from other agencies and recommendations from the Development Authority.
- (3) All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the *Municipal Government Act* regarding the notification and holding of a public hearing.
- (4) Amendments that affect the entire County shall be advertised in accordance with the MGA, distributed by bulk mail out to local mailboxes, and by regular mail to recipients on the County newsletter mailing list.
- (5) Amendments relating to a single property located outside and not adjacent to the generally accepted boundaries of a hamlet shall be advertised in accordance with the MGA, by mail to owners of property adjacent to and within a 3.2 km (2 mi) radius of the property.
- (6) Amendments relating to a property located adjacent to or within the generally accepted boundaries of a hamlet shall be advertised in accordance with the MGA, by mail to each customer on the County's utility list with a utility account linked to a property in the affected hamlet(s), and to owners of the property adjacent to the generally accepted boundaries of a hamlet that do not have a utility account linked to a property in the affected hamlet(s).

## 6.3 Re-application for Amendments

- (1) When an application to amend the Land Use Bylaw is refused, another application with respect to the same parcel may not be made by the same or any other applicant within six (6) months of the refusal of the Land Use Bylaw Amendment application.



## **SECTION 7: GENERAL LAND USE PROVISIONS**



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## SECTION 7: GENERAL LAND USE PROVISIONS

### 7.1 Area Aquifer

- (1) On an application for an amendment to the Land Use Bylaw or a development on land located within an aquifer, the following additional information may be required by the Development Authority:
  - (a) A professional engineering report and analysis on the impact of the development on the aquifer, especially the groundwater re-charge area;
  - (b) A professional engineering report identifying the quality and quantity of the groundwater supply on the subject property;
  - (c) Water level contour mapping; and
  - (d) An indication of the suitability of the subject property for sewage disposal.
  
- (2) Notwithstanding any other provision in this Bylaw, Council and/or the Development Officer may refer any application for an amendment to the Land Use Bylaw or a development permit to the following agencies for comments and recommendations on how the proposal will affect the Aquifer:
  - (a) Alberta Environment and Protected Areas;
  - (b) Alberta Health Services;
  - (c) Alberta Human Services: Plumbing Inspection Branch; and
  - (d) Any other agencies that Council and/or the Development Officer deems necessary.

### 7.2 Corner Sites in Hamlets

- (1) On any corner site in a residential district, no person shall erect, place or maintain within the site triangle a wall, fence, shrub, tree(s), hedge or any object over 0.9 m (3 ft) in height above the lowest road grade adjacent to the intersection. See Figure 6 for the explanation note.
  
- (2) On any corner site, no finished grade shall exceed the general elevation of the road line by more than 0.6 m (2 ft) within the area defined as a sight triangle. See Figure 10 (Maximum Grade and Elevation) for the explanation note.

### 7.3 Design, Character, and Appearance of Buildings

- (1) Subject to the provisions of other sections of this Bylaw, the design, character, and appearance of buildings shall conform with or incorporate greater design aesthetics and/or elements with similar buildings and structures in the respective district and comply with the *Safety Codes Act*.



- (2) Building exterior walls and roof shall be finished with a material or materials that are acceptable to the Development Authority.

#### **7.4 Development near Provincial Highways**

- (1) No development permit shall be issued for development within 0.8 km (0.5 mi) of the boundary of the right-of-way of the intersection of a public roadway with a highway or for a development within 300 m (984.3 ft) of the right-of-way of a highway until a permit for development, in accordance with the *Public Highways Development Act*, has been issued by Alberta Transportation and Economic Corridors.

#### **7.5 Dwellings Per Parcel**

- (1) Where this Bylaw limits the number of dwellings that may be erected or placed on a parcel of land, the Development Authority may grant an exemption to allow additional dwellings on the subject parcel.
- (2) A development permit shall be required for any additional dwellings on a parcel of land.
- (3) Any additional dwelling(s) on land shall be discretionary and decided on by the Municipal Planning Commission.
- (4) When determining an exemption to the number of dwellings on a parcel, the Municipal Planning Commission shall consider the following:
  - (a) The suitability of the site for the proposed development;
  - (b) Access to and from the site;
  - (c) On-site water and sewer servicing;
  - (d) Existing and future surrounding land uses;
  - (e) Whether the additional dwelling is related to or necessary for the operation of an existing farm located on the parcel; and
  - (f) Human relationships, including a family member or relative occupying the dwelling.

#### **7.6 Illumination**

- (1) Lighting fixtures, which are not a public utility and are designed for exterior illumination of a site, shall be installed with the light directed and deflected away from public roads and adjacent properties so as not to be a source of nuisance or cause for glare.



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## **7.7 Keeping of Animals**

- (1) No livestock or fur-bearing animals, other than domestic pets, shall be raised or kept in any hamlet residential district.
- (2) The keeping of poultry shall be allowed in any hamlet residential district as a discretionary use and shall adhere to the County's Poultry Bylaw.
- (3) Structures related to the keeping of poultry shall require a development permit prior to their erection.

## **7.8 Landscaping and Screening**

- (1) In addition to any other provisions of this Bylaw, waste transfer stations, gravel pits, sewage treatment facilities, building or site storage facilities and other similar forms of development may be required to be screened from view by a vegetated buffer strip or some other form of screening, adjacent to incompatible uses such as residential or institutional uses.
- (2) The Development Authority, in considering an application, may impose conditions requiring the retention of trees or additional plantings of such a type and extent as are considered necessary.
- (3) A change to the use of land(s) may require screening as a buffer adjacent to incompatible uses.
- (4) Any area required to be landscaped, shall be landscaped so that the finished grade does not direct surface drainage onto an adjoining parcel.
- (5) The finished grade with landscaping on any parcel shall not exceed the general elevation of the street by more than 0.6 m (2 ft).

## **7.9 Lands Susceptible to Flooding, Slumping or Soil Erosion**

- (1) Development shall be discouraged on land subject to slumping or within the 1:100 year floodplain as determined by Alberta Environment and Protected Areas.
- (2) In reviewing a development permit application for a development on a site which Clear Hills County determines may be subject to flooding or is located in a designated floodplain, the Development Authority shall consider flood damage reduction measures, and may approve the proposed development subject to any or all of the following:
  - (a) The usage of fill, piles, posts, or piers to raise the development above the 1:100 year flood level;
  - (b) "Wet flood proofing" standards which allow basements to be flooded without significant damage to the structure;



- (c) Other flood reduction measures as approved by Canadian Mortgage and Housing Corporation;
  - (d) Diking of the water body / course;
  - (e) Increased development setbacks from the waterbody / course;
  - (f) Site specific location and orientation of proposed development;
  - (g) The usage of back-flow prevention valves (stop valves);
  - (h) Any other flood abatement measures deemed necessary by the Development Authority;
  - (i) A certificate from a qualified professional engineer, certifying that the design for the proposed development was undertaken with full knowledge of the potential for flooding on the subject property; and
  - (j) Comments and recommendations from Alberta Environment and Protected Areas.
- (3) In reviewing a development permit or subdivision application, an application to amend this Bylaw or any statutory plan, the Development Authority may require the following additional information regarding land subject to slumping:
- (a) A geotechnical study, prepared by a qualified engineer registered with APEGGA, addressing the safety and stability of the proposed development. The geotechnical study will establish building setbacks from property lines based on the land characteristics of the subject property;
  - (b) A certificate from a qualified professional engineer, certifying that the design of the proposed development was undertaken with full knowledge of the soil and slope conditions of the subject property; and
  - (c) A certificate from a qualified professional engineer when the proposed development includes cut and/or fill sections on slopes, including the addition of fill to the subject property.
- (4) The County may require the landowner and/or developer to register a restrictive covenant against the certificate of title for the subject property related to the development approved for the subject property.

### **7.10 Minimum Servicing Requirements**

- (1) For all developments, sanitary sewage shall be provided in compliance with Alberta Private Sewage Systems Standard of Practice.
- (2) For all multi-parcel developments, storm drainage facilities shall be provided to the satisfaction of the Development Authority.



### **7.11 Municipal Road Setbacks**

- (1) At curves and intersections of roads, no development, landscaping, or vehicle access shall be permitted within the shaded areas illustrated in Figures 5 (Boulevard) and 6 (Sight Triangle), unless variance is approved by the Development Authority.
- (2) All trees, hedges, shrubs, or closed fences, forming a shelter belt shall be indicated on the approved site plan and be in accordance with the municipal road setbacks.
- (3) Municipal road setbacks shall not apply to gates, open fences, or other means of open enclosure less than 2.4 m (8 ft) in height or at the discretion of the Development Authority, unless as identified in Section 7.2, "Corner Sites in Hamlets," in this Bylaw.
- (4) Access or egress to a municipal road shall be installed in accordance with the current Clear Hills County Approach Construction Policy.
- (5) Notwithstanding Highways Development and Protection Regulation (326/2009), as amended from time to time, this Bylaw may establish a higher standard than Alberta Regulation 326/2009, as amended from time to time, for development adjacent to highways and intersections.

### **7.12 Non-Conforming Buildings and Uses**

- (1) A non-conforming use of land or a building may be continued, but when 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 this Bylaw.
- (2) A non-conforming use of part of a building may be extended throughout the building but shall not include any structural alterations.
- (3) A non-conforming use of part of a lot shall not be changed or transferred to any other part of the lot.
- (4) No additional accessory building(s) associated with the non-conforming use are permitted.
- (5) A non-conforming building may continue to be used, but shall not be enlarged, added to, rebuilt, or structurally altered, except to make it a conforming building.
- (6) A non-conforming building may not be repaired or rebuilt if damages equivalent to 75 percent or more the of the building's value above the foundation occur.
- (7) The use of land or a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.



### **7.13 Objects Prohibited or Restricted in Yards**

- (1) No person shall allow a motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain parked on a parcel in a residential district, or within 30.5 m (100 ft) of a local road or Provincial Highway in an Agricultural District for more than ninety (90) calendar days, unless it is suitably housed or screened to the satisfaction of the Development Authority.

### **7.14 Projections over Yards**

- (1) The following exceptions are not included within the setback calculation, and may project into a yard setback:
  - (a) In a residential district, a cornice, a windowsill, or a canopy of eaves which project for a distance not exceeding one-half of the minimum side yard required for the site;
  - (b) A chimney which projects 0.6 m (2 ft) or less, provided that in each case it is not less than 0.9 m (3 ft) from the side boundary of the site;
  - (c) Unenclosed steps with or without a landing or deck and above the surface of the yard, if they do not project more than 2.4 m (8 ft) over or on a minimum front or rear yard, or more than 0.9 m (3 ft) over or on a minimum side yard.

### **7.15 Relocated Buildings**

- (1) An application for a development permit shall be completed for any building to be "relocated" to a parcel within the County, with the exception of a farm building in an Agricultural District, and shall include:
  - (a) Colour photographs of the building, accurately depicting the style and general condition of the structure, with its aesthetic conformity being equal to, or greater than, buildings in the immediate neighborhood.
- (2) The Development Authority shall consider the following to determine whether the building is compatible with the character of the neighborhood in which it is proposed to be located, and may refuse a development permit if, in their opinion, the building is incompatible:
  - (a) Age and appearance of the building;
  - (b) Building condition and building materials;
  - (c) The compatibility of the proposed building with the surrounding neighborhood and adjacent properties;





- (d) The aesthetic conformity of the proposed building with the surrounding neighborhood and adjacent properties; and
  - (e) Other planning considerations as deemed necessary by the Development Authority.
- (3) The Development Authority may inspect the building which is proposed to be relocated, or have another qualified person do so; in either case, the expenses of such inspection, including the inspector's time, shall be paid by the applicant before any development permit is issued.
- (4) The relocated building shall conform to the current *Alberta Safety Codes Act* and Regulations, and the current Alberta Building Code Regulation.

### 7.16 Water Course and Waterbody

- (1) Where a parcel of land borders on or contains a coulee, ravine, or valley, with or without a water body / course, the following building or structure setbacks from the upper break of the coulee, ravine, or valley, shall apply:

**Table A: Water Course Setbacks require a geotechnical survey if within 61m of a coulee, ravine or valley**

Depth of the Coulee, Ravine, or Valley	Minimum Building or Structure Setback
Less than 7.6 m (25 ft)	As required by the Development Authority
Greater than 7.6 m (25 ft) but less than 15.2 m (50 ft)	22.9 m (75 ft)
Greater than 15.2 m (50 ft) but less than 30.5 m (100 ft)	45.7 m (150 ft)
Greater than 30.5 m (100 ft)	61 m (200 ft)

See Figure 22 (Development Near Water Bodies and Water courses) for the explanation note.

- (2) Notwithstanding the above, the Development Authority may increase the building or structure setbacks, where deemed necessary.
- (3) Where a parcel of land borders on or contains a water body / course, the setback from the water body / course shall be determined by the Development Authority but shall not be less than 30.5 m (100 ft) from a water body / course that is 8.09 ha (20 ac) or more.
- (4) Developments must adhere to the following land management practices:



- (a) Geotechnical Investigation must be undertaken on the proposed development site to ensure suitable setbacks are determined. The Development Authority reserves the right to variance on the setbacks in locations where Geotechnical Surveys recommend extended setback measurements for the prevention of property damage and safety requirements;
- (b) Stripping of vegetation or grading shall be done in a manner which will minimize soil erosion by ensuring that the extent of the disturbed area and the duration of its exposure is minimized, and that all grading work should be designed to blend with the natural contours of the land;
- (c) Natural vegetation shall be retained and protected wherever possible;
- (d) Natural drainage patterns shall not be disturbed and changes to water body / course shall be avoided, except where controlled improvements are warranted subject to approval from Alberta Environment and Protected Areas; and
- (e) Developments shall not adversely affect groundwater resources or increase stormwater runoff velocity in a way that water levels on other lands are substantially raised or the danger from flooding is increased.

### 7.17 Water Reservoir Setbacks

- (1) The following is a description of the setbacks required for a dugout or water reservoir:

**Table B: Sewage and Dugout or Water Reservoir Setbacks Description**

Dugout Setbacks to:	Dugout Setback distance
(a) Front Yard	40.8 m (134 ft) from road right-of-way or 70 m (229.6 ft) from the center line, whichever is the greater
(b) Side Yard	15.24 m (50 ft) or as required by the Development Authority
(c) Rear Yard	15.24 m (50 ft) or as required by the Development Authority

- (2) A development permit shall be required for a dugout or water reservoir located less than 40.8 m (134 ft) from a road right-of-way. The Development Authority shall consider the following factors when deciding upon an application for a development permit:
  - (a) The location of the proposed dugout or water reservoir in relation to the safe operation of roads;
  - (b) The location of the proposed dugout or water reservoir in relation to the aquifers in Clear Hills County; and



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- (c) Any effects the location of the dugout or water reservoir may have on the use of any adjacent roads or land.
- (3) The Development Authority may require the developer of the dugout or water reservoir to provide adequate fencing, guardrails and/or berming to its satisfaction, so as to prevent the dugout or water reservoir location from being a hazard to the traveling public. The size, type, and location of the berming, fencing, or guardrails will be site specific and will be determined at the time of an application and shall be referred to the Public Works Department for input as to required design standards.

## EXPLANATION NOTES

This graphic is not part of this bylaw but is provided to aid in its interpretation.

### Development near Water Bodies and Water Features

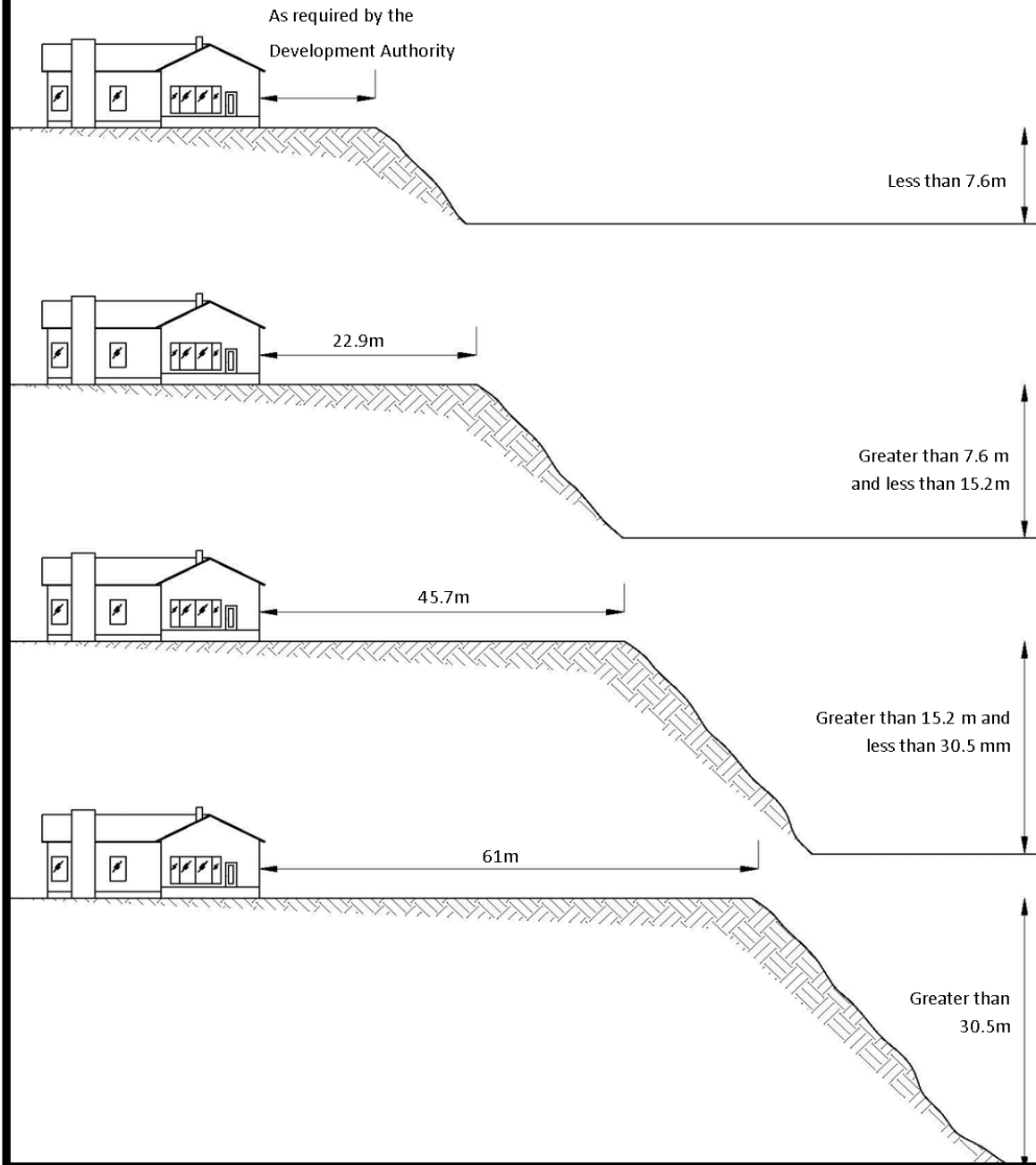


Figure 22: Development near Water Bodies and Water courses

## EXPLANATION NOTES

### 1 in 100 year Flood Zone

This graphic is not part of this Bylaw, but is provided to aid in its interpretation.

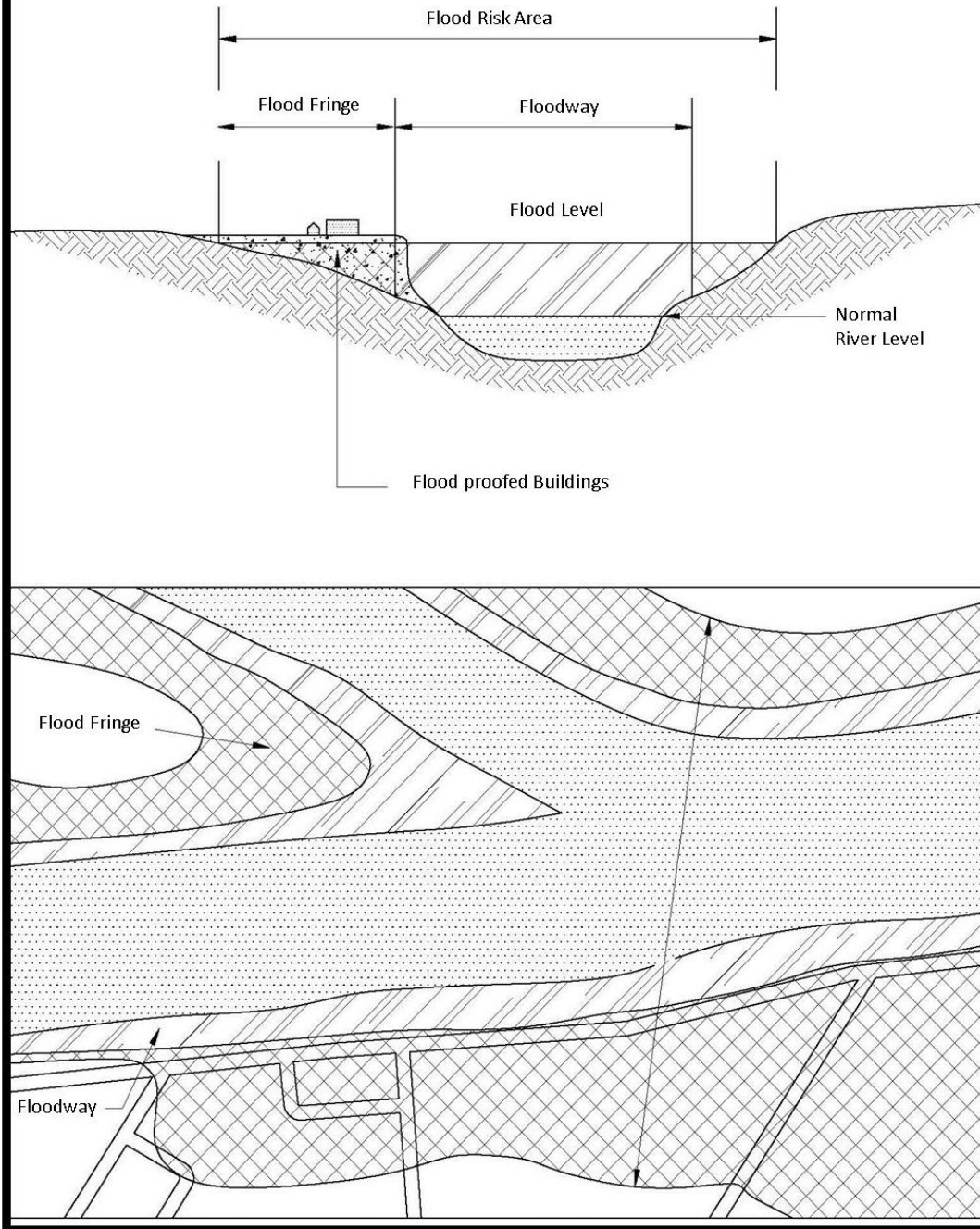


Figure 23: 1 in 100 Year Flood Zone

## EXPLANATION NOTES

### Signs

This graphic is not part of this bylaw but is provided to aid in its interpretation.

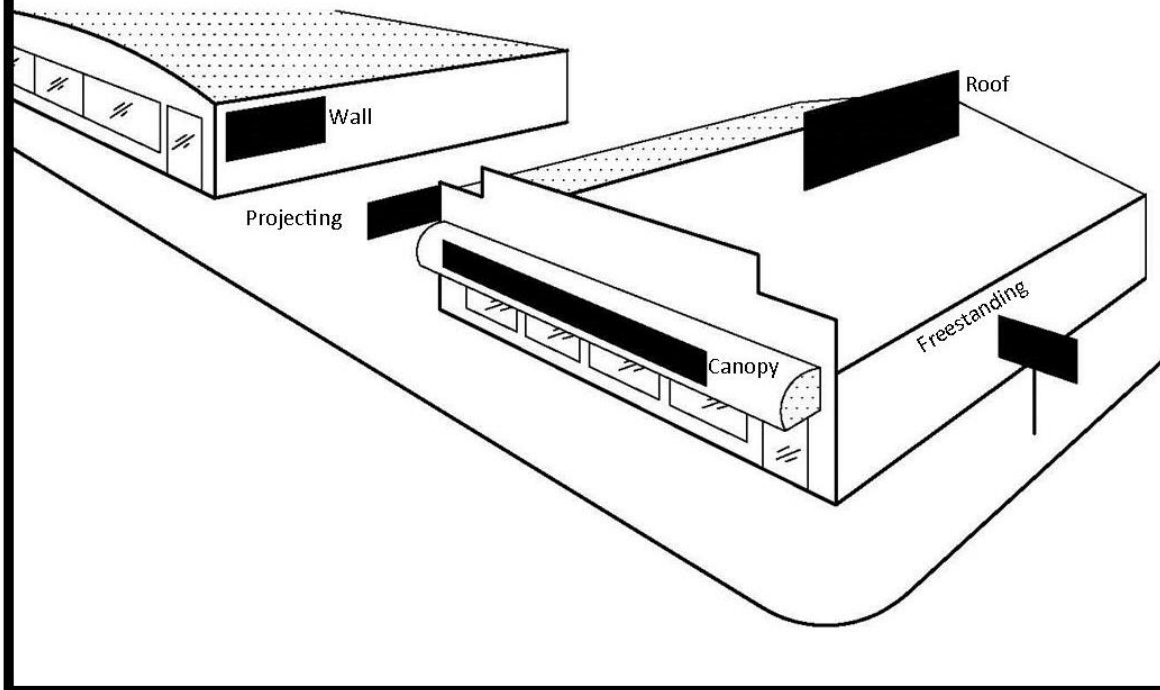


Figure 24: Signs



## **SECTION 8: SPECIAL LAND USE PROVISIONS**



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## SECTION 8: SPECIAL LAND USE PROVISIONS

### 8.1 Accessory Buildings

General:

- (1) Where an accessory structure is attached to the principal building on a site by a roof, it is considered part of the principal building.
- (2) Any accessory building that is not physically connected to the principal building is to be located a minimum of 1.8 m (6 ft) from the principal building.

