

**Municipal District of Willow Creek No. 26
in the Province of Alberta**

LAND USE BYLAW NO. 1616



December 2010

Consolidated to Bylaw No. 1743, March 2016



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**MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1616**

BEING a bylaw of the Municipal District of Willow Creek No. 26 in the Province of Alberta, to adopt a new Land Use Bylaw;

WHEREAS the Council of the Municipal District wishes to adopt a new Land Use Bylaw to comply with the land use provisions established in the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

AND WHEREAS the Land Use Bylaw provides for the regulation of the use and development of lands, buildings and structures within the municipality;

AND WHEREAS the purpose of the proposed bylaw is:

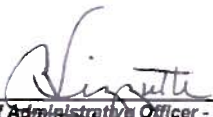
- to incorporate the mandatory changes required for land use bylaws prescribed in the Municipal Government Act,
- to incorporate minor revisions and previous amendments to the present bylaw,
- to change the existing Land Use District Maps to reflect several land use redesignations which have or will be made,
- to incorporate an expanded number of land use definitions,
- to add several additional land use schedules and appendices which will govern specific developments in the municipality,
- to incorporate the required bylaws necessary to establish the Subdivision and Development Authority as well as the Subdivision and Development Appeal Board;

AND WHEREAS it is deemed expedient and appropriate for the Municipal District of Willow Creek No. 26 to consider Bylaw No. 1616 for the above-noted reasons;


NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council duly assembled does hereby enact the following:

1. Bylaw No. 1250, being the former Land Use Bylaw, and any amendments thereto are hereby rescinded.
2. Bylaw No. 1616 shall come into effect upon third and final reading thereof.
3. Bylaw No. 1616 is hereby adopted.

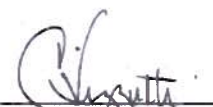
READ a first time this 8th day of September, 2010.


Reeve - Henry Van Hlerden
Chief Administrative Officer - Cynthia Vizzutti

READ a second time this 15th day of December, 2010.


Reeve - Henry Van Hlerden
Chief Administrative Officer - Cynthia Vizzutti

READ a third time and finally PASSED this 15th day of December, 2010.


Reeve - Henry Van Hlerden
Chief Administrative Officer - Cynthia Vizzutti

Municipal District of Willow Creek No. 26 Land Use Bylaw No. 1616 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
1632	"Rural General – RG" to "Vacant Country Residential – VCR"	Portion of SE 28-9-24-W4M	14-Sep-2011
1647	"Rural Recreational – RR" to "Rural General – RG"	Portion of SE 2-11-28-W4M	13-Jun-2012
1656	"Rural General – RG" to "Vacant Country Residential – VCR"	Portion of SE 32-15-27-W4M	19-Sep-2012
1657	"Rural General – RG" to "Vacant Country Residential – VCR"	Portion of NW 23-14-28-W4M	19-Sep-2012
1658	Various text amendments to: remove several non-agricultural land uses from the "Rural General – RG" land use district; add, change or delete 20 definitions as they appear in Schedule 16 of the present Land Use Bylaw; add or delete certain land uses from existing land use districts within the present Land Use Bylaw; make minor textual or grammatical changes to the verbiage within the present Land Use Bylaw; incorporate any constructive suggestions that may result from presentations at the public hearing prior to the adoption of proposed Bylaw No. 1658.		16-Jan-2013
1691	"Rural General – RG" to "Vacant Country Residential – VCR"	Portion of NE 23-15-29-W4M	5-Feb-2014
1692	"Rural General – RG" to "Rural Industrial – RI"	Portion of SW 27-16-29-W4M	5-Feb-2014
1703	Various text amendments to: add a land use district designation for development of Medical Marihuana Production Facilities; add, change or delete definitions as they appear in Schedule 16; add or delete certain land uses from the existing land use districts; make minor textual or grammatical changes to the verbiage.		16-Jul-2014
1704	Amend Land Use Designation Rural Industrial – Schedule 2/33 Section 8, by adding Section 8.1(b)(i)	Portion of SW 17-9-25-W4M	10-Sep-2014
1705	"Rural General – RG" to "Rural Industrial – RI"	Portion of SW 17-9-25-W4M	10-Sep-2014
1706	"Rural General – RG" to "Vacant Country Residential – VCR"	NW-33-13-26-W4M	10-Sep-2014
1707	"Rural General – RG" to "Rural Industrial – RI"	SW-6-12-25-W4M	?-Sep-2014
1711	"Rural General – RG" to "Rural Industrial – RI"	NE 22-11-26-W4M	17-Dec-2014
1712	"Rural General – RG" to "Rural Commercial – RC"	Portion of SW 4-15-27-W4M	14-Jan-2015
1718	"Rural General – RG" to "Rural Industrial – RI"	NW, NE & SE 15-15-26-W4M	11-Mar-2015
1720	"Rural General – RG" to "Vacant Country Residential – VCR"	Portion of SE 11-16-29-W4M	15-Apr-2015
1721	"Rural General – RG" to Vacant Country Residential – VCR"	Portion of SE 14-10-27-W4M	15-Apr-2015
Updated Fee Schedule – approved by Council on November 25, 2015			
1739	"Rural General – RG" to "Vacant Country Residential – VCR"	Portion of NE 23-8-25-W4M	27-Jan-2016

Bylaw No.	Amendment Description	Legal Description	Passed
1740	"Claresholm Industrial Area – CIA" to "Rural Commercial – RC"	Lot 2, Block 3, Plan 2840JK	27-Jan-2016
1743	"Rural General – RG" to "Rural Industrial – RI"	Portion of Section 15-9-26-W4M	9-Mar-2016

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**THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA**

LAND USE BYLAW NO. 1616

The Council of The Municipal District of Willow Creek No. 26 in the Province of Alberta enacts as follows:

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26, IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE AND DEVELOPMENT OF LANDS, BUILDINGS AND STRUCTURES.

THIS BYLAW MAY BE CITED AS THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26 LAND USE BYLAW.

DEFINITIONS

1. For Definitions, see Schedule 16.

DESIGNATED OFFICER / DEVELOPMENT OFFICER *

2. The office of "designated officer" is established.
3. The Council shall, by resolution, appoint a person or persons to the office of designated officer.
4. For the purpose of this bylaw, the designated officer shall be the Development Officer, the Chief Administrative Officer or the Municipal Planning Commission.
5. Each person appointed to the office of Development Officer:
 - (a) may exercise only such powers and perform duties as are specified in this bylaw or by resolution of Council;
 - (b) is responsible for processing, deciding upon and referring applications for a development permit in accordance with this bylaw;
 - (c) shall be considered a "designated officer" pursuant to sections 210 and 624 of the *MGA*.
6. The Development Officer is responsible for:
 - (a) processing and referring all development permit applications in accordance with this bylaw;
 - (b) maintaining a register and recording therein all applications made for development permits and the decisions made with respect to them;
 - (c) requesting written comments from building inspectors, other municipal staff and other agencies, as appropriate, prior to issuing a development permit or referring an application to the Municipal Planning Commission; and
 - (d) the issuance of waivers exceeding the measurable standards established in this bylaw;

* **Note:** The Municipal Planning Commission is empowered to act as a designated officer and may assume any authority or make any decisions delegated to the designated officer under this bylaw.

- (e) in consultation with the Superintendent of Public Works, the issuance of setback waivers for trees adjacent to municipal road allowances;
- (f) carrying out such other duties and responsibilities as may be assigned by resolution of Council.

MUNICIPAL PLANNING COMMISSION

- 7. The Municipal Planning Commission may perform only such powers and duties as are specified:
 - (a) in the municipality's Development Authority Bylaw;
 - (b) in this bylaw,
 - (c) in the *MGA*, or
 - (d) by resolution of Council.

LAND USE DISTRICTS

- 8. The municipality is divided into those districts specified in Schedule 1 and shown on the Land Use District Maps.
- 9. The one or more uses of land, buildings or structures that are:
 - (a) permitted uses in each district, with or without conditions; or
 - (b) discretionary uses in each district, with or without conditions;are described in Schedule 2.
- 10. A land use that is not listed as permitted or discretionary in a district, is prohibited.

DEVELOPMENT PERMIT APPLICATIONS

- 11. Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the development.
- 12. An application for a development permit must be made to the Development Officer by submitting:
 - (a) a completed application on the appropriate form of Schedule 4;
 - (b) where the applicant/landowner is a corporation/registered company, the Development Officer may require a current corporate search to be submitted as part of a development application;
 - (c) such other information as may be required by the Development Officer in accordance with Section 53 of this bylaw; and
 - (d) the fee prescribed in Appendix J.
- 13. An application for a development permit must be made by *either* the owner of the land on which the development is proposed or, with the written consent of the owner, by any other person.

PERMITTED USE APPLICATIONS

- 14. Upon receipt of a completed application for a development permit for a permitted use, the Development Officer shall, if the application otherwise conforms with this bylaw, issue a development permit with or without conditions.

15. The Development Officer may refer any application for a permitted use to the Municipal Planning Commission for a decision.
16. All development approvals granted by the Development Officer in accordance with section 14 above shall be summarized and filed with the Municipal Planning Commission at their next regularly scheduled meeting.
17. The Development Officer and/or the Municipal Planning Commission may impose reasonable planning related conditions attached to the issuance of a development permit for a permitted use including, but not limited to:
 - (a) referrals to pertinent government departments for their appropriate approvals;
 - (b) obtaining a building permit and filing a copy with the municipality;
 - (c) entering into a development agreement with the municipality;
 - (d) the filing of pertinent engineering reports prior to construction commencing;
 - (e) the filing of necessary applications if a variance or waiver is required;
 - (f) the establishment of the proposed setbacks envisioned for the development.

DISCRETIONARY USE APPLICATIONS

18. Upon receipt of a completed application for a development permit for a discretionary use, the Development Officer may initiate notification as detailed in section 22 hereof and shall submit the application to the Municipal Planning Commission.
19. Upon receipt of a completed application under section 18, the Municipal Planning Commission or the Development Officer:
 - (a) may notify, or cause to be notified, in accordance with section 22, those persons likely to be affected by the issue of a development permit; and
 - (b) may notify any nearby municipality if, in the opinion of the Development Officer or the Municipal Planning Commission, the proposed development could have an impact upon land use in that municipality.
20. Upon receipt of a completed application for a development permit for a development that does not comply with this bylaw, but in respect of which the Municipal Planning Commission is requested by the applicant to exercise discretion under section 40, the Development Officer shall submit the application to the Municipal Planning Commission.
21. Upon receipt of an application under section 20, and if the Development Officer or the Municipal Planning Commission is prepared to exercise its discretion under section 40, it may notify, or cause to be notified, in accordance with section 22, those persons likely to be affected by the issue of a development permit.

NOTIFICATION

22. Upon receipt of an application under sections 18, 20 or 40, the Municipal Planning Commission may, prior to a decision, notify or cause to be notified any persons likely to be affected by the issue of a discretionary development permit as follows:
 - (a) a notice in writing may be mailed immediately by the Development Officer to any person who may be affected; or

- (b) the Development Officer may immediately post a notice of application conspicuously on the property for which the application has been made; or
 - (c) the Development Officer may ensure that a notice is immediately published in a newspaper circulating in The Municipal District of Willow Creek No. 26; or
 - (d) the Development Officer may hand deliver a notice of application to any persons affected by the proposal; or
 - (e) any combination of (a), (b), (c) and (d).
23. In all cases, notification shall:
- (a) describe the nature and location of the use;
 - (b) state the time and place where the Municipal Planning Commission will convene a meeting to consider the application as well as any oral or written submissions by either the applicant, other affected parties, or both.
24. Any person notified in accordance with section 22 and who wishes to comment on the application must submit comments to the Municipal Planning Commission within ten days, or such a time frame deemed acceptable by the Municipal Planning Commission, of the mailing, posting or publication of a notice of application, if said comments are to be considered.
25. Ten consecutive days or more after notification of an application and after considering any response to the notification by persons likely to be affected by the development, the Municipal Planning Commission may refuse the application or may issue a development permit with or without conditions, including the provision of a development agreement pursuant to the *MGA*.
26. The Municipal Planning Commission, at its discretion, may establish notification distances for any application which requires any persons likely to be affected by the issuance of a discretionary development permit to be notified.

NOTIFICATION DEVELOPMENT PERMIT ISSUED

27. Upon the issuing of a development permit, the Development Officer shall immediately notify the applicant by mail and shall also notify those persons notified under section 22 and any other person likely to be affected by the development either:
- (a) by mail, or
 - (b) by placing an advertisement in a local newspaper circulating in the municipality, or
 - (c) by posting a notice in a conspicuous place on the property, or
 - (d) any combination of the above.

VALIDITY OF A DEVELOPMENT PERMIT

28. Unless it is suspended or cancelled, a development permit remains in effect for 12 months from the date of approval of the development.
29. The validity of a development permit may be extended:
- (a) by the Development Officer or the Municipal Planning Commission, if the Development Officer issued it; or
 - (b) by the Municipal Planning Commission, if the Municipal Planning Commission issued it;

for up to 24 months from the date of its original approval.

30. When any use has been discontinued for a period of 24 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced:
 - (a) until a new application for a development permit has been made and a new development permit issued; or
 - (b) in the case where a development was commenced prior to the adoption of a land use bylaw and a permit was never issued, an application for a development permit must be made and a valid development permit issued.

DEVELOPMENT AGREEMENTS

31. The provision of a development agreement pursuant to the *MGA* may be required as a condition of a development permit or a subdivision approval.

PRIVATE DRIVEWAYS

32. As a condition of a development or subdivision approval, the Municipal Planning Commission may require access and/or egress to a proposed development be in accordance with a Private Driveway Policy.

REAPPLICATION

33. If a decision has been made on an application for a development permit by the Development Officer, the Municipal Planning Commission or, on appeal, by the Subdivision and Development Appeal Board, another application for development:
 - (a) on the same lot, and
 - (b) for the same or a similar use,may not be accepted for at least 6 months after the date of refusal.

APPEALS

34. Any person affected by a decision of the Municipal Planning Commission or the Development Officer has the right pursuant to the *MGA*, to appeal said decision to the Subdivision and Development Appeal Board.
35. An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal to the Subdivision and Development Appeal Board within 14 days after:
 - (a) a person is notified of an order or decision or the issuance of a development permit; or
 - (b) the date on which the notice of the issuance of a development permit was given in accordance with section 27 of this bylaw; or
 - (c) the expiration of the 40-day period for a decision to be made and any extension of that period in accordance with section 22 of this bylaw has expired.

COMMENCEMENT OF DEVELOPMENT

36. Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
- (a) until at least 14 days after the date of notification of the issuance of the permit; or
 - (b) if an appeal is made, until the appeal is decided upon.

TRANSFER OF DEVELOPMENT PERMIT

37. A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.
38. When any use has been discontinued for a period of 24 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued.

DEEMED REFUSAL / FAILURE TO RENDER DECISION

39. In accordance with section 684 of the *MGA*, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or the Municipal Planning Commission, as the case may be, is not made within 40 days of receipt of the completed application by the municipality, unless the applicant has entered into an agreement with the Development Officer to extend the 40-day period.

NON-COMPLIANCE WITH LAND USE BYLAW / WAIVERS

40. The Municipal Planning Commission is authorized and, subject to subsection 40(b), the Development Officer is also authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with the measurable standards of this bylaw if, in the opinion of the Municipal Planning Commission or the Development Officer:
- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties; and
 - (b) the proposed development conforms with the use prescribed for the land or building in Schedule 2.
41. The Development Officer may only exercise a discretion under section 40 in respect of the following matters:
- (a) granting of minor setback waivers as authorized by resolution of Council;
 - (b) approval of minor deviations from approved site plans;
 - (c) imposing conditions on permitted uses in order to ensure a proposed use will comply with provisions of the bylaw, the municipal development plan or any other statutory plan.

ADDITIONAL CONDITIONS OF APPROVAL

42. In addition to the conditions that the Development Officer or Municipal Planning Commission may impose on a development permit issued under Schedule 2, the Development Officer or Municipal Planning Commission may impose such other conditions as are considered necessary to ensure that this bylaw or any statutory plan is complied with as outlined in Section 17 of this bylaw for discretionary uses.

SUSPENSION OF A DEVELOPMENT PERMIT

43. If, after a development permit has been issued, the Development Officer or the Municipal Planning Commission becomes aware that:
- (a) the application for the development permit contained misrepresentations; or
 - (b) facts concerning the application or the development that were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known;
- the Development Officer or the Municipal Planning Commission may suspend or cancel the development permit by notice in writing to the holder of the development permit stating the reasons for any suspension or cancellation.
44. If a development permit is suspended, the Subdivision and Development Appeal Board shall review the application if requested by the applicant and either:
- (a) reinstate the development permit; or
 - (b) cancel the development permit if the Development Officer or the Municipal Planning Commission, as the case may be, would not have issued the development permit if the facts subsequently disclosed had been known during consideration of the application.

STOP ORDERS

45. The Development Officer or the Municipal Planning Commission are authorized to issue an order under section 645 of the *MGA* whenever either considers it necessary to do so.

SIMILAR USES

46. Where a use is applied for which is not specifically considered in a land use district but, in the opinion of the Development Officer and/or the Municipal Planning Commission, is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the Development Officer or the Municipal Planning Commission may:
- (a) rule that the proposed use is a permitted or discretionary use in the land use district in which it is proposed; and
 - (b) direct that a development permit be issued with or without conditions.

TEMPORARY PERMITS

47. When, in the opinion of the Municipal Planning Commission, a proposed use is of a temporary or discretionary nature, it may issue a temporary development permit valid for such a period as it considers appropriate. It shall be a condition of every temporary development permit that The Municipal District of Willow Creek No. 26 shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period. The Municipal Planning Commission may require the applicant to post a guarantee for the cessation or removal of the use and any associated development.