Hamlets:

- (3) In a hamlet, no accessory building shall be located within the front yard of any parcel.
- (4) An accessory building shall be no more than 6.1 m (20 ft) in height.
- (5) In a hamlet, an accessory building shall be situated on an interior lot, so that the exterior wall of the structure shall be at minimum 0.9 m (3 ft) from the side and rear lot lines of the parcel.
- (6) Except in agricultural or recreational areas, no accessory building may be built on a lot before a principal building or main use is developed on the lot.
- (7) In a hamlet, an accessory building on a corner lot shall be situated so that the side yard which abuts the street shall be not less than the side yard of the principal building.
- (8) In a hamlet, a garage shall be located so that the vehicle entrance doors shall be no closer than 5.5 m (18 ft) to the property boundary upon which they open and shall not project past the front façade of the building, whichever is greater.
- (9) In a hamlet, an accessory building erected on a site shall not be used as a dwelling.
- (10) In a hamlet, all accessory buildings, with the exception of greenhouses, shall be constructed of materials of similar or superior quality to the principal building, to provide a consistent appearance on the lot.

### 8.2 Communication Towers and Communication Structures

- (1) Nothing in this Bylaw will affect the ability of the Development Authority to permit communication towers and communication structures to be constructed in any district and prescribe height requirements, setbacks, and minimum separation distances on a case-by-case basis.





- (2) Construction of communication towers and communication structures will require an application for a development permit.

### **8.3 Confined Feeding Operations**

- (1) Some of the Clear Hills County lands are under Provincial and Federal jurisdiction.
- (2) All referrals for Confined Feeding Operations (CFO) shall be reviewed and decided by the Development Authority on a site-specific basis; considering, but not limited to, site selection, waste disposal, proximity to existing residential uses, the distance from waterbody / course, and roads and highways.
- (3) Proposed CFOs are to conform to provisions within the *Agricultural Operation Practices Act*, and Regulations including the *Agricultural Operation Practices Act* (AOPA) R.S.A. 2000 C A-7; (AOPA) Board Administrative Procedures Regulation A.R. 268/2001; and (AOPA) Standards and Administration Regulation A.R. 267/2001, as amended from time to time.
- (4) Additional Provincial policies need to be adhered to, including the release of substances – referenced within S. 108 (1) (Releases of Substances Generally) of the *Environmental Protection and Enhancement Act* R.S.A. 2000, c. E-12; drift disturbance – referenced in S. 3 Disturbance Standards within the *Public Lands Act* and Public Lands Administration Regulation A.R. 187/2011; and water protection – referenced in Table 5 – Guidelines for the Application of Municipal Wastewater Sludges to Agricultural Lands, Alberta Environment and Protected Areas March 2001 and S. 38 Issuance of Approvals, S. 42 Approval Amendments, S. 99 Terms of Order, S. 105 Emergency Measures, S. 142 Offences within the *Water Act* R.S.A. 2000, c. W-3.
- (5) Maximum livestock numbers have been set through the AOPA regulations, based on significant potential nuisance and environmental impact(s) and/or significant investment in facility structure. The maximum numbers are intended to be used as a guide for development permit applications. The Development Authority may consider any number of livestock as confined. Applicants shall be required to submit a specific application designed for confined feeding operations.
- (6) The affect of the CFO on infrastructure like power and the impact on roads from vehicles moving material and goods to and from the site shall be taken into consideration.
- (7) Community Engagement:

At the time of a formal CFO application, the applicant is required to demonstrate that they have formed a committee of primarily adjacent landowners who will be



requested to provide feedback on the proposed CFO, identifying any issues and/or concerns.

- (8) Setbacks:
- (a) All setbacks apply to all of the lands within the County.
  - (b) Consideration may be given by the Development Authority for the reduction of setbacks, if the operator can propose and demonstrate long term use of effective odour reducing technology best suited to the operation and site specific conditions, to ensure that the CFO and its associated activities do not interfere with existing and/or future land uses; amenities of adjacent and nearby neighbours; and the use, enjoyment, and value of adjacent and nearby properties.
  - (c) 100 m (328 ft) from parcel boundaries.
  - (d) Communities:
    - (i) Min. 3.2 km (2 mi) from a Town or Hamlet. This setback would be measured from the CFO facility (includes both structures and farming operation area) to the boundaries of the Town or Hamlet, as described in the current Area Structure Plan (ASP).
    - (ii) For expansion of existing CFOs, the setback requirement from a Town or Hamlet may be waived. To minimize odours, prevailing winds are to be considered in siting CFOs. All other requirements apply to the consideration of the CFO expansion.
  - (e) Rural Residential Use (non-urban):
    - (i) 3.2 km (2 mi) from a residence in a rural area to the CFO facility. A dwelling associated with the operation of a CFO may be considered by the Approval Authority within a setback from the CFO.
  - (f) Environmentally Significant Features:
    - (i) 3.2 km (2 mi) from the identified “edge” of environmentally significant features, including the Grimshaw Gravels Aquifer area and any other identified aquifers within the County.
  - (g) Intensive Recreation Areas:
    - (i) 3.2 km (2 mi) from the identified perimeter of the intensive recreation area.
  - (h) Road rights-of-way, including undeveloped road allowances:
    - (i) 152.4 m (500 ft)
  - (i) Water bodies and water courses:
    - (i) 3.2 km (2 mi) from the top of the bank for water bodies, streams, rivers, (and their tributaries) and from wetlands. The setback will be



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measured from the outer boundary of the wetland and, in the case of a stream, the edge of the bank or water catchment area.

(9) Landscaping and Screening:

Buffering shall be provided between the CFO site and the road, as well as adjacent and nearby incompatible uses using existing trees, if possible, and other buffering plants, berms, or materials.

#### **8.4 Dwelling, Manufactured Home**

(1) All Dwelling, manufactured homes shall conform to the Alberta Building Code and the provisions of this Bylaw.

(2) In accordance with the Unsightly Premises Bylaw, all applications will require photographs along with details of the wall material and a 10m spacing from neighbouring establishments to prevent the risk of fire.

(3) The under-covering of a dwelling, manufactured Home shall be completely screened from view by the foundation or by skirting and shall be compatible in condition and aesthetic appearance with the dwelling, manufactured home to the satisfaction of the Development Authority.

(4) The axles, wheels, running gear, and towing tongue shall be removed prior to the final installation of the dwelling, manufactured Home. The home shall be secured on piers, blocking, or a foundation to the satisfaction of the Development Authority.

(5) All accessory structures, additions, porches, and skirting shall be of a condition and aesthetic appearance equivalent to or better than the Dwelling, manufactured Home.

(6) The distance between dwelling, manufactured Homes shall be not less than 15 feet apart within the Agricultural and Country Residential Districts and shall not be less than 10 feet apart within the Hamlet Districts.

(7) Dwelling, manufactured homes may be permitted on a temporary basis not exceeding a six (6) month period, for use during the construction of a principal dwelling on the property.

(8) Where a dwelling, manufactured home is approved for a temporary period, an application is required to the Development Authority, including photographs and reasons for a requested time extension, not later than sixty (60) calendar days prior to the expiry date of the temporary permit.



## **8.5 Home Occupations**

- (1) In hamlets, home occupations may be required to screen from view outside storage of materials, commodities, or finished products.
- (2) Home occupations shall not create a nuisance by way of dust, noise, smell, smoke, or traffic generation.
- (3) In hamlets, home occupations shall have no more than one sign per dwelling, the size of which shall not exceed 1.1 m<sup>2</sup> (12 ft<sup>2</sup>) in area.

## **8.6 Multi-Parcel Country Residential Subdivision**

- (1) The County may require the developer to provide an Area Structure Plan (ASP) or Outline Plan prior to submitting an application for a multi-parcel country residential subdivision.
- (2) Multi-parcel country residential subdivisions shall not be permitted within:
  - (a) 1:100 year floodplain;
  - (b) Within 0.8 km (0.5 mi) from the boundary of a parcel of land containing a CFO; and
  - (c) Within 0.8 km (0.5 mi) from the boundary of a parcel of land containing a gravel extraction operation.
- (3) Development of areas considered environmentally sensitive by the County or Alberta Environment and Protected Areas must minimize habitat destruction and include mitigation measures to preserve topographical features such as riparian zones through innovative subdivision site design.

## **8.7 Natural Resource Extraction and Gravel Pits**

- (1) Proposed gravel pit operations shall adhere to the regulations set forth in Code of Practice for Pits for Class 1, as per Alberta Environment and Protected Areas requirements.
- (2) For sites over 5 ha (Class 1), applicants must refer to and register with Alberta Environment and Protected Areas regulations and need to follow AEPA's Code of Practice for Pits. If the AEPA is not followed by the applicant, the use is deemed as resource extraction.
- (3) Class 2 pits (less than 5 ha) do not need to be registered with AEPA.
- (4) The following information shall be required by the Development Authority in support of a development permit application for a gravel pit:



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- (a) If the proposed gravel pit operation is located in close proximity to a highway, secondary roadway, valley, or dwelling, the Development Authority may require the gravel pit operation to be screened from view.
  - (5) All proposed oil/gas development shall require approval prior to construction, either in the form of a development permit or letter of authorization with conditions pertaining to the specific development. These conditions may vary due to site-specific features, such as zoning, geography, the location of water (surface or subsurface), other impacting features, or as required by the Development Authority.
  - (6) The following are guidelines pertaining to oil/gas development:
    - (a) Sites are to comply with all regulations, as required by Alberta Environment and Protected Areas and/or Alberta Energy Regulator (A.E.R.);
    - (b) All sites shall conform to any standards as set by the County;
    - (c) All permanent structures, including well heads, shall be located a minimum of 40.8 m (134 ft) from the property line adjacent to all surveyed road allowances;
    - (d) All sump pits shall be located a minimum of 20 m (66 ft) from the property line adjacent to a surveyed road allowance;
    - (e) All dirt/fill piles or temporary structures shall be placed to ensure visibility when accessing the road allowance and shall be safely situated on the site; and
    - (f) Setbacks from sour gas facilities will be as directed by A.E.R. regulations.

### **8.8 Recreational Vehicle Parks**

- (1) The construction and maintenance of all internal roads are to be the responsibility of the landowner/developer. Internal roads shall have a minimum usable top of 6 m (20 ft), except for one-way roads, which shall have a minimum usable top of 3.7 m (12 ft).
- (2) Recreational vehicle or camping spaces shall have a minimum 3.65 m (12 ft) width and a minimum length of 12.19 m (40 ft) resulting in a minimum area of 44.59 m<sup>2</sup> (480 ft<sup>2</sup>). All such spaces shall be set back a minimum of 30.5 m (100 ft) from the top of the bank of a water body / course.
- (3) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.



- (4) The Developer's Agreement or Notice of Decision may require the developer to construct, upgrade, or pay to construct or upgrade the necessary County roads to access the development.
- (5) The developer may designate an area equivalent to ten percent (10%) of the total recreational vehicle park area as a playground. This area is to be clearly marked and free from all traffic hazards.

## **8.9 Signs**

- (1) No signs or advertising structures of a commercial, directional, or informative nature shall be erected or placed on land or affixed to any exterior surface of any building or structure, unless an application for this purpose has been approved and a development permit has been issued; see Form J (Application for Sign Placement on Private Land / Application for Sign Placement for Municipal Right-of-Way or Municipal Reserve Land / Application for Sign Placement for a Recreational & Community Facility and/or a Historic Landmark) in Appendix A.
- (2) All signs shall be kept in a safe, clean, and tidy condition and may be required to be refurbished, repaired, or removed when not maintained.
- (3) The following signs do not require a sign placement approval:
  - (a) Statutory or official notices of government authorities;
  - (b) Outdoor signage for CHC owned facilities;
  - (c) Traffic, public information, and directional signs authorized by the Development Authority or Council;
  - (d) Temporary signs for the sale of real estate, related to construction work on a site, fund-raising campaigns or other, similar temporary signs;
  - (e) Signs for traffic control devices;
  - (f) Name and number signs on residential properties; and
  - (g) Name of the farm or business in any of the following ways:
    - (i) On the fence line of the access road into the farm site;
    - (ii) As a free-standing sign located on the property within 40 m (131 ft) of the farm entrance; or
    - (iii) Above the main entrance and mounted on posts that farm part of the gate system.
- (4) The following types of signs will not be allowed:
  - (a) Any sign that displays an intermittent, flashing, or rotating light;



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- (b) Any sign which is flood lighted in such a manner as to cause interference or create a hazard to the motoring public;
  - (c) Any sign that has moving or rotating parts;
  - (d) Any sign that bears a legend giving a command such as “stop, stop ahead, turn, caution,” etc., or any legend that in any way imitates a standard or commonly used traffic control device;
  - (e) Any sign that uses red or yellow as the background colour; and
  - (f) Any portable sign that may be internally lit for use at night.
- (5) Identification Signs:
- (a) The maximum sign size permitted will be 3 m<sup>2</sup> (32 ft<sup>2</sup>) and placed no closer than 10 m (33 ft) to the edge of the highway right-of-way;
  - (b) All signs shall be maintained in proper repair. The Development Authority may require that any sign not kept in an acceptable condition be repaired immediately or removed by the owner;
  - (c) One standard identification sign shall be permitted on each parcel of land. The sign shall indicate only the name of the business and the general type of service offered; and
  - (d) Signage adjacent to provincial roads and highways require Alberta Transportation and Economic Corridors approval.
- (6) Directional Signs:
- (a) Subject to Alberta Transportation and Economic Corridors approval, temporary signs may be permitted within the highway right-of-way to indicate the location and identity of forestry, mining, oilfield exploration, and other similar operations; and
  - (b) Subject to Alberta Transportation and Economic Corridors approval, businesses accessed from the highway may be permitted to install private directional signs on the highway system at the access road junction.
- (7) Signs on Municipal Right-of-way and Municipal Reserve Land:
- (a) Unless otherwise specified, the maximum sign size will be 3 m<sup>2</sup> (32 ft<sup>2</sup>) and placed no closer than 10 m (30 ft) to the property line of the municipal right-of-way;
  - (b) Unless otherwise specified, the minimum setback from the sign will be 0.9 m (3 ft) from the municipal property line adjacent to a municipal road or on municipal reserve land; and
  - (c) All signs shall be maintained in proper repair. Any sign not maintained to Clear Hills County standards will receive written notification identifying



required repairs to be completed within a specified time period. If no action is taken to repair or remove the sign within the specified time period, the County may repair or remove the sign and costs incurred will be invoiced to the sign owner.

- (8) Historic Landmarks Signs:
  - (a) For designated municipal historic buildings and sites, the number and size of Identification and Directional signs permitted will be determined on a site-specific basis by the Development Authority.

### **8.10 Waste Transfer Station**

- (1) Waste transfer stations are owned by the County and operated by the North Peace Regional Landfill Commission.
- (2) The Development Officer may require waste transfer stations to be properly fenced, screened, or buffered from adjacent land uses.
- (3) A waste transfer station shall be setback 91.4 m (300 ft) from the rights-of-way of all roads, including highways.
- (4) The Development Officer shall take into consideration how a waste transfer station conforms to the County's overall plan for solid waste disposal for the municipality.

### **8.11 Work Camps**

- (1) All work camps shall require a development permit application, regardless of the length of time it is proposed to operate.
- (2) All development permit applications for work camps shall be accompanied by a dimensioned site diagram, indicating proposed building locations, and specifying the provisions being made for water supply, sewage, and garbage disposal.
- (3) All work camps shall conform to standards, as established by Alberta Health Services (Alberta Work Camps Regulation under the *Public Health Act*).





## **SECTION 9: LAND USE DISTRICTS**



## SECTION 9: LAND USE DISTRICTS

### 9.1 Establishment and Classification of Land Use Districts

- (1) For the purpose of this Bylaw, all lands within Clear Hills County are divided into Districts, and are classified in Table E.
- (2) District symbols - throughout this Bylaw, and any amendments thereto, a district may be referred to either by its full name, or by its symbol.
- (3) District maps - Zoning district detail maps 1-13 (Schedule E) and Schedules B-D, as amended from time to time, are considered part of this Bylaw. When there is a dispute over the precise location of a boundary in any district as shown on the district maps, the Council decision of a boundary location will be binding.

Section	District Name	Symbol	Purpose
9.2	Crown Land Management District	CLM	To regulate land uses on Crown Land within Clear Hills County.
9.3	Agricultural District – 1	AG-1	To regulate a wide range of agricultural land uses, while discouraging all land uses conflicting, with the intent of conserving extensive areas of prime agricultural land, thus maintaining the agricultural integrity and the rural character of the County.
9.4	Agricultural District – 2	AG-2	To regulate developments around urban centres.
9.5	Country Residential District – 1	CR-1	To regulate the development of single and multi-parcel country residential developments and associated uses in areas with low agricultural productivity, as well as fragmented parcels less than or equal to 13 ha (32 ac). Minor agricultural pursuits may be supported within this district.
9.6	Country Residential District – 2	CR-2	To regulate the development of multi-residential dwellings within NE 24 86 6 W6M.
9.7	Highway Development District	HD	To regulate developments adjacent to Provincial highways.



Section	District	Symbol	Purpose
9.8	Rural Industrial District	RI	To regulate industrial uses in a rural area.
9.9	Rural Recreational District	R-REC	To regulate development of intensive and extensive recreational facilities and uses.
9.10	Hamlet General District	HG	To regulate a variety of uses in hamlets where land use patterns are not readily discernible.
9.11	Hamlet Estate Residential District	HER	To regulate estate residential development within established hamlets.
9.12	Hamlet Residential District	HR	To regulate residential uses in established hamlets with the intention of restricting development to dwellings, single-detached; and associated uses.
9.13	Hamlet Commercial District	HC	To regulate commercial developments within established hamlets.
9.14	Hamlet Industrial District	HI	To regulate industrial developments within established hamlets.
9.15	Hamlet Public/Institutional District	HP	To regulate the development of land within established hamlets for uses of either a public or private nature providing services to the community.

Use	Crown Management District (CLM)	Agricultural District (AG-1)	Agricultural District (AG-2)	Country Residential District 1 (CR-1)	Country Residential District 2 (CR-2)	Highway Development District (HD)	Rural Industrial District (RI)	Rural Recreational District (R-REC)	Hamlet General District (HG)	Hamlet Estate Residential District (HER)	Hamlet Residential (HR)	Hamlet Commercial District (HC)	Hamlet Industrial District (HI)	Hamlet Public District (HP)	# of Districts
Abattoir		D					D								2
Accessory building or structure	D	P	P	P	P	P	P	P	D	P	P	D	D	D	14
Agricultural industry		D	D				P						D		4
Agricultural use (restricted), minor					D										1
Agricultural use, intensive		D													1
Agricultural use, minor				D											1
Auto body and service station						D			D			D	D		4
Automobile sales						D			D			D			3
Building or site storage facility		D					P		D		P		D		5
Bulk fuel sales or storage							P		D			D	D		4
Bus depot									D			D	D		3
Business, contractor / handicraft / tradesman		D				D	P		D			D	D	D	7
Cabin		D	D					D							3
Campground	D														1
Car or truck wash						P	D					D	D		4
Cemetery		D	D											D	3
Cold storage facility						D	P		D			D	D		5
Communication tower with building	P	D	D												3
Community hall or clubhouse			D												1
Dugout or water reservoir	D	P	P	D											4
Dwelling, caretaker's		D	D			D	P	D	D			D			7
Dwelling, manufactured home		P	P	P	P					P	P				6
Dwelling, modular home		P	P	P	P					P	P				6

Use	Crown Management District (CLM)	Agricultural District (AG-1)	Agricultural District (AG-2)	Country Residential District 1 (CR-1)	Country Residential District 2 (CR-2)	Highway Development District (HD)	Rural Industrial District (RI)	Rural Recreational District (R-REC)	Hamlet General District (HG)	Hamlet Estate Residential District (HER)	Hamlet Residential (HR)	Hamlet Commercial District (HC)	Hamlet Industrial District (HI)	Hamlet Public District (HIP)	# of Districts
Dwelling, secondary suite		D	D	D	D					D	D				6
Dwelling, semi-detached											D				1
Dwelling, shouse							P								1
Dwelling, single detached		P	P	P	P					P	P				6
Dwelling, teaherage														D	1
Electrical facilities		D	D				D								3
Equipment rental shop		D	D			D	P						D		5
Farm building		P	P			P									3
Farmstead		P	P												2
Fire hall	D														1
Game farm		P													1
Grain elevator									D						1
Greenhouse												D			1
Group care facility				D							D				2
Heavy industrial manufacturing						D	D						D		3
Heliport		D	D												2
Highway maintenance yard		D	D			D									3
Home child care or home child care facility											D				1
Home occupation	D	D	D	D	D					D				D	7
Hotel						P			D			D			3
Kennel		D	D									D			3

Use	Crown Management District (CLM)	Agricultural District (AG-1)	Agricultural District (AG-2)	Country Residential District 1 (CR-1)	Country Residential District 2 (CR-2)	Highway Development District (HD)	Rural Industrial District (RI)	Rural Recreational District (R-REC)	Hamlet General District (HG)	Hamlet Estate Residential District (HER)	Hamlet Residential (HR)	Hamlet Commercial District (HC)	Hamlet Industrial District (HI)	Hamlet Public District (HP)	# of Districts
Laundry facility						D			D			D			3
Light industrial manufacturing							P		D				D		3
Lumber yard							P						D		2
Machine shop							P						D		2
Manufactured home park											P				1
Manufactured home park office											P				1
Market garden	D			D								D			3
Motel						P			D			D			3
Natural resource extraction or processing industry	D	D					D								3
Office							P		D			D			3
Park or playground				P	P										2
Petro-cardlock facility						P	P						D		3
Public / Institutional building or use	P	P	D	D	D	D	D		D	D		D	D	D	12
Public utility	P	P					D	D	D		P	D	D	D	9
Recreational building or use	D	D						D							3
Recreational facility and use, intensive and extensive								D							1
Recreational vehicle park								D							1
Repair shop									D						1
Restaurant						P			D			D			3
Salvage and/or auto wrecking yard							D						D		2
Sawmill or planing mill		D	D				D						D		4
Sea can		D	D			D	P		D			D	D		7
Seniors' housing				D							D				2

Service station						P									1
Use	Crown Management District (CLM)	Agricultural District (AG-1)	Agricultural District (AG-2)	Country Residential District 1 (CR-1)	Country Residential District 2 (CR-2)	Highway Development District (HD)	Rural Industrial District (RI)	Rural Recreational District (R-REC)	Hamlet General District (HG)	Hamlet Estate Residential District (HER)	Hamlet Residential (HR)	Hamlet Commercial District (HC)	Hamlet Industrial District (HI)	Hamlet Public District (HP)	# of Districts
Singular sign	P	P	P	P	P	P	P		P	P		P	P	P	12
Store	D	D	D			P			D	D		D			7
Sewage treatment facility		D	D				D								3
Transloading facility							D						D		2
Truck stop						P									1
Trucking operation or freight terminal							P						D		2
Truck parking lot													D		1
Vehicle weigh scale		D				P									2
Veterinary clinic		D	D												2
Walking trail														D	1
Warehouse							P		D				D		3
Waste transfer station		D	D												2
Water treatment facility	D	D	D												3
Welding shop		D	D			D	P						D		5
Work camp	P	D					D								3
83	15	39	30	14	10	24	31	7	23	9	13	22	26	9	



## 9.2 Crown Land Management District (CLM)

(1) GENERAL PURPOSE:

The general purpose of this district is to regulate land uses on Crown Land within Clear Hills County.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Communication tower with building	- Accessory building or structure
- Public / institutional building or use	- Campground
- Public utility	- Dugout or water reservoir
- Singular sign	- Fire hall
- Work camp	- Home occupation
	- Market garden
	- Natural resource extraction or processing industry
	- Recreational building or use
	- Store
	- Water treatment facility

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district.