NUMBER OF DWELLING UNITS ON A PARCEL

48. No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Municipal Planning Commission through the issuance of a development permit.

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

49. Development that does not require a development permit is specified in Schedule 3.

NON-CONFORMING BUILDINGS AND USES

50. A non-conforming building or use may only be continued in accordance with the conditions detailed in the *MGA*.

NON-CONFORMING USE VARIANCES

51. The Municipal Planning Commission is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to section 643(5)(c) of the *MGA*.

DEVELOPMENT IN MUNICIPALITY GENERALLY

52. A person who develops land or a building in the municipality shall comply with the standards of development specified in one or more of the schedules of this bylaw, in addition to complying with the use or uses prescribed in the applicable land use district and any conditions attached to a development permit if one is required.

ADDITIONAL APPLICATION INFORMATION REQUIREMENTS

53. The Development Officer may require proof of ownership or right to land in question and may require a surveyor's certificate as proof of location of development on said land. The provision of the location of abandoned oil and gas wells, geotechnical information, percolation tests, soil stability analysis and/or the preparation of an area structure plan may be required from the applicant prior to a decision being rendered on a development application to determine the suitability of the land for the proposed use.

ADDITIONAL DEVELOPMENT APPROVALS

54. The issuance of a development permit pursuant to this bylaw by the Development Officer or the Municipal Planning Commission and/or Council does not preclude the applicant and/or his agent from obtaining any additional municipal, provincial or federal approvals that may be required before, during or after the development process. The applicant, or his agent, is responsible for obtaining any such additional approvals.

SEPARATION DISTANCE CALCULATIONS

55. For the purpose of this bylaw, unless specified otherwise, all separation distance calculations shall be consistent with the processes and formulas established in the *Agricultural Operation Practices Act (AOPA)*.

PENALTIES

56. Every person who contravenes any provision of this bylaw is guilty of an offence under section 566 of the *MGA* and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

DEVELOPMENT IN FLOODWAYS

57. All development located in an identified floodway within the municipality shall comply with the Flood Recovery and Reconstruction Act, and any subsequent regulations established by the Lieutenant Governor in Council and section 693.1 of the Municipal Government Act.

NOTIFICATION TO ADJACENT MUNICIPALITIES

58. A draft version of any proposed:

- (a) new land use bylaw; or
- (b) urban fringe land use district and associated schedules; or
- (c) land use bylaw amendment which involves either a fringe land use district or a part of any other district lying 1 mile (1.6 km) or less from the boundary of an urban municipality;

shall be sent to the municipality concerned for comments and regard shall be had to any comments received prior to amendment of this bylaw.

59. The comments of the municipality concerned shall be requested and considered prior to deciding on an application for a discretionary use if the proposed location is:

- (a) less than 2 miles (3.2 km) from the boundary of a town or village with a population of more than 500;
- (b) less than 1 mile (1.6 km) from the boundary of a town or village with a population of 500 or less.

LAND USE REDESIGNATIONS

60. If an application for a land use redesignation is refused by the Council, another application for a redesignation:

- (a) on the same lot, and
- (b) for the same or a similar use,

may not be accepted for at least six months after the date of refusal.

RESCINDING LAND USE REDESIGNATIONS

61. Council, at its sole discretion, may rescind an amending bylaw which has redesignated certain lands within the municipality to accommodate a proposed subdivision and/or development. Council may rescind the said redesignation bylaw and rezone the lands back to their original designation if:

- (a) the proposed subdivision has not been applied for, decided upon or extended; and/or
- (b) the proposed development has not been applied for, decided upon, commenced or extended within 24 months of the redesignation bylaw being given third and final reading.

62. The rescinding of the redesignation bylaw shall be undertaken in accordance with section 191 of the *MGA*.

SCHEDULES, MAPS AND APPENDICES

63. Schedules 1 through 17, attached hereto, form part of this bylaw.

64. Appendices A through N do not form part of this bylaw and are for information and guidance purposes only.

AMENDMENT OR REPEAL OF BYLAW

65. The procedure for amendment or repeal of this bylaw is prescribed under sections 191, 230, 606 and 692 of the *MGA*.

ADOPTION OF BYLAW

66. The Municipal District of Willow Creek No. 26 Land Use Bylaw No. 1250, as amended, is hereby repealed.
67. This bylaw comes into effect upon the final passing thereof.

Schedule 1

LAND USE DISTRICTS

LAND USE DISTRICTS

1. The Municipal District of Willow Creek No. 26 is divided into those districts in Schedule 2 as drawn on the Land Use District Maps in Schedule 17.
2. Each district on the Land Use District Maps shall be known by the following identifying symbols:

RURAL GENERAL	– RG
RURAL HAMLETS	– RH
MOON RIVER ESTATES	– MRE
HAMLET OF PARKLAND DIRECT CONTROL	– DC-1
GROUPED COUNTRY RESIDENTIAL	– GCR
RURAL SMALL HOLDINGS	– RSH
CLARESHOLM INDUSTRIAL AREA	– CIA
RURAL INDUSTRIAL	– RI
RURAL COMMERCIAL	– RC
FLOOD DAMAGE REDUCTION	– FDR
RESERVOIR VICINITY	– RV
RURAL RECREATIONAL	– RR
VACANT COUNTRY RESIDENTIAL	– VCR
NANTON URBAN FRINGE	– NUF
3. The following are named as Designated Hamlets for the purpose of this bylaw:
 - Moon River Estates
 - Orton
 - Parkland
 - Woodhouseand the boundaries of the above shall be in accordance with the Land Use District Maps of this bylaw.

Schedule 2

LAND USE DISTRICT REGULATIONS

LAND USE DISTRICT REGULATIONS

RURAL GENERAL – RG

INTENT

The intent of this land use district is to provide for the protection of agricultural land by limiting and regulating development other than cultivation or grazing, of the following permitted, discretionary and prohibited land uses.

1. LAND USES

(a) Permitted Uses*

- Accessory buildings or uses
- Home occupations - minor
- Mobile homes
- Modular homes
- Primary farm residences
- Residential additions, porches, verandas
- Wind Energy Conversion Systems (WECS) - Category 1 and 2

(b) Discretionary Uses

- Airport sites or airstrips
- Animal care services, large
- Animal care services, small
- Aquaculture operations
- Artificial insemination facility
- Bed and breakfast establishments
- Cemeteries
- Family campgrounds
- Farmsteads
- Food processing
- Food service / catering
- Garden suites
- Grain elevators
- Guest ranches
- Heliport sites
- Home occupations - major
- Household repair service
- Intensive horticulture
- Intensive livestock operations
- Kennels - Categories 1 and 2
- Lodging house
- Market gardens
- Moved-in buildings for non-farm use
- Multi-family units
- Private riding stables and arenas

* See Schedule 3, Development Not Requiring a Development Permit

- Private rifle ranges
- Private rodeo grounds
- Public and private institutional uses
- Public and private utilities
- Public park and recreation
- Ready-to-move structures (RTMs)
- Recreation vehicle storage
- Residential additions within the minimum distance separation
- Schools
- Secondary and/or subsequent residences
- Seed cleaning plants
- Senior citizen housing
- Signs
- Single lot country residential uses
- Surveillance suites
- Tourist homes
- Towers
- Vehicle service and repair
- Visitor accommodation
- Warehouse stores
- Warehouses
- Welding shops
- Wind Energy Conversion Systems (WECS) and ancillary uses
- Workshops

(c) **Prohibited Uses**

- Grouped country residential uses
- Grouped rural industrial uses
- Medical marihuana production facilities
- Noxious industry
- Resource extraction uses

2. **PARCEL AND LOT SIZES**

Parcel and lot sizes for all the permitted and discretionary uses above are:

(a) **Extensive Agriculture**

- (i) existing parcels;
- (ii) 160 acres (64.8 ha) or an unsubdivided quarter section.

(b) **Farmsteads**

- (i) existing parcels;
- (ii) minimum of 1 acre (0.4 ha);
- (iii) maximum of 3 acres (1.2 ha);
- (iv) at the discretion of the MPC for cut-off parcels.

(c) **Horticultural Uses**

- (i) existing parcels;
- (ii) minimum of 5 acres (2.02 ha);
- (iii) maximum of 15 acres (6.0 ha) from a previously unsubdivided quarter section;
- (iv) at the discretion of the MPC for cut-off parcels.

(d) **Intensive Livestock Operations / Confined Feeding Operations**

- (i) the parcel size shall remain the same size for which the development approval was originally issued.

(e) **Single Lot or Vacant Country Residential**

- (i) existing parcels;
- (ii) minimum of 3 acres (1.2 ha);
- (iii) maximum of 5 acres (2.02 ha).

(f) **All Other Uses**

Parcel and lot sizes for all other land uses shall be determined by the Municipal Planning Commission after consideration of comments from relevant agencies and in accordance with, but not limited to, the *Municipal Government Act*, a regional plan, the Subdivision and Development Regulation, this Land Use Bylaw, the Municipal Development Plan and any other applicable legislation or regulations.

3. MINIMUM SETBACK REQUIREMENTS

3.1 All buildings, structures and development other than cultivation or grazing shall be setback from lot or parcel boundaries at least:

- (a) 75 feet (22.9 m) from the right-of-way of any developed or undeveloped roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek No. 26;
- (b) such distances as required by Alberta Transportation for roads designated as highways in the Memorandum of Agreement;
- (c) any greater distance that may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication, to reduce potential snow drifting, or vision restrictions;
- (d) at least 20 feet (6.1 m) from adjacent property lines.

3.2 The Municipal Planning Commission may establish a minimum setback from any existing residence where a proposed discretionary use may be incompatible with the residential use.

3.3 All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a primary highway or a secondary road may have special requirements for setback, access and service roadways imposed as a condition of approval by the Municipal Planning Commission in accordance with the requirements of Alberta Transportation and the *Highways Development and Protection Act, Chapter H-8.5, Revised Statutes of Alberta 2004, as amended*.

3.4 All buildings, structures and development that is to be located in close proximity to an escarpment, coulee break, river bank or other geographical feature may have special requirements for setback as determined by the Municipal Planning Commission upon due consideration of any geotechnical or slope stability analysis reports requested by the municipality.

3.5 The Municipal Planning Commission, or on appeal the Subdivision and Development Appeal Board, shall require the developer to meet or exceed the Minimum Distance Separation (MDS) requirements as calculated by the Development Officer or representatives of the appropriate government department for all developments which propose to:

- (a) construct a new intensive livestock operation;
- (b) expand or add to an existing intensive livestock operation;
- (c) construct or relocate a country residence or dwelling unit in close proximity to an existing intensive livestock operation.

3.6 At the discretion of the Municipal Planning Commission, or on appeal the Subdivision and Development Appeal Board, may allow for residential additions to existing dwellings located within the MDS calculation of an Intensive Livestock Operation pursuant to section 643(5)(c) of the *MGA*.

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of buildings and structures on the site that may be covered shall be as determined by the Municipal Planning Commission.

5. EXTENSIVE AGRICULTURE LAND USES

The minimum parcel size for extensive agriculture shall be 160 acres (64.8 ha), less any registered exceptions from a quarter section title consisting of:

- (a) a highway, municipal roadway, canal, irrigation ditch, easement or right-of-way, or
- (b) any other area of land use for public use; or
- (c) a country residential parcel not greater than 5.0 acres (2.02 ha) in size.

6. FARMSTEAD LAND USES

The site of a farmstead or primary farm residence may be approved to create a separate parcel provided that:

- (a) the area of the proposed lot shall be a minimum of 3 acres (1.2 ha) and in general shall be as small as possible in order to conserve agricultural land, but in any instance, no greater than:
 - (i) a maximum of 5 acres (2.0 ha); or
 - (ii) the area described in a fragmented parcel;
- (b) the area of the proposed lot shall be further limited by the location and extent of physical or legal characteristics and vegetation and such other lands as is required for physical access to the proposed lot;
- (c) the proposed lot on which the farmstead is located and the proposed residual lot both have direct legal or physical access to a public roadway;
- (d) the access is satisfactory to Alberta Transportation where the access is onto or within 1,000 feet (304.8 m) of a designated highway, and the access is satisfactory to the Municipal Planning Commission in the case of other public roadways;
- (e) the size and location of the proposed lot will not significantly affect any irrigation system in the area;
- (f) any residual lot created is at least 145 acres (58.7 ha) in area.

7. EXISTING PARCELS

The enlargement, reduction or realignment of an existing separate parcel may be approved provided that:

- (a) the additional lands required are to accommodate existing or related improvements;
- (b) the proposal is to rectify or rationalize existing habitation, occupancy, cultivation or settlement patterns;
- (c) no additional parcels are created over and above those presently in existence;
- (d) the proposed new lot and the proposed residual lot will continue to have direct legal and physical access to a public roadway, adequate development setbacks, and a suitable building site;
- (e) the size, location and configuration of the proposed lot will not significantly affect any irrigation or transportation system in the area nor the urban expansion strategies of neighbouring municipalities.

8. HORTICULTURAL USES AND INTENSIVE AGRICULTURAL OPERATIONS

8.1 The site of a horticultural use may be approved for development, expansion, or for the creation of a separate parcel provided that:

- (a) the area of the proposed parcel shall be a minimum of 5 acres (2.0 ha) and in any instances no greater than:
 - (i) a maximum of 10 acres (4.0 ha) on cut-off parcels; or
 - (ii) a maximum of 15 acres (6.0 ha) from a previously unsubdivided quarter section;
- (b) any residual lot created is at least 135 acres (54.6 ha) in area;
- (c) in the opinion of the Municipal Planning Commission:
 - (i) the proposed location is suitable for and will be developed for the proposed use within a period of one year;
 - (ii) the proposed use or operation will be developed in such a manner that no run-off water can directly enter any waterbody, watercourse, groundwater, irrigation system, public roadway ditch or riparian area;
 - (iii) there will be adequate provision for waste treatment, temporary waste storage facilities and arrangements for waste disposal on the operator's own land or any other land, in accordance with standards set by the appropriate provincial departments; and
 - (iv) the proposed use otherwise complies with the any other regulations relating to such uses and any other legislation made in addition, or in substitution, to them.

8.2 So as to ensure that there is adequate notification, deliberation and public participation:

- (a) Before considering any application to develop or expand an intensive livestock operation, the Development Officer or the Municipal Planning Commission shall notify or cause to be notified in accordance with the procedures established by this bylaw:
 - (i) all owners of land located within 1 mile (1.6 km), or such greater distance as established by the Municipal Planning Commission, of the proposed development or lot;
 - (ii) Natural Resources Conservation Board;
 - (iii) the appropriate health authority;
 - (iv) any adjacent rural municipality or a town or village, if the proposed use is:
 - less than 2 miles (3.2 km) from the boundary of a municipality with a population of more than 500, and
 - less than 1 mile (1.6 km) from the boundary of a municipality with a population of less than 500; and

- (v) any other person the Municipal Planning Commission and/or the Development Officer determines is likely to be affected.
 - (b) Before rendering a decision on any application to develop or expand an intensive livestock operation, the Municipal Planning Commission, or on appeal the Subdivision and Development Appeal Board, shall ensure that:
 - (i) the Minimum Distance Separation (MDS) requirements are met or exceeded in all instances, as outlined in the most recent *Agricultural Operation Practices Act*;
 - (ii) the proposed operation can provide at least 120 percent of the recommended land base outlined in the *Agricultural Operation Practices Act* for manure disposal;
 - (iii) the operation can provide a minimum of one year storage capacity on site for the storage and/or retention of manure, or as recommended by the appropriate provincial departments.
- 8.3 The Development Officer or the Municipal Planning Commission, as a condition of approval of any application to develop or expand an intensive livestock operation, may attach special conditions as considered necessary to those applications located in the following areas:
- (a) less than 2 miles (3.2 km) from a town, village or designated hamlet with a population of 500 or more, and
 - (b) less than 1 mile (1.6 km) from a town, village or designated hamlet with a population of less than 500, and
 - (c) less than 1 mile (1.6 km) from a provincial, regional or municipal park or recreation area, and
 - (d) less than ½ mile (0.8 km) from an existing or approved grouped country residential development, and
 - (e) less than ½ mile (0.8 km) from either side of a designated highway, unless provided for in an area structure plan approved by Alberta Transportation; and
 - (f) within such distance of other roads such as designated scenic, tourist or recreational access roads as established in a municipal bylaw; or
 - (g) adjacent to an environmentally significant area, regionally sensitive area, riparian area or a waterbody.
- 8.4 The Development Officer or the Municipal Planning Commission, as a condition of approval of any application to develop or expand an intensive livestock operation, may:
- (a) limit the maximum number of animals per acre as a condition of a development permit; and
 - (b) require the acquisition of a satisfactory assessment as issued by the Natural Resources Conservation Board; and
 - (c) require that periodic inspections by the Development Officer be made to verify continuing conformity with all conditions of the development permit;
 - (d) require incorporation or direct injection of manure.
- 8.5 An existing intensive livestock operation duly commenced prior to any municipal land use planning regulations or bylaws shall be allowed to operate in its present state until such time the use has been discontinued for a period of at least 24 months or when the operation undertakes an expansion.
- 8.6 An existing intensive livestock operation duly commenced and authorized by the issuance of a development permit under this bylaw or a previous land use bylaw that does not meet the

present development criteria shall be allowed to operate in its present state until such time as the use has been discontinued for a period of at least 24 months or when the operation undertakes an expansion.

- 8.7 An existing intensive livestock operation commenced while the municipality had a duly adopted land use bylaw, but not authorized by the issuance of a development permit under this bylaw or a previous bylaw, shall be issued a stop order in accordance with the *MGA* and required to undertake any remedial measures which will ensure that the operation meets or exceeds the present development criteria established in this bylaw.

9. RURAL INDUSTRIAL AREAS

- 9.1 The Municipal Planning Commission may recommend to Council the designation of a rural industrial area. The municipality's planning advisor shall be notified of any designation by Council of a rural industrial area.

- 9.2 Rural industrial areas shall, where possible:

- (a) be located on poor agricultural land unless such locations, in the opinion of the Municipal Planning Commission, are not reasonably available; and
- (b) be serviced to the satisfaction of the Municipal Planning Commission; and
- (c) use only the minimum area of land required.

10. SINGLE LOT COUNTRY RESIDENTIAL LAND USES

The site of a single developed residence [see definition] may be recommended for approval to create a separate parcel from an unsubdivided quarter section provided that:

- (a) the area of the proposed lot shall be a minimum of 3 acres (1.2 ha) and in general shall be as small as possible in order to conserve agricultural land, but in any instance, no greater than a maximum of 5 acres (2.02 ha).
- (b) the area of the proposed lot shall be further limited by the location and extent of physical characteristics and vegetation and such other lands as is required for physical access to the proposed lot;
- (c) the proposed single residential lot is, in the opinion of the Municipal Planning Commission, suitable for the proposed use;
- (d) the proposed single residential lot is or can be serviced to the satisfaction of the Municipal Planning Commission;
- (e) the proposed lot on which the country residence is located and the proposed residual lot both have direct legal or physical access to a public roadway;
- (f) the access is satisfactory to Alberta Transportation where the access is onto or within 1,000 feet (304.8 m) of a designated highway, and the access is satisfactory to the Municipal Planning Commission in the case of other public roadways;
- (g) the size and location of the proposed lot will not significantly affect any irrigation system in the area;
- (h) the residence located on the proposed single residential lot is at least ½ mile (0.8 km) from a noxious industry or other activity potentially detrimental to a residential environment, or such a distance as may be required by the Municipal Planning Commission unless the proposal is to remove the first parcel containing a developed residence from a previously unsubdivided quarter section;

- (i) the existing development on the proposed single residential lot will not, in the opinion of the Municipal Planning Commission, inhibit public access to or otherwise have a detrimental effect on the capability for recreational use of a river valley, waterbody, forest reserve, public park, environmentally significant area, regionally sensitive area, special scenic location or riparian area;
- (j) any residual lot created is at least 147 acres (59.5 ha) in area;
- (k) the residence on the proposed lot meets or exceeds the raw Minimum Distance Separation (MDS) requirement from an existing intensive livestock operation, as it appears in the most recent edition of the *Agricultural Operation Practices Act*.

11. RIVER VALLEYS AND SHORELANDS

- 11.1 Before approving any application to locate or expand any land use in or adjacent to a river valley or shoreland area which requires a land use bylaw waiver, the Municipal Planning Commission shall refer such an application to any local, regional, provincial or federal government agency that, in its opinion, has an interest in land use management.
- 11.2 No application to locate or expand any land use in or adjacent to a river valley or shoreland area shall be approved unless, in the opinion of the Municipal Planning Commission, the proposal will not:
 - (a) be located in a flood prone area; and
 - (b) cause soil erosion or damage to a river bank; and
 - (c) cause deterioration of water quality; and
 - (d) hinder the flow of water to the river; and
 - (e) compromise aesthetic quality or natural amenities; and
 - (f) be detrimental to an environmentally significant area, regionally sensitive area, riparian area or a waterbody; and
 - (g) have a detrimental effect on adjoining or nearby agricultural operations if the proposed development is for a non-agricultural use; and
 - (h) have a detrimental effect on existing or proposed recreation areas; and
 - (i) have a detrimental effect on existing or proposed irrigation canals or water diversion structures.

12. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES

- 12.1 No application to locate or expand any land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:
 - (a) transportation or communication systems, including designated highways, municipal roadways, railways, airport sites or communication facilities; or
 - (b) regionally sensitive areas, utility facilities, including irrigation works, pipelines and power transmission lines.
- 12.2 Any application for development located in the vicinity of a sour gas pipeline shall be circulated to the Alberta Energy Regulator for comment.

13. **STANDARDS OF DEVELOPMENT** – See Schedule 5.
14. **MOBILE / MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 6.
15. **MODULAR HOME COMMUNITY STANDARDS** – See Schedule 7.
16. **MOVED-IN BUILDINGS** – See Schedule 8.
17. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 9.
18. **SIGN REGULATIONS** – See Schedule 10.
19. **HOME OCCUPATIONS** – See Schedule 11.
20. **INTENSIVE LIVESTOCK OPERATIONS** – See Schedule 12.
21. **WIND ENERGY CONVERSION SYSTEMS** – See Schedule 14.
22. **FEES** – See Appendix J.

RURAL HAMLETS – RH

Designated Hamlets of Orton and Woodhouse

INTENT

The intent of this land use district is to provide for the orderly urban expansion of designated hamlets as small service centres and to ensure that non-residential uses do not interfere with the amenities of residential areas, through the regulation of the following permitted, discretionary and prohibited uses.

1. LAND USES

(a) Permitted Uses*

- Accessory buildings and uses
- Garages
- Home occupations - minor
- Mobile homes on permanent foundations
- Modular homes on permanent foundations
- Ready-to-move structures (RTMs)
- Residential additions
- Single family dwellings

(b) Discretionary Uses

- Amusement arcade
- Animal care services, small
- Apartments
- Auto sales and/or service
- Bed and breakfast establishments
- Boarding houses
- Cabins
- Churches
- Commercial
- Community facilities
- Day care facilities
- Duplexes
- Entertainment establishment
- Equipment sales, rental and service
- Family campgrounds
- Farm machinery and equipment sales
- Farm service product sales
- Food processing
- Food service/catering
- Freight terminals
- Garage suites
- Garden centers
- Garden suites
- General storage and warehouses
- Grain elevators and accessory offices
- Guest houses

* See Schedule 3, Development Not Requiring a Development Permit.

Highway commercial
Holiday trailer and RV parks
Home occupations - major
Hotels and motels
Household repair service
Intensive horticulture
Kennels - Category 1 and 2
Laundromat
Machinery and equipment sales and repair
Market gardens
Modular and mobile home parks
Moved-in buildings
Outdoor vehicle storage
Personal services
Public and private institutional uses
Public and private recreation
Public and private utilities
Recreational uses
Recreational vehicle sales and rentals
Restaurants and lounges
Retail outlets
Rowhouses
Schools
Semi-detached dwellings
Senior citizen housing
Service stations
Signs
Tourist homes
Travel agencies
Vehicle service and repair
Visitor accommodation
Warehouse store
Warehousing
Welding shop
Workshop

(c) **Prohibited Uses**

Entertainment establishment, adult
Intensive livestock and/or confined feeding operations
Livestock sales yards
Noxious industry
Resource extraction uses
Rifle ranges

2. PARCEL AND LOT SIZES

2.1 The following minimum standards apply to all permitted and discretionary uses:

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m ²
For lots serviced by:						
Municipal sewer only	100	30.5	100	30.5	10,000	929.0
Municipal water only	100	30.5	100	30.5	15,000	1393.5
No municipal water and no municipal sewer	100	30.5	100	30.5	20,000	1858.0

2.2 The minimum area and dimension of parcels with public water supply and sewage disposal systems shall be:

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m ²
Single family detached dwelling	50	15.2	100	30.5	5,000	464.5
Duplex dwelling and semi-detached dwelling	70	21.3	100	30.5	7,000	650.3
Row dwelling or town houses						
– interior unit	16	4.9	100	30.5	1,600	148.6
– end unit	25	7.6	100	30.5	2,500	232.3
Multiple family	80	24.4	100	30.5	8,000	743.2
Single-wide modular homes	40	12.2	100	30.5	4,000	371.6
Double-wide modular homes	45	13.7	100	30.5	4,500	418.1
All other uses	As required by the Municipal Planning Commission					

2.3 These minimum parcel and lot sizes may be increased by the Municipal Planning Commission upon the recommendation of provincial agencies concerned and when in its opinion it is desirable to do so.

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	20	6.1	5	1.5	20	6.1
Fences	Setbacks are zero on property lines.					

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be determined by the Municipal Planning Commission.

5. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

If the Municipal Planning Commission considers that an area proposed for residential development could become a grouped residential development in the future, it may require the preparation of an area structure plan or a conceptual scheme

6. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES

No application to locate or expand any land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication systems, including designated highways, municipal roadways, railways, airport sites or communication facilities, or
- (b) regionally sensitive areas, utility facilities, including irrigation works, pipelines and power transmission lines.

7. STANDARDS OF DEVELOPMENT – See Schedule 5.

8. MOBILE / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 6.

9. MODULAR HOME COMMUNITY STANDARDS – See Schedule 7.

10. MOVED-IN BUILDINGS – See Schedule 8.

11. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Schedule 9.

12. SIGN REGULATIONS – See Schedule 10.

13. HOME OCCUPATIONS – See Schedule 11.

14. FEES – Appendix J.

MOON RIVER ESTATES – MRE

INTENT

The intent of this land use district is to accommodate high-quality grouped residential development in the Hamlet of Moon River while limiting non-residential uses within the hamlet boundaries, through the regulation of the following permitted and discretionary uses.

1. LAND USES

(a) Permitted Uses*

- Home occupations - minor
- Residential additions
- Single family dwellings

(b) Discretionary Uses

- Accessory uses and buildings
- Bed and breakfast establishments
- Cabins
- Entertainment establishments
- Fences
- Garden suites
- Golf courses and accessory uses
- Guest houses
- Home occupations - major
- Intensive horticulture
- Kennels - Category 1
- Modular homes
- Public and private recreation
- Public and private utilities
- Public institutional
- Signs

(c) Prohibited Uses

- Apartments and other multiple dwellings
- Boarding and lodging houses
- Duplexes
- Entertainment establishments, adult
- Intensive livestock and/or confined feeding operations
- Mobile homes
- Noxious industry
- Resource extraction uses

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

- (a) existing parcels; or
- (b) a minimum of 1 acre (0.4 ha).

* See Schedule 3, Development Not Requiring a Development Permit.

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	50	15.2	25	7.6	50	15.2
Fences	20	6.1	0	0	0	0

4. SPECIAL DEVELOPMENT STANDARDS AND APPLICATION REQUIREMENTS

For any development within the Hamlet of Moon River, the Municipal Planning Commission may:

- (a) set special standards to improve the quality and compatibility of any proposed development such as, but not limited to, architecture, landscaping, setback variations, exterior finishes, paved parking areas and access;
- (b) require that any part of a parcel used for outdoor storage be screened by buildings, fences, trees, or other landscaping features, to its satisfaction;
- (c) require that any application for a development permit be accompanied by plot plans, indicating building locations, elevations and finished grades, building plans and specifications and any other information considered necessary by the Development Officer or the Municipal Planning Commission.

5. **STANDARDS OF DEVELOPMENT** – See Schedule 5.

6. **MODULAR HOME COMMUNITY STANDARDS** – See Schedule 7.

7. **MOVED-IN BUILDINGS** – See Schedule 8.

8. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 9.

9. **SIGN REGULATIONS** – See Schedule 10.

10. **HOME OCCUPATIONS** – See Schedule 11.

11. **FEES** – See Appendix J.

HAMLET OF PARKLAND DIRECT CONTROL – DC-1

INTENT

The intent of this land use district is to provide a direct control district for the regulation of site specific land uses pertaining to all areas within the Hamlet of Parkland where the circumstances relating to the development of a specific site are such that the regulation and control by the other land use districts provided for in this bylaw would be inappropriate or inadequate, having regard to the existing or future surrounding developments and to the interest of the applicant and the public, generally.

1. LAND USES

All land use applications shall be determined by Council, acting as the development authority.

2. PARCEL AND LOT SIZES

2.1 The following minimum standards apply to all permitted and discretionary uses:

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m ²
No municipal water and no municipal sewer	100	30.5	100	30.5	20,000	1858.0

2.2 The minimum parcel and lot sizes may be waived by Council upon the recommendation of the appropriate provincial agencies and when in the Council's opinion it is desirable to do so.

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	20	6.1	5	1.5	20	6.1
Fences	Zero property lines					

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be determined by Council or in accordance with a duly prepared area structure plan or conceptual scheme.

5. AREA STRUCTURE PLANS

If Council considers that an area proposed for residential development could become a grouped residential development in the future, it may require the preparation of an area structure plan or a comprehensive development plan.

6. SERVICES, TRANSPORTATION AND UTILITIES

No application to locate or expand any land use shall be approved unless, in the opinion of Council, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication systems, including designated highways, municipal roadways, railways, airport sites or communication facilities; or
- (b) regionally significant areas, utility facilities, including irrigation works, pipelines and power transmission lines.

7. COMPLETION DATES AND PERFORMANCE SECURITIES

Council, as a condition of a development approval, may establish a completion date for any development and may require the applicant to provide a security deposit to ensure that the works outlined are undertaken and completed.

8. STANDARDS OF DEVELOPMENT – See Schedule 5.

9. MOBILE / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 6.

10. MODULAR HOME COMMUNITY STANDARDS – See Schedule 7.

11. MOVED-IN BUILDINGS – See Schedule 8.

12. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Schedule 9.

13. SIGN REGULATIONS – See Schedule 10.

14. HOME OCCUPATIONS – See Schedule 11.

15. FEES – See Appendix J.

16. STANDARD CONDITIONS FOR DEVELOPMENT WITHIN PARKLAND – See Appendix M.

17. SAMPLE OF DEVELOPMENT AGREEMENT FOR PARKLAND – See Appendix N.

GROUPED COUNTRY RESIDENTIAL – GCR

INTENT

The intent of this land use district is to accommodate clustered country residential development within comprehensively planned multi-lot areas designated on fragmented or poor agricultural land provided the proposed uses will:

- not conflict with the agricultural, recreational or rural industrial uses on lands adjacent to or in close proximity to the proposal;
- not compromise the safe, efficient operation of the road network or urban expansion of neighbouring municipalities;
- comply with the pertinent development standards and requirements outlined in a detailed area structure plan or conceptual scheme for the area, this land use district and the pertinent development schedules of this Land Use Bylaw.

1. LAND USES

(a) Permitted Uses*

Accessory buildings and uses
Home occupations - minor
Single family dwellings

(b) Discretionary Uses

Bed and breakfast establishments
Cabins
Churches
Community facilities
Condominiums
Day care services
Duplexes
Food processing
Food service / catering
Garden and garage suites
Garden centers
Guest houses
Holiday trailer and RV storage
Household repair services
Intensive horticulture
Kennels - Category 1 and 2
Modular home parks
Moved-in buildings
Personal services
Public and private recreation
Public and private utilities
Public institutional uses
Ready-to-move structures (RTMs)
Residential additions
Signs

* See Schedule 3, Development Not Requiring a Development Permit.

(c) **Prohibited Uses**

Entertainment establishments, adult
Intensive livestock and/or confined feeding operations
Noxious industry
Resource extraction uses

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

- (a) existing parcels; or
- (b) minimum of 3 acres (1.2 ha) for unserviced lots;
- (c) minimum of 1 acre (0.4 ha) for serviced lots;
- (d) maximum of 5.0 acres (2.0 ha) for unserviced lots.

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	50	15.2	25	7.6	50	15.2
Fences	0	0	0	0	0	0

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be determined by the Municipal Planning Commission or in accordance with a duly prepared area structure plan or conceptual scheme.

5. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

An area structure plan or conceptual scheme required by the Municipal Planning Commission for a grouped country residential application, shall consider and address the following matters:

- (a) the implementation of urban expansion strategies of neighbouring municipalities;
- (b) the safe and efficient use of nearby highways or municipal roads;
- (c) possible future impact on resource developments;
- (d) the effect on access to or development of existing or potential recreation amenities;
- (e) the effect on surrounding agricultural operations;
- (f) the effect on a critical wildlife zone or environmentally significant area, regionally sensitive area, riparian area or a waterbody;
- (g) the visual environment of the surrounding landscape;
- (h) the natural amenities provided by the land. These amenities may include, but are not limited to, varied topography, sloping land, a scenic view and tree cover;
- (i) area prone to flooding or groundwater inundation. These areas shall not be considered for grouped country residential use;
- (j) water supply and sewage disposal for the proposed development;

- (k) areas of historical and archaeological interest; and
- (l) such other matters considered necessary and appropriate by the Municipal Planning Commission.

- 6. **STANDARDS OF DEVELOPMENT** – See Schedule 5.
- 7. **MOBILE / MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 6.
- 8. **MODULAR HOME COMMUNITY STANDARDS** – See Schedule 7.
- 9. **MOVED-IN BUILDINGS** – See Schedule 8.
- 10. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 9.
- 11. **SIGN REGULATIONS** – See Schedule 10.
- 12. **HOME OCCUPATIONS** – See Schedule 11.
- 13. **FEES** – See Appendix J.

RURAL SMALL HOLDINGS – RSH

INTENT

The intent of this land use district is to conserve and maintain the overall integrity of the district by limiting the types of proposed land uses which would enhance and be compatible with the existing country residential attributes of the designated area.

1. LAND USES

(a) Permitted Uses*

- Accessory buildings and uses
- Extensive agriculture
- Home occupations - minor
- Primary farm residence
- Residential additions
- Single lot country residence

(b) Discretionary Uses

- Animal care services, large
- Animal care services, small
- Apartments and other multi-family dwellings
- Bed and breakfast establishments
- Community facilities
- Day care facilities
- Duplexes
- Food processing
- Food service / catering
- Garden and garage suites
- Garden centers
- Holiday trailer and RV storage
- Home occupations - major
- Household repair services
- Intensive horticulture
- Kennels
- Modular / mobile home parks
- Mobile homes
- Modular homes
- Moved-in buildings
- Personal services
- Public and private institutional uses
- Public and private recreation
- Public and private utilities
- Ready-to-move structures (RTMs)
- Recreational vehicle storage
- Restaurants and lounges
- Secondary and/or subsequent residences
- Schools
- Signs

* See Schedule 3, Development Not Requiring a Development Permit.