Minimum Lot Areas:

As required by the Development Authority, based on the nature of the proposed use, servicing requirements, and impacts on surrounding land uses and the environment.

(4) ADDITIONAL REQUIREMENTS:

(a) A development permit may be issued for development on Crown Land subject to a disposition being obtained from Alberta Environment and Protected Areas.





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- (b) The Site Provisions and General Requirements that apply to a development in any other district may be referred to in evaluating a development in the Crown Land Management District (CLM).
  
  - (c) Any Crown Land sold or otherwise converted to private ownership shall, immediately upon transfer from the Crown, be designated as a land use district that, in the opinion of the Development Authority, is compatible with surrounding land uses.



### 9.3 Agricultural District – 1 (AG-1)

(1) PURPOSE:

The purpose of this agricultural district is to regulate a wide range of agricultural land uses, while discouraging all land uses conflicting with the intent of conserving extensive areas of prime agricultural land, thus maintaining the agricultural integrity and the rural character of the County.

(2) USES:

No person shall use any lot or erect, alter or use any building or structure for any purpose, except one or more of the following:

<b>(a) Permitted Uses:</b>	<b>(b) Discretionary Uses:</b>
- Accessory building or structure	- Abattoir
- Dugout or water reservoir	- Agricultural industry
- Dwelling, manufactured home / modular home / single-detached	- Agricultural use, intensive
- Farm building	- Building or site storage facility
- Farmstead	- Business, contractor / handicraft / tradesman
- Game Farm	- Cabin
- Public / institutional building or use	- Cemetery
- Public utility	- Communication tower with building
- Singular sign	- Dwelling, caretaker's / secondary suite
	- Electrical Facilities
	- Equipment rental shop
	- Heliport
	- Highway maintenance yard
	- Home occupation
	- Kennel
	- Natural resource extraction or processing industry
	- Recreational building or use
	- Sawmill or planing mill
	- Sea can
	- Sewage treatment facility
	- Store



Permitted Uses:	- Discretionary Uses:
	- Vehicle weigh scale
	- Veterinary clinic
	- Waste transfer station
	- Water treatment facility
	- Welding shop
	- Work camp

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

(a) Parcel Size:

(i) Residential uses:

1. Farmstead Separation: 1.2 ha (3 ac) minimum, 4 ha (10 ac) maximum.
2. Country Residential: 4.05 ha (10 ac) maximum.
3. In the case of parcels larger than the permitted parcel size, the approval is at the discretion of the Development Authority, based on the need to accommodate related farm buildings, improvements, existing and proposed services, and site characteristics.

(ii) All other uses:

To be determined by the Development Authority, based on the use.

(b) Dwelling Density Per Parcel (maximum):

- (i) One (1) dwelling unit shall be permitted.
- (ii) Additional residential development shall be at the discretion of the Municipal Planning Commission, subject to Section 7.5.

(c) Parcel Density (Subdivision) Per Quarter Section (maximum):

- (i) One (1) parcel, being the quarter section.
- (ii) In the case of a farmstead or a country residential subdivision, the maximum parcel density per quarter section shall be increased to two (2) parcels.
- (iii) For uses other than residential: Maximum parcel density shall be at the discretion of the Development Authority.
- (iv) Notwithstanding the above, the parcel density may be increased to accommodate a fragmented parcel and/or a public utility lot.



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(v) Parcel density for multi-parcel country residential proposals shall be at the discretion of the Development Authority.

(d) Setback Requirements (minimum):

- (i) Front Yard: 40.8 m (134 ft) from road right-of-way.
- (ii) Side Yard: 15.2 m (50 ft) or as required by the Development Authority.
- (iii) Rear Yard: 15.2 m (50 ft) or as required by the Development Authority.



## 9.4 Agricultural District – 2 (AG-2)

(1) PURPOSE:

The purpose of this Agricultural District is to regulate development around urban centres.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Accessory building or structure	- Agricultural industry
- Dugout or water reservoir	- Cabin
- Dwelling, manufactured home / modular home / single-detached	- Cemetery
- Farm building	- Communication tower with building
- Farmstead	- Community hall or clubhouse
- Singular sign	- Dwelling, caretaker's / secondary suite
	- Electrical Facilities
	- Equipment rental shop
	- Heliport
	- Highway maintenance yard
	- Home occupation
	- Kennel
	- Public / institutional building or use
	- Sawmill or planning mill
	- Sea can
	- Sewage treatment facility
	- Store
	- Veterinary clinic
	- Waste transfer station
	- Water treatment facility
	- Welding shop

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

(a) Parcel Size:



- (i) All uses:  
To be determined by the Development Authority.

- (b) Dwelling Density Per Parcel (maximum):

- (i) One (1) dwelling unit shall be permitted.
- (ii) Additional residential development shall be at the discretion of the Municipal Planning Commission, subject to Section 7.5.

- (c) Parcel Density (Subdivision) Per Quarter Section (maximum):

- (i) One (1) parcel, being the quarter section.
- (ii) In the case of a farmstead or a country residential subdivision, the maximum parcel density per quarter section shall be increased to two (2) parcels.
- (iii) For uses other than residential: Maximum parcel density shall be at the discretion of the Development Authority.
- (iv) Notwithstanding the above, the parcel density may be increased to accommodate a fragmented parcel and/or a public utility lot.

Parcel density for multi-parcel country residential proposals shall be at the discretion of the Development Authority.

- (d) Setback Requirements (minimum):

- (i) Front Yard: 40.8 m (134 ft) from road right-of-way.
- (ii) Side Yard: 15.2 m (50 ft) or as required by the Development Authority.
- (iii) Rear Yard: 15.2 m (50 ft) or as required by the Development Authority.



## 9.5 Country Residential District - 1 (CR-1)

(1) PURPOSE:

The purpose of this district is to regulate the development of single and multi-parcel country residential developments and associated uses in areas with low agricultural productivity, as well as fragmented parcels less than or equal to 13 ha (32 ac). Minor agricultural pursuits may be supported within this district.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Accessory building or structure	- Agricultural use, minor
- Dwelling, manufactured home / modular home / single-detached	- Dugout or water reservoir
- Park or playground	- Dwelling, secondary suite
- Singular sign	- Group Care Facility
	- Home occupation
	- Market garden
	- Public / institutional building or use
	- Seniors' housing

(3) SITE PROVISIONS:

(a) Parcel Size:

- (i) Country Residential with on-site servicing:
  - 1. Minimum: 1.2 ha (3 ac)
  - 2. Maximum: 4.05 ha (10 ac)
- (ii) Country Residential with County servicing
  - 1. Minimum: 0.4 ha (1 ac)
  - 2. Maximum: 2 ha (5 ac)
- (iii) For parcels larger than the permitted size, approvals are at the discretion of the Development Authority.
- (iv) All other uses:  
Are to be determined by the Development Authority.

(b) Parcel Density (subdivision) Per Quarter Section (maximum):

- (i) Residential Use:
  - 1. One Country residential parcel per quarter section or lot.
  - 2. Parcel density for multi-parcel country residential proposals shall be at the discretion of the Development Authority.



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- (ii) All other uses: As required by the Development Authority.
  - (c) Access to individual lots in all cases shall be from an internal collector service road(s) constructed for the subdivision, unless there are three or fewer parcels on any particular roadway.
  - (d) Setback Requirements from an internal subdivision road (minimum):
    - (i) Front Yard: 15.2 m (50 ft) or as required by the Development Authority.
    - (ii) Side Yard: 7.6 m (25 ft) or as required by the Development Authority.
    - (iii) Rear Yard: 7.6 m (25 ft) or as required by the Development Authority.Notwithstanding the above, all parcels bordering a primary, secondary or rural road shall have a minimum setback of 40.8 m (134 ft).
  - (e) Developments within the Country Residential (CR) District shall comply with the provisions for multi-parcel country residential Subdivisions in Section 8.6 under the Special Land Use Provisions of this Bylaw.
- (4) ADDITIONAL REQUIREMENTS:
- (a) When reviewing an application for subdivision or a development permit, the Development Authority may consider the following:
    - (i) The provision of an internal subdivision road;
    - (ii) Development of parks and recreation areas;
    - (iii) Site drainage;
    - (iv) Water supply and other services; and/or
    - (v) Water supply for firefighting purposes.
  - (b) In the case of multi-parcel country residential proposals, the Development Authority may also require an approved Area Structure Plan or an Outline Plan.





## 9.6 Country Residential District - 2 (CR-2)

(1) PURPOSE:

The purpose of this district is to regulate the development of multi-residential dwellings within NE 24-86-06-W6M.

(2) USES:

No person shall use any lot or erect, alter or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Accessory building or structure	- Agricultural use (restricted), minor
- Dwelling, manufactured home / modular home / single-detached	- Dwelling, secondary suite
- Park or playground	- Home occupation
- Singular sign	- Public / institutional building or use

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

- (a) Parcel Area (minimum): 3.6 ha (9 ac)  
Parcel width (minimum): 100 m (328 ft)
- (b) Setback requirements from an internal subdivision road (minimum):
  - (i) Front yard: 15.2 m (50 ft) or as required by the Development Authority.
  - (ii) Side Yard: 7.6 m (25 ft) or as required by the Development Authority.
  - (iii) Rear Yard: 7.6 m (25 ft) or as required by the Development Authority.

(4) ADDITIONAL REQUIREMENTS:

- (a) A maximum of two large farm animals (i.e., Sheep, horses, cows, pigs) per lot may be allowed to be kept in the Country Residential (CR-2) District. Such animals must be kept on a non-commercial basis and must be maintained in a manner that will not cause a nuisance or detract from the appearance of the Country Residential (CR-2) District.



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- (b) Any barns or structures to accommodate animals, or any other form of accessory building or structure, shall have a minimum setback of 30.5 m (100 ft) from the lot line with any adjacent property, unless otherwise agreed to by the Development Authority.
  - (c) No future dugout or water reservoir shall be permitted within the Country Residential (CR-2) District.
  - (d) A water body / course buffer protection area is established in the southeastern corner of the quarter section to ensure that no future development is permitted within 100 m (328 ft) of the Eureka River.



## 9.7 Highway Development District (HD)

(1) PURPOSE:

The purpose of this district is to regulate developments adjacent to Provincial highways and serve the travelling public.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

<b>(a) Permitted Uses:</b>	<b>(b) Discretionary Uses:</b>
- Accessory building or structure	- Auto body and service station
- Car or truck wash	- Automobile sales
- Farm building	- Business, contractor / handicraft / tradesman
- Hotel	- Cold storage facility
- Motel	- Dwelling, caretaker's
- Petro-cardlock facility	- Equipment rental shop
- Restaurant	- Heavy industrial manufacturing
- Service station	- Highway maintenance yard
- Singular sign	- Laundry facility
- Store	- Public / institutional building or use
- Truck stop	- Sea can
- Vehicle weigh scale	- Welding shop

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8; the following regulations shall apply to every development in this district.

(a) Parcel Size:

- (i) As required by the Development Authority.

(b) Setback Requirements:

- (i) Front Yard: As specified by Alberta Transportation and Economic Corridors but in no case less than 40.8 m (134 ft) from road right-of-way.
- (ii) Notwithstanding the above, on internal or service roads, the minimum shall be 7.6 m (25 ft) or greater as required by the Development Authority.



- 
- (iii) Side Yard: 6.1 m (20 ft) or as required by the Development Authority.
  - (iv) Rear Yard: 6.1 m (20 ft) or as required by the Development Authority.

(4) ADDITIONAL REQUIREMENTS:

Access and egress shall normally be provided by way of the service road, or to the satisfaction of Alberta Transportation and Economic Corridors.



## 9.8 Rural Industrial District (RI)

(1) PURPOSE:

The purpose of this district is to regulate industrial uses in a rural area.

(2) USES:

No person shall use any lot or erect, alter or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Accessory building or structure	- Abattoir
- Agricultural industry	- Car or truck wash
- Building or site storage facility	- Electrical Facilities
- Bulk fuel sales or storage	- Heavy industrial manufacturing
- Business, contractor / handcraft / tradesman	- Natural resource extraction or processing industry
- Cold storage facility	- Public / institutional building or use
- Dwelling, caretaker's / shouse	- Public utility
- Equipment rental shop	- Salvage and/or auto wrecking yard
- Light industrial manufacturing	- Sawmill or planing mill
- Lumber yard	- Sewage treatment facility
- Machine shop	- Transloading facility
- Office	- Work camp
- Petro-cardlock facility	
- Sea can	
- Singular sign	
- Trucking operation or freight terminal	
- Warehouse	
- Welding shop	

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8; the following regulations shall apply to every development in this district.

(a) Parcel Size:

Maximum parcel size: As per the discretion of the Development Authority.

(b) Setback Requirements (minimum):

- (i) Front Yard: 7.6 m (25 ft) or as required by the Development Authority.



- (ii) Interior Side Yard: 10% of site width, or 6.1 m (20 ft), whichever is lesser.
- (iii) Exterior Side Yard: As required by the Development Authority.
- (iv) Rear Yard: 7.6 m (25 ft) or as required by the Development Authority.

(4) ADDITIONAL REQUIREMENTS:

- (a) When issuing a development permit for proposed rural industrial uses, the following factors shall be taken into consideration:
  - (i) There is adequate legal and physical access to appropriate transportation facilities.
  - (ii) There will be no significant negative impacts on the road system and traffic generation.
  - (iii) The site is suitable for on-site sewage disposal and water supply.
  - (iv) Development may not be permitted on better agricultural lands.
  - (v) Avoidance of on-site hazards and other environmental issues.
- (b) In case of multi-parcel industrial proposals, the Development Authority may require an approved Area Structure Plan or an Outline Plan.



## 9.9 Rural Recreational District (R-REC)

(1) PURPOSE:

The purpose of this district is to regulate development of intensive and extensive recreational facilities and uses.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Accessory building or structure	- Cabin
	- Dwelling, caretaker's
	- Public utility
	- Recreational building or use
	- Recreational facility and use, intensive and extensive
	- Recreational vehicle park

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

- (a) Parcel Size (minimum): As required by the Development Authority.
- (b) Setback Requirements (minimum):
  - (i) Front Yard: 40.8 m (134 ft) from road right-of-way.
  - (ii) Interior Side Yard: 10% of the width of site or 1.5 m (5 ft).
  - (iii) Exterior Side Yard: 3.0 m (10 ft) or as required by the Development Authority.
  - (iv) Rear Yard: 7.6 m (25 ft) or as required by the Development Authority.

(4) ADDITIONAL REQUIREMENTS:

The location of all points of access and egress are to be to the satisfaction of the Development Authority.



## 9.10 Hamlet General District (HG)

(1) PURPOSE:

The purpose of this district is to regulate a variety of uses within hamlets where land use patterns are not readily discernible.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Singular sign	- Accessory building or structure
	- Auto body & service station
	- Automobile sales
	- Building or site storage facility
	- Bulk fuel sales or storage
	- Bus depot
	- Business, contractor / handicraft / tradesman
	- Cold storage facility
	- Dwelling, caretaker's
	- Grain elevator
	- Hotel
	- Laundry facility
	- Light industrial manufacturing
	- Motel
	- Office
	- Public / institutional building or use
	- Public utility
	- Repair shop
	- Restaurant
	- Sea can
	- Store
	- Warehouse





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(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

- (a) Parcel Size (minimum): As required by the Development Authority.
- (b) Setback Requirements (minimum):
  - (i) Front Yard: As required by the Development Authority.
  - (ii) Side Yard: As required by the Development Authority.
  - (iii) Rear Yard: As required by the Development Authority.
- (c) Total Floor Area: As required by the Development Authority.



**9.11 Hamlet Estate Residential District (HER)**

(1) PURPOSE:

The purpose of this district is to regulate estate residential uses within established hamlets, with the intention of restricting development to dwellings, single-detached; and associated uses on large lots.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Accessory building or structure	- Dwelling, secondary suite
- Dwelling, manufactured home / modular home / single-detached	- Home occupation
- Singular sign	- Public / institutional building or use
	- Store

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district.

(a) Parcel Size (minimum): 1,600m<sup>2</sup> (17,222.8 ft<sup>2</sup>)  
0.16 ha (0.4 ac)

(b) Lot Width (minimum):

- (i) On a cul-de-sac 15 m (49.2 ft)
- (ii) On a curved road 20 m (65.6 ft)  
see Figure 9 (Lot Width on curved Lot Frontage) for the explanation note.
- (iii) On a straight road 40 m (131.2 ft)

(c) Lot Depth (minimum):

- (i) On a cul-de-sac 31.3 m (102.7 ft)
- (ii) On a curved road 31.3 m (102.7 ft)
- (iii) On a straight road 40 m (131.2 ft)



- 
- (d) Setback Requirements (minimum):
- (i) Front Yard: 9.14 m (30 ft)
  - (ii) Interior Side Yard: 10% of the width of site but no less than 4.57 m (15 ft).
  - (iii) Exterior Side Yard: (For corner lots) 7.62 m (25 ft) or as required by the Development Authority.
  - (iv) Rear Yard: 7.62 m (25 ft) or as required by the Development Authority.
- (4) DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS:
- (a) Buildings may be either of new construction or relocated.
  - (b) Where a dwelling, manufactured home is placed on a basement, solid footings, and a concrete or wood block foundation, wall or skirting shall be to the satisfaction of the Development Authority.
  - (c) The Development Authority may require proposed new dwellings to locate a front attached garage adjacent to the garage on the adjoining property, which is not to project farther than the front façade of the house.
- (5) ADDITIONAL REQUIREMENTS:
- (a) No accessory buildings, including detached garages, shall be permitted to be situated within the required front yard setback for the principal building of the appropriate district.
  - (b) The total site coverage on a parcel, including accessory buildings, shall not exceed 45% of the total site area.



**9.12 Hamlet Residential District (HR)**

(1) PURPOSE:

The purpose of this district is to regulate residential uses in established hamlets, with the intention of restricting development to appropriate dwellings and associated uses.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Accessory structure or building	- Dwelling, secondary suite / semi-detached
- Building or site storage facility	- Group care facility
- Dwelling, manufactured home / modular home / single-detached	- Home childcare or home childcare facility
- Manufactured home park	- Seniors' housing
- Manufactured home park office	
- Public utility	

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, no person shall use any lot or erect, alter, or use any building or structure, unless such lot is served by a public water system and a sanitary sewer system, except in accordance with the following provisions:

(a) Parcel Size (minimum):

(i) Permitted Uses:

1. Un-serviced lot:  
1,858 m<sup>2</sup> (20,000 ft<sup>2</sup>)  
Minimum width of 30.5 m (100 ft)
2. Fully Serviced Lot:  
465 m<sup>2</sup> (5,000 ft<sup>2</sup>)  
Minimum width of 15.2 m (50 ft)

(ii) Discretionary Uses:

As required by the Development Authority.

**Note:** Development on existing substandard lots may be considered by the Development Authority.



(b) Dwelling Lot Sizes (minimum):

Dwelling Type	Area of Site (min)	Lot Width (min.)	Lot Depth (min.)
Dwelling, apartment:	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )		
Dwelling, duplex:	613.1 m <sup>2</sup> (6,600 ft <sup>2</sup> )	18.2 m (60 ft)	33.5 m (110 ft)
Dwelling, row house (min. 3 units):	Site min. area 587.9 m <sup>2</sup> (6,328 ft <sup>2</sup> )  Interior unit min. 123.4 m <sup>2</sup> (1,328 ft <sup>2</sup> )  Exterior unit min. 232 m <sup>2</sup> (2,500 ft <sup>2</sup> )	Interior unit min. 5.2 m (17 ft)  Exterior unit min. 9.8 m (32 ft)	23.8 m (78 ft)
Dwelling, semi-detached:	378.1 m <sup>2</sup> (4,070 ft <sup>2</sup> )	11.2 m (37 ft)	33.5 m (110 ft)
Dwelling, triplex:	743.2 m <sup>2</sup> (8,000 ft <sup>2</sup> )	24.4 m (80 ft)	33.5 m (110 ft)
Other Uses:	At the discretion of the Development Authority.		

(c) Setback Requirements (minimum):

- (i) Front Yard: 7.6 m (25 ft)
- (ii) Interior Side Yard: 10% of the width of site but no less than 1.5 m (5 ft).
- (iii) Exterior Side Yard: (For corner lots) 3.0 m (10 ft) or as required by the Development Authority.
- (iv) Rear Yard: 7.6 m (25 ft) or as required by the Development Authority.

(4) DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS:

- (a) Buildings may be either of new construction or relocated.
- (b) Where a dwelling, manufactured home is placed on a basement, solid footings, and a concrete or wood block foundation, wall or skirting shall be to the satisfaction of the Development Authority.



- (c) The Development Authority may require proposed new dwellings to locate a front attached garage adjacent to the garage on the adjoining property, which is not to project farther than the front façade of the house.
  
- (5) ADDITIONAL REQUIREMENTS:
  - (a) No accessory buildings, including detached garages, shall be permitted to be situated within the required front yard setback for the principal building of the appropriate district.
  - (b) The total site coverage on a parcel, including accessory buildings, shall not exceed 45% of the total site area.
  - (c) The distance between two dwelling, row house units facing each other shall be a minimum of 27.4 m (90 ft).
  - (d) The distance between two dwelling, row house units backing onto each other shall be a minimum of 33.5 m (110 ft).
  - (e) A minimum of 10 percent of a lot containing a dwelling, apartment or a dwelling, row house is to be devoted to landscaped open space. A maximum of 50 percent of this landscaped open space may include recreational and playground equipment.
  - (f) Notwithstanding the above regulations, any multi-family projects shall satisfy the Development Officer such as:
    - (i) Provision for garbage storage, with appropriate access;
    - (ii) Access for fire engines;
    - (iii) Adequate lighting between buildings;
    - (iv) Privacy for dwelling units in and adjacent to development;
    - (v) Orientation of buildings and general appearance of project;
    - (vi) Safe pedestrian access to and from the public sidewalk fronting the building; and
    - (vii) Adequate lighting of parking areas.
  - (g) Side Yard Width (minimum):
    - (i) Dwelling, apartment; dwelling, row house: 4.5 m (15 ft)
    - (ii) Dwelling, duplex; dwelling, semi-detached; dwelling, triplex:
      - Interior side yard: 1.5 m (5 ft)
      - Exterior side yard: 4.5 m (15 ft)
    - (iii) In a laneless subdivision at least one yard shall be a minimum of 3 m (10 ft).



- 
- (h) Building Height (maximum):
    - (i) 2 storey or 9.1 m (30 ft) for dwelling, row house; dwelling, duplex and dwelling, semi-detached.
    - (ii) 3 storey or 10.7 m (35 ft) for dwelling, triplex.
  
  - (i) Density (maximum): 89 units per net ha (36 units per net ac).
  
  - (j) Accessory Buildings and Uses:
    - (i) No accessory building or structure shall be located in any yard other than an interior side yard or rear yard;
    - (ii) No accessory building or structure shall be located closer than 1 m (3 ft) from any side lot line or rear lot line, except in a laneless subdivision whereby no rear yard setback is required; and
    - (iii) In the case of a garage, where direct access from the vehicle entrance of a garage to a street or lane exists, then a 4.8 m (16 ft) setback from this entrance and the side street or lane shall be required.



### 9.13 Hamlet Commercial District (HC)

(1) PURPOSE:

The purpose of this district is to regulate commercial development within hamlets.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Singular sign	- Accessory building or structure
	- Auto body & service station
	- Automobile sales
	- Bulk fuel sales or storage
	- Bus depot
	- Business, contractor /handicraft/ tradesman
	- Car or truck wash
	- Cold storage facility
	- Dwelling, caretaker's
	- Greenhouse
	- Hotel
	- Kennel
	- Laundry facility
	- Market garden
	- Motel
	- Office
	- Public / institutional building or use
	- Public utility
	- Restaurant
	- Sea can
	- Store

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

- (a) Parcel Size (minimum): As required by the Development Authority.





- 
- (b) Setback Requirements (minimum):
- (i) Front Yard: 7.6 m (25 ft), or as required by the Development Authority.
  - (ii) Side Yard:
    - 1. Interior side yard: 1.5 m (5 ft). None required if fire wall provided.
    - 2. Exterior side yard: (For corner lots) 3 m (10 ft)
    - 3. Side adjacent to residential site: 3 m (10 ft)
  - (iii) Rear yard: 3.0 m (10 ft) or as required by the Development Authority.
  - (iv) Adjacent properties: None required where a fire wall is provided, but when a side yard is provided, it shall be a minimum of 1.5 m (5 ft).
  - (v) Site adjacent to highway: As required by the Development Authority and Alberta Transportation and Economic Corridors.



**9.14 Hamlet Industrial District (HI)**

(1) PURPOSE:

The purpose of this district is to regulate industrial developments within established hamlets.

(2) USES:

No person shall use any lot or erect, alter or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Singular sign	- Accessory building or structure
	- Agricultural industry
	- Auto body & service station
	- Building or site storage facility
	- Bulk fuel sales or storage
	- Bus depot
	- Business, contractor / handicraft / tradesman
	- Car or truck wash
	- Cold storage facility
	- Equipment rental shop
	- Heavy industrial manufacturing
	- Light industrial manufacturing
	- Lumber yard
	- Machine shop
	- Petro-cardlock facility
	- Public / institutional building or use
	- Public utility
	- Salvage and/or auto wrecking yard
	- Sawmill or planing mill
	- Sea can
	- Transloading facility
	- Trucking operation or freight terminal
	- Truck parking lot
	- Warehouse
	- Welding shop



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(3) SITE PROVISIONS:

In addition to General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

- (a) Parcel Size (minimum): As required by the Development Authority.
- (b) Setback Requirements (minimum):
  - (i) Front Yard: 9.1 m (30 ft) or as required by the Development Authority.
  - (ii) Side Yard: 9.1 m (30 ft) or as required by the Development Authority.
  - (iii) Rear Yard: As required by the Development Authority.
- (c) Total Floor Area: As required by the Development Authority.



### 9.15 Hamlet Public District (HP)

(1) PURPOSE:

The purpose of this district is to regulate the development of lands within established hamlets for uses of either a public or private nature providing services to the community.

(2) USES:

No person shall use any lot or erect, alter, or use any building or structure for any purpose, except one or more of the following:

(a) Permitted Uses:	(b) Discretionary Uses:
- Singular sign	- Accessory building or structure
	- Business, contractor / handicraft / tradesman
	- Cemetery
	- Dwelling, teacherage
	- Home occupation
	- Public / institutional building or use
	- Public utility
	- Walking trail

(3) SITE PROVISIONS:

In addition to the General Land Use Provisions and Special Land Use Provisions contained in Sections 7 and 8, the following regulations shall apply to every development in this district:

(a) Parcel Size (minimum): As required by the Development Authority.

(b) Setback Requirements (minimum):

(i) Front Yard: 7.6 m (25 ft), or as required by the Development Authority.

(ii) Side Yard: 10% of the width of site, or as required by the Development Authority.

(iii) Rear Yard: 7.6 m (25 ft), or as required by the Development Authority.

(c) Total Floor Area: As required by the Development Authority.



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## Schedules

Schedule A: Land Use Bylaw Districts – South Part of Clear Hills County

Schedule B: Hamlet of Cleardale

Schedule C: Hamlet of Worsley

Schedule D: Municipal Historic Resource (All Saints Anglican Church)

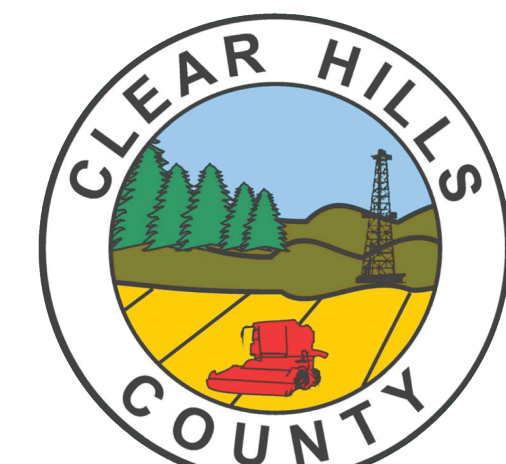
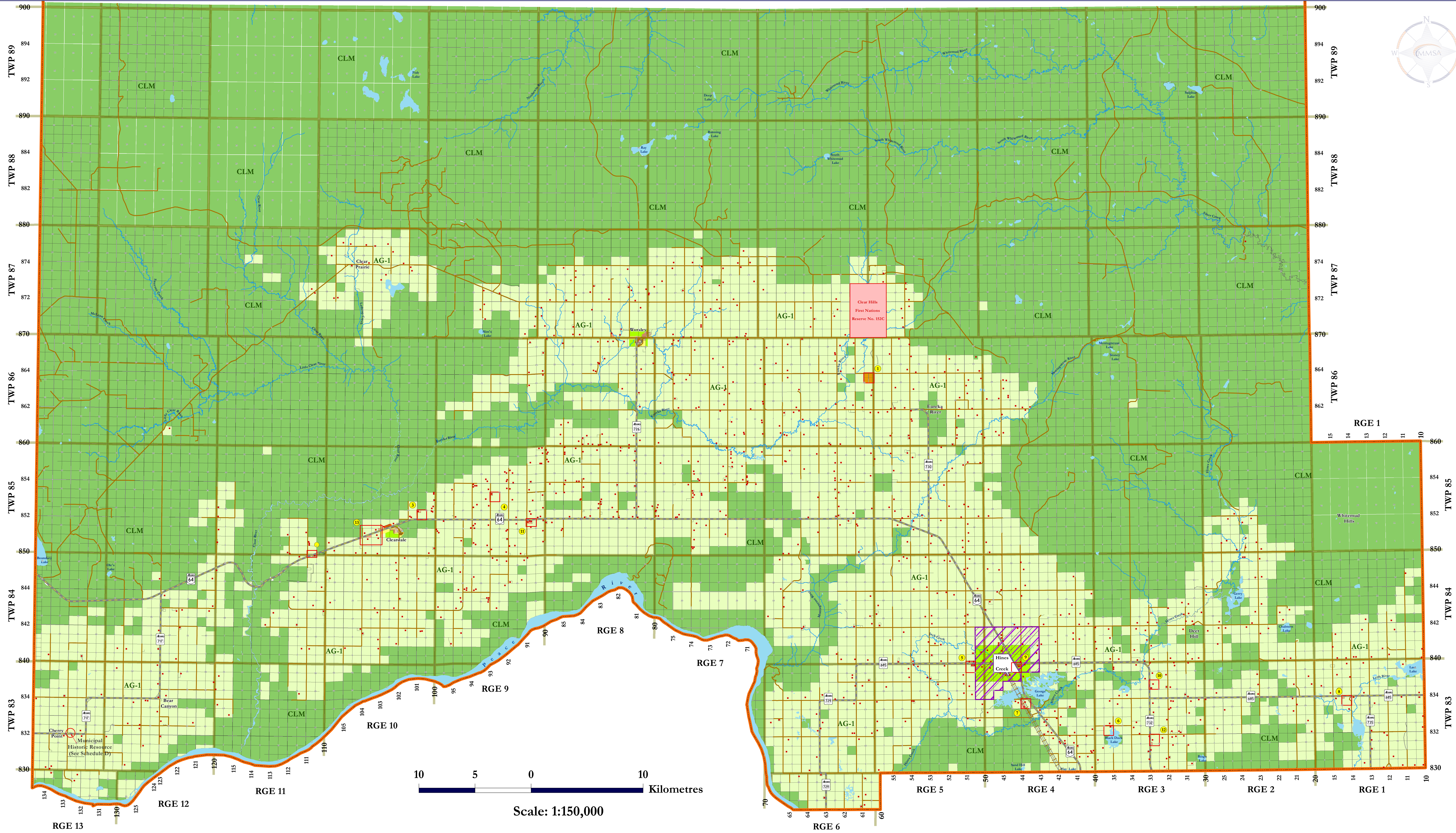
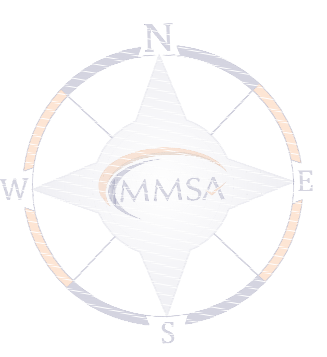
Schedule E: Zoning District Detail Maps

Schedule F: Land Use Bylaw Amendments



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## Schedule A: Land Use Bylaw Districts – South part of Clear Hills County



# Clear Hills County Land Use Bylaw No. 278-23

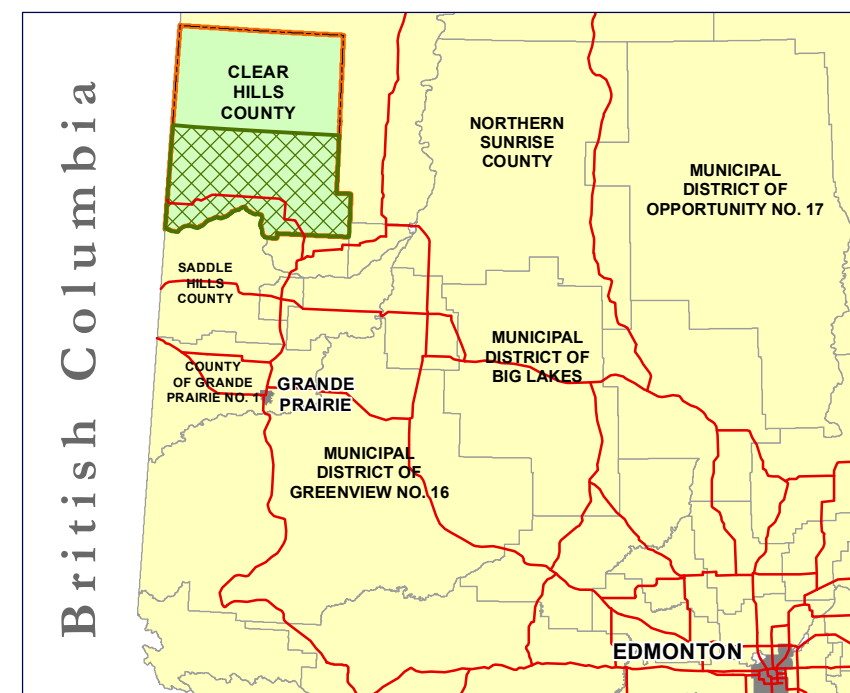
## Schedule A: Land Use Bylaw Districts (South Part of Clear Hills County)

Adopted by Council this 12th day of December, 2023.

Original Signed By: *Amber Bean*  
Reeve: AMBER BEAN

Original Signed By: *Allan Rowe*  
Chief Administrative Officer: ALLAN ROWE

Amendments			
Bylaw No.	Date	Bylaw No.	Date



### Legend

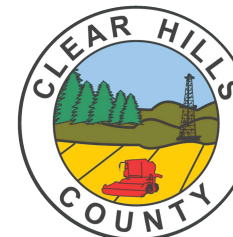
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  - Agricultural District - 2 (AG-2)
  - Confined Feeding Operations District (CFO)
  - Country Residential District - 1 (CR-1)
  - Country Residential District - 2 (CR-2)
  - Crown Land Management District (CLM)
  - Hamlet Commercial District (HC)
  - Hamlet Estate Residential District (HER)
  - Hamlet General District (HG)
  - Hamlet Industrial District (HM)
  - Hamlet Public District (HP)
  - Hamlet Residential District - 1 (HR-1)
  - Highway Development District (HD)
  - Rural Industrial District (RI)
  - Rural Recreational District (R-REC)
- Detail Maps (See attached Schedule F)
- Inter-Municipal Development Plan Area
- Property Line
- Rural Residence



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## Schedule B: Hamlet of Cleardale





**Clear Hills County**  
**Land Use Bylaw No. 278-23**  
**Schedule B: Hamlet of Cleardale**

Adopted by Council this 12th day of December, 2023.

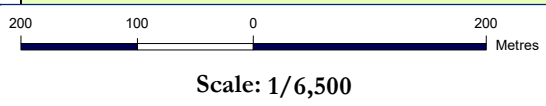
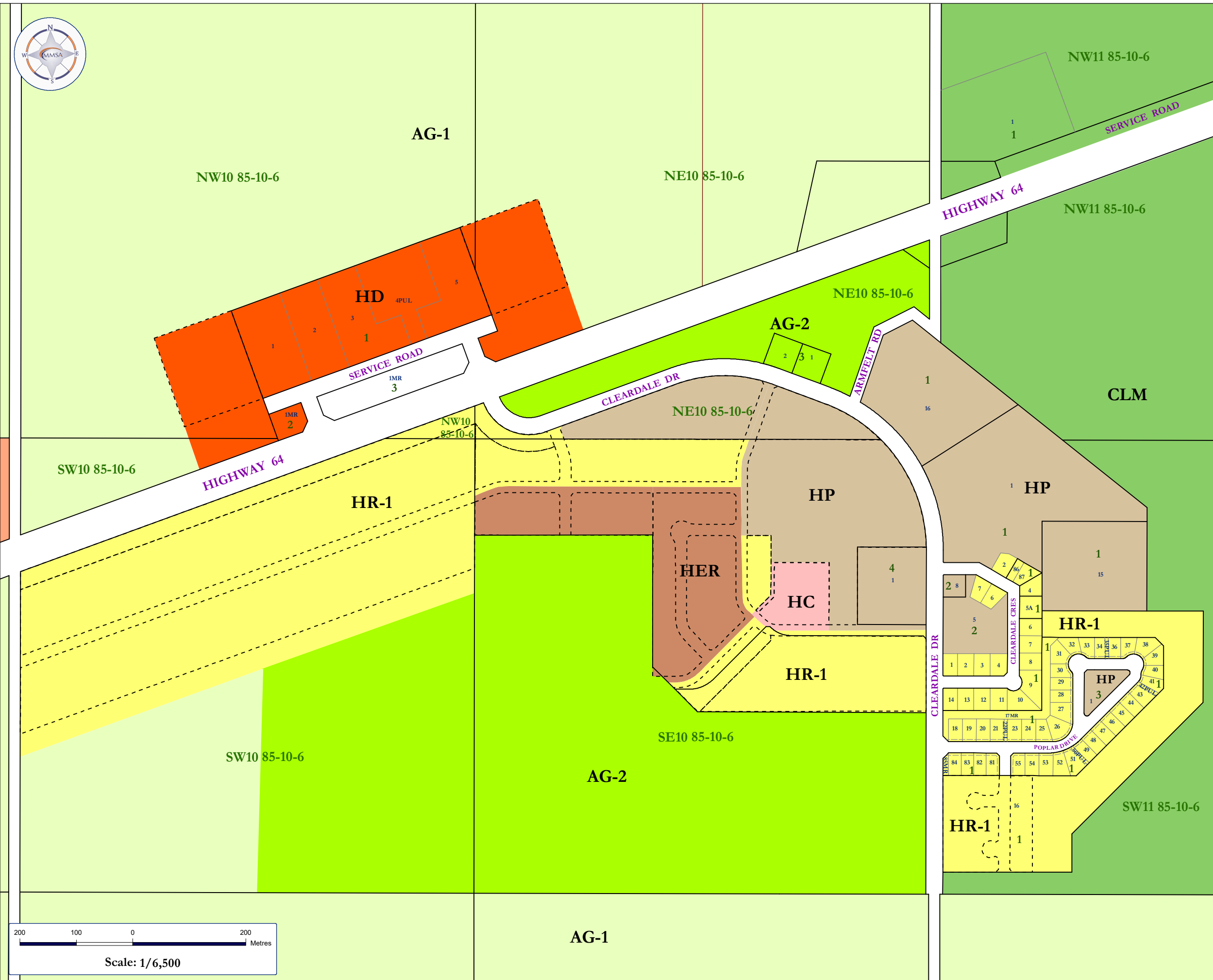
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 Reeve: AMBER BEAN

Original Signed By: *Allan Rowe*  
 Chief Administrative Officer: ALLAN ROWE

**Amendments**

Bylaw No.	Date

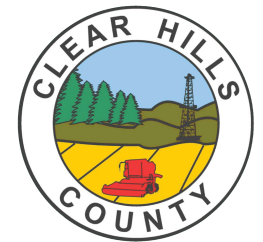
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- Agricultural District - 2 (AG-2)
- Country Residential District - 1 (CR-1)
- Crown Land Management District (CLM)
- Hamlet Commercial District (HC)
- Hamlet Estate Residential District (HER)
- Hamlet Public District (HP)
- Hamlet Residential District - 1 (HR-1)
- Highway Development District (HD)
- Cleardale ASP Lot/Block Lines





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## Schedule C: Hamlet of Worsley



**Clear Hills County  
Land Use Bylaw No. 278-23  
Schedule C: Hamlet of Worsley**

Adopted by Council this 12th day of December, 2023.

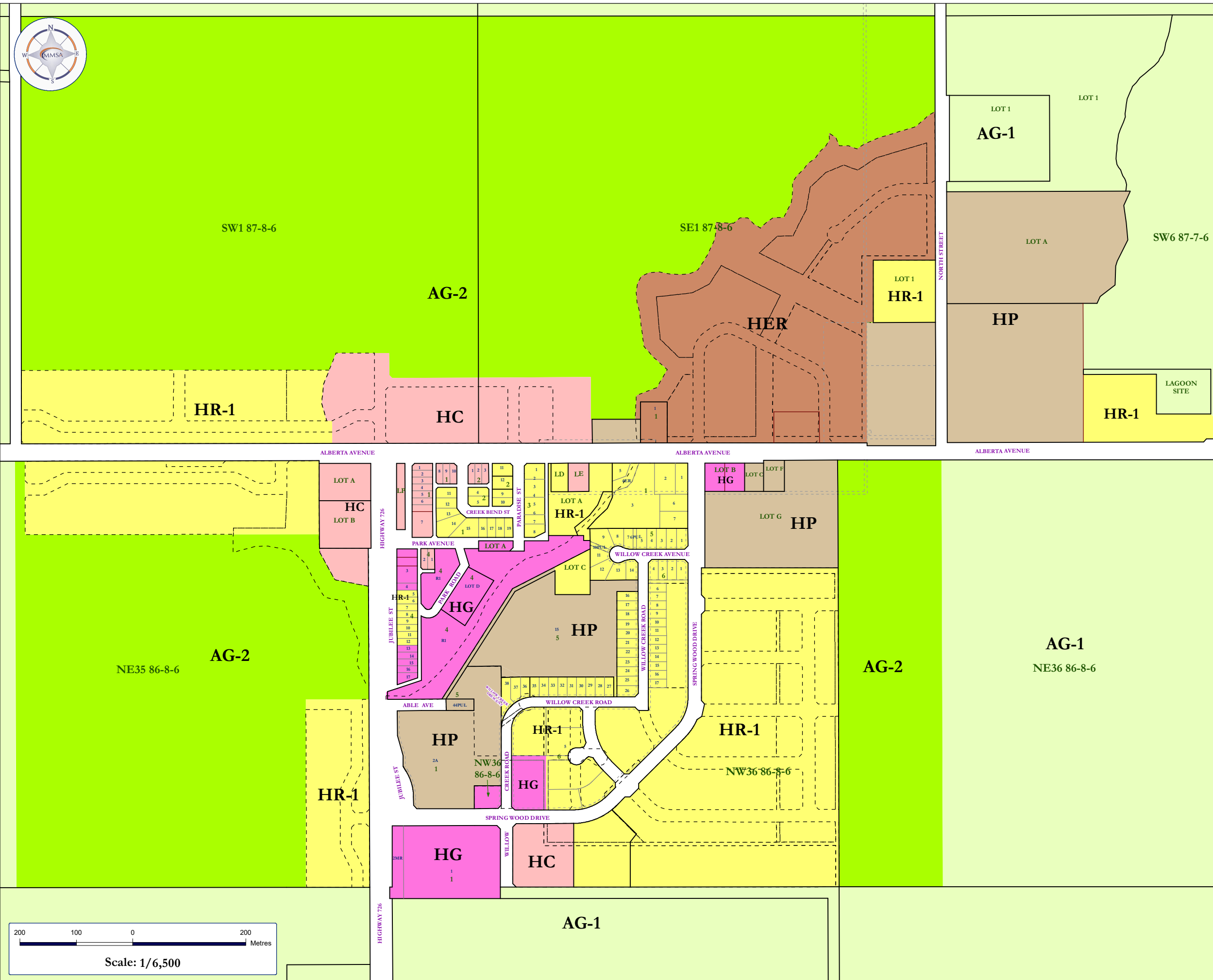
Original Signed By: *Amber Bean*  
Reeve: AMBER BEAN

Original Signed By: *Allan Rowe*  
Chief Administrative Officer: ALLAN ROWE

**Amendments**

Bylaw No.	Date

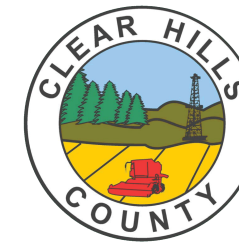
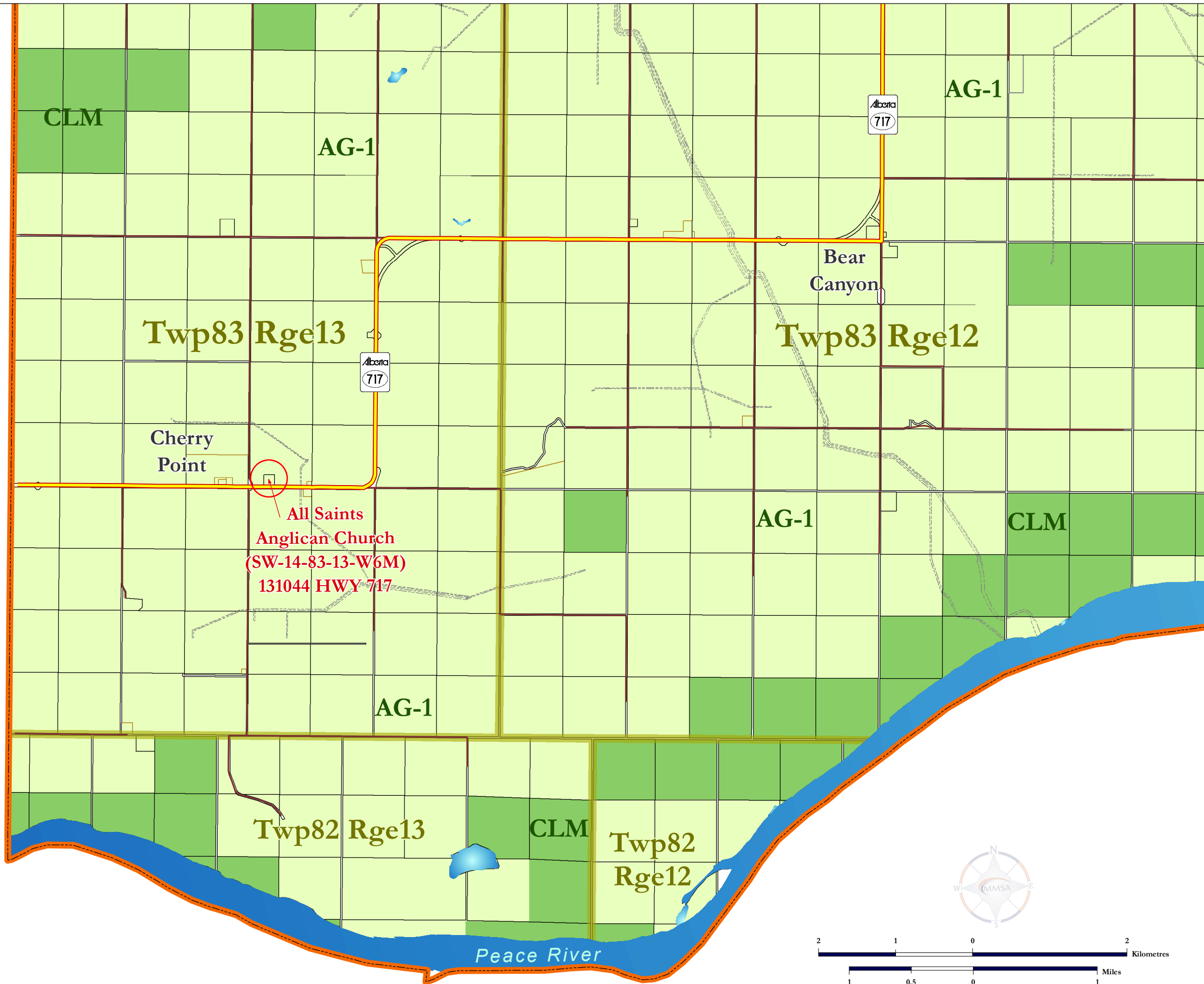
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- Hamlet Commercial District (HC)
- Hamlet Estate Residential District (HER)
- Hamlet General District (HG)
- Hamlet Public District (HP)
- Hamlet Residential District - 1 (HR-1)
- Worsley ASP Lot/Block Lines





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## Schedule D: Municipal Historic Resource (All Saints Anglican Church)



**Clear Hills County  
Land Use Bylaw No. 278-23**

**Schedule D:  
Municipal Historic Resource  
All Saints Anglican Church)**

Adopted by Council this 12th day of December, 2023.