Tourist homes
Warehousing
Workshops

(c) **Prohibited Uses**

Entertainment establishments, adult
Grouped rural industrial
Intensive livestock or confined feeding operations
Noxious industry
Rifle ranges
Single lot commercial uses
Resource extraction uses

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are: existing parcels.

3. MINIMUM SETBACK REQUIREMENTS

All uses – minimum of 75 feet (22.9 m) from a municipal road allowance
– such a distance from Highway 2 as required by Alberta Transportation

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be determined by the Municipal Planning Commission.

5. STANDARDS OF DEVELOPMENT – See Schedule 5.

6. MOBILE / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 6.

7. MODULAR HOME COMMUNITY STANDARDS – See Schedule 7.

8. MOVED-IN BUILDINGS – See Schedule 8.

9. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Schedule 9.

10. SIGN REGULATIONS – See Schedule 10.

11. HOME OCCUPATIONS – See Schedule 11.

12. FEES – See Appendix J.

CLARESHOLM INDUSTRIAL AREA – CIA

INTENT

The intent of this land use district is to accommodate proposed land uses and ensure the compatibility of existing land uses located at Claresholm airport, with adjoining lands, through the regulation of the following permitted and discretionary uses.

1. LAND USES

(a) Permitted Uses*

Accessory buildings and uses to an approved use

(b) Discretionary Uses

Auto sales and/or service
Building supply center
Bulk fertilizer storage and sales
Entertainment establishments
Farm machinery and equipment sales
Farm service product sales
Food processing
Food service / catering
Freight terminals
Garden centers
Hangars
Holiday trailer and RV storage
Household repair service
Industrial equipment sales and rental
Industrial operations
Intensive horticulture
Kennels
Light industrial / manufacturing
Mechanical and structural repair
Moved-in buildings
Personal services
Public and private institutional uses
Public and private utilities
Recreational vehicle storage
Residential accommodation in conjunction with an approved use
Restaurants and lounges
Signs
Solar energy systems
Warehouses
Wind Energy Conversion Systems (WECS) - Category 1 and 2
Welding shops

* See Schedule 3, Development Not Requiring a Development Permit.

(c) **Prohibited Uses**

Entertainment establishments, adult
Intensive livestock or confined feeding operations
Noxious industry
Single family dwellings
Resource extraction uses

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

- (a) existing parcels; or
- (b) lots of a minimum of 1 acre (0.4 ha) or greater as may be required by the Municipal Planning Commission.

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	20	6.1	10	3.0	20	6.1
Fences	0	0	0	0	0	0

4. SITE COVERAGE

The maximum site coverage for all the permitted and discretionary uses listed above is:

- (a) for principal and accessory buildings - 50%; or
- (b) as required by the Municipal Planning Commission.

5. DEVELOPMENT REFERRAL REQUIREMENTS

Applications for uses located where ground safety may be an issue in the Claresholm Industrial Area may be referred to Transport Canada and/or the Claresholm/Willow Creek Airport Committee by the Development Officer for comments.

6. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

The Municipal Planning Commission may require the preparation of an area structure plan or a conceptual scheme prior to considering an application or as a condition of approval for any use within this land use district.

7. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES

No application to locate or expand a land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication systems, including designated highways, municipal roadways, railways, airport sites or communication facilities; or
- (b) regionally sensitive areas, utility facilities, including irrigation works, pipelines and power transmission lines.

8. **STANDARDS OF DEVELOPMENT** – See Schedule 5.
9. **MODULAR HOME COMMUNITY STANDARDS** – See Schedule 7.
10. **MOVED-IN BUILDINGS** – See Schedule 8.
11. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 9.
12. **SIGN REGULATIONS** – See Schedule 10.
13. **HOME OCCUPATIONS** – See Schedule 11.
14. **FEES** – See Appendix J.

RURAL INDUSTRIAL – RI

INTENT

The intent of this land use district is to accommodate isolated or grouped noxious, rural industrial, resource extraction or other compatible uses in the municipality without compromising the conservation of agricultural land for agricultural purposes, through the regulation of the following permitted and discretionary uses.

1. LAND USES

(a) Permitted Uses*

Accessory buildings and uses to an approved use

(b) Discretionary Uses

Abattoirs
Airport sites or airstrips
Animal care services, large
Animal care services, small
Auction mart
Batch plants
Building supply centers
Bulk fertilizer storage and uses
Bulk fuel storage and sales
Entertainment establishment
Farm machinery and equipment sales
Farm service product sales
Freight terminal
Grain elevators and accessory offices
Grouped noxious industry
Grouped rural industry
Heavy industrial
Highway commercial
Industrial equipment sales and rental
Industrial operations
Intensive horticulture
Intensive livestock operations
Kennels
Light industrial, fabricating and manufacturing
Livestock sales yards
Moved-in buildings
Noxious industry
Personal services
Public and private utilities
Residential accommodation in conjunction with an approved use
Resource extraction uses
Rural industry
Service stations
Signs
Solar energy systems

* See Schedule 3, Development Not Requiring a Development Permit.

Surveillance suites
 Truck transport depots
 Warehousing
 Welding shops
 Wind Energy Conversion Systems (WECS) - Category 1 and 2

(b) **Prohibited Uses**

Grouped country residential
 Single lot country residential
 Single family dwellings

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

(a) **Extensive Agriculture**

- (i) existing parcels; or
- (ii) 160 acres (64.8 ha) or an unsubdivided quarter section.

(b) **All Other Uses**

- (i) existing parcels; or
- (ii) minimum of 1 acre (0.4 ha).

3. MINIMUM SETBACK REQUIREMENTS

3.1 Uses

	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	20	6.1	10	3.0	20	6.1
Fences	0	0	0	0	0	0

3.2 All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a primary highway or secondary road may have special requirements for setback, access and service roadways as determined by the Municipal Planning Commission in accordance with the requirements of Alberta Transportation.

3.3 All buildings, structures and development that is to be located in close proximity to an escarpment, coulee break, river bank or other geographical feature may have special requirements for setback as determined by the Municipal Planning Commission upon due consideration of any comments from Alberta Environment if provided.

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be as determined by the Municipal Planning Commission.

5. DEVELOPMENT REFERRAL REQUIREMENTS

5.1 The Municipal Planning Commission may recommend to Council the designation of a rural industrial land use district.

- 5.2 Council or the Development Officer shall refer any proposed designation of a rural industrial land use district to the municipality's planning advisor for comment prior to making a decision.
- 5.3 The Development Officer shall refer any proposed designation of a rural industrial or any proposed industrial use located within ½ mile (0.8 km) of a designated highway to Alberta Transportation for comment prior to a decision being made.
- 5.4 An application for industrial use which is:
- (a) adjacent to or within an environmentally sensitive area, critical wildlife zone or regionally significant area; or
 - (b) within ½ mile (0.8 km) of a primary highway, except within a designated hamlet;
- shall be referred by the Development Officer to the municipality's planning advisor for comment before the Municipal Planning Commission considers the application.

6. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

The Municipal Planning Commission may require the preparation of an area structure plan or a conceptual scheme prior to considering an application or as a condition of approval for any use within this land use district.

7. EXTENSIVE AGRICULTURE LAND USES

The minimum parcel size for extensive agriculture shall be 160 acres (64.8 ha), less any registered exceptions from a quarter section title consisting of:

- (a) a highway, public roadway, canal, irrigation ditch, easement or right-of-way; or
- (b) any other area of land use for public use.

8. GROUPED NOXIOUS INDUSTRY

8.1 Designation or development of an area for grouped noxious industry shall not be approved by Council or the Municipal Planning Commission if said area is:

- (a) within a designated hamlet;
- (b) less than 2 miles (3.2 km) from a town, village or designated hamlet with a population of 500 or more;
- (c) less than 1 mile (1.6 km) from a town, village or designated hamlet with a population of less than 500;
- (d) less than 1 mile (1.6 km) from a provincial, regional or municipal park or recreation area;
- (e) less than ½ mile (0.8 km) from an existing or approved residence;
- (f) less than ½ mile (0.8 km) from an existing or approved grouped country residential development;
- (g) less than ½ mile (0.8 km) from either side of a designated highway, unless provided for in an area structure plan approved by Alberta Transportation;
- (h) adjacent to an environmentally significant area, critical wildlife zone, regionally sensitive area, riparian area or a waterbody, unless the Municipal Planning Commission is satisfied that suitable measures will be undertaken to minimize any nuisance, hazard or noxious effect and it is therefore reasonable and appropriate to approve the use.

8.2 Applications for development expansion or for separate parcels in an area designated for grouped noxious industry may be approved or recommended for approval provided that:

- (a) the area of any proposed parcel is a minimum of 1 acre (0.4 ha);
- (b) the proposed development or parcel will be serviced to the satisfaction of the Municipal Planning Commission;
- (c) the proposed use or operation will be developed in such a manner that no run-off water can directly enter any waterbody, watercourse, groundwater, irrigation system or public roadway ditch;
- (d) there will be adequate provision for water treatment, temporary waste storage facilities and arrangements for waste disposal in accordance with standards set by the appropriate provincial departments and other approving authorities.

9. RURAL OR NOXIOUS INDUSTRY

The site of a rural or noxious industry may be approved for development, expansion or for approval as a separate parcel provided that:

- (a) the area of the proposed parcel is a minimum of 1 acre (0.4 ha);
- (b) in the opinion of the Municipal Planning Commission the proposed location is suitable for and will be developed for the proposed use within a period of one year;
- (c) the proposed development or parcel will be serviced to the satisfaction of the Municipal Planning Commission;
- (d) the proposed use or operation will be developed in such a manner that no run-off water can directly enter any waterbody, watercourse, groundwater, irrigation system, public roadway ditch or riparian area;
- (e) there will be adequate provision for water treatment, temporary waste storage facilities and arrangements for waste disposal in accordance with standards set by the appropriate provincial government departments and other approving authorities;
- (f) all surface run-off associated with the development shall be contained on site.
- (g) the said lands have been redesignated to "Rural Industrial – RI" to accommodate the proposed use.

10. RIVER VALLEYS AND SHORELANDS

10.1 Before approving any application to locate or expand any land use in or adjacent to a river valley or shoreland area, the Municipal Planning Commission shall refer such an application to any local, regional, or federal government agency that, in its opinion, has an interest in land use management.

10.2 No application to locate or expand any land use in or adjacent to a river valley or shoreland area shall be approved unless, in the opinion of the Municipal Planning Commission, the proposal will not:

- (a) be located in a flood prone area; and
- (b) cause soil erosion or damage to a river bank; and
- (c) cause deterioration of water quality; and

- (d) hinder the flow of water to the river; and
- (e) compromise aesthetic quality or natural amenities; and
- (f) be detrimental to an environmentally significant area, regionally sensitive area, riparian area or a waterbody; and
- (g) have a detrimental effect on adjoining or nearby agricultural operations if the proposed development is of a non-agricultural use; and
- (h) have a detrimental effect on existing or proposed recreation areas; and
- (i) have a detrimental effect on existing or proposed irrigation canals or water diversion structures.

11. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES

11.1 No application to locate or expand a land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication systems, including designated highways, municipal roadways, railways, airport sites or communication facilities; or
- (b) regionally sensitive areas, utility facilities, including irrigation works, pipelines and power transmission lines.

11.2 Any application for development located in the vicinity of a sour gas pipeline shall be circulated to the Alberta Energy Regulator for comments.

12. STANDARDS OF DEVELOPMENT – See Schedule 5.

13. MOBILE / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 6.

14. MODULAR HOME COMMUNITY STANDARDS – See Schedule 7.

15. MOVED-IN BUILDINGS – See Schedule 8.

16. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Schedule 9.

17. SIGN REGULATIONS – See Schedule 10.

18. HOME OCCUPATIONS – See Schedule 11.

19. FEES – See Appendix J.

RURAL COMMERCIAL – RC

INTENT

The intent of this land use district is to provide for the location of commercial uses in rural areas which will not compromise either the use of agricultural lands for agriculture or the safe and efficient operation of the secondary and primary highway system for the travelling public, through the regulation of the following permitted and discretionary land uses.

1. LAND USES

(a) Permitted Uses *

Accessory buildings and uses to an approved use
Home occupations - minor

(b) Discretionary Uses

Abattoirs
Animal care services, large
Animal care services, small
Artificial insemination facility
Auction mart
Automotive sales and service
Building supplies center
Bulk fuel storage and sales
Car washes
Commercial recreation
Convenience stores
Entertainment establishments
Farm machinery and equipment sales
Farm service product sales
Financial institutions
Food processing
Food service / catering
Gaming or gambling establishment
Garden center
Gas bar
Heliport
Highway commercial
Home occupations - major
Hostels
Hotels / motels
Industrial equipment sales and rental
Industrial operations
Intensive horticulture
Intensive livestock operations
Laundromat
Light industrial / manufacturing
Liquor store
Lodges

* See Schedule 3, Development Not Requiring a Development Permit.

Machinery and equipment sales and repair
 Market garden
 Medical and dental office
 Medical marihuana production facilities
 Modular and mobile home parks
 Modular home sales
 Moved-in buildings
 Offices
 Personal services
 Public and private institutional uses
 Public and private recreation
 Public and private utilities
 Recreational vehicle sales and storage
 Residential accommodation in conjunction with an approved use
 Resort accommodation
 Resorts
 Restaurants and lounges
 Retail shopping malls
 Retail stores
 Riding stables and arenas
 Schools
 Service stations
 Signs
 Surveillance suites
 Taxi services
 Taxidermists
 Theatres
 Travel agencies
 Truck repair, sales and servicing
 Truck transport depot
 Vehicle sales and rental
 Visitor accommodation
 Warehouse stores
 Warehouses
 Welding shops

(c) Prohibited Uses

Intensive livestock or confined feeding operations
 Noxious industry
 Resource extraction uses
 Single family dwellings

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

Use	Width		Length		Area	
	ft.	m	ft.	m	sq. ft.	m ²
Highway commercial	200	61.0	150	45.7	30,000	2787.0
All other uses	As required by the MPC				43,560	4046.7

3. MINIMUM SETBACK REQUIREMENTS

3.1 Uses	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	20	6.1	10	3.0	20	6.1
Fences	20	6.1	0	0	0	0

3.2 All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a designated highway may have special requirements for setback, access and service roadways as determined by the Municipal Planning Commission in accordance with the requirements of Alberta Transportation and the *Highways Development and Protection Act, Chapter H-8.5, Revised Statutes of Alberta 2004, as amended*.

3.3 All buildings, structures and development that is to be located in close proximity to an escarpment, coulee break, river bank or other geographical feature may have special requirements for setback as determined by the Municipal Planning Commission upon due consideration of any comments from Alberta Environment if provided.

4. SITE COVERAGE

The maximum site coverage for all the permitted and discretionary uses listed above is:

(a) **Highway Commercial**

- (i) principal and accessory buildings – 50%; or
- (ii) as required by the Municipal Planning Commission.

(b) **Offices, Personal Services and Retail Outlets**

- (i) principal and accessory buildings – 80%; or
- (ii) as required by the Municipal Planning Commission.

(c) **All Other Uses**

- (i) principal and accessory buildings – 50%; or
- (ii) as required by the Municipal Planning Commission.

5. DESIGNATION AND REFERRAL REQUIREMENTS

5.1 The Municipal Planning Commission may recommend to Council the designation of a rural commercial land use district.

5.2 Council or the Development Officer shall refer any proposed designation of a rural commercial land use district to the municipality's planning advisor for comment prior to making a decision.

5.3 Council or the Development Officer shall refer any proposed designation of a rural commercial land use district or any proposed commercial use located within ½ mile (0.8 km) of a primary highway, except within a designated hamlet, to Alberta Transportation for comment prior to making a decision.

5.4 An application for commercial use which is:

- (a) adjacent to or within an environmentally sensitive area, critical wildlife zone or regionally significant area; or

(b) within ½ mile (0.8 km) of a primary highway, except within a designated hamlet;

shall be referred by the Development Officer to the municipality's planning advisor for comment before the Municipal Planning Commission considers the application.

6. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

The Municipal Planning Commission may require the preparation of an area structure plan or a conceptual scheme prior to considering an application or as a condition of approval for any use within this land use district.

7. RIVER VALLEYS AND SHORELANDS

7.1 Before approving any application to locate or expand any land use in or adjacent to a river valley or shoreland area, the Development Officer or Municipal Planning Commission shall refer such an application to any local, regional, or federal government agency that, in its opinion, has an interest in land use management.

7.2 No application to locate or expand any land use in or adjacent to a river valley or shoreland area shall be approved unless, in the opinion of the Municipal Planning Commission, the proposal will not:

- (a) be located in a flood prone area; and
- (b) cause soil erosion or damage to a river bank; and
- (c) cause deterioration of water quality; and
- (d) hinder the flow of water to the river; and
- (e) compromise aesthetic quality or natural amenities; and
- (f) be detrimental to an environmentally significant area, regionally sensitive area, riparian area or a waterbody; and
- (g) have a detrimental effect on adjoining or nearby agricultural operations if the proposed development is of a non-agricultural use; and
- (h) have a detrimental effect on existing or proposed recreation areas; and
- (i) have a detrimental effect on existing or proposed irrigation canals or water diversion structures.

8. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES

8.1 No application to locate or expand any land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication systems, including designated highways, municipal roadways, railways, airport sites or communication facilities; or
- (b) regionally sensitive areas, utility facilities, including irrigation works, pipelines and power transmission lines.

8.2 Any application for development located in the vicinity of a sour gas pipeline shall be circulated to the Alberta Energy Regulator for comments.

- 9. **STANDARDS OF DEVELOPMENT** – See Schedule 5.
- 10. **MODULAR HOME COMMUNITY STANDARDS** – See Schedule 7.
- 11. **MOVED-IN BUILDINGS** – See Schedule 8.
- 12. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 9.
- 13. **SIGN REGULATIONS** – See Schedule 10.
- 14. **HOME OCCUPATIONS** – See Schedule 11.
- 15. **FEES** – See Appendix J.

FLOOD DAMAGE REDUCTION – FDR

INTENT

The intent of this land use district is to implement the “Fort Macleod Flood Damage Reduction Program”, through the regulation of the following permitted, discretionary and prohibited uses.

1. LAND USES

(a) Permitted Uses *

- Hiking trails
- Passive recreation uses

(b) Discretionary Uses

- Accessory buildings and uses
- Bed and breakfast establishments in existing residences
- Campgrounds
- Golf courses
- Home occupations - major
- Home occupations - minor
- Kennels - Category 1 and 2
- Intensive horticulture
- Moved-in buildings on temporary foundations
- Public and private recreation
- Public and private utilities
- Signs

(c) Prohibited Uses

- Apartments, and other multiple dwellings
- Commercial uses
- Farmsteads
- Grouped country residential
- Industrial uses
- Modular or mobile homes
- Noxious industry
- Single family dwellings
- Single lot country residential uses
- Resource extraction uses

2. PARCEL AND LOT SIZES

All uses: existing parcels

3. MINIMUM SETBACK REQUIREMENTS

3.1 All buildings, structures and development other than cultivation or grazing shall be setback at least:

* See Schedule 3, Development Not Requiring a Development Permit.

- (a) 75 feet (22.9 m) from the right-of-way of any developed or undeveloped roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek No. 26;
 - (b) such distances as required by Alberta Transportation for highways designated in the Memorandum of Agreement;
 - (c) any such greater distance as may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication or to reduce potential snow drifting.
- 3.2 The Municipal Planning Commission may establish a minimum setback from any existing residence where a proposed discretionary use may be incompatible with the residential use.
- 3.3 All buildings, structures and development other than extensive cultivation or grazing on parcels having frontage on a designated highway, may have special requirements for setback, access and service roadways as determined by the Municipal Planning Commission in accordance with the requirements of Alberta Transportation and the *Highways Development and Protection Act, Chapter H-8.5, Revised Statutes of Alberta 2004, as amended*.
- 3.4 All buildings, structures and development that is to be located in close proximity to an escarpment, coulee break, river bank or other geographical feature may have special requirements for setback as determined by the Municipal Planning Commission upon due consideration of any comments from Alberta Environment.
- 3.5 The Municipal Planning Commission, at their discretion, may require additional information or pertinent studies to be undertaken for any building, structure or development that is located in close proximity to an escarpment, coulee break, river bank or other geographical feature that may require special setbacks.

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be as determined by the Municipal Planning Commission.

5. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

The Municipal Planning Commission may require the preparation of an area structure plan or a conceptual scheme prior to considering an application or as a condition of approval of an application for any use within this land use district.

6. RESOURCE EXTRACTION USES / NOXIOUS INDUSTRY

The site for a resource extraction use or noxious industry shall not be approved for development expansion or recommended for approval as a separate parcel as the uses are prohibited in this land use district.

7. RIVER VALLEYS AND SHORELANDS

- 7.1 Before approving any application to locate or expand any land use in or adjacent to a river valley or shoreland area, the Development Officer or the Municipal Planning Commission shall refer such an application to any local, regional, provincial, or federal government agency that, in its opinion, has an interest in land use management.

7.2 No application to locate or expand any land use in or adjacent to a river valley or shoreland area shall be approved unless, in the opinion of the Municipal Planning Commission, the proposal will not:

- (a) be located in a flood prone area; and
- (b) cause soil erosion or damage to a river bank; and
- (c) cause deterioration of water quality; and
- (d) hinder the flow of water to the river; and
- (e) compromise aesthetic quality or natural amenities; and
- (f) be detrimental to an environmentally significant area, regionally sensitive area, riparian area or a waterbody; and
- (g) have a detrimental effect on adjoining or nearby agricultural operations if the proposed development is for a non-agricultural use; and
- (h) have a detrimental effect on existing or proposed recreation areas; and
- (i) have a detrimental effect on existing or proposed irrigation canals or water diversion structures.

8. SERVICES, TRANSPORTATION AND UTILITIES FACILITIES

No application to locate or expand any land use shall be approved unless, in the opinion of the Municipal Planning Commission, the proposed use will not have a detrimental effect on any:

- (a) transportation or communication systems, including designated highways, municipal roadways, railways, airport sites or communication facilities; or
- (b) regionally sensitive areas, utility facilities, including irrigation works, pipelines and power transmission lines.

9. STANDARDS OF DEVELOPMENT – See Schedule 5.

10. MODULAR HOME COMMUNITY STANDARDS – See Schedule 7.

11. MOVED-IN BUILDINGS – See Schedule 8.

12. SIGN REGULATIONS – See Schedule 10.

13. HOME OCCUPATIONS – See Schedule 11.

14. FEES – See Appendix J.

RESERVOIR VICINITY – RV

INTENT

The intent of this land use district is to regulate, prohibit and control land use in the vicinity of designated waterbodies in the Municipal District of Willow Creek No. 26.

1. LAND USES

(a) Permitted Uses*

- Accessory buildings and uses
- Extensive agriculture
- Home occupations - minor
- Primary farm residences
- Residential additions

(b) Discretionary Uses

- Animal care services, small
- Apartment and other multi-family dwellings
- Bed and breakfast establishments
- Community facilities
- Day care facilities
- Duplexes
- Food processing
- Food service/catering
- Garden and garage suites
- Garden centers
- Home occupations - major
- Household repair services
- Intensive horticulture
- Isolated single lot country residential
- Kennels - Category 1 and 2
- Mobile homes
- Modular homes
- Moved-in residences
- Personal services
- Public and private institutional uses
- Public and private recreation uses
- Public and private utilities
- Recreational vehicle storage
- Residential additions
- Secondary and/or subsequent residences
- Signs
- Single lot commercial
- Tourist homes
- Travel agencies
- Wind Energy Conversion Systems (WECS) - Category 1 and 2
- Workshops

* See Schedule 3, Development Not Requiring a Development Permit.

(c) **Prohibited Uses**

Grouped country residential
Grouped rural industrial
Intensive livestock or confined feeding operations
Manure spreading
Noxious industry
Resource extraction uses
Rifle ranges
Rodeo grounds
Rural recreational

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

(a) **Extensive Agriculture**

- (i) existing parcels; or
- (ii) 160 acres (64.8 ha) or an unsubdivided quarter section.

(b) **Farmsteads**

- (i) existing parcels; or
- (ii) minimum 3 acres (1.2 ha); or
- (iii) maximum of 5 acres (2.0 ha); or
- (iv) at the discretion of the MPC on cut-off parcels.

(c) **Single Lot Country Residential**

- (i) existing parcels; or
- (ii) minimum of 3 acres (1.2 ha); or
- (iii) maximum of 5 acres (2.0 ha).

(d) **All Other Uses**

Parcel and lot sizes for all other land uses shall be at the discretion of the Municipal Planning Commission.

3. MINIMUM SETBACK REQUIREMENTS

3.1 All buildings, structures and development other than cultivation or grazing shall be setback from lot or parcel boundaries at least:

- (a) 75 feet (22.9 m) from the right-of-way of any developed or undeveloped roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek No. 26;
- (b) such distances as required by Alberta Transportation for designated highways in the Memorandum of Agreement;
- (c) any greater distance that may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication, or to reduce potential snow drifting.

3.2 The Municipal Planning Commission may establish a minimum setback from any existing residence where a proposed discretionary use may be incompatible with the residential use.

3.3 All buildings, structures and development that is to be located in close proximity to the designated reservoirs may have special requirements for setbacks as determined by the Municipal Planning Commission upon due consideration of any pertinent comments from Alberta Environment, if provided.

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be as determined by the Municipal Planning Commission.

5. EXTENSIVE AGRICULTURE LAND USES

The minimum parcel size for extensive agriculture shall be 160 acres (64.8 ha), less any registered exceptions from a quarter section title consisting of:

- (a) a highway, public roadway, canal, irrigation ditch, easement or right-of-way; or
- (b) any other area of land use for public use.

6. DEVELOPMENT IN GENERAL

All land use decisions regarding development shall be in conformity with the policies and processes outlined in the appropriate area structure plans or intermunicipal development plan.

7. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

If the Municipal Planning Commission considers that an area proposed for residential development could become a grouped residential development of four or more lots in the future, it may require the preparation of a detailed area structure plan or a conceptual scheme.

8. STANDARDS OF DEVELOPMENT – See Schedule 5.

9. MOBILE / MODULAR HOME DEVELOPMENT STANDARDS – See Schedule 6.

10. MODULAR HOME COMMUNITY STANDARDS – See Schedule 7.

11. MOVED-IN BUILDINGS – See Schedule 8.

12. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Schedule 9.

13. SIGN REGULATIONS – See Schedule 10.

14. HOME OCCUPATIONS – See Schedule 11.

15. FEES – See Appendix J.

RURAL RECREATIONAL – RR

INTENT

The intent of this land use district is to provide for the subdivision and/or development of recreational related land uses within the Municipal District of Willow Creek No. 26.

1. LAND USES

(a) Permitted Uses *

- Accessory buildings
- Public day use areas

(b) Discretionary Uses

- Cabins
- Campgrounds
- Club houses
- Driving ranges
- Garden suites
- Golf courses
- Guest houses
- Guest ranches
- Hotels / motels
- Intensive horticulture
- Marinas and ancillary structures
- Public and private recreation
- Public and private utilities
- Public riding stables and arenas
- Public rifle ranges
- Public rodeo grounds
- Recreational vehicles and RV parks
- Residential accommodation in conjunction with an approved recreational use
- Residential additions
- Resort accommodations
- Resorts
- Secondary and/or subsequent residences
- Single family dwellings
- Tourist accommodation

(c) Prohibited Uses

- Intensive livestock or confined feeding operations
- Manure spreading
- Noxious industry
- Resource extraction uses

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above shall be at the discretion of the Municipal Planning Commission.

* See Schedule 3, Development Not Requiring a Development Permit.

3. MINIMUM SETBACK REQUIREMENTS

3.1 All buildings, structures and development other than cultivation or grazing shall be setback from lot or parcel boundaries at least:

- (a) 75 feet (22.9 m) from the right-of-way of any developed or undeveloped roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek No. 26;
- (b) such distances as required by Alberta Transportation for designated highways in the Memorandum of Agreement;
- (c) any greater distance that may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication, or to reduce potential snow drifting.

3.2 The Municipal Planning Commission may establish a minimum setback from any existing residence where a proposed discretionary use may be incompatible with the residential use.

3.3 All buildings, structures and development that is to be located in close proximity to the designated waterbodies may have special requirements for setbacks as determined by the Municipal Planning Commission upon due consideration of any pertinent comments from Alberta Environment, if provided.

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be as determined by the Municipal Planning Commission.

5. DEVELOPMENT IN GENERAL

All land use decisions regarding development shall be in conformity with the policies and processes outlined in the appropriate area structure plans or intermunicipal development plan.

6. AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

If the Municipal Planning Commission considers that an area proposed for non-agricultural usage is of a complexity and magnitude that warrants further information or studies, it may require the developer to prepare a detailed area structure plan or conceptual scheme.

7. **STANDARDS OF DEVELOPMENT** – See Schedule 5.

8. **MOBILE / MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 6.

9. **MODULAR HOME COMMUNITY STANDARDS** – See Schedule 7.

10. **MOVED-IN BUILDINGS** – See Schedule 8.

11. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 9.

12. **SIGN REGULATIONS** – See Schedule 10.

13. **HOME OCCUPATIONS** – See Schedule 11.

14. **FEES** – See Appendix J.

VACANT SINGLE LOT COUNTRY RESIDENTIAL – VCR

INTENT

The intent of this land use district is to provide an opportunity for a landowner to create one vacant or bareland parcel via subdivision from a previously unsubdivided quarter section, a portion of an unsubdivided quarter section or the greater half of a fragmented quarter section for country residential use.

1. LAND USES

(a) Permitted Uses*

- Accessory buildings and uses
- Home occupations - minor
- Single family dwellings

(b) Discretionary Uses

- Bed and breakfast establishments
- Child care services
- Food processing
- Food service / catering
- Garden suite
- Home occupations - major
- Intensive horticulture
- Kennels - Category 1 and 2
- Mobile homes
- Modular homes
- Moved-in residential buildings
- Public and institutional uses
- Public park or recreation uses
- Public utilities
- Residential additions
- Signs

(c) Prohibited Uses

- Intensive livestock or confined feeding operations
- Noxious industry
- Resource extraction uses

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

- (a) existing parcels; or
- (b) minimum of 3 acres (1.2 ha) for unserviced lots;
- (c) maximum of 5 acres (2.02 ha) for unserviced lots.

* See Schedule 3, Development Not Requiring a Development Permit.

3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard		Side Yard		Rear Yard	
	ft.	m	ft.	m	ft.	m
All uses	50	15.2	25	7.6	50	15.2
Fences	0	0	0	0	0	0

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be determined by the Municipal Planning Commission.

5. GENERAL CRITERIA

A subdivision application which proposes to create a vacant single lot country residential parcel from a previously unsubdivided quarter section may be approved provided that:

- (a) the proposed site has been redesignated from "Rural General – RG" to "Vacant Country Residential – VCR" prior to an application being filed for subdivision approval;
- (b) the proposed parcel to be created shall in no instance be greater than 5.0 acres (2.0 ha) in size and contain a buildable site on the proposed parcel;
- (c) the applicant and/or his agent shall enter into a subdivision development agreement prior to a decision being rendered by the Subdivision Authority on the proposed application;
- (d) the proposed vacant parcel and the resulting residual parcel shall have direct legal and physical access to a public roadway or that suitable arrangements have been made with the Municipal District for the construction of the required access solely to the satisfaction of the municipality;
- (e) the proposed vacant parcel has been tested for its suitability to provide adequate sewage disposal and groundwater for a future dwelling unit or that suitable arrangements have been made to the sole satisfaction of the Municipal District for the provision of sewer and water to the proposed parcel;
- (f) the proposed access is satisfactory to Alberta Transportation where the access is onto or in close proximity to the provincial highway system;
- (g) the size and location of the proposed vacant parcel will not affect any irrigation system, environmentally significant area, regionally sensitive area, riparian area or a waterbody in the immediate area;
- (h) the proposed vacant parcel can meet or exceed the minimum distance separation (MDS) requirements from an existing intensive livestock or confined feeding operation (CFO) as established in the Agricultural Operations Practices Standards and Administration Regulation;
- (i) the residual parcel being created is a minimum of 147 acres (59.5 ha) in size;
- (j) the proposed vacant parcel will be the first subdivision from a previously unsubdivided quarter section (as defined) in the Municipal District;
- (k) the Municipal District, at its sole discretion, may request additional information or studies to be performed prior to rendering a decision to approve a vacant parcel subdivision.
- (l) the Municipal District, by bylaw, may prohibit the subdivision of vacant parcels in any part of the municipality;
- (m) the Municipal District may consider the creation of a vacant single lot country residential parcel from a portion of a previously unsubdivided quarter section;

- (n) the Municipal District may waive the residual parcel size in order to accommodate the creation of a vacant parcel from a portion of a previously unsubdivided quarter section.

6. **STANDARDS OF DEVELOPMENT** – See Schedule 5.
7. **MOBILE / MODULAR HOME DEVELOPMENT STANDARDS** – See Schedule 6.
8. **MODULAR HOME COMMUNITY STANDARDS** – See Schedule 7.
9. **MOVED-IN BUILDINGS** – See Schedule 8.
10. **OFF-STREET PARKING AND LOADING AREA REQUIREMENTS** – See Schedule 9.
11. **SIGN REGULATIONS** – See Schedule 10.
12. **HOME OCCUPATIONS** – See Schedule 11.
13. **FEES** – See Appendix J.

NANTON URBAN FRINGE – NUF

INTENT

The intent of this land use district is to protect a designated area surrounding an incorporated urban municipality identified in an intermunicipal development plan by limiting non-agricultural, incompatible or noxious uses which may impact the long-range growth expectations of the urban community.

1. LAND USES

(a) Permitted Uses*

- Accessory buildings and uses
- Home occupations - minor
- Modular homes
- Single family dwellings

(b) Discretionary Uses

- Animal care services, small
- Animal care services, large
- Artificial insemination facilities
- Bed and breakfast establishments
- Cabins
- Cemeteries
- Commercial uses
- Family campgrounds
- Food services and catering
- Garden and garage suites
- Golf courses
- Guest houses
- Heliports
- Home occupations - major
- Intensive horticulture
- Kennels - Category 1 and 2
- Market gardens
- Moved-in buildings
- Public and private institutional uses
- Public and private recreation
- Public and private utilities
- Resort accommodation
- Riding stables
- Rural industry
- Secondary residences
- Signs
- Single lot country residential uses
- Visitor accommodation
- Wind Energy Conversion Systems (WECS) - Category 1 and 2
- Workshops

* See Schedule 3, Development Not Requiring a Development Permit.

(c) **Prohibited Uses**

Grouped country residential

Noxious industry

Resource extraction uses

Wind Energy Conversion Systems (WECS) - Category 3

2. PARCEL AND LOT SIZES

Parcel and lot sizes for all the permitted and discretionary uses listed above are:

- (a) existing parcels; or
- (b) minimum of 1.0 acre (0.4 ha) for serviced lots;
- (c) minimum of 3.0 acres (1.2 ha) for unserviced lots;
- (d) maximum of 15.0 acres (6.0 ha) for horticultural use;
- (e) maximum of 5.0 acres (2.0 ha) for all other uses;
- (f) at the discretion of the MPC for fragmented parcels.