Original Signed By: *Amber Beane*  
Reeve: AMBER BEAN

Original Signed By: *Allan Rowe*  
Chief Administrative Officer: ALLAN ROWE

**Amendments**

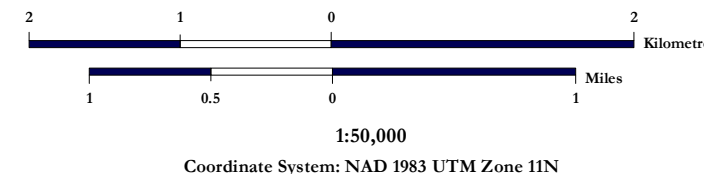
Bylaw No.	Date

**Land Use District**

- Agricultural District - 1 (AG-1)
- Crown Land Management District (CLM)



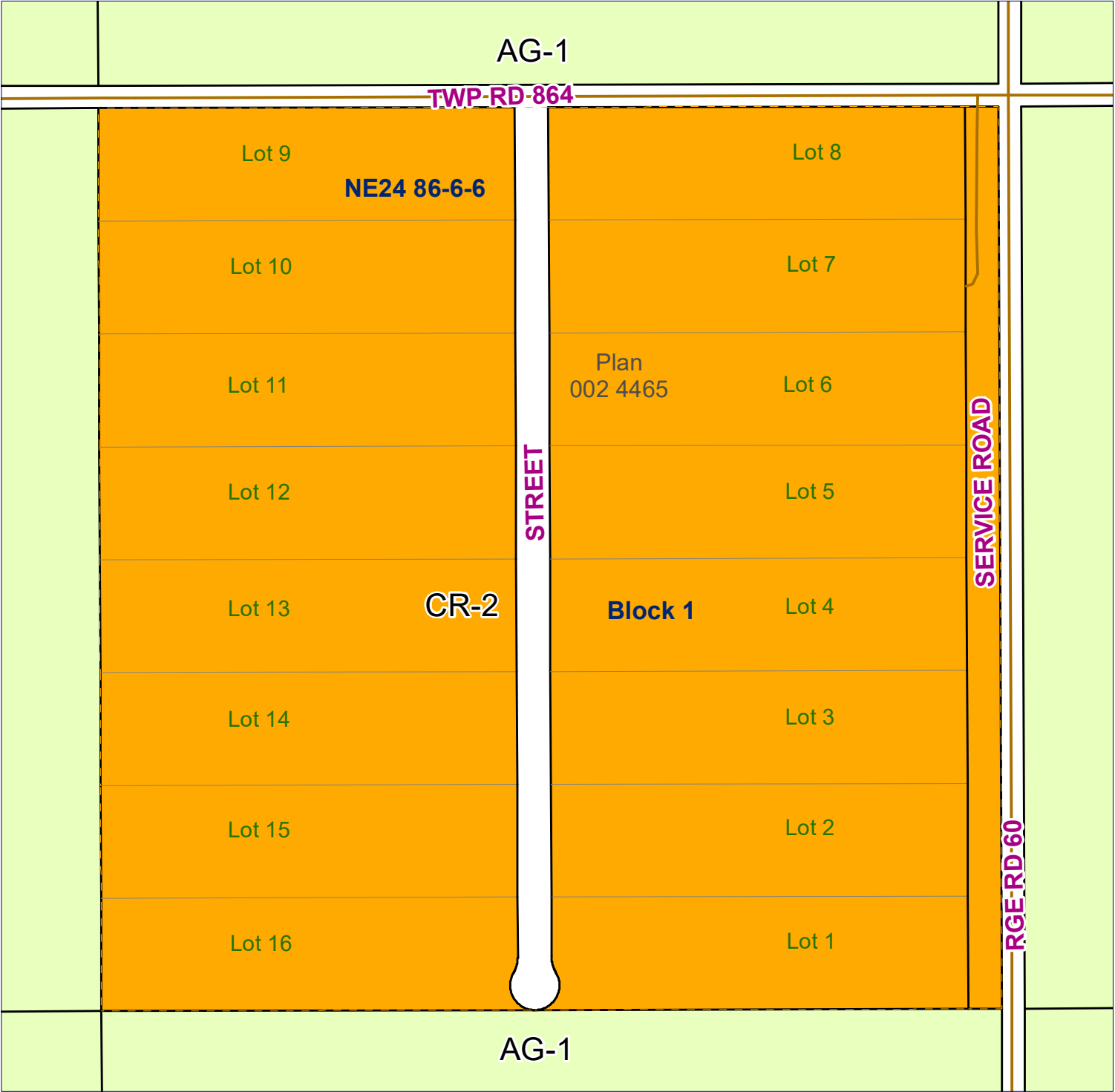
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Cadastral Data Updated: March 2024  
Map Updated: March 2024





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## Schedule E: Zoning District Detail Maps



**Schedule E  
Zoning District Detail Map**

**Map 1**

Land Use Bylaw No. 278-23

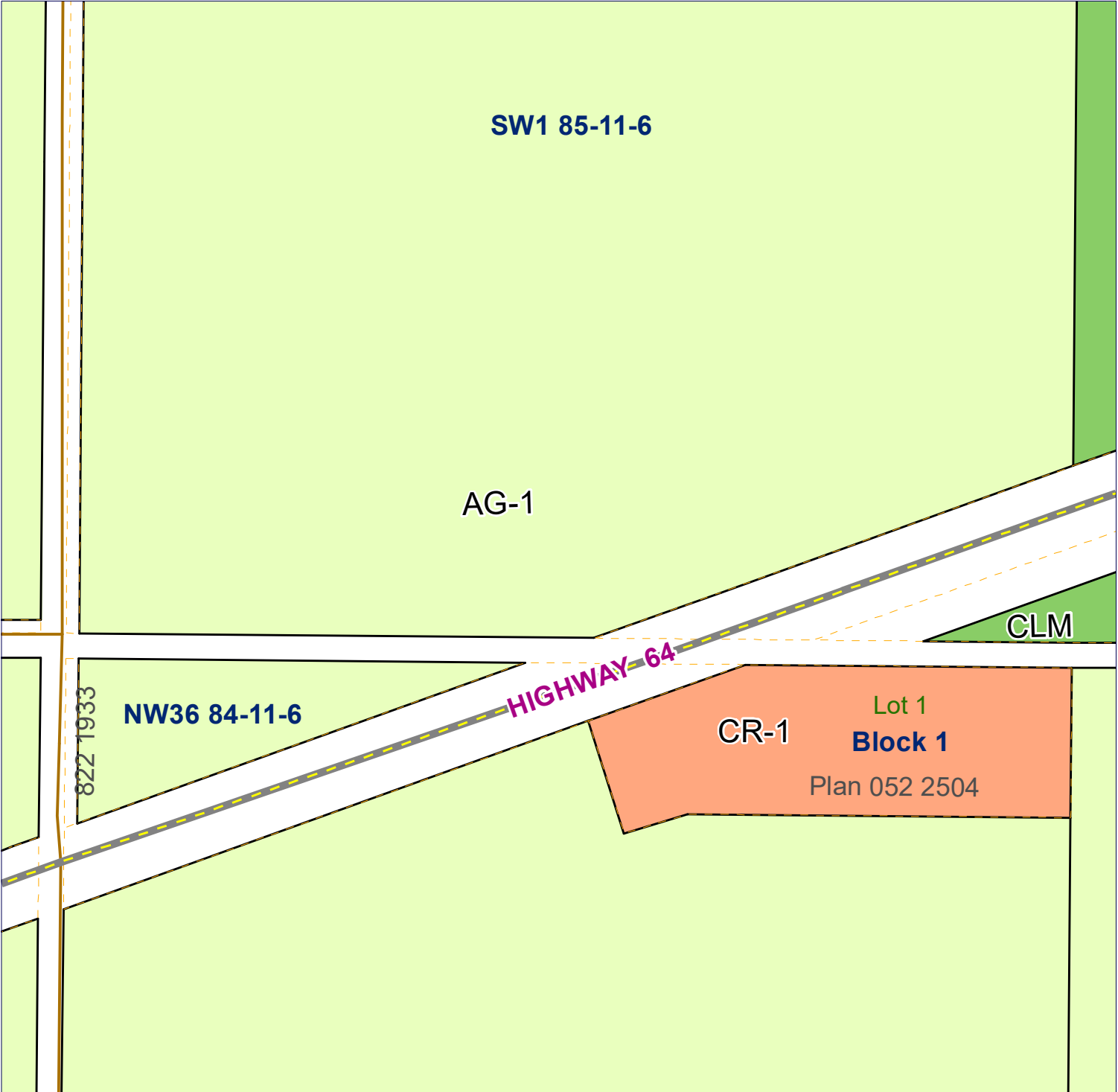
**Land Use District**

- Agricultural District - 1 (AG-1)
- Country Residential District - 2 (CR-2)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:5,000



**Schedule E**  
**Zoning District Detail Map**  
**Map 2**

Land Use Bylaw No. 278-23

**Land Use District**

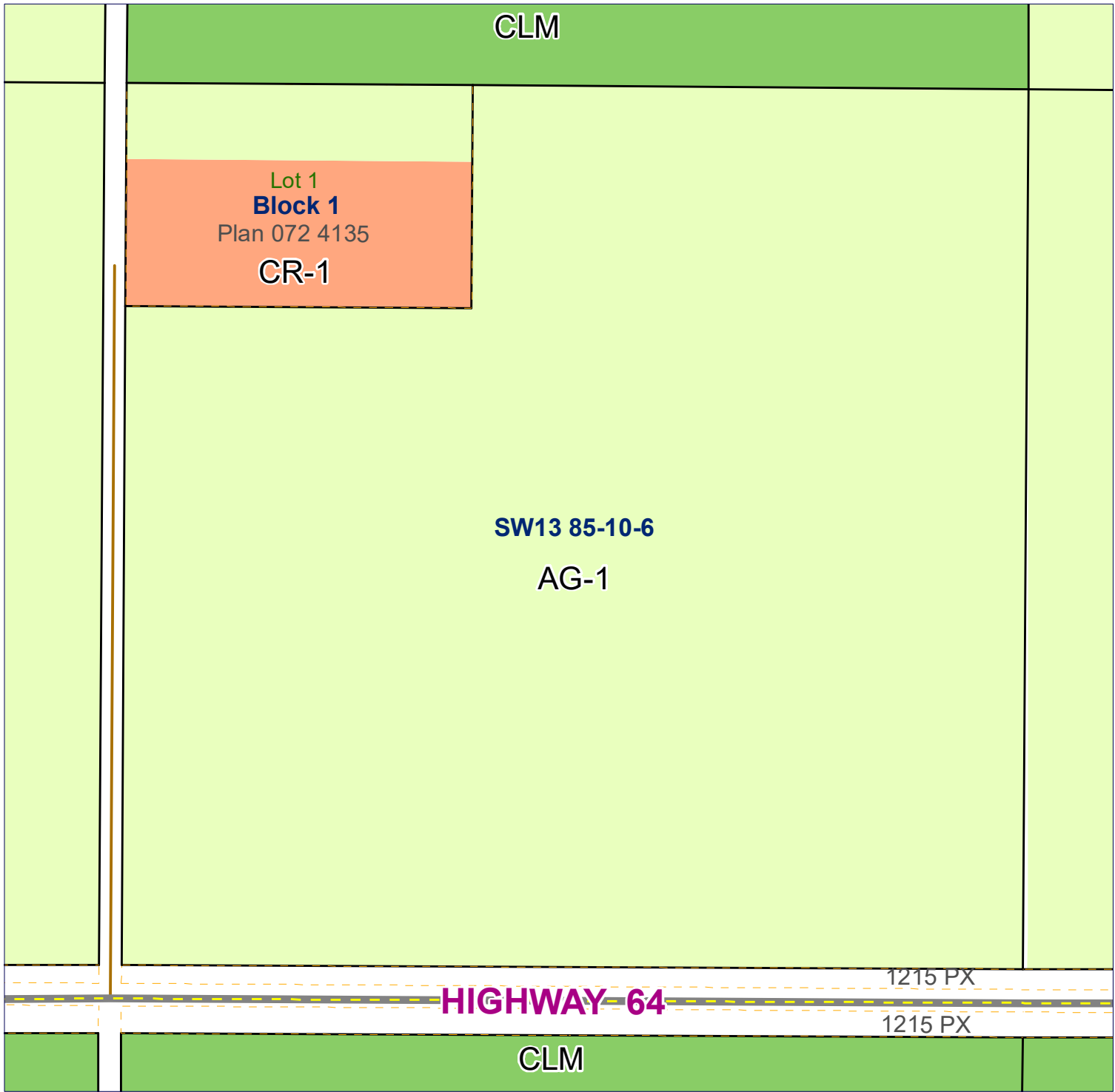
- Agricultural District - 1 (AG-1)
- Country Residential District - 1 (CR-1)
- Crown Land Management District (CLM)



Adopted on: December 12th, 2023  
 Last Updated: March 2024

Scale: 1:4,500








**Schedule E**  
**Zoning District Detail Map**  
**Map 3**

Land Use Bylaw No. 278-23

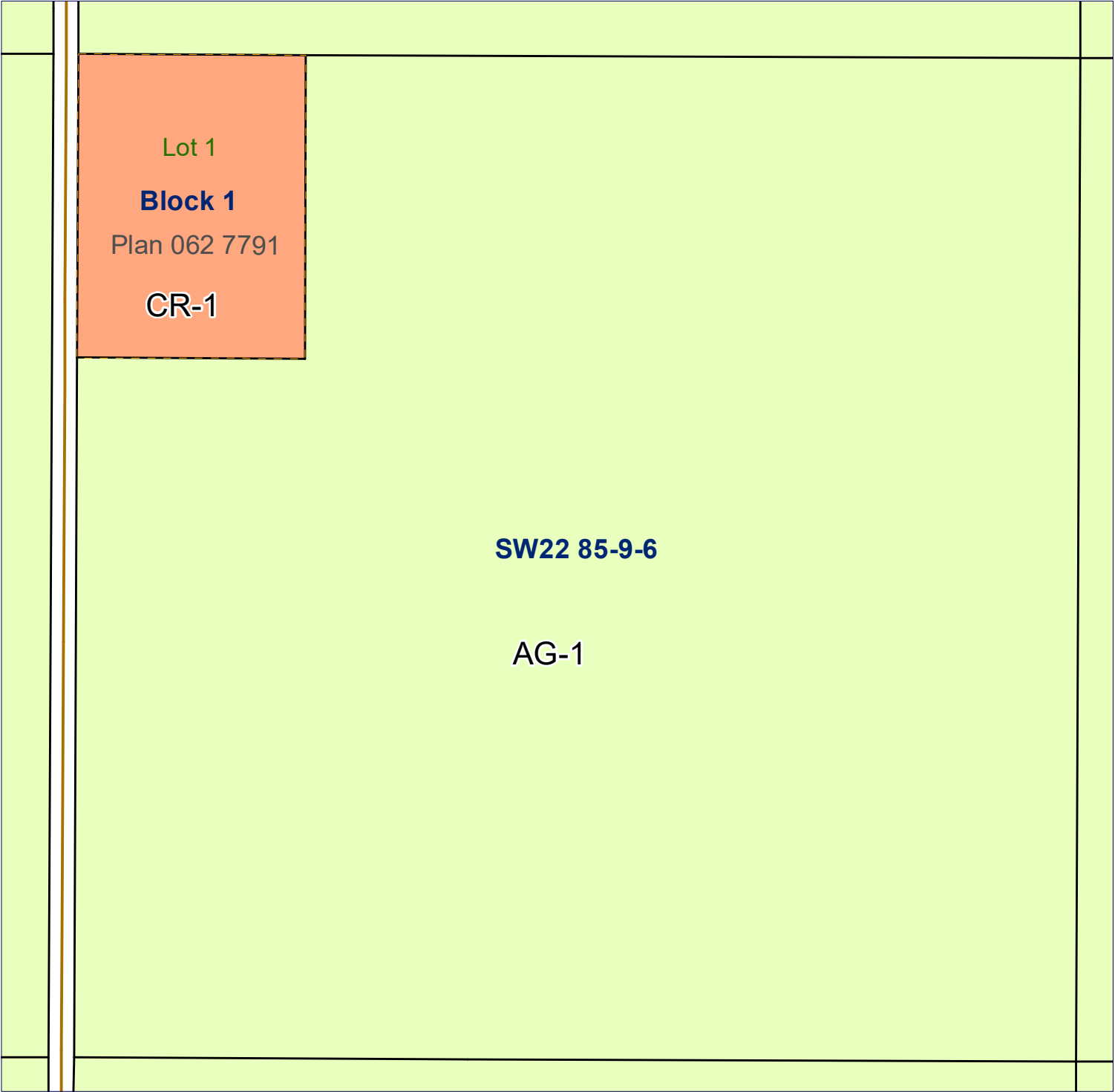
**Land Use District**

-  Agricultural District - 1 (AG-1)
-  Country Residential District - 1 (CR-1)
-  Crown Land Management District (CLM)



Adopted on: December 12th, 2023  
 Last Updated: March 2024

Scale: 1:5,000





**Schedule E  
Zoning District Detail Map**

**Map 4**

Land Use Bylaw No. 278-23

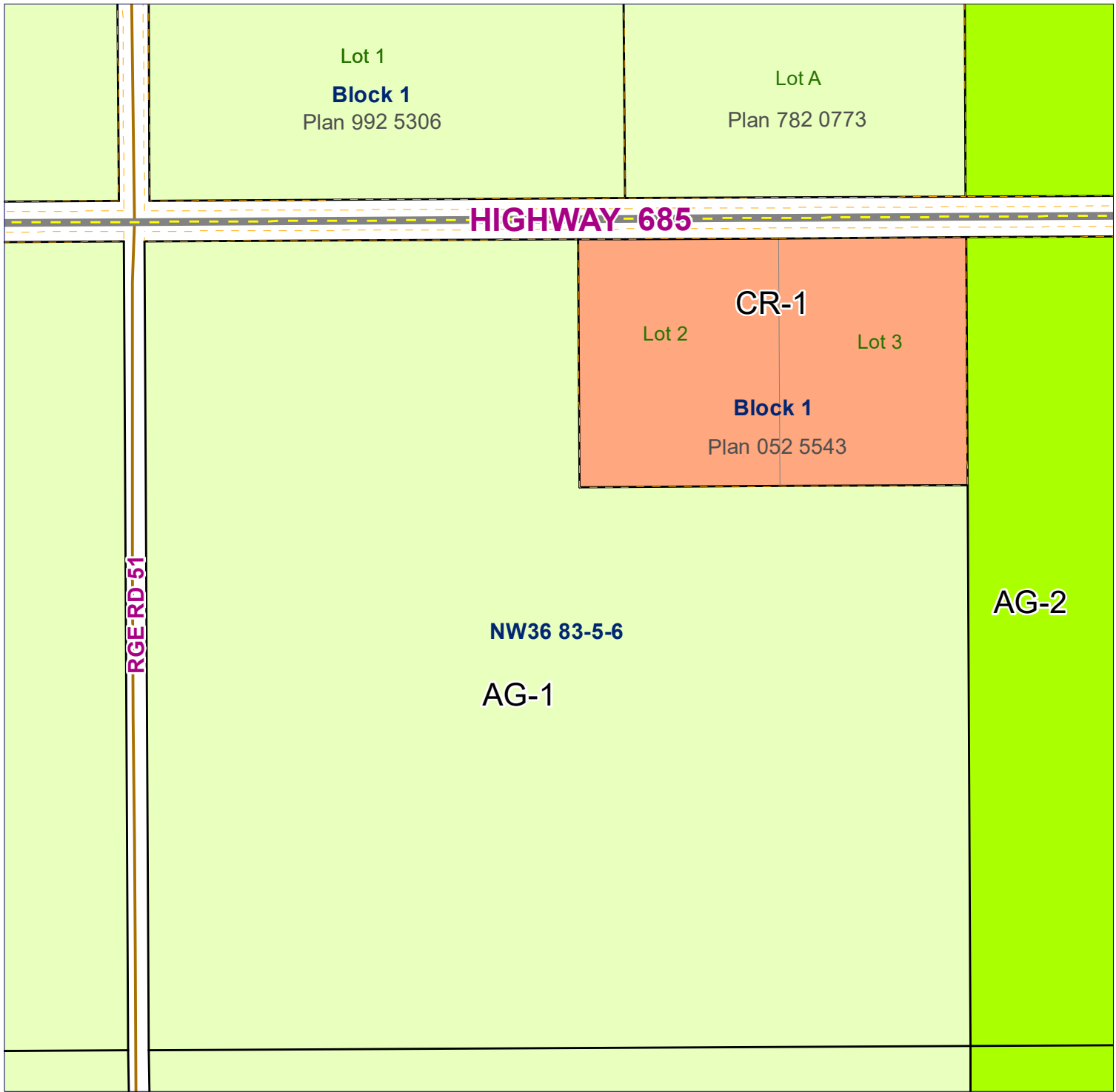
**Land Use District**

-  Agricultural District - 1 (AG-1)
-  Country Residential District - 1 (CR-1)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:4,500



**Schedule E  
Zoning District Detail Map**

**Map 5**

Land Use Bylaw No. 278-23

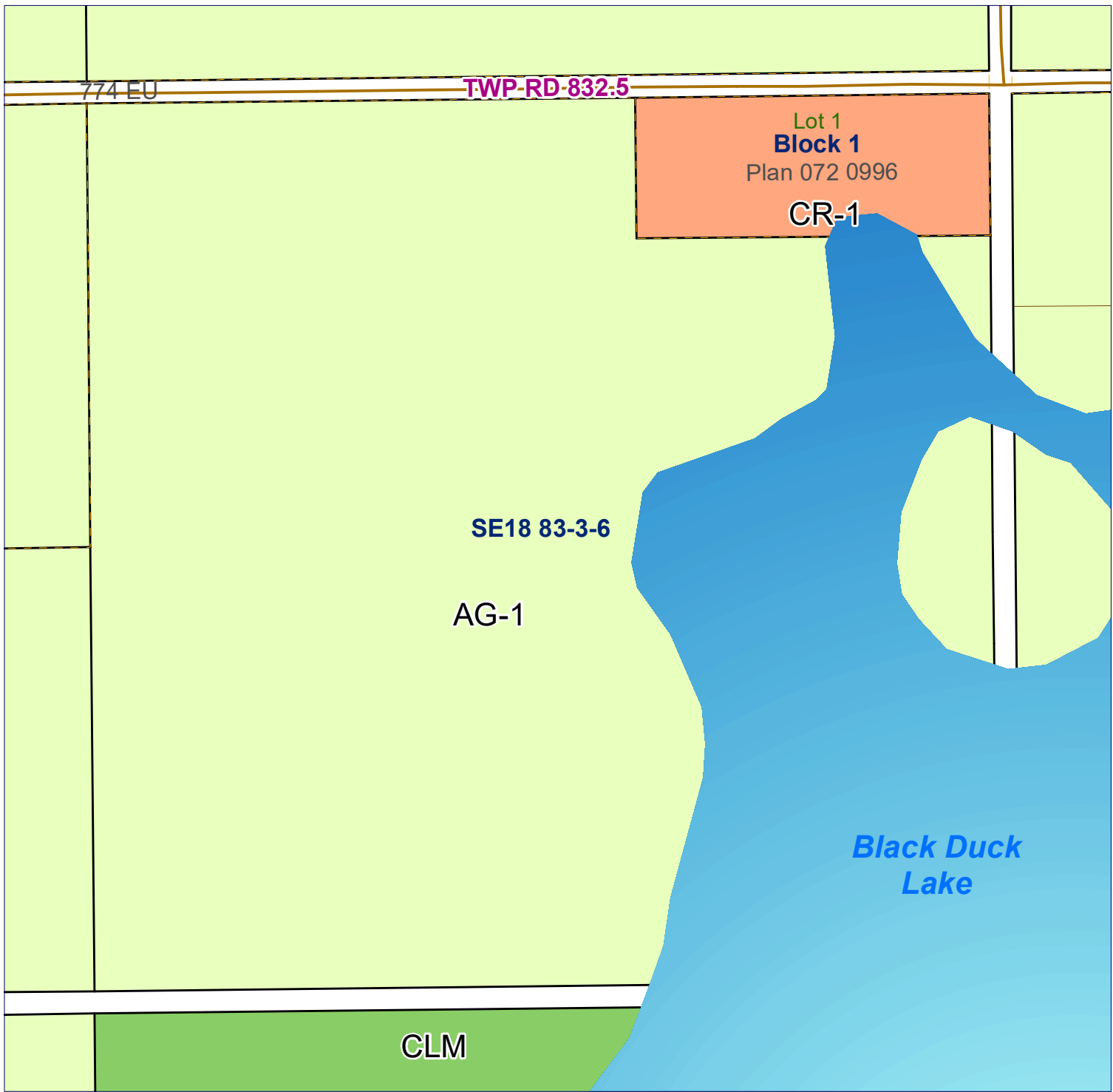
**Land Use District**

- Agricultural District - 1 (AG-1)
- Agricultural District - 2 (AG-2)
- Country Residential District - 1 (CR-1)



Adopted on: December 12th, 2023  
Last Updated: March 2024




Scale: 1:5,500



**Schedule E**  
**Zoning District Detail Map**  
**Map 6**

Land Use Bylaw No. 278-23

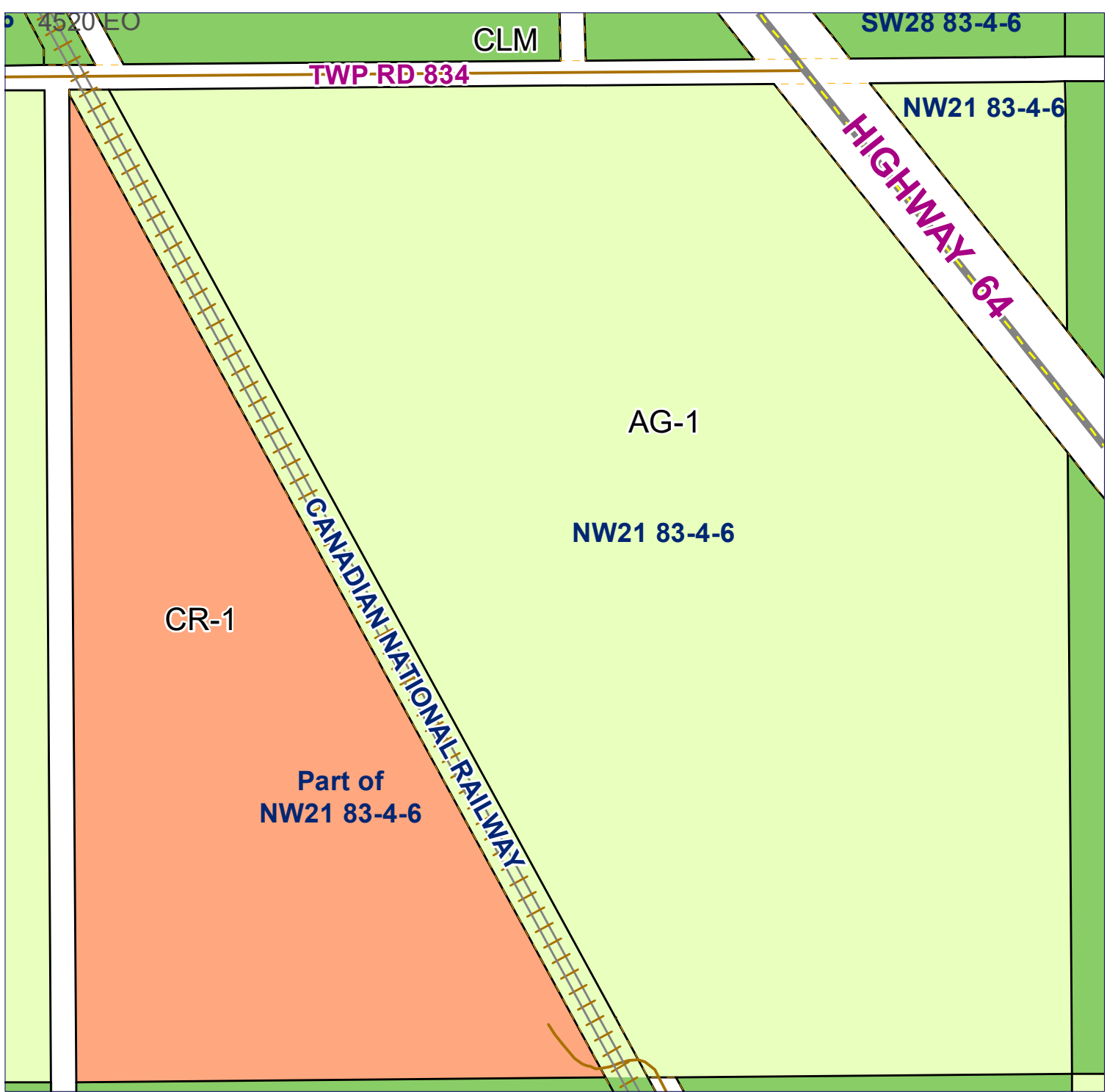
**Land Use District**

-  Agricultural District - 1 (AG-1)
-  Country Residential District - 1 (CR-1)
-  Crown Land Management District (CLM)



Adopted on: December 12th, 2023  
 Last Updated: March 2024




Scale: 1:5,000



**Schedule E**  
**Zoning District Detail Map**  
**Map 7**

Land Use Bylaw No. 278-23

**Land Use District**

-  Agricultural District - 1 (AG-1)
-  Country Residential District - 1 (CR-1)
-  Crown Land Management District (CLM)



Adopted on: December 12th, 2023  
 Last Updated: March 2024

Scale: 1:4,500

HIGHWAY 685

Lot 1

Block 1

Plan 072 1132

CR-1

NE20 83-1-6

AG-1

4985 JY

RGE RD-14





Schedule E  
Zoning District Detail Map

Map 8

Land Use Bylaw No. 278-23

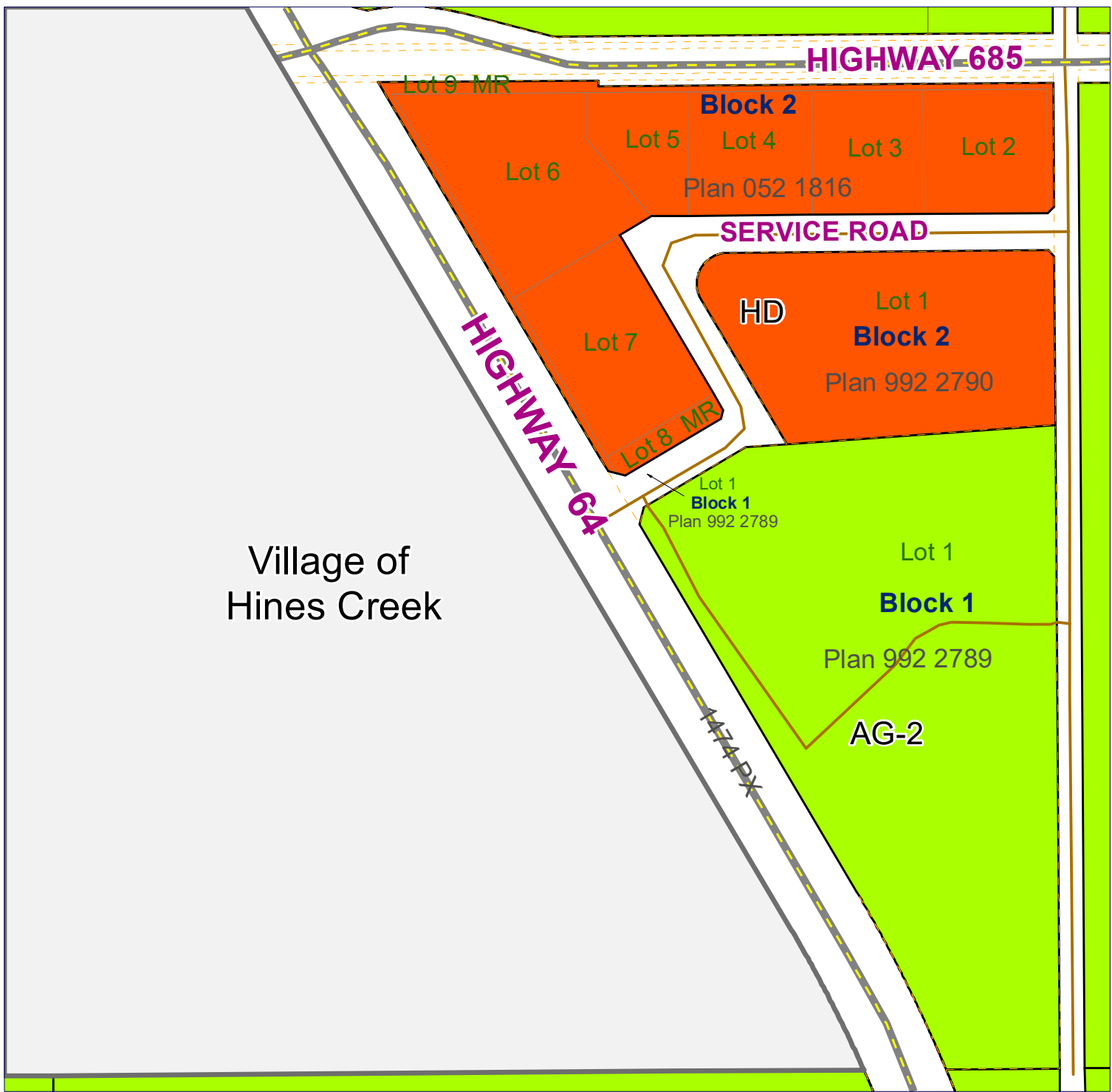
Land Use District

-  Agricultural District - 1 (AG-1)
-  Country Residential District - 1 (CR-1)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:4,500



Village of  
Hines Creek



**Schedule E  
Zoning District Detail Map**

**Map 9**

Land Use Bylaw No. 278-23

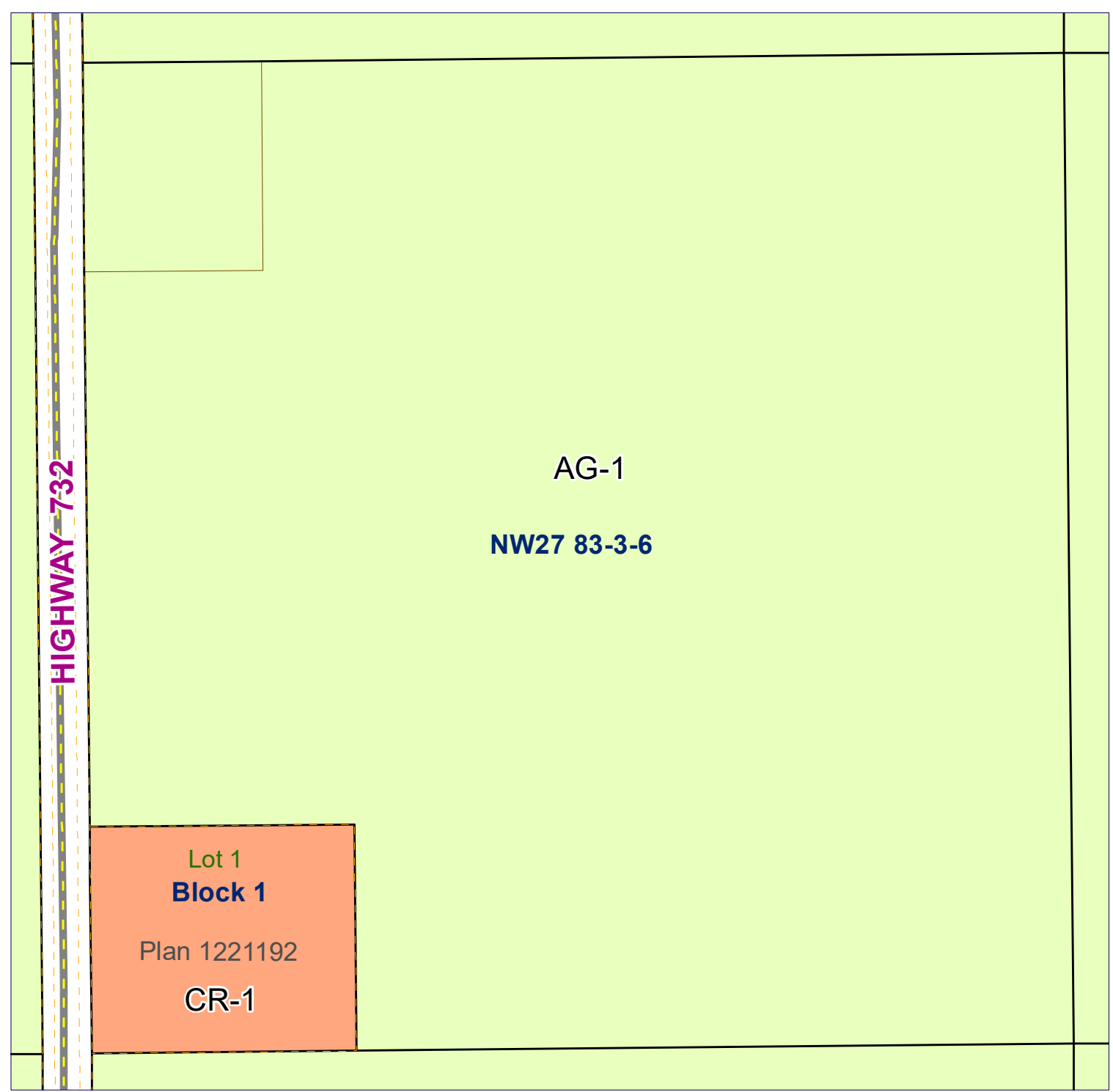
**Land Use District**

- Agricultural District - 2 (AG-2)
- Highway Development District (HD)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:4,500



**Schedule E  
Zoning District Detail Map**

**Map 10**

Land Use Bylaw No. 278-23

**Land Use District**

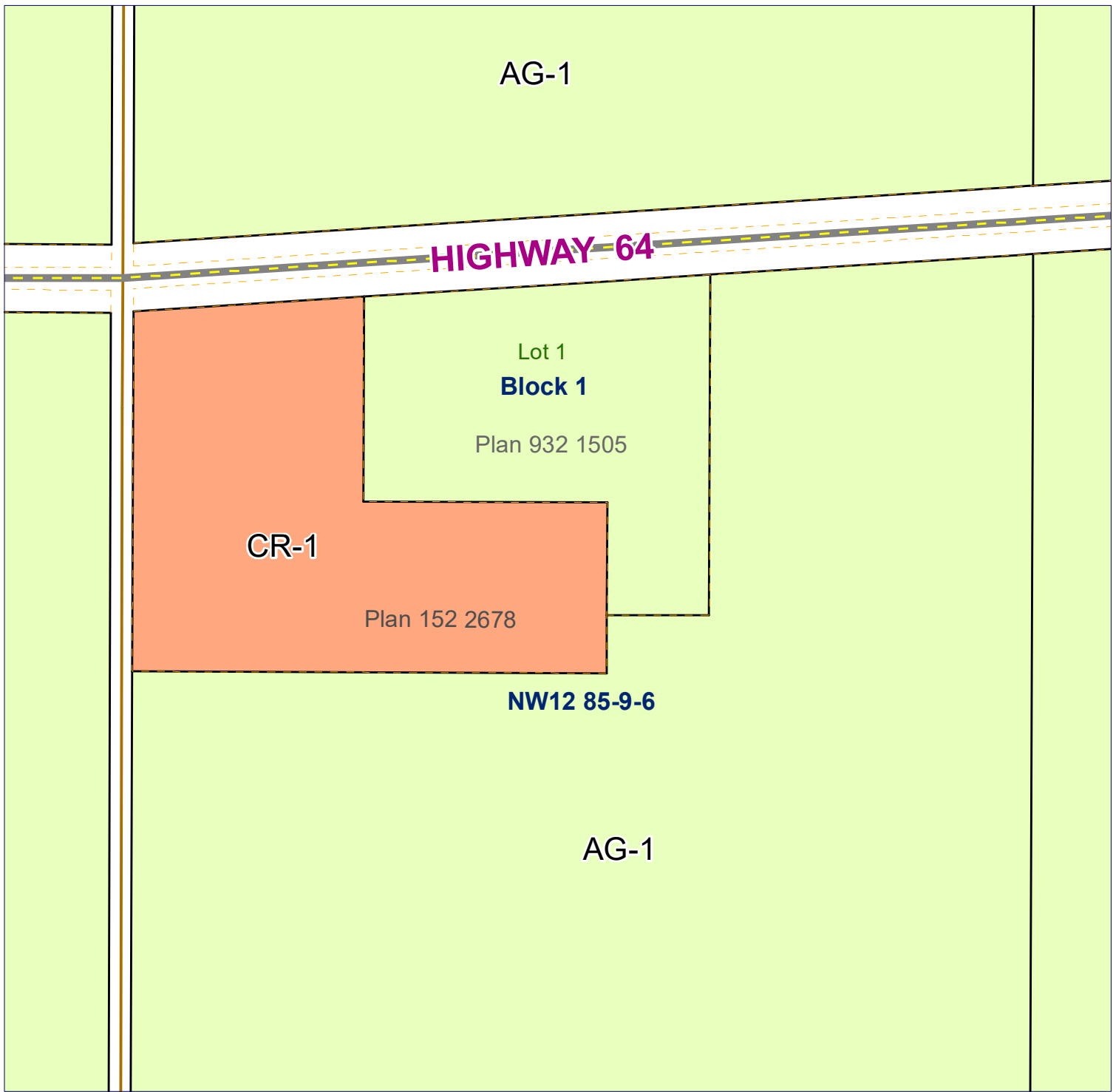
- Agricultural District - 1 (AG-1)
- Country Residential District - 1 (CR-1)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:4,500





**Schedule E  
Zoning District Detail Map**

**Map 11**

Land Use Bylaw No. 278-23

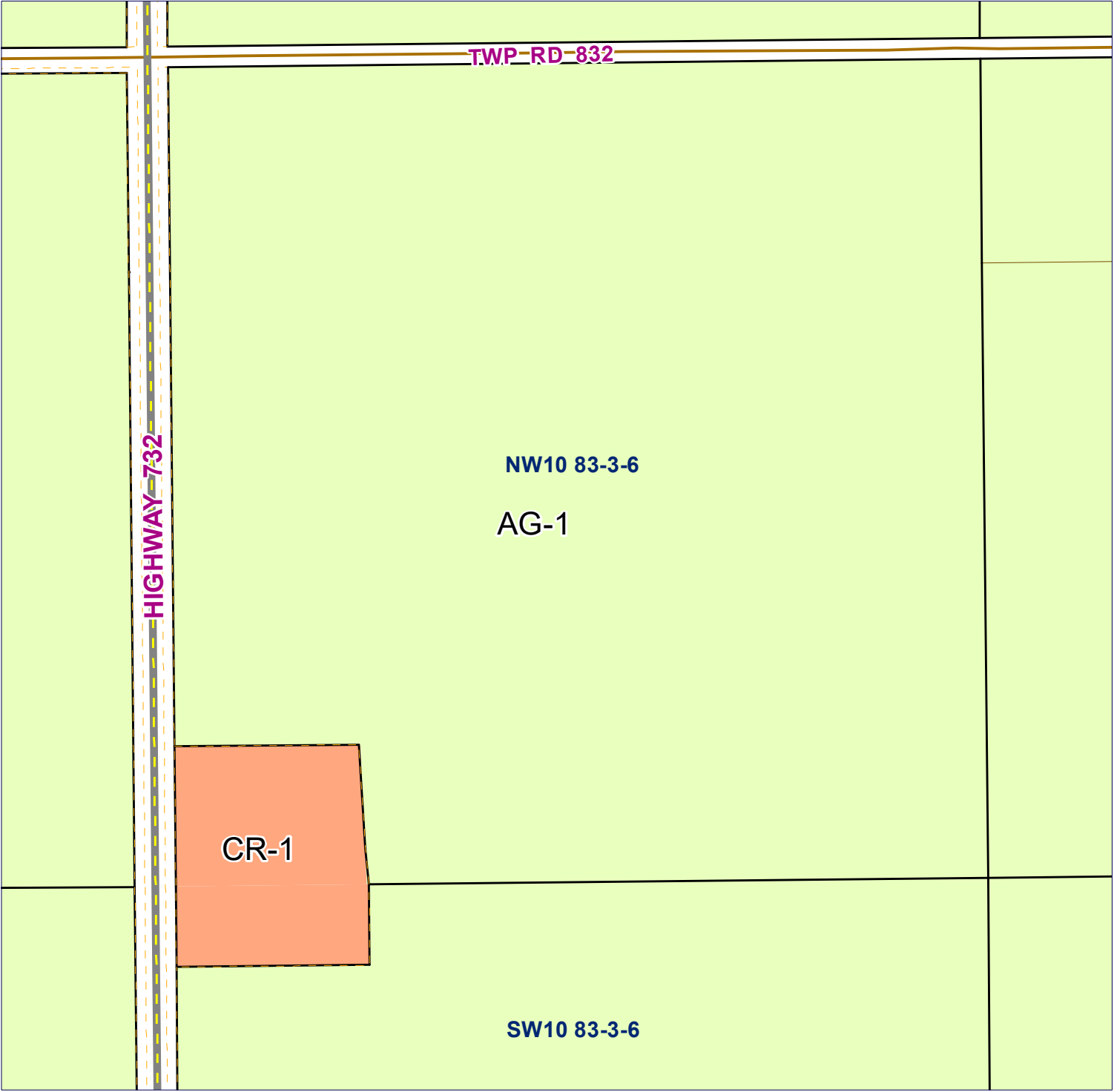
**Land Use District**

- Agricultural District - 1 (AG-1)
- Country Residential District - 1 (CR-1)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:5,000



**Schedule E  
Zoning District Detail Map**

**Map 12**

Land Use Bylaw No. 278-23

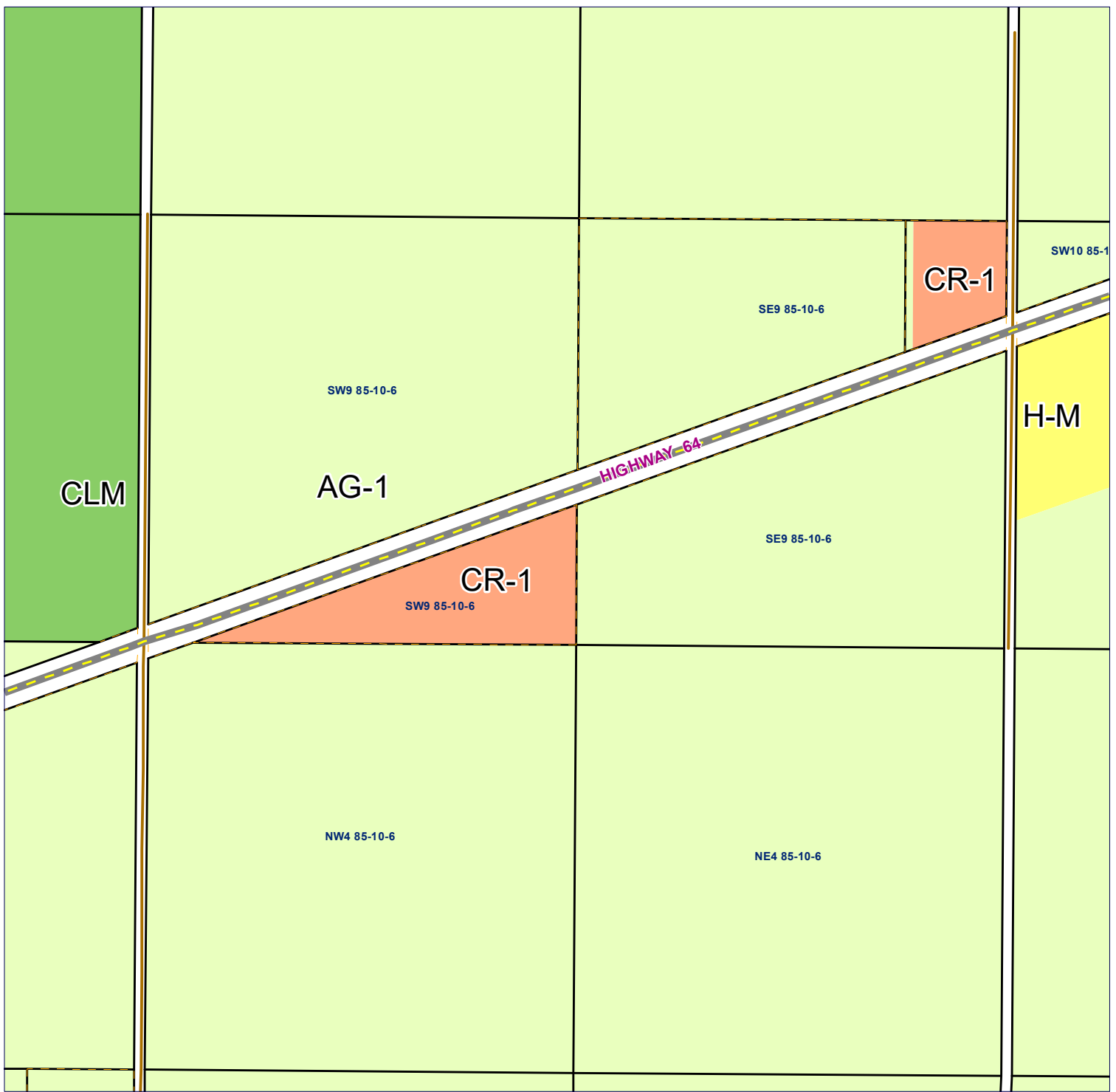
**Land Use District**

- Agricultural District - 1 (AG-1)
- Country Residential District - 1 (CR-1)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:5,500



**Schedule E  
Zoning District Detail Map**

**Map 13**

Land Use Bylaw No. 278-23

**Land Use District**

- Agricultural District - 1 (AG-1)
- Country Residential District - 1 (CR-1)
- Crown Land Management District (CLM)
- Hamlet Residential District - 1 (HR-1)