3. MINIMUM SETBACK REQUIREMENTS

- (a) 75 feet (22.9 m) from the right-of-way of any developed or undeveloped public roadway not designated as a highway in the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek No. 26;
- (b) such distance as required by Alberta Transportation in the vicinity of numbered highways designated in the Memorandum of Agreement;
- (c) any greater distance that may be required by the Development Officer or the Municipal Planning Commission in order to facilitate future road widening, service road dedication or to reduce potential snow drifting and/or vision restrictions.

4. SITE COVERAGE

Unless specified elsewhere in this bylaw, the maximum percentage of the site that may be covered shall be determined by the Municipal Planning Commission.

5. STANDARDS OF DEVELOPMENT – See Schedule 5.

6. MODULAR HOME COMMUNITY STANDARDS – See Schedule 7.

7. MOVED-IN BUILDINGS – See Schedule 8.

8. OFF-STREET PARKING AND LOADING AREA REQUIREMENTS – See Schedule 9.

9. SIGN REGULATIONS – See Schedule 10.

10. HOME OCCUPATIONS – See Schedule 11.

11. FEES – See Appendix J.

Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. No development permit is required for any development that is specifically exempt by virtue of its inclusion in any regulations passed by the Lieutenant Governor in Council pursuant to the *MGA*.
2. **No development permit is required for development listed in Section 3 below provided the following setbacks are met or exceeded:**
 - (a) **75 feet (22.9 m) from the right-of-way of a developed or undeveloped roadway that is not designated as a highway in the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek No. 26;**
 - (b) **such distances as required by Alberta Transportation for highways designated in the Memorandum of Agreement;**
 - (c) **500 feet (152.4 m) from a flood plain;**
 - (d) **such setbacks as required within a pertinent land use district.**
3. No development permit is required for development of the following, provided the setbacks established in section 2 are met or exceeded:
 - (a) the completion of a building which was lawfully under construction at the date of the first publication of the public notice, required by the *MGA*, stating Council's intent to pass this bylaw, provided that:
 - (i) the building is completed in accordance with the terms of any permit granted by the Development Officer or the Municipal Planning Commission in respect of it and subject to the conditions under which that permit was granted; and
 - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the public notice.
 - (b) the use of any building referred to in subsection (a) of this schedule for the purpose for which construction was commenced;
 - (c) the carrying out of works of maintenance or repair, if such works do not include structural alterations and interior building renovations that do not affect the existing use, appearance or exterior dimensions of a building;
 - (d) the erection or construction of buildings, works, plants or machinery needed in connection with operations for which a development permit has been issued for the period of those operations and which authorizes the erection or construction;
 - (e) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, municipal or public authorities on land which is publicly owned or controlled;
 - (f) concrete or asphalt parking surfaces (excluding carports);
 - (g) sidewalks;
 - (h) utility and garden sheds that are not on a permanent foundation and do not exceed 150 sq. ft. (13.9 m²);

- (i) landscaping;
 - (j) extensive agriculture (cultivation and ranching);
 - (k) vehicles registered under the *Alberta Motor Vehicles Administration Act*, including:
 - (i) construction trailers,
 - (ii) recreational vehicles,
 - (iii) travel trailers;
 - (l) water wells;
 - (m) wind fences except in the Hamlet of Moon River Estates;
 - (n) personal storage structures, playground equipment and play houses for personal use, including moved-in buildings that are not on a permanent foundation and do not exceed 150 sq. ft. (13.9 m²);
 - (o) outdoor arenas;
 - (p) election signs.
4. No development permit is required for any use, building or structure associated with extensive agriculture listed below **provided the setbacks referred to in Section 2 are met or exceeded**:
 - (a) corrals and wooden fences;
 - (b) dugouts;
 - (c) farm gravel pits for on farm use to a maximum of 1 acre (0.4 ha);
 - (d) farm sheds, quonsets, barns and farm workshops;
 - (e) granaries;
 - (f) haystacks and livestock shelters;
 - (g) maintenance of existing buildings or structures;
 - (h) windrows, shelters belts and landscaping.
 5. If there is doubt as to whether a development is of a kind specified in section 3 or 4 above, the matter shall be referred to the Municipal Planning Commission whose decision shall be final as to whether or not a development permit is required and for a final decision.
 6. Except in hamlets, the erection of farm, institutional or business signs, including overhead gate signs, may be allowed to locate within the prescribed setbacks on private property provided that all the following conditions are met:
 - (a) the owner of the signs also owns or occupies the property on which the signs are located,
 - (b) the signs conform with this bylaw in every other respect, and
 - (c) the signs do not obstruct vehicular visibility or create a snow-drifting problem.
 7. The erection of real estate for sale signs may be allowed on a temporary basis provided the signs are located on private property and do not exceed 6 sq. ft. (0.6 m²) in size.
 8. The erection of signs that do not exceed 4 sq. ft. (0.4 m²) in size may be allowed to locate within the prescribed setbacks on private property, provided they do not obstruct vehicular visibility or create a snow-drifting problem.

9. Haystacks and hay yards may be allowed to locate within the prescribed setbacks on private property provided that they do not obstruct vehicular visibility or create a snow-drifting problem, in which case the Municipal District may require that remedial measures be taken to rectify the situation, including removal if necessary.
10. New trees and hedges may be planted within the yard setback requirement within the designated hamlets in the Municipal District.

Schedule 4

FORMS AND APPLICATIONS

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, AB T0L 0T0

Phone (403) 625-3351

Fax (403) 625-3886

www.mdwillowcreek.com

FOR OFFICE USE ONLY

APPLICATION FOR A DEVELOPMENT PERMIT

IMPORTANT: *This information may also be shared with appropriate government/other agencies (e.g. Alberta Agriculture, Food and Rural Development; Alberta Environment; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.*

Form A

Application No. _____

Fees Submitted: \$ _____

Site Inspection: _____

APPLICANT: _____ **Telephone:** _____

ADDRESS: _____ **Fax:** _____

MUNICIPAL ADDRESS: _____ **Bus/Cell:** _____

REGISTERED OWNER: _____ **Telephone:** _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter _____ Section _____ Township _____ Range _____ W _____ M

EXISTING USE: _____

PROPOSED USE: _____

PARTICULARS OF PROPOSED DEVELOPMENT: _____

Additional information or clarification can be helpful in processing the application without delay. You may wish to use the back of this form, or attach a separate sheet with such information. **Please fill out the Right of Entry authorization on reverse.**

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained above. I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____

SIGNED: _____

Applicant

IMPORTANT: See Over

ADDITIONAL INFORMATION: _____

IMPORTANT:

1. Subject to the provisions of the Land Use Bylaw of The Municipal District of Willow Creek No. 26, the term “development” includes any change in the use of buildings or land.
2. Although the Development Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within 14 days after receipt of a Development Permit is at his own risk.
3. Please submit a plan or drawing showing locations of existing and proposed buildings, roads, services, boundaries, etc. in sufficient detail to ensure proper consideration of the application. Measurements may be metric or imperial units. It is desirable that the plans and drawings should be on scale appropriate to the development, that is:

Site plans – ratio of 1:1000 or 1:1500
Other drawings – ratio of 1:100 or 1:200

or as required by the Development Officer. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period unless an agreement for a time extension has been entered into with the municipality.

RIGHT OF ENTRY:

I hereby authorize representatives of The Municipal District of Willow Creek No. 26 to enter my land for the purpose of conducting a site inspection in connection with this application.

This right is granted pursuant to Section 542(1) of the *Municipal Government Act*.

DATE: _____

SIGNED: _____

Registered Landowner(s)

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, Alberta T0L 0T0
Phone: (403) 625-3351 Fax: (403) 625-3886

NOTICE OF MUNICIPAL PLANNING COMMISSION MEETING

Form B

Application No. _____

TO: LANDOWNERS WITHIN A 1-MILE RADIUS/ADJACENT LANDOWNERS

Notice is hereby given that an application is being made for a development permit with regard to the following:

NAME OF APPLICANT:

TYPE OF DEVELOPMENT:

LEGAL DESCRIPTION OF SITE:

PLACE OF MEETING: _____

TYPE OF MEETING: _____

DATE OF MEETING: _____

This development application and all associated information are available for viewing at the Municipal Office at the address shown above during normal hours of operation.

Any person affected by the said proposal has the right to present a written brief prior to the hearing and/or to be present and be heard at the meeting. Any information submitted will become available to the public and may also be shared with the applicant and appropriate government/other agencies and is subject to the provisions of the *Freedom of Information and Protection of Privacy Act (FOIP)*. If you have any questions, please contact The Municipal District of Willow Creek No. 26.

Persons requesting to be heard at the meeting shall submit a written request to be heard to the Development Officer not later than:

_____ (10 consecutive days from the date of this notice)

DATE: _____

SIGNED: _____

**Development Officer
The Municipal District of Willow Creek No. 26**

NOTICE OF DECISION

Form C

Application No. _____

NAME: _____

ADDRESS: _____

In the matter of development of property located at _____

The development as specified in Application No. _____ , for the following use _____

has been **A P P R O V E D** , subject to the following conditions:

DATE OF DECISION _____

DEVELOPMENT PERMIT issued on the _____ day of _____ , _____ .

A development permit issued in accordance with this notice is not valid until 14 days after the date that this decision has been mailed to adjacent landowners, or posted on the site, or published in a newspaper, unless an appeal is lodged pursuant to the *MGA*. If an appeal is lodged, then the permit will remain in abeyance until the Subdivision and Development Appeal Board has determined that the appeal and this Notice of Decision may be modified, confirmed, or nullified thereby.

DATE: _____

SIGNED: _____

Development Officer

The Municipal District of Willow Creek No. 26

IMPORTANT: Notice of approval in no way removes the need to obtain any permit or approval required by any federal, provincial or municipal legislation and/or regulations pertaining to the development approved.

***Intention to appeal must be received within 14 days of notification of decision.**

NOTE: The Land Use Bylaw provides that any person claiming to be affected by a decision of the Municipal Planning Commission may appeal to the Subdivision and Development Appeal Board by serving written notice of appeal, stating the reasons, to the Subdivision and Development Appeal Board, c/o Municipal Administrator/CAO Cynthia Vizzutti, Box 550, Claresholm, Alberta T0L 0T0 within fourteen (14) days following the date of issuance of this notice. The required fee of \$500.00 must accompany the appeal.

Copies to:

NOTICE OF DECISION

Form C

Application No. _____

NAME: _____

ADDRESS: _____

In the matter of development of property located at _____

The development as specified in Application No. _____, for the following use _____

has been **REFUSED** for the following reasons:

DATE OF DECISION _____

YOU ARE FURTHER NOTIFIED that you may appeal this decision to the Subdivision and Development Appeal Board, as provided by the Land Use Bylaw, by serving written notice of appeal, stating the reasons, to the Subdivision and Development Appeal Board, c/o Municipal Administrator/CAO Cynthia Vizzutti, Box 550, Claresholm, Alberta T0L 0T0 **within fourteen (14) days** following the date of issuance of this notice. The required fee of \$500.00 must accompany the appeal.

DATE: _____

SIGNED: _____

Development Officer
The Municipal District of Willow Creek No. 26

Copies to:

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

DEVELOPMENT PERMIT

Form D

Application No. _____

NAME: _____

ADDRESS: _____

In respect of development consisting of: _____

On land located at: _____

and as described on Development Permit Application No. _____

and plans submitted by the applicant.

This permit refers only to development outlined in Development Permit Application No. _____

dated _____.

And is subject to the conditions contained in the Notice of Decision:

DATE: _____

SIGNED: _____

**Development Officer
The Municipal District of Willow Creek No. 26**

IMPORTANT: See Over

IMPORTANT:

This development permit is subject to the following conditions:

1. This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the Land Use Bylaw. This is not a BUILDING PERMIT. The applicant is not excused from complying with the requirements of any federal, provincial or other municipal legislation, or the conditions of any easement, covenant, building scheme or agreement affecting the development or land.
2. This permit, issued in accordance with the notice of decision, is valid for a period of 12 months from the date of approval. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit is no longer valid. An application to extend the validity of a development permit may be approved for a maximum of 24 months from the date of the original development permit approval.
3. If this development permit is issued for construction of a building, including the exterior finish of the building, it shall be completed within 12 months from the date of issue of this development permit.
4. The Development Officer may, in accordance with the *MGA*, issue a stop order or suspend or cancel a development permit in order to ensure that the provisions of the bylaw are complied with.
5. This permit is transferable only in accordance with the provisions of the Land Use Bylaw.
6. If the use for which this development is issued is discontinued for two years or more, then a new application for development to recommence said use must be made in accordance with the provisions of the Land Use Bylaw.
7. The issuance of this development permit is subject to the condition that it does not become effective until 14 days after the date of the issuance of the notice of decision. Should this decision be appealed within 14 days after the notice of decision has been issued, the permit shall not become effective until the appeal shall have been determined and the permit upheld thereby. **SHOULD DEVELOPMENT BE COMMENCED WITHIN THE 14-DAY TIME FRAME AND AN APPEAL BE LAUNCHED AGAINST THIS PROPOSAL AND SUBSEQUENTLY BE UPHeld BY THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD, ANY COSTS INCURRED SHALL BE AT THE SOLE EXPENSE OF THE DEVELOPER.**
8. **IF THE DEVELOPMENT APPLICATION HAS BEEN APPEALED, THE APPLICANT SHALL NOT COMMENCE ANY DEVELOPMENT UNTIL THE DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD HAS BEEN OFFICIALLY RENDERED IN WRITING AND AUTHORIZES THE PROPOSED DEVELOPMENT.**

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, Alberta T0L 0T0
Phone: (403) 625-3351 Fax: (403) 625-3886

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
NOTICE OF HEARING OF APPEAL

Form E

Application No. _____

NAME: _____

ADDRESS: _____

A Public Hearing in the matter of the appeal of _____
to the decision of the Municipal Planning Commission on Development Application No. _____
in the matter of development of property located at _____, being the application for
a development permit to _____
has been APPROVED/REFUSED by the Municipal Planning Commission for the following reasons:

Shall be heard on the _____ day of _____ at _____ o'clock.

The hearing will be held in the Administrative Office of The Municipal District of Willow Creek No. 26. Any person(s) affected by the proposed development is entitled to present a written brief prior to the hearing and to be present and to be heard at the hearing. Persons wishing to be heard at the hearing shall submit a written brief or notice of intention to be heard (or both) to the Secretary of the Subdivision and Development Appeal Board.

Any information submitted will become available to the public and may also be shared with the applicant and appropriate government/other agencies and is subject to the provisions of the *Freedom of Information and Protection of Privacy Act (FOIP)*. If you have any questions, please contact The Municipal District of Willow Creek No. 26.

DATE: _____ **SIGNED:** _____

Secretary of the Subdivision and Development Appeal Board
The Municipal District of Willow Creek No. 26

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, Alberta T0L 0T0
Phone: (403) 625-3351 Fax: (403) 625-3886

**NOTICE OF DECISION OF THE
SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

Form F

APPELLANT: (Name and address)

In the matter of an appeal of the decision of the Municipal Planning Commission Development Application No. _____ to issue a development permit, dated _____ under the authority of Section 642 of *The Municipal Government Act* in the matter of the property located at _____.

The decision and reasons for the decision of the Subdivision and Development Appeal Board after a Hearing duly convened on _____, are as follows:

I. DECISION

II. FACTS

III. REASONS

**IV. DOCUMENTARY MATERIAL SUBMITTED TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD**

V. ORAL REPRESENTATIONS WERE MADE BY:

DATE: _____ **SIGNED:** _____
Secretary of the Subdivision and Development Appeal Board
The Municipal District of Willow Creek No. 26

IMPORTANT: This decision of the Subdivision and Development Appeal Board is final and binding on all parties and all persons, subject only to appeal to the provincial Court of Alberta.

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, AB T0L 0T0

Phone (403) 625-3351

Fax (403) 625-3886

www.mdwillowcreek.com

FOR OFFICE USE ONLY

**APPLICATION FOR A COUNTRY RESIDENCE
OR FARMSTEAD DEVELOPMENT PERMIT**

IMPORTANT: This information may also be shared with appropriate government/other agencies (e.g. Alberta Agriculture, Food and Rural Development; Alberta Environment; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.

Form G

Application No. _____

Fees Submitted: \$ _____

Site Inspection: _____

APPLICANT: _____ Telephone: _____

ADDRESS: _____ Fax: _____

_____ Bus/Cell: _____

REGISTERED OWNER: _____ Telephone: _____

PARTICULARS OF PROPOSED DEVELOPMENT: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter _____ Section _____ Township _____ Range _____ W _____ M

ACCESS: Existing _____ Proposed _____

Legal _____ Physical _____

REGISTERED EASEMENTS: _____

SETBACKS: _____

UTILITIES: _____

WASTE DISPOSAL: _____

OTHER DETAILS: _____

Additional information or clarification can be helpful in processing the application without delay. You may wish to use the back of this form, or attach a separate sheet with such information. **Please fill out the Right of Entry authorization on reverse.**

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained above. I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____

SIGNED: _____

Applicant

IMPORTANT: See Over

ADDITIONAL INFORMATION: _____

IMPORTANT:

1. Subject to the provisions of the Land Use Bylaw of The Municipal District of Willow Creek No. 26, the term “development” includes any change in the use of buildings or land.
2. Although the Development Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within 14 days after receipt of a Development Permit is at his own risk.
3. Please submit a plan or drawing showing locations of existing and proposed buildings, roads, services, boundaries, etc. in sufficient detail to ensure proper consideration of the application. Measurements may be metric or imperial units. It is desirable that the plans and drawings should be on scale appropriate to the development, that is:

Site plans – ratio of 1:1000 or 1:1500
Other drawings – ratio of 1:100 or 1:200

or as required by the Development Officer. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period unless an agreement for a time extension has been entered into with the municipality.

RIGHT OF ENTRY:

I hereby authorize representatives of The Municipal District of Willow Creek No. 26 to enter my land for the purpose of conducting a site inspection in connection with this application.

This right is granted pursuant to Section 542(1) of the *Municipal Government Act*.

DATE: _____

SIGNED: _____

Registered Landowner(s)

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, Alberta T0L 0T0

Phone: (403) 625-3351

Fax: (403) 625-3886

Website: www.mdwillowcreek.com

INTENSIVE LIVESTOCK OPERATION DEVELOPMENT PERMIT APPLICATION

Form H

Application No. _____

Fees Submitted: \$ _____

IMPORTANT:

1. Subject to the provisions of the Land Use Bylaw of The Municipal District of Willow Creek No. 26, the term "development" includes any change in the use of buildings or land.
2. Although the Development Officer is in a position to advise on the principal or details of any proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within 14 days after receipt of a Development Permit is at his own risk.
3. The sketch plan is considered part of the application and must be in sufficient detail to ensure proper consideration of the application. Whenever space provided is insufficient, use a separate sheet(s) of paper. Measurements may be metric or imperial units. It is desirable that the plans and drawings should be on scale appropriate to the development, that is:

Site plans – ratio of 1:1000 or 1:1500

Other drawings – ratio of 1:100 or 1:200

or as required by the Development Officer. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.

4. The application must be signed on page 86 by the registered landowner(s) as shown on the Land Title, and by the facility operator (if not the owner).
5. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period unless an agreement for a time extension has been entered into with the municipality.

FOR OFFICE USE ONLY

FEE CALCULATION

Basic ILO Application Fee \$ 300.00

a. Number of Animals Applied For _____

b. Animal Unit Equivalent ÷ _____

c. (a ÷ b = c) = _____

d. Additional Animal Unit Fees (c x \$.20) _____ x 20¢ \$ _____

TOTAL APPLICATION FEE \$ _____

FOR OFFICE USE ONLY

1. M.D. Permit Application No. _____ AAFRD File No. _____
(land location)

Site Inspection Completed on: _____

2. DEVELOPER DESCRIPTION

Landowner:

Name: _____

Address: _____

Phone: _____

Fax: _____

E-mail: _____

Facility Operator (if not owner):

Name: _____

Address: _____

Phone: _____

Fax: _____

E-mail: _____

I/we hereby make application for a development permit to construct: _____

under the provisions of Municipal Land Use Bylaw and in accordance with the plans and supporting information submitted herewith and which form part of this application.

The information contained in the application will be used to evaluate this proposal to develop an Intensive Livestock Operation as required by Municipal Land Use Bylaw for The Municipal District of Willow Creek No. 26.

The file contents become available to the public and are subject to the provisions of the *Freedom of Information and Protection of Privacy Act [FOIP]*. If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.

3. LEGAL LAND DESCRIPTION

All/Part of _____ ¼ Section _____ Township _____ Range _____ W of _____ Meridian

All/Part of Lot _____ Block _____ Reg. Plan No. _____ COT No. _____

4. DEVELOPMENT DESCRIPTION

Development Type: New ☐ Renovation ☐ Expansion ☐ Replacement ☐

Description:

Animal Type*	Housing Capacity Existing	# of Livestock Additional / New	Totals
TOTALS:			

* Poultry developments require authorization of quota by the Marketing Board under the authority of the *Agricultural Products Act*.

For use by Development
Officer or Municipal
Planning Commission

Notes:

Percent Increase of Expansion:
_____ %

5. WATER SUPPLY REQUIREMENTS

(Refer to Agri-Fax Agdex 716C01 for Farm Water Supply Requirements)

Livestock Type & Total Number		Gal./Animal/Day		Water Demand/Day	
	x		=		Gallons/Day
	x		=		Gallons/Day
	x		=		Gallons/Day
	x		=		Gallons/Day
TOTAL:					Gallons/Day

6. WATER SOURCE DETAILS

(Refer to Agri-Fax Agdex 716A12 for Water Licensing Information)

Type: Well(s) ☐ Dugout(s) ☐ Other ☐ (describe) _____

Licensing: Have approvals for the use of water from these sources been obtained from Alberta Environmental Protection? [If yes, please provide supporting documentation (i.e., copy of license/registration)]

Yes ☐

No ☐

Applied For ☐

7. REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I/we have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I/we am aware that I/we may be required to pay for all local improvement costs, which may include drainage, road construction, water and sewer extensions, utility connection fees and installation costs at the present established rate.

I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained in Section 2.

I/we have read and understand the terms noted on this form and hereby apply for permission to carry out the development described herein and/or on the attached plans and specifications. I/we further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____

SIGNED: _____

Developer(s)

8. RIGHT OF ENTRY:

I/we hereby authorize representatives of The Municipal District of Willow Creek No. 26 to enter my/our land for the purpose of conducting a site inspection in connection with this application.

This right is granted pursuant to Section 542 of the *Municipal Government Act*.

DATE: _____

SIGNED: _____

Registered Landowner(s)

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, AB T0L 0T0

Phone (403) 625-3351

Fax (403) 625-3886

www.mdwillowcreek.com

FOR OFFICE USE ONLY

**APPLICATION FOR A
LAND USE BYLAW AMENDMENT**

IMPORTANT: *This information may also be shared with appropriate government/other agencies (e.g. Alberta Agriculture, Food and Rural Development; Alberta Environment; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.*

Application No. _____

Fees Submitted: \$ _____

Site Inspection: _____

Form I

APPLICANT: _____ **Telephone:** _____

ADDRESS: _____ **Fax:** _____

_____ **Bus/Cell:** _____

REGISTERED OWNER: _____ **Telephone:** _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter _____ Section _____ Township _____ Range _____ W _____ M

PROPOSED AMENDMENT:

From: _____

To: _____

APPLICANT'S SUBMISSION: Please state your reasons for applying for this amendment and if applicable, supply details of future plans/development, complete with sketches that illustrate the proposal. Attaching separate sheets will be necessary.

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF: I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained above. I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted above and hereby apply for that described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____ **SIGNED:** _____

Applicant(s)

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, Alberta T0L 0T0
Phone: (403) 625-3351 Fax: (403) 625-3886

AGREEMENT FOR TIME EXTENSION

Form J

Application No. _____

I/We _____ being the registered owner or person authorized to act
on behalf of the registered owner with respect to:

Application No. _____

For: _____

Located on (legal description): _____

Do hereby agree to a time extension of: _____ days, until

On the understanding that if a decision has not been made by this time, I may deem the application
refused and appeal to the Development Appeal Board in accordance with the provisions of the *Municipal
Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, with amendments thereto.

Signature of Registered Owner/
Person acting on behalf of:

Signature of Witness

Date: _____

Signature of Development Officer
The Municipal District of Willow Creek No. 26

Signature of Witness

Date: _____

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, Alberta T0L 0T0
Phone: (403) 625-3351 Fax: (403) 625-3886

Form K

S T O P O R D E R

Date: _____

HAND DELIVERED/DOMESTIC REGISTERED MAIL

TO THE OPERATOR/OCCUPANT/REGISTERED OWNER: _____

ADDRESS: _____

RE: _____ (legal description as per land title)

(“THE LANDS”)

In my capacity as Designated Officer/Development Officer I am hereby issuing a Stop Order pursuant to Section 645 of the *Municipal Government Act*, 2000, Chapter M-26, and amendments thereto, with respect to the aforementioned lands.

The Municipality’s Land Use Bylaw, and amendments thereto, states:
(insert section, description, and any other relevant references)

Where “development” has the same meaning as it has in the aforementioned Act, being:

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

Where “building” has the same meaning as it has in the aforementioned Act, being:

- 616(a)** “building” includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road;

Further, Part 17 of the *Municipal Government Act* and Section 45 of the Municipality’s Land Use Bylaw allows a Development Officer to issue a Stop Order where a development or use of land or buildings does not comply with the *Municipal Government Act*, the Land Use Bylaw, or a development permit or subdivision approval.

(May insert any pertinent reference to development permit conditions if applicable.)

At present, **THE LANDS** do not comply with the Municipality's Land Use Bylaw/Development Permit given that _____ (reasons for non-compliance) _____.

Accordingly, you are hereby ordered to stop the unauthorized development and use of the aforementioned lands and the building(s) thereon and comply with the Land Use Bylaw/Development Permit, within _____ days of the date of this order, that being by no later than **Midnight**, _____ (date), by (steps to rectify non-compliance) _____

YOU ARE HEREBY ADVISED that failure to comply with this order shall cause The Municipal District of Willow Creek No. 26 to commence proceedings to carry out action required by this order (*Municipal Government Act*, Section 646) at the developer's/landowner's expense and FURTHER BE ADVISED that pursuant to Section 566 of the *Municipal Government Act*, a person who contravenes an order under section 645 is guilty of an offense and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

YOU ARE HEREBY ADVISED that you have the right to appeal this Order to the Subdivision and Development Appeal Board. If you wish to exercise this right, then written notice of appeal with reasons, together with the applicable appeal fee of five hundred dollars (\$500.00), must be received by the Secretary of the Subdivision and Development Appeal Board, c/o Municipal Administrator/CAO _____, Box 550, Claresholm, Alberta T0L 0T0, within fourteen (14) days following the date of issuance of this notice.

FURTHER BE ADVISED that the Municipality has the authority to put the costs and expenses for actions required in relation to this Stop Order, including that of a solicitor, on the tax roll for **THE LANDS** (*Municipal Government Act*, Section 553 (1)(h.1)).

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Per:

Designated Officer/Development Officer

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, AB T0L 0T0

Phone (403) 625-3351

Fax (403) 625-3886

www.mdwillowcreek.com

FOR OFFICE USE ONLY

APPLICATION FOR A HOME OCCUPATION

IMPORTANT: This information may also be shared with appropriate government/other agencies (e.g. Alberta Agriculture, Food and Rural Development; Alberta Environment; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.

Form L

Application No. _____

Fees Submitted: \$ _____

Site Inspection: _____

APPLICANT: _____ Telephone: _____

ADDRESS: _____ Fax: _____

Bus/Cell: _____

REGISTERED OWNER: _____ Telephone: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter _____ Section _____ Township _____ Range _____ W _____ M

EXISTING USE: _____

PROPOSED USE: _____

Hours or Operation: From _____ To _____

Noise Generated: 1 Yes 1 No

Off-Street Parking Available: 1 Yes 1 No No. of spaces _____

Storage of Goods on Property: 1 Yes 1 No

Anticipated Increase in Vehicular Traffic: 1 Yes 1 No

Odors or Noxious Effluents: 1 Yes 1 No

Additional Vehicles Required: 1 Yes 1 No

APPLICANT'S SUBMISSION: Please describe your proposal in detail and state your reasons for applying for this home occupation (There is more space on the reverse side of the page, but attach a separate sheet if necessary).

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF: I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained above. I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____ SIGNED: _____

Applicant(s)

IMPORTANT: See Over

ADDITIONAL INFORMATION: _____

IMPORTANT:

1. Subject to the provisions of the Land Use Bylaw of The Municipal District of Willow Creek No. 26, the term “development” includes any change in the use of buildings or land.
2. Although the Development Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within 14 days after receipt of a Development Permit is at his own risk.
3. Please submit a plan or drawing showing locations of existing and proposed buildings, roads, services, boundaries, etc. in sufficient detail to ensure proper consideration of the application. Measurements may be metric or imperial units. It is desirable that the plans and drawings should be on scale appropriate to the development, that is:

Site plans – ratio of 1:1000 or 1:1500
Other drawings – ratio of 1:100 or 1:200

or as required by the Development Officer. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period unless an agreement for a time extension has been entered into with the municipality.

RIGHT OF ENTRY:

I hereby authorize representatives of The Municipal District of Willow Creek No. 26 to enter my land for the purpose of conducting a site inspection in connection with this application.

This right is granted pursuant to Section 542(1) of the *Municipal Government Act*.

DATE: _____

SIGNED: _____

Registered Landowner(s)

THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26

Box 550, Claresholm, AB T0L 0T0

Phone (403) 625-3351

Fax (403) 625-3886

www.mdwillowcreek.com

FOR OFFICE USE ONLY

**APPLICATION FOR A
TEMPORARY DEVELOPMENT PERMIT**

IMPORTANT: This information may also be shared with appropriate government/other agencies (e.g. Alberta Agriculture, Food and Rural Development; Alberta Environment; the regional health authority), and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact The Municipal District of Willow Creek No. 26.

Form M

Application No. _____

Fees Submitted: \$ _____

Site Inspection: _____

APPLICANT: _____ Telephone: _____

ADDRESS: _____ Fax: _____

Bus/Cell: _____

REGISTERED OWNER: _____ Telephone: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

OR: Quarter _____ Section _____ Township _____ Range _____ W _____ M

EXISTING USE: _____

PROPOSED USE: _____

PROPOSED DURATION: From _____ To _____

PARTICULARS OF PROPOSED DEVELOPMENT: _____

Additional information or clarification can be helpful in processing the application without delay. You may wish to use the back of this form, or attach a separate sheet with such information. **Please fill out the Right of Entry authorization on reverse.**

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I/we agree to the collection and sharing of this information contained in this application, and any other information that may be required to verify and evaluate this application as explained above. I have submitted particulars concerning the completion of the proposed development and agree to comply in all respects with any conditions that may be attached to any development permit that is issued and with any other bylaws that are applicable. I am aware that I may be required to pay for all local improvement costs, which include drainage, sidewalks, road construction, street lighting, water and sewer main extensions, utility connection fees and installation costs at the present established rate.

I have read and understand the terms noted on the reverse side of this form and hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I further certify that the registered owner(s) of the land described above is aware of this application.

DATE: _____ SIGNED: _____

Applicant(s)

IMPORTANT: See Over

ADDITIONAL INFORMATION: _____

IMPORTANT:

5. Subject to the provisions of the Land Use Bylaw of The Municipal District of Willow Creek No. 26, the term “development” includes any change in the use of buildings or land.
6. Although the Development Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any development by the applicant within 14 days after receipt of a Development Permit is at his own risk.
7. Please submit a plan or drawing showing locations of existing and proposed buildings, roads, services, boundaries, etc. in sufficient detail to ensure proper consideration of the application. Measurements may be metric or imperial units. It is desirable that the plans and drawings should be on scale appropriate to the development, that is:

Site plans – ratio of 1:1000 or 1:1500
Other drawings – ratio of 1:100 or 1:200

or as required by the Development Officer. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
8. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period unless an agreement for a time extension has been entered into with the municipality.

RIGHT OF ENTRY:

I hereby authorize representatives of The Municipal District of Willow Creek No. 26 to enter my land for the purpose of conducting a site inspection in connection with this application.

This right is granted pursuant to Section 542(1) of the *Municipal Government Act*.

DATE: _____

SIGNED: _____

Registered Landowner(s)

NOTE: When, in the opinion of the Municipal Planning Commission, a proposed use is of a temporary or discretionary nature, it may issue a temporary development permit valid for such a period as it considers appropriate. It shall be a condition of every temporary development permit that The Municipal District of Willow Creek No. 26 shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period. The Municipal Planning Commission may require the applicant to post a guarantee for the cessation or removal of the use and any associated development.

Schedule 5

STANDARDS OF DEVELOPMENT

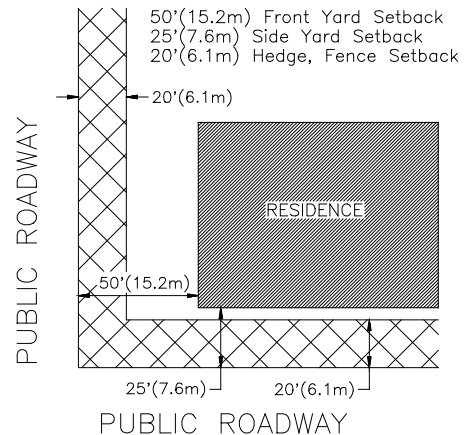
STANDARDS OF DEVELOPMENT

1. QUALITY OF DEVELOPMENT

The Development Officer or the Municipal Planning Commission may require additional standards as conditions of a development permit, in order to improve the quality of any proposed development within any land use district.

2. CORNER LOT RESTRICTIONS

On a corner lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of 3 feet (0.9 m) and 10 feet (3.0 m) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property lines 25 feet (7.6 m) from the point of intersection. The Municipal Planning Commission may allow the erection of a chain link fence within these setbacks.



3. RETAINING WALLS

The Municipal Planning Commission may require the construction of a retaining wall as a condition of development if, in their opinion, significant differences in grade exist or will exist between the parcel being developed and adjacent parcels.

4. MULTIPLE FRONT YARD PROVISION

Where any lot has more than one front yard line the front yard requirement shall apply to all yards, but at the discretion of the Municipal Planning Commission only one-half the front yard requirement may apply to one of the front yards, and that yard shall be considered a side yard (see diagram in section 2 of this schedule).

5. REFUSE COLLECTION AND STORAGE

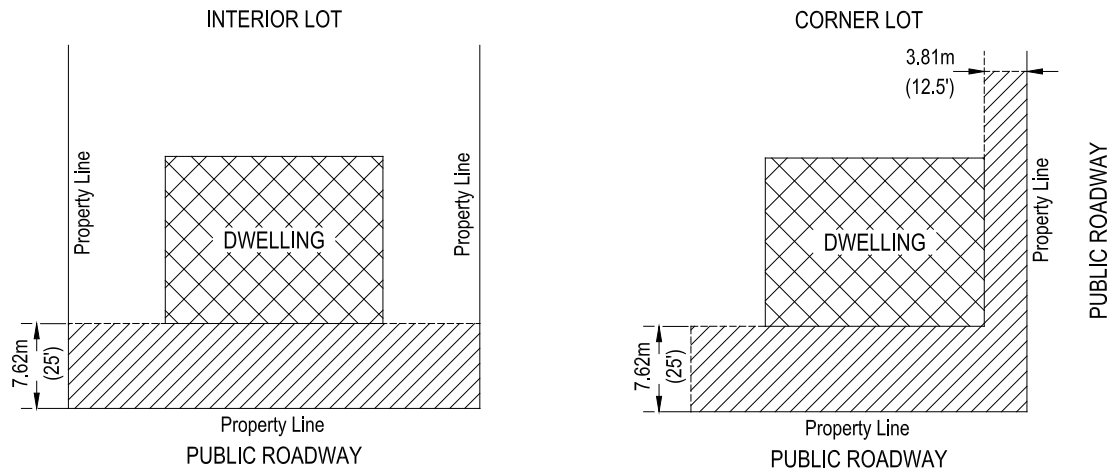
- (a) In all land use districts refuse and garbage shall be stored in suitable containers. Refuse and garbage holding areas, including containers, shall be effectively screened from public view.
- (b) In a residential land use district no outdoor storage of garbage shall be permitted in any front yard, including any unscreened portion of either front yard on a corner lot except in an approved enclosure until such time as disposal occurs.