Adopted on: December 12th, 2023  
Last Updated: March 2024

Scale: 1:10,500





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## Appendices

### Appendix A: Sample Forms and Notices



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## Appendix A: Sample Forms and Notices

- Form A: Application for Development Permit
- Form B: Status of Development Permit Application
- Form C: Notice of Decision Development Permit Approval
- Form D: Notice of Decision Development Permit Refusal
- Form E: Application for Compliance Certificate
- Form F: Application for Amendment to the Land Use Bylaw/Statutory Plan
- Form G: Time Extension Agreement
- Form H: Application for Sign Placement on Private Land
- Form I: Application for Sign Placement for Municipal Right-of-Way or  
Municipal Reserve Land
- Form J: Application for Sign Placement for a Recreational &  
Community Facility and/or a Historic Landmark
- Form K: Development Permit Application Referral
- Form L: Development Permit Public Notice
- Form M: Stop Order



**CLEAR HILLS COUNTY**  
Box 240  
Worsley AB T0H 3W0  
Telephone: 780-685-3925  
Fax: 780-685-3960  
Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

## APPLICATION FOR DEVELOPMENT PERMIT

*Before submitting your application, please read the following important information.*

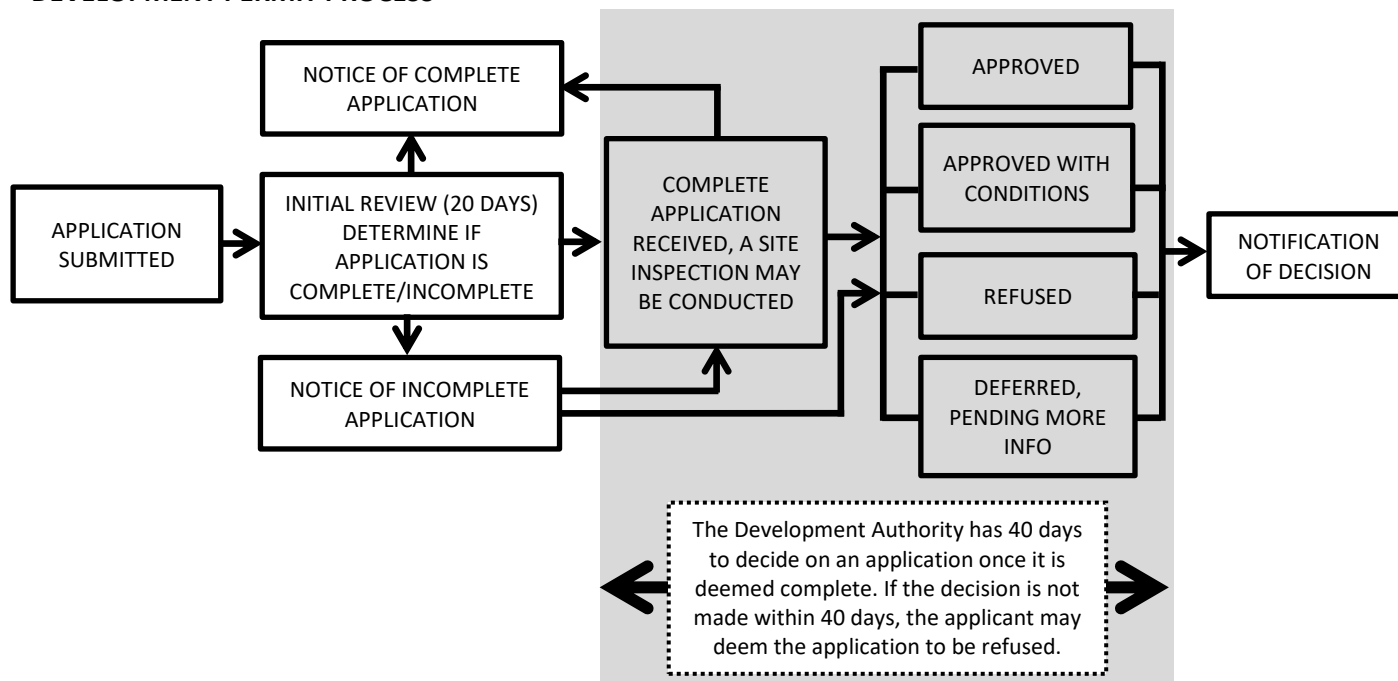
### DEVELOPMENT PERMITS ARE REQUIRED

Development permits are required for any new development on a property, or a change of use of the property/ existing building. This includes, but is not limited to:

- Building a new residence or moving in a manufactured home
- Building a garage
- Starting a homebased business
- Building a fence

The development permit is required to ensure that the development meets the requirements of the Clear Hills County Land Use Bylaw. The development permit application forms are available at the County office and website, must be approved by the County **PRIOR to** commencing development. Anyone proceeding with a development without a valid development permit, where required, does so at their own risk, and is subject to the penalties and fines outlined by the Land Use Bylaw and the *Municipal Government Act*. If a proposed development is not enabled under the Land Use Bylaw, an amendment to the bylaw is required before the development can be approved.

### DEVELOPMENT PERMIT PROCESS



### NOTICE

The applicant is initially notified whether the application is complete or incomplete within twenty (20) calendar days. The final decision is issued by way of a Notice of Decision. A Development Permit does not come into effect until twenty-one (21) calendar days after its approval, unless an appeal is lodged with the appropriate Appeal Body. If the application is refused, the applicant may appeal the decision to the appropriate Appeal Body within twenty-one (21) days after the date of issue of the Notice of Decision.



**CLEAR HILLS COUNTY**  
 Box 240  
 Worsley AB T0H 3W0  
 Telephone: 780-685-3925  
 Fax: 780-685-3960  
 Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

**APPLICATION FOR  
 DEVELOPMENT PERMIT**

**FOR ADMINISTRATIVE USE ONLY**

APPLICATION NO.:			
DATE RECEIVED:			
FEES PAID:	YES	NO	N/A

**Note:** This form must be completed by the registered owner of the land or by an authorized person acting on behalf of the owner. This application will not be accepted without the fee, and site plan sketch that includes all relevant details for the proposed development (e.g.: proposed and existing structure, property lines, creeks/ravines, parking and vehicle access, building plans, etc.). Please contact the County Office if you have any questions about the application prior to submitting the completed form.

APPLICANT INFORMATION				COMPLETE IF DIFFERENT FROM APPLICANT				
NAME OF APPLICANT				NAME OF REGISTERED LAND OWNER				
ADDRESS				ADDRESS				
POSTAL CODE	EMAIL			POSTAL CODE	EMAIL			
CONTACT NUMBERS				CONTACT NUMBERS				
Home				Home				
Business				Business				
Cell				Cell				
LAND INFORMATION								
Legal description of proposed development site								
QTR/L.S.	SEC.	TWP.	RG.	M.	<b>OR</b>	REGISTERED PLAN NO.	BLOCK	LOT
Size of the proposed development site:								
LENGTH	m	WIDTH	m	NUMBER OF HECTARES		<b>OR</b> ACRES		
	ft		ft					
Lot type: INTERIOR                  CORNER                  THROUGH					LAND USE DISTRICT:			
Describe the existing use of the land:								
DEVELOPMENT INFORMATION								
Describe the proposed use of the land:								

**FOIP DECLARATION**  
 This personal information is being collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP), and is managed in accordance with the provisions of FOIP, unless disclosures are authorized under the LUB. This information will be used to process and make a decision on the application. If you have any questions about the collection and use of your information, contact the FOIP Coordinator at the County Office at (780) 685-3925.



# APPLICATION FOR DEVELOPMENT PERMIT

**FORM A**

Page 3

**DEVELOPMENT INFORMATION (Continued)**

Check (☒) any proposed use(s) not identified above:

Dwelling unit(s)	Accessory structure(s) / use(s)	Home Occupation(s)
Sign(s)	Commercial or industrial structure(s) / use(s)	
Other (specify)		

For residential purposes, please specify the intended occupants from the following options:

Owner Occupied	General Rental	Family	Employee/Workers housing
Members	Other (please specify)		

Indicate the proposed setback from the property line:

FRONT YARD	m	REAR YARD	m	SIDE YARD (1)	m	SIDE YARD (2)	m
	ft		ft		ft		ft

Indicate proposed parking and offloading

Off street parking	Size of space:	Number of spaces:
Off street loading	Size of space:	Number of spaces:
No parking/Off street loading required		

Accessory use:

PERCENTAGE OF LOT OCCUPIED:	HEIGHT OF ACCESSORY BLDG:	SETBACK FROM SIDE LOT LINE:	SETBACK FROM REAR LOT LINE:
-----------------------------	---------------------------	-----------------------------	-----------------------------

The land is adjacent to (include road name/number):

PRIMARY HIGHWAY:	SECONDARY HIGHWAY	RURAL ROAD
------------------	-------------------	------------

Estimate the Project:

COMMENCEMENT DATE	COMPLETION DATE	CONSTRUCTION COSTS
-------------------	-----------------	--------------------

Attached is

(a) SITE PLAN	Yes	No	N/A	(b) FLOOR PLAN	Yes	No	N/A
---------------	-----	----	-----	----------------	-----	----	-----

**STATEMENT OF INTENT AND DECLARATION**

I/We \_\_\_\_\_ hereby:

Make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

Consent to receive by email any documents or communication related to this application.

Declare that the information given on the form is complete and is, to the best of my/our knowledge, a true statement of the facts relating to this application.

DATE:

SIGNATURE OF APPLICANT:

DATE:

SIGNATURE OF REGISTERED LAND OWNER:

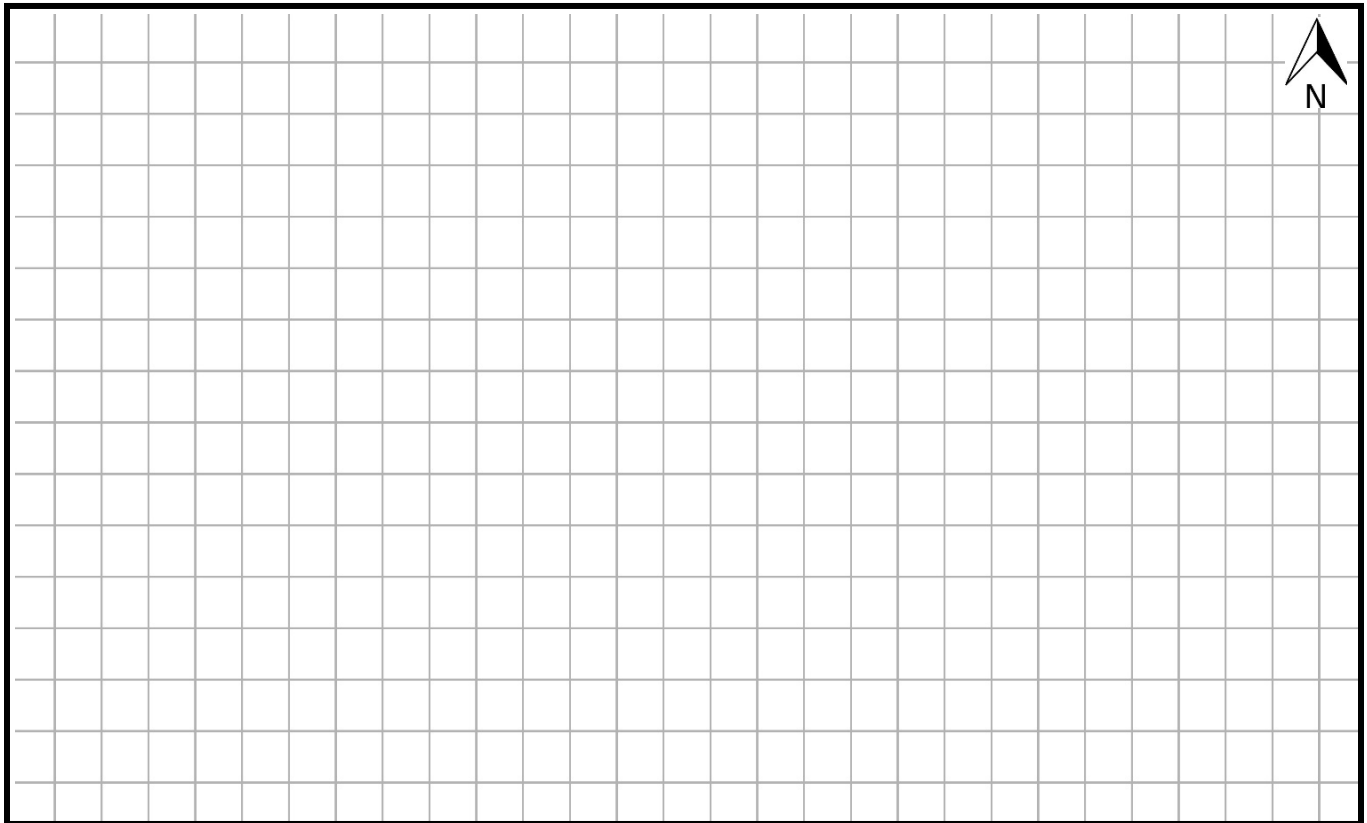
**APPLICATION FOR  
DEVELOPMENT PERMIT**

**SITE MAP**

LEGAL LAND DESCRIPTION: \_\_\_\_\_

For industrial or commercial development, attach engineered drawings of proposed development.

For residential and agricultural development, draw a sketch plan of proposed development.



**Please indicate the following if they apply to your proposed development:**

Location of water source & distance from property line and sewer system

Location of sewer system & distance from water source and property line

Access location(s)

Location of existing or proposed buildings:

Setbacks from the road allowance

Location of roads in the area

Location Shelterbelts

Location of Treed Areas/ Sloughs/ Bush/ other vegetation

Location of River/ Lakes/ other watercourses

# APPLICATION FOR DEVELOPMENT PERMIT

FORM A

Page 5

For residential development, please show approximate location of neighbouring yardsites.

31	32	33	34	35	36
30	29	28	27	26	25
19	20	21	22	23	24
18	17	16	15	14	13
7	8	9	10	11	12
6	5	4	3	2	1

**Township: .....**

**Range: .....**

# APPLICATION FOR DEVELOPMENT PERMIT

FORM A

Page 6

## ADDITIONAL INFORMATION REQUIRED

### ABANDONED WELLS

If the building/addition is greater than 47m<sup>2</sup> (505.9 ft<sup>2</sup>) a map from the Alberta Energy Regulator (AER) identifying the locations of, or confirming the absence of, any abandoned oil or gas wells on or within 25m (82 ft) of the site boundary is to be included. Go to [www.geodiscover.alberta.ca](http://www.geodiscover.alberta.ca) for abandoned well location and status information.

### WATER AND SEWAGE

Indicate below the type of water supply and sewage disposal to be used by your development proposal and if it is existing or proposed.

Existing	Proposed	TYPE OF WATER SUPPLY
		DUGOUT
		WELL
		CISTERN & HAULING
		COUNTY SERVICE
		OTHER (Please specify)

Existing	Proposed	TYPE OF SEWAGE DISPOSAL
		OPEN DISCHARGE/SEPTIC TANK
		SUB-SURFACE DISPOSAL/SEPTIC TANK
		ABOVE GROUND/SEPTIC TANK
		SEWAGE LAGOON
		OUTDOOR PRIVY
		COUNTY SERVICE
		OTHER (Please Specify)

FOR ADDITIONAL INFORMATION CONTACT ALBERTA MUNICIPAL AFFAIRS – CODES AND PERMITS AT 1-866-421-6929 (EMAIL [safety.services@gov.ab.ca](mailto:safety.services@gov.ab.ca)) OR A LICENSED PERMITTING AGENCY.

## **PRIVATE SEWAGE, WATER AND YARD SETBACKS**

### **SEWAGE SETBACKS**

Following is a description of the setbacks required for different sewage disposal systems as found in the Alberta Private Sewage Treatment and Disposal Regulations:

- **Mounds**
  - 3 metres (10 ft.) from the property line
  - 10 metres (33 ft.) from a dwelling (with basement, cellar or crawl space)
  - 3.05 metres (10 ft.) from a septic tank/package sewage treatment plant
  - 15 metres (50 ft.) from a water course
  - 15 metres (50 ft.) from a water source
  
- **Field**
  - 1.5 metres (5 ft.) from a property line
  - 10 metres (33 ft.) from a dwelling (with basement, cellar or crawl space)
  - 1 metre (3.25 ft.) from other buildings (without permanent foundation)
  - 5 metres (17 ft.) from a septic tank/package sewage treatment plant
  - 15 metres (50 ft.) from a water course
  - 15 metres (50 ft.) from a water source
  
- **Lagoon**
  - 30 metres (100 ft.) from a property line
  - 45 metres (150 ft.) from a dwelling
  - 90 metres (300 ft.) from a water course
  - 100 metres (350 ft.) from a water source
  
- **Open/Effluent Discharge**
  - 90 metres (300 ft.) from a property line
  - 45 metres (150 ft.) from a dwelling
  - 45 metres (150 ft.) from a water course
  - 50 metres (155 ft.) from a water source
  
- **Septic tanks**
  - 1 metre (3.25 ft.) from a property line
  - 1 metre (3.25 ft.) from a dwelling
  - 10 metres (30 ft.) from a water course
  - 10 metres (30 ft.) from a water source

### **DUGOUT SETBACKS**

The setback for a dugout as set forth in the Provincial regulations is:

- **Front Yard:** 40.8 metres (134 feet) from the road right-of-way (developed or undeveloped)
- **Side Yard:** 15.24 metres (50 feet) or as required by the Municipal Planning Commission
- **Rear Yard:** 15.24 metres (50 feet) or as required by the Municipal Planning Commission

### **YARD SETBACKS**

- **Front yard:** the development shall not be located within 40.8m (134 feet) of the property line of any public roadway:
- **Side Yard:** The development shall not be located within 15.24 metres (50 feet) of a property line:
- **Rear Yard:** The development shall not be located within 15.24 metres (50 feet) of a property line: The developer is responsible for waste disposal, and the construction of access roads and approaches. This Development Permit does not guarantee, imply or suggest that Clear Hills County will undertake any road improvements at or near the subject property to improve the applicant's accessibility to his or her property.

**APPLICATION FOR  
DEVELOPMENT PERMIT**

**RELOCATED BUILDINGS**

If any of the buildings pertaining to the development permit are being moved-in (relocated) from another location please complete this form and return with the completed development permit and application fee.

a) Colour photographs of the building(s)

b) Canadian Safety Association Identification Number (CSA) \_\_\_\_\_

c) Present location of the building  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d) Proposed relocation route  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please note:**

1. Any building to be moved-in (relocated) and placed on a parcel within any district established by this Bylaw, other than a farm building in an Agricultural District must be approved by the Municipal Planning Commission.
2. The moved-in (relocated) building shall conform to Alberta Safety Codes Act and Regulations and the current Alberta Building Code Regulation.

**APPLICATION FOR  
DEVELOPMENT PERMIT**

**FORM A**

Page 9

**RIGHT OF ENTRY FORM**

As a site inspection of land that is the subject of a development permit application may be required, we request that you complete the following authorization and submit it with your application for Development Permit approval.

Section 653(2) of the *Municipal Government Act* indicates that if consent is given by this form, a notice of inspection is not required to be given under Section 542(1).

I, \_\_\_\_\_, do grant consent for a person  
(Name in block letters)

authorized by Clear Hills County to enter upon subject land for the purpose of a site inspection.

Legal Land Description: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
DATE:

\_\_\_\_\_  
SIGNATURE OF APPLICANT:

**CLEAR HILLS COUNTY**

Box 240  
 Worsley AB T0H 3W0  
 Telephone: 780-685-3925  
 Fax: 780-685-3960  
 Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

**STATUS OF DEVELOPMENT  
 PERMIT APPLICATION**
**FORM B**

Page 1

APPLICATION INFORMATION									
Applicant Name:					Application No:				
Applicant Civic Address:					Date Application Received:				
STATUS OF APPLICATION									
In accordance with section 683.1 of the <i>Municipal Government Act</i> , please be advised that Clear Hills County has reviewed the information and documents submitted with your application for a development permit for development described as: _____ at _____									
QTR/L.S.	SEC.	TWP.	RG.	M.	<b>OR</b>	REGISTERED PLAN NO.	BLOCK	LOT	
and determined that your application is ( <i>see corresponding actions and next steps</i> ):									
<b>Complete</b>					<b>Incomplete</b>				
ACTION: COMPLETE APPLICATION									
No further action is required from you at this time.									
ACTION: INCOMPLETE APPLICATION									
You are required to submit the following information/documentation by _____:									
NEXT STEPS: COMPLETE APPLICATION									
The Development Officer will now review your application and make a decision within the next forty (40) days from the date of receipt of this notice, unless extended by a written agreement between you and the Development Officer. If your application is approved, conditionally approved or refused, a Notice of Decision will be issued to you.									
NEXT STEPS: INCOMPLETE APPLICATION									
After receiving all the outstanding information/document(s), the Development Officer will review your application to determine whether it is complete or incomplete. If your application is determined to be complete, an acknowledgement will be given to you. If your application is determined to be incomplete due to failure to submit <u>all</u> the required information/document(s) on or before the date given above, your application will be refused. A notice of refusal decision will be issued, with reason, to you.									
NOTE									
<ol style="list-style-type: none"> <li>1. A complete application determination does not constitute an approval or refusal decision for a Development Permit application.</li> <li>2. Notwithstanding the issuance of a complete application notice, Clear Hills County reserves the right to request additional information/documentation that it considers relevant to the decision-making process.</li> </ol>									
DATE OF DECISION									
_____					_____				
Date of Decision					Signature of Development Officer				





**NOTICE OF DECISION - APPROVAL  
DEVELOPMENT PERMIT**



**APPEAL INFORMATION:**

1. The Land Use Bylaw provides that an appeal may be made to the appropriate Appeal Body by any person affected by an order, decision or development permit of a Development Authority.
2. You may appeal this decision of the Development Authority to one of the following Appeal Bodies:
  - Peace Regional Subdivision and Development Appeal Board
  - Land and Property Rights Tribunal
3. An appeal to the Peace Regional Subdivision and Development Appeal Board shall be made in writing and shall be delivered either in person or by mail to the Chief Administrative Officer at the County office **NO LATER THAN 21 DAYS AFTER THE DATE OF ISSUE OF NOTICE OF DECISION**. More information about the appeal process can be found here: <https://mmsa.ca/peace-regional-sdab/>
4. An appeal to the Land and Property Rights Tribunal shall be made in writing and shall be submitted in accordance with the procedures outlined by the Land and Property Rights Tribunal **NO LATER THAN 21 DAYS AFTER THE DATE OF ISSUE OF NOTICE OF DECISION**. More information about the appeal process can be found here: <https://www.alberta.ca/subdivision-appeals>
5. A decision of the Appeal Body is final and binding on all parties and persons subject only to an appeal upon or question of jurisdiction or law pursuant to the Province of *Alberta Municipal Government Act*, R.S.A. c.M-26, 2000. An application of appeal to the Court of Appeal shall be made:
  - a) to a judge of the Court of Appeal; and
  - b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

# NOTICE OF DECISION - APPROVAL DEVELOPMENT PERMIT

## RIGHT TO APPEAL:

Sections 683, 684, 685, & 686 of the *Municipal Government Act*:

**683** Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the Land Use Bylaw.

- 684**
- (1) The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(b).
  - (2) A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.
  - (3) If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.
  - (4) Section 640(5) does not apply in the case of an application that was deemed to be refused under section 683.1(8).

- 685**
- (1) If a development authority
    - (a) fails or refuses to issue a development permit to a person,
    - (b) issues a development permit subject to conditions, or
    - (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal the decision in accordance with subsection (2.1).

- (1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.
- (2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal the decision in accordance with subsection (2.1).
- (2.1) An appeal referred to in subsection (1) or (2) may be made
  - (a) to the Land and Property Rights Tribunal
    - (i) unless otherwise provided in the regulations under section 694(1) (h.2) (i), where the land that is the subject of the application
      - (A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,
      - (B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,
      - (C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or
      - (D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Protected Areas or the Minister of Forestry, Parks and Tourism,or
    - (ii) in any other circumstances described in the regulations under section 694(1) (h.2) (ii), or
  - (b) in all other cases, to the subdivision and development appeal board.

**NOTICE OF DECISION - APPROVAL  
DEVELOPMENT PERMIT**

- (3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).

**686** (1) A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal

(a) in the case of an appeal made by a person referred to in section 685(1)

(i) with respect to an application for a development permit,

(A) within 21 days after the date on which the written decision is given under section 642, or

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires, or

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or

(b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if

(a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or

(b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the

(c) permit was given in accordance with the land use bylaw.

(2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing

(a) to the appellant,

(b) to the development authority whose order, decision or development permit is the subject of the appeal, and

(c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

(a) the application for the development permit, the decision and the notice of appeal, or

(b) the order under section 645.

(4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).

(5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.



# NOTICE OF DECISION - REFUSAL DEVELOPMENT PERMIT

FORM D

Page 2

**DAYS AFTER THE DATE OF ISSUE OF NOTICE OF DECISION.** More information about the appeal process can be found here: <https://mmsa.ca/peace-regional-sdab/>

4. An appeal to the Land and Property Rights Tribunal shall be made in writing and shall be submitted in accordance with the procedures outlined by the Lands and Property Rights Tribunal **NO LATER THAN 21 DAYS AFTER THE DATE OF ISSUE OF NOTICE OF DECISION.** More information about the appeal process can be found here: <https://www.alberta.ca/subdivision-appeals>
5. A decision of the Appeal Body is final and binding on all parties and persons subject only to an appeal upon or question of jurisdiction or law pursuant to the Province of *Alberta Municipal Government Act*, R.S.A. c.M-26, 2000. An application of appeal to the Court of Appeal shall be made:
  - a) to a judge of the Court of Appeal; and
  - b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

## RIGHT TO APPEAL:

Sections 683, 684, 685, & 686 of the *Municipal Government Act*:

- 683** Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the Land Use Bylaw.
- 684** (1) The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(b).
- (2) A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.
- (3) If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.
- (4) Section 640(5) does not apply in the case of an application that was deemed to be refused under section 683.1(8).
- 685** (1) If a development authority
- (a) fails or refuses to issue a development permit to a person,
  - (b) issues a development permit subject to conditions, or
  - (c) issues an order under section 645,
- the person applying for the permit or affected by the order under section 645 may appeal the decision in accordance with subsection (2.1).
- (1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.
- (2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal the decision in accordance with subsection (2.1).
- (2.1) An appeal referred to in subsection (1) or (2) may be made
- (a) to the Land and Property Rights Tribunal
    - (i) unless otherwise provided in the regulations under section 694(1) (h.2) (i), where the land that is the subject of the application
      - (A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,

**NOTICE OF DECISION - REFUSAL  
DEVELOPMENT PERMIT**

- (B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,
  - (C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or
  - (D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Protected Areas or the Minister of Forestry, Parks and Tourism,  
or
  - (ii) in any other circumstances described in the regulations under section 694(1) (h.2) (ii), or
  - (b) in all other cases, to the subdivision and development appeal board.
- (3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).
- 686** (1) A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal
- (a) in the case of an appeal made by a person referred to in section 685(1)
    - (i) with respect to an application for a development permit,
      - (A) within 21 days after the date on which the written decision is given under section 642, or
      - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires, or
    - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made,  
or
  - (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.
- (1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if
- (a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or
  - (b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the
  - (c) permit was given in accordance with the land use bylaw.
- (2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.
- (3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing
- (a) to the appellants,

**NOTICE OF DECISION - REFUSAL  
DEVELOPMENT PERMIT**

- (b) to the development authority whose order, decision or development permit is the subject of the appeal, and
  - (c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.
- (4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including
- (a) the application for the development permit, the decision and the notice of appeal, or
  - (b) the order under section 645.
- (4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).
- (5) In subsection (3), “owner” means the person shown as the owner of land on the assessment roll prepared under Part 9.



**CLEAR HILLS COUNTY**

Box 240  
 Worsley AB T0H 3W0  
 Telephone: 780-685-3925  
 Fax: 780-685-3960  
 Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

**FORM E**

# COMPLIANCE CERTIFICATE APPLICATION

FOR ADMINISTRATIVE USE ONLY

APPLICATION NO.:			
DATE RECEIVED:			
FEES PAID:	YES	NO	N/A

**Note:** This form must be completed by the registered owner of the land or by an authorized person acting on behalf of the owner. This application will not be accepted without the fee, and other relevant information/documentation required. Please contact the County Office if you have any questions about the application prior to submitting the completed form.

## APPLICATION SUBMISSION REQUIREMENTS

Minimum of TWO (2) copies of the Real Property Report / Survey Certificate prepared by an Alberta Land Surveyor, at an appropriate scale, showing the details of the development and the relation to property boundaries so that compliance with setbacks and yard regulations may be determined. Please check one of the following:

- Real Property Report less than SIX (6) months from Date of Survey, OR
- Real Property Report / Survey older than SIX (6) months from the Date of Survey – Statutory Declaration Attached

<b>APPLICANT INFORMATION</b>				<i>COMPLETE IF DIFFERENT FROM APPLICANT</i>				
NAME OF APPLICANT				NAME OF REGISTERED LAND OWNER				
ADDRESS				ADDRESS				
POSTAL CODE	EMAIL			POSTAL CODE	EMAIL			
CONTACT NUMBERS				CONTACT NUMBERS				
Home				Home				
Business				Business				
Cell				Cell				
<b>PROPERTY INFORMATION</b>								
Land Use District				Address of Property				
Legal description of proposed development site								
QTR/L.S.	SEC.	TWP.	RG.	M.	<b>OR</b>	REGISTERED PLAN NO.	BLOCK	LOT
DATE:				SIGNATURE OF APPLICANT:				

### FOIP DECLARATION

*This personal information is being collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP), and is managed in accordance with the provisions of FOIP, unless disclosures are authorized under the LUB. This information will be used to process and make a decision on the application. If you have any questions about the collection and use of your information, contact the FOIP Coordinator at the County Office at (780) 685-3960.*

**CLEAR HILLS COUNTY**

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 Worsley AB T0H 3W0  
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 Fax: 780-685-3960  
 Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

**FORM F**

# APPLICATION FOR AMENDMENT TO THE Page 1 LAND USE BYLAW/STATUTORY PLAN

FOR ADMINISTRATIVE USE ONLY

APPLICATION NO.:			
DATE RECEIVED:			
FEES PAID:	YES	NO	N/A

**Note:** This form must be completed by the registered owner of the land or by an authorized person acting on behalf of the owner. This application will not be accepted without the fee, and other relevant documentation required. Please contact the County Office if you have any questions about the application prior to submitting the completed form.

**STATEMENT OF INTENT**

I/We hereby make application to amend Bylaw No.

Intermunicipal Development Plan

Municipal Development Plan

Area Structure Plan (Please Specify Plan) \_\_\_\_\_

Land Use Bylaw

APPLICANT INFORMATION	COMPLETE IF DIFFERENT FROM APPLICANT
NAME OF APPLICANT	NAME OF REGISTERED LAND OWNER
MAILING ADDRESS	MAILING ADDRESS
EMAIL	EMAIL
CONTACT NUMBER	CONTACT NUMBER

**AMENDMENT PROPOSAL**

Map Amendment

Text Amendment

**Map Amendment Information**

Civic Address or General Location of Land:

Legal Description

QTR/L.S.	SEC.	TWP.	RG.	M.	<b>OR</b>	REGISTERED PLAN NO.	BLOCK	LOT
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Certificate of Title:

Redistricting Proposal  
(if applicable)

Current land use district:

Proposed land use district:

**FOIP DECLARATION**

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**CLEAR HILLS COUNTY**

Box 240

Worsley AB T0H 3W0

Telephone: 780-685-3925

Fax: 780-685-3960

Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)**FORM F****APPLICATION FOR AMENDMENT TO THE  
LAND USE BYLAW/STATUTORY PLAN**

Page 2

Rationale for proposal:	Reasons in support of Application for Amendment <i>(Please attach additional information if necessary):</i>
<b>Text Amendment Information</b>	
Proposal:	
Rationale for proposal:	Reasons in support of Application for Amendment <i>(Please attach additional information if necessary):</i>

<b>RIGHT OF ENTRY</b>	
I/We _____ give consent to allow a person(s) designated by the County the right to enter and inspect the above land and/or building(s) with respect to this application only.	
Signature:	Date:

<b>CERTIFICATION AND SIGNATURE</b>	
I hereby certify that  I am the registered owner or  I am authorized to act on behalf of the registered owner(s), and that  the information given on the form is complete and is, to the best of my knowledge, a true statement of the facts relating to this application.	
SIGNATURE OF APPLICANT:	DATE:
SIGNATURE OF REGISTERED LAND OWNER:	DATE:



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Fax: 780-685-3960  
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**FORM G**

**TIME EXTENSION AGREEMENT**

FOR ADMINISTRATIVE USE ONLY

APPLICATION NO.:
DATE RECEIVED:
EXTENSION TYPE:    DECISION    COMPLETENESS

**Note:** This agreement must be completed by the applicant. Please contact the County Office if you have any questions about the application prior to submitting this form.

**APPLICANT INFORMATION**

Applicant:	Company:
Email Address:	Telephone:
Mailing Address:	Alternate Telephone:

**DEVELOPMENT PERMIT APPLICATION INFORMATION**

Development Permit File No.:	
Civic Address or General Location of Project Land:	
Legal Description:	Certificate of Title:

**TIME EXTENSION AGREEMENT – COMPLETENESS OF APPLICATION**

In accordance with Section 683.1 of the *Municipal Government Act*, I hereby enter into an agreement with Clear Hills County to extend the time to determine whether the development permit application is complete or incomplete as follows:

Current Determination Deadline:	Time Extension Date:
Applicant's Signature:	Date:
Development Officer's Signature:	Date:

**TIME EXTENSION AGREEMENT – DEVELOPMENT PERMIT DECISION**

In accordance with Section 684 of the *Municipal Government Act*, I hereby enter into an agreement with Clear Hills County to extend the time to make a decision on the subject development permit application as follows:

Current Application Expiry:	Time Extension Date:
Applicant's Signature:	Date:
Development Officer's Signature:	Date:

**FOIP DECLARATION**  
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**FORM H**

**APPLICATION FOR SIGN PLACEMENT  
 ON PRIVATE LAND**

Page 1

FOR ADMINISTRATIVE USE ONLY

PERMIT NO.:			
DATE RECEIVED:			
FEES PAID:	YES	NO	N/A

APPLICANT INFORMATION		COMPLETE IF DIFFERENT FROM APPLICANT						
NAME OF APPLICANT		NAME OF REGISTERED LAND OWNER						
ADDRESS		ADDRESS						
EMAIL		EMAIL						
TELEPHONE		TELEPHONE						
SIGNAGE INFORMATION								
PURPOSE OF SIGN:    BUSINESS                      ADVERTISING                      DIRECTIONAL                      IDENTIFICATION								
OTHER (Please specify):								
Sign Wording:		Sign Colour:						
		Lettering Colour:						
Sign Dimensions:		Fabrication Materials: metal, plastic, wood, etc.						
LAND INFORMATION								
LEGAL DESCRIPTION OF PROPOSED SIGN PLACEMENT LOCATION								
QTR/L.S.	SEC.	TWP.	RG.	M.	<b>OR</b>	REGISTERED PLAN NO.	BLOCK	LOT

**FOIP DECLARATION**  
*This personal information is being collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP), and is managed in accordance with the provisions of FOIP, unless disclosures are authorized under the LUB. This information will be used to process and make a decision on the application. If you have any questions about the collection and use of your information, contact the FOIP Coordinator at the County Office Clear Hills County (780) 835-546*

**APPLICATION FOR SIGN PLACEMENT  
ON PRIVATE LAND**

<b>SIGN SKETCH</b>	
<b>PLEASE INDICATE LETTERING, COLOUR, GRAPHICS AND SIZE</b>	
<b>LOCATION SKETCH</b>	
<b>PLEASE INDICATE THE FOLLOWING ON YOUR SKETCH IF THEY APPLY TO YOUR PROPOSED SIGN PLACEMENT</b>	
Location of Accesses	Location of Existing or Proposed Buildings
Location on Roads In The Area	Setbacks from Road Allowance
<b>THE SIGN PLACEMENT SKETCH PLAN IS TO INCLUDE DIMENSIONS OF THE SIGN, AS WELL AS PROPOSED SETBACKS</b>	
<b>CERTIFICATION AND SIGNATURE</b>	
I hereby certify that	
I am the registered owner or	
I am authorized to act on behalf of the registered owner(s), and that	
the information given on the form is complete and is, to the best of my knowledge, a true statement of the facts relating to this application.	
SIGNATURE OF APPLICANT:	DATE:
SIGNATURE OF REGISTERED LAND OWNER:	DATE:

**CLEAR HILLS COUNTY**

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Worsley AB T0H 3W0  
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**APPLICATION FOR SIGN PLACEMENT  
ON MUNICIPAL RIGHT-OF-WAY OR  
MUNICIPAL RESERVE LAND****FORM I**

Page 1

FOR ADMINISTRATIVE USE ONLY

PERMIT NO.:
DATE RECEIVED:
FEES PAID:      YES              NO              N/A

<b>APPLICANT INFORMATION</b>	<i>COMPLETE IF DIFFERENT FROM APPLICANT</i>
NAME OF APPLICANT	NAME OF REGISTERED LAND OWNER
ADDRESS	ADDRESS
EMAIL	EMAIL
TELEPHONE	TELEPHONE
<b>SIGNAGE INFORMATION</b>	
PURPOSE OF SIGN:      BUSINESS              ADVERTISING              DIRECTIONAL              IDENTIFICATION	
OTHER (Please specify):	
Sign Wording:	Sign Colour:  Lettering Colour:
Sign Dimensions:	Fabrication Materials: metal, plastic, wood, etc.
Sign is Located on (Mark All Applicable):  Municipal Reserve Land  Municipal Right-of-Way	Temporary Sign Expiry Date:

**FOIP DECLARATION**

*This personal information is being collected under the authority of the Municipal Government Act (MGA) and the Freedom of Information and Protection of Privacy Act (FOIP), and is managed in accordance with the provisions of FOIP, unless disclosures are authorized under the LUB. This information will be used to process and make a decision on the application. If you have any questions about the collection and use of your information, contact the FOIP Coordinator at the County Office at (780) 685-3960.*

**APPLICATION FOR SIGN PLACEMENT  
ON PRIVATE LAND**

**FORM I**

Page 2

<b>LAND INFORMATION</b>	
DESCRIPTION OF PROPOSED SIGN PLACEMENT LOCATION (FILL ALL THAT APPLY)	
Street Address:	Intersection:
Type of Municipal Land Site (I.E. Park, School):	Other Information:
<b>SIGN SKETCH</b>	
PLEASE INDICATE LETTERING, COLOUR, GRAPHICS AND SIZE	
<b>CERTIFICATION AND SIGNATURE</b>	
I hereby certify that the information given on the form is complete and is, to the best of my knowledge, a true statement of the facts relating to this application.	
SIGNATURE OF APPLICANT:	DATE:





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 Box 240  
 Worsley AB T0H 3W0  
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 Fax: 780-685-3960  
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**APPLICATION FOR SIGN  
 PLACEMENT FOR RECREATIONAL  
 & COMMUNITY FACILITY AND/  
 OR A HISTORICAL LANDMARK**

**FORM J**  
 Page 1

FOR ADMINISTRATIVE USE ONLY

PERMIT NO.:			
DATE RECEIVED:			
FEES PAID:	YES	NO	N/A

**Note:** This form must be completed by the individual or entity applying for the sign. This application will not be accepted without the fee (if required), and other relevant information/documentation required. Please contact the County Office if you have any questions about the application prior to submitting this application.

**APPLICANT INFORMATION**

NAME OF ATTRACTION				NAME OF APPLICANT			
ADDRESS OF ATTRACTION				ADDRESS			
POSTAL CODE		EMAIL		POSTAL CODE		EMAIL	
LEGAL LAND DESCRIPTION OF ATTRACTION				CONTACT NUMBERS			
QTR/L.S.	SEC.	TWP.	RG.	M.	Home		
OR				Business			
REGISTERED PLAN NO.		BLOCK	LOT		Cell		

**SITE INFORMATION**

Distance from the attraction to the closest Provincial Highway: \_\_\_\_\_ km from Highway No. \_\_\_\_\_

(A Provincial Highway is a one, two or three digit highway. Examples are Highway No. 2, 64, 685. If possible provide a simple map showing your location.)

In the space below, provide ALL relevant information concerning your operation, attraction or historical landmark.

**FOIP DECLARATION**

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**APPLICATION FOR SIGN PLACEMENT FOR  
RECREATIONAL & COMMUNITY FACILITY  
AND/OR A HISTORIC LANDMARK**

**FORM J**

Page 2

<b>RECREATIONAL AND COMMUNITY FACILITIES ONLY</b>		
Hours and days of operation:	Yearly opening period:	
<b>FURTHER CRITERIA REQUIREMENTS:</b>		
Comply with municipal, provincial and federal laws regarding health, public safety, etc.?	YES	NO
Maintain washroom facilities are required by health authorities?	YES	NO
Provide adequate parking?	YES	NO
Provide wheelchair accessibility, designated parking stall, easy building access?	YES	NO
<b>ALL SIGNAGE REQUESTS</b>		
I am requesting signs in the right-of-way:	For the first time	To replace existing signs.
In the space below, describe the sign(s) you are requesting and where you are requesting they be located. (if possible provide diagrams and maps)		







**CLEAR HILLS COUNTY**

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 Worsley AB T0H 3W0  
 Telephone: 780-685-3925  
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 Email: [info@clearhillscounty.ab.ca](mailto:info@clearhillscounty.ab.ca)

**PUBLIC NOTICE**

**DEVELOPMENT PERMIT APPROVAL**

**DATE OF DECISION:**

Permit No.	Development	Land Use District	Address

**APPEAL INFORMATION:**

1. The Land Use Bylaw provides that an appeal may be made to the appropriate Appeal Body by any person claiming to be affected by an order, decision or development permit of a Development Authority.
2. You may appeal this decision of the Development Authority to one of the following Appeal Bodies:
  - Peace Regional Subdivision and Development Appeal Board
  - Land and Property Rights Tribunal
3. An appeal to the Peace Regional Subdivision and Development Appeal Board shall be made in writing and shall be delivered either in person or by mail to the Chief Administrative Officer at the County office **NO LATER THAN 21DAYS AFTER THE DATE OF ISSUE OF NOTICE OF DECISION**. More information about the appeal process can be found here: <https://mmsa.ca/peace-regional-sdab/>
4. An appeal to the Land and Property Rights Tribunal shall be shall be made in writing and shall be submitted in accordance with the procedures outlined by the Land and Property Rights Tribunal **NO LATER THAN 21 DAYS AFTERTHE DATE OF ISSUE OF NOTICE OF DECISION**. More information about the appeal process can be found here: <https://www.alberta.ca/subdivision-appeals>
5. A decision of the Appeal Body is final and binding on all parties and persons subject only to an appeal upon question of jurisdiction or law pursuant to the Province of *Alberta Municipal Government Act*, R.S.A. c.M-26,2000. An application of appeal to the Court of Appeal shall be made:
  - (a) to a judge of the Court of Appeal; and
  - (b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

Pursuant to section 685(3) of the *Municipal Government Act*, no appeal lies in respect of a development permit for a permitted use, unless the provisions of the Land Use Bylaw were relaxed, varied, or misinterpreted, or the application for the development permit was deemed to be refused under section 683.1(8).

**Shelby Janzen**  
**Development Officer**



# STOP ORDER

<b>ORDER DETAILS</b>	
Accordingly, I am hereby ordering you in my capacity as the Development Officer of Clear Hills County to:	
STOP THE DEVELOPMENT WITH IMMEDIATE EFFECT	
DEMOLISH/REMOVE/REPLACE THE DEVELOPMENT	
AND/OR TAKE THE FOLLOWING ACTION(S)	
<b>COMPLIANCE DATE</b>	
This order shall be complied with by _____	
<b>FAILURE TO COMPLY</b>	
<p>Failure or refusal to comply with this order may result in a person or persons appointed by the Council of Clear Hills County entering upon the land or building and taking any actions necessary to carry out the order, or bringing the lands into compliance, including seeking an injunction or other relief from the Court of King's Bench of Alberta, in accordance with provisions of the <i>Municipal Government Act</i>. The County may also register a caveat in respect of this Stop Order against the certificate of title for your property, pursuant to the <i>Land Titles Act</i>, unless and until the order is complied with.</p> <p>In the event that the County decides to execute this order, Council shall cause the costs incurred to be placed on the tax roll as an additional tax against your property, in accordance with section 553(1)(h.1) of the <i>Municipal Government Act</i>.</p>	
<b>RIGHT OF APPEAL</b>	
You are further notified that you have the right to appeal this decision within fourteen (14) days from the date of issue of decision. Additional information about the appeal process is attached.	
<b>ORDER DATE AND SIGNATURE OF DEVELOPMENT AUTHORITY</b>	
Date of Issue of Stop Order	
Signature of Development Officer	

## APPEAL INFORMATION:

1. The Land Use Bylaw provides that an appeal may be made to the appropriate Appeal Body by any person claiming to be affected by an order, decision or development permit of a Development Authority.
2. You may appeal this decision of the Development Authority to one of the following Appeal Bodies:
  - Peace Regional Subdivision and Development Appeal Board
  - Land and Property Rights Tribunal
3. An appeal to the Peace Regional Subdivision and Development Appeal Board shall be made in writing and shall be delivered either in person or by mail to the Chief Administrative Officer at the County office **NO LATER THAN 21 DAYS AFTER THE DATE OF ISSUE OF NOTICE OF DECISION**. More information about the appeal process can be found here: <https://mmsa.ca/peace-regional-sdab/>
4. An appeal to the Land and Property Rights Tribunal shall be made in writing and shall be submitted in accordance with the procedures outlined by the Land and Property Rights Tribunal **NO LATER THAN 21 DAYS AFTER THE DATE OF ISSUE OF NOTICE OF DECISION**. More information about the appeal process can be found here: <https://www.alberta.ca/subdivision-appeals>
5. A decision of the Appeal Body is final and binding on all parties and persons subject only to an appeal upon question of jurisdiction or law pursuant to the Province of *Alberta Municipal Government Act*, R.S.A. c.M-26,2000. An application of appeal to the Court of Appeal shall be made:
  - (a) to a judge of the Court of Appeal; and
  - (b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

Pursuant to section 685(3) of the Municipal Government Act, no appeal lies in respect of a development permit for a permitted use, unless the provisions of the Land Use Bylaw were relaxed, varied, or misinterpreted, or the application for the development permit was deemed to be refused under section 683.1(8).

## RIGHT TO APPEAL:

Sections 683, 684, 685 & 686 of the *Municipal Government Act*:

- 683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the Land Use Bylaw.
- 684 (1) The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(b).
- (2) A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.
- (3) If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.



- (4) Section 640(5) does not apply in the case of an application that was deemed to be refused under section 683.1(8).
- 685 (1) If a development authority
- (a) fails or refuses to issue a development permit to a person,
  - (b) issues a development permit subject to conditions, or
  - (c) issues an order under section 645,
- the person applying for the permit or affected by the order under section 645 may appeal the decision in accordance with subsection (2.1).
- (1.1) A decision of a development authority must state whether an appeal lies to a subdivision and development appeal board or to the Land and Property Rights Tribunal.
- (2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal the decision in accordance with subsection (2.1).
- (2.1) An appeal referred to in subsection (1) or (2) may be made
- (a) to the Land and Property Rights Tribunal
    - (i) unless otherwise provided in the regulations under section 694(1) (h.2) (i), where the land that is the subject of the application
      - (A) is within the Green Area as classified by the Minister responsible for the Public Lands Act,
      - (B) contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site,
      - (C) is the subject of a licence, permit, approval or other authorization granted by the Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, or
      - (D) is the subject of a licence, permit, approval or other authorization granted by the Minister of Environment and Protected Areas or the Minister of Forestry, Parks and Tourism, or
    - (ii) in any other circumstances described in the regulations under section 694(1) (h.2) (ii),
  - or
  - (b) in all other cases, to the subdivision and development appeal board.
- (3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted or the application for the development permit was deemed to be refused under section 683.1(8).
- 686 (1) A development appeal is commenced by filing a notice of the appeal, containing reasons, with the board hearing the appeal
- (a) in the case of an appeal made by a person referred to in section 685(1)

- (i) with respect to an application for a development permit,
      - (A) within 21 days after the date on which the written decision is given under section 642, or
      - (B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires, or
    - (ii) with respect to an order under section 645, within 21 days after the date on which the order is made, or
  - (b) in the case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.
- (1.1) Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if
- (a) in the case of a person referred to in subsection (1), the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal, or
  - (b) in the case of a person referred to in subsection (2), the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the
  - (c) permit was given in accordance with the land use bylaw.
- (2) The board hearing an appeal referred to in subsection (1) must hold an appeal hearing within 30 days after receipt of a notice of appeal.
- (3) The board hearing an appeal referred to in subsection (1) must give at least 5 days' notice in writing of the hearing
- (a) to the appellant,
  - (b) to the development authority whose order, decision or development permit is the subject of the appeal, and
  - (c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.
- (4) The board hearing an appeal referred to in subsection (1) must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including
- (a) the application for the development permit, the decision and the notice of appeal, or
  - (b) the order under section 645.
- (4.1) Subsections (1)(b) and (3)(c) do not apply to an appeal of a deemed refusal under section 683.1(8).
- (5) In subsection (3), "owner" means the person shown as the owner of land on the assessment roll prepared under Part 9.