6. DRIVEWAYS

Vehicular access to and from corner lots should generally be limited to locations along the minor street or cul-de-sac.

7. FENCES

- (a) No fences, wall, vegetation or any combination thereof, lying within 25 feet (7.6 m) of the right-of-way of a public roadway (excluding lanes) shall extend more than 3 feet (0.9 m) above the ground (except in the case of corner lots where one yard is considered as the side yard as indicated in section 2 and in accordance with section 4 of this schedule) without a development permit issued by the Development Officer.
- (b) Fences in rear side yards shall be limited to 7 feet (2.1 m) in height.



- (c) Post and rail and barbed-wire fences that do not pose a snow drifting problem may be located on property line; however, all other fences must adhere to the setback requirements in the respective land use districts.

8. BUILDING SETBACKS

- (a) The Municipal Planning Commission may waive the building setback requirement in a well-established residential area if in their opinion, the setback blends in with the prevailing yard pattern.
- (b) The Municipal Planning Commission may require varied building setbacks other than those listed if, in their opinion, such setbacks would be necessary.
- (c) The Municipal Planning Commission may establish a minimum setback from any existing residence where a proposed discretionary use may be incompatible with a residential use.

9. EXPOSED FOUNDATIONS

The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Officer.

10. EXTERIOR BUILDING FINISHES

The Development Officer or the Municipal Planning Commission may require specific finishing materials and/or colours to be used to ensure the compatibility of a proposed:

- (a) development with surrounding or adjacent developments;
- (b) addition or ancillary structure with existing structures on the same parcel;

11. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district which would require servicing beyond that which the municipality might normally supply, the Municipal Planning Commission may require that a development agreement which would establish the responsibilities of each of the involved parties be entered into by the developer(s) and the municipality.

12. PRIVATE DRIVEWAYS

The Municipal Planning Commission may require access and/or egress to a proposed development be in accordance with a Private Driveway Policy.

13. HAZARDOUS CHEMICAL STORAGE

No hazardous chemical (as defined in the *Alberta Environmental Protection and Enhancement Act*) shall be permitted to be stored or kept within a hamlet.

14. OUTDOOR FUEL STORAGE

The outdoor storage of fuel in any non-agricultural land use district shall be suitably fenced to the satisfaction of the Development Officer or the Municipal Planning Commission.

15. REFUSE COLLECTION ON CONSTRUCTION SITES

All refuse on any construction site shall be properly screened from view and contained in an approved enclosure until such time as disposal occurs.

16. DEVELOPMENT NOTIFICATION

The person to whom a development permit has been issued for a discretionary use shall notify the Development Officer:

- (a) following the preliminary layout of the site, but prior to the commencement of actual development thereon, and
- (b) upon completion of the development.

17. EASEMENTS

In no case shall a building be located closer than 10 feet (3.0 m) to a registered easement, or such greater distance as may be required by the Municipal Planning Commission.

18. TEMPORARY USES

Where, in the opinion of the Municipal Planning Commission, a proposed use is of a temporary or discretionary nature, it may issue a temporary development permit valid for such a period as it considers appropriate. It shall be a condition of every temporary development permit that the municipality shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period. The Municipal Planning Commission may require the developer(s) to post a bond guaranteeing the cessation or removal of work at the end of the period.

19. ENVIRONMENTAL IMPACT REQUIREMENTS AND CRITERIA

An environmental impact assessment and development permit conditions to satisfactorily minimize:

- (a) soil erosion and coulee slumping;
- (b) contamination of air or water;
- (c) hindrance or alteration of water flow to a lake, river or reservoir;
- (d) compromising the aesthetic quality of a scenic area;
- (e) damage to an ecologically sensitive habitat or area of historic importance;
- (f) conflicts with surrounding land uses;

may be required by the Municipal Planning Commission for any development proposed within 1000 feet (304.8 m) of:

- (i) a waterbody; or
- (ii) an existing or potential recreation area;
- (iii) an environmentally sensitive area, critical wildlife zone or regionally significant area.

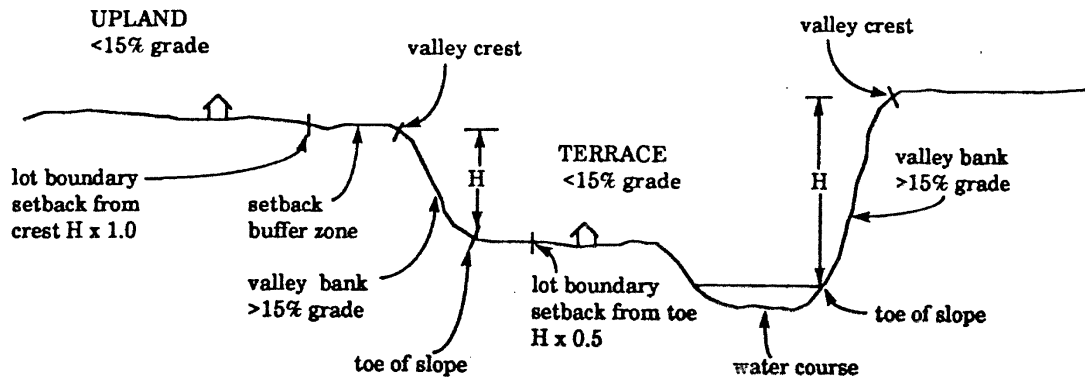
20. COULEE AND WATERBODY SETBACK REQUIREMENTS

- (a) No development shall occur within the distances calculated using the "Interim Guidelines for the Subdivision of Land Adjacent to Steep Valley Banks" or subsequent guidelines provided by Alberta Environment (Figures 1 and 2, and Table 1) (see diagram below).
- (b) Development within the distances calculated using the "Interim Guidelines for the Subdivision of Land Adjacent to Steep Valley Banks" or subsequent guidelines provided by Alberta Environment may be allowed on the basis of soils studies prepared by an engineer qualified in the field of soils analysis.
- (c) The Municipal Planning Commission or Council may require soils tests to be provided in support of any development permit application or subdivision application where they may feel there is a potential risk for soil failures of any type.
- (d) The Municipal Planning Commission or Council may require a flood risk analysis for development permit applications or subdivision applications for properties located in any river valley, drainage course or within 100 feet of the high water mark of other water bodies such as lakes. The analysis shall use the "Interim Guidelines for the Subdivision of Land in Areas Adversely Affected by River Flooding and Erosion" or subsequent guidelines provided by Alberta Environment.
- (e) The Municipal Planning Commission may require an applicant for a development permit or subdivision approval to undertake a geotechnical study to determine slope stability, and make a decision to either approve or refuse the application based on the recommendations contained in the geotechnical report.

21. DRAINAGE

- (a) At the discretion of the Development Officer or Municipal Planning Commission, the applicant shall be required to grade a parcel in such a manner that all surface water will drain from the building and other site improvements.

Figure I - Idealized Cross-section of River Valley



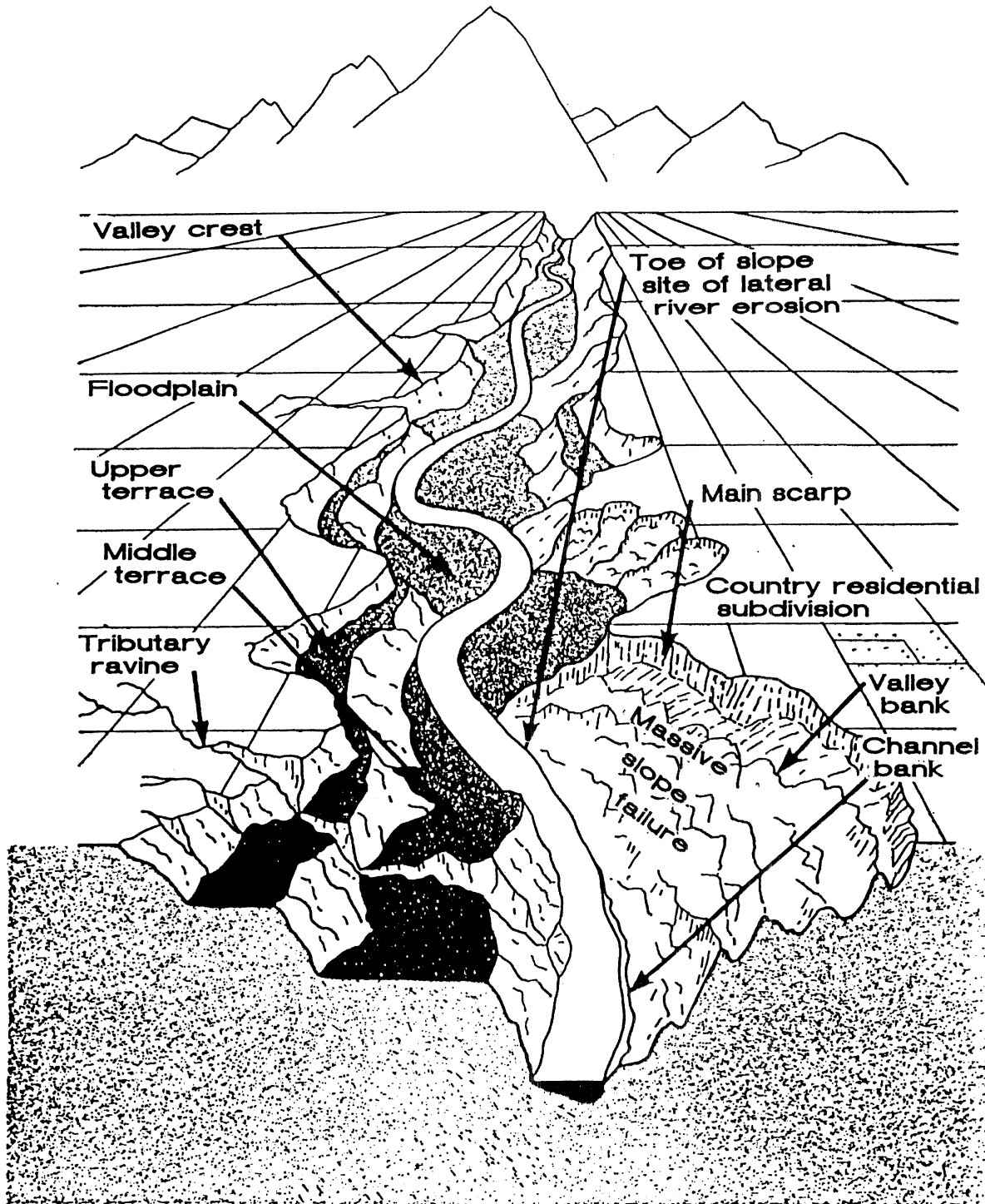
**Table 1 - General Guidelines for the
Setback of Lot Boundaries from a River Valley Crest
where the Grade of the Adjacent Valley Bank Exceeds 15%**

LOT BOUNDARY SETBACK

SLOPE FACTOR	$H^1 \times 2.0$	$H \times 2.5$	$H \times 3.0$
LATERAL RIVER EROSION OF TOE OF SLOPE	No Erosion ²	Minor Active Erosion	Major Active Erosion ³
SLOPE STEEPNESS	>15 to 50% (>8.5 to 26.6 degrees)	51 to 100% (27.0 to 45 degrees)	more than 100%
SLOPE FAILURE ON BANK	No Failure, Minor ⁴ Inactive	Minor Active, Major ⁵ Inactive	Major Active Failure
PAST & EXISTING ANTHROPOGENIC DISTURBANCE ⁶	No Disturbance to Moderate	Major Disturbance	
PROPOSED ANTHROPOGENIC DISTURBANCE	Minor to Moderate Disturbance	Major Disturbance	

- 1 The valley bank height, H is defined as the vertical distance from the valley crest to the toe of slope. The toe of slope may be found either where the valley bank meets a terrace or where it directly enters the water course.
- 2 an abandoned slope with the toe protected by a terrace
- 3 occurs on an outside bend of a river meander or opposite an island
- 4 minor refers to shallow slope failures, surface sloughing
- 5 major refers to deep seated slope failures involving the entire valley bank
- 6 man-induced disturbance such as excavating, filling, recontouring, drainage works, reservoirs, mining and tunnelling, utilities and roads

Figure 2 - Idealized Drawing Of River Valley



- (b) The Development Officer or Municipal Planning Commission may establish parcel and building elevations if it is believed that drainage from existing elevations will affect adjacent parcels.

22. SURFACE MINING OPERATION REQUIREMENTS

As a condition of approval and before a permit is issued for such extractive rural industrial uses (e.g. gravel pits, stone quarries), a plan of reclamation satisfactory to the Development Authority in accordance with Alberta Environment standards and requirements shall be filed with the municipality. All topsoil shall be stockpiled for use in reclaiming the worked-out site. Stripping of topsoil for sale is prohibited.

23. AREA STRUCTURE PLAN REQUIREMENTS / CONCEPTUAL SCHEMES

The Development Authority may require that an applicant submit an area structure plan or a conceptual scheme prior to the designation of or consideration for development. Such plans shall address the following concerns to the satisfaction of the Municipal Planning Commission:

- (a) lot design, servicing, access and sequence of development;
- (b) undevelopable on site areas subject to flooding, groundwater inundation, slumping and erosion;
- (c) on site areas of historical or archaeological significance;
- (d) impact on the urban expansion strategies of any neighbouring municipality;
- (e) impact on the safe, efficient operation of designated highways or rural roads;
- (f) impact on future resource development of the area;
- (g) impact on, access to or development of the areas existing or potential recreation amenities;
- (h) impact on vicinity wildlife habitats, natural areas and ecological reserves;
- (i) potential conflicts with adjacent or surrounding land uses, particularly agricultural operations and irrigation systems;
- (j) construction and financial responsibilities of the developer (development agreement);
- (k) if within one-half mile of a designated highway, by Alberta Transportation;
- (l) if the proposal would result in six parcels or more in a quarter section, a certified report shall be prepared in accordance with the "Report Requirements under Section 23 of the *Water Act* for Subdivision Development" as produced by Alberta Environment, September 1999. The costs of preparation, evaluation, interpretation and/or distribution of the said report shall be borne by the applicant and the results shall be forwarded to the Regional Director for the *Water Act* for interpretation, evaluation and comment. At its sole discretion, the municipality may charge additional fees to ensure that any certified report is referred to the appropriate authorities for evaluation and interpretation pursuant to section 61 of the *Municipal Government Act*. Upon the preparation and subsequent adoption of a water management plan within the municipality, this policy shall be reviewed and modified if necessary;
- (m) any other matters considered necessary by the municipality.

24. LANDSCAPING

- (a) The front yard (except for sidewalks and driveways) of development in a designated hamlet shall be landscaped to the satisfaction of the Development Officer.
- (b) In the case of corner lots in a designated hamlet, the minor street frontage shall also be landscaped to the satisfaction of the Development Officer.

- (c) Landscaping may consist of any or all of the following:
 - (i) trees, shrubs, lawn, flowers;
 - (ii) large feature rocks, bark chips, field stone (limit of 25% of total landscaped area);
 - (iii) berming, terracing;
 - (iv) other innovative landscaping features.

25. SCREENING

- (a) The Development Officer shall require appropriate screening for uses which involve the outdoor storage of goods, machinery, vehicles and building materials, waste materials and other items.
- (b) Where screen planting is required, evergreen trees or flowering trees should be used (e.g. flowering crab, May Day tree, Ohio Buckeye, Mountain Ash, Lilac, Honeysuckle, Caragana, Spruce, Pine).

26. GARDEN SUITES

A garden suite may be relocated onto a residential parcel for the purpose of providing temporary accommodations for one or more persons who needs to be near the principal dwelling for medical reasons. All garden suites shall comply with the following:

- (a) A garden suite may be permitted on a parcel in the following districts:
 - Rural General – RG
 - Rural Hamlets – RH
 - Moon River Estates – MRE
 - Hamlet of Parkland Direct Control – DC-1
 - Grouped Country Residential – GCR
 - Rural Small Holdings – RSH
 - Reservoir Vicinity – RV
 - Rural Recreational – RR
 - Vacant Country Residential – VCR
 - Nanton Urban Fringe – NUF
- (b) A development permit issued for this use shall be valid for a period of one year after the intended occupant(s) have vacated or a maximum of five years from the date of issue (whichever occurs sooner).
- (c) A development permit application for a garden suite shall be accompanied by documentation from the applicant confirming the occupant's relationship to the occupants of the principal dwelling and demonstrating the occupant's need to be located near the principal dwelling.
- (d) An applicant for a garden suite must be the registered owner of the lot and the occupant of the principal dwelling.
- (e) Upon the expiration of the development permit a renewal request, in the form of a new development permit, shall be submitted to the Municipal Development Authority or the unit shall be promptly removed.
- (f) A garden suite shall comply with the *Safety Codes Act* and Alberta Private Sewage Systems Standards of Practice.
- (g) A proposed modular/mobile home must adhere to the modular/mobile home development standards contained in this Land Use Bylaw.

27. KEEPING OF ANIMALS

- (a) The keeping of all animals is subject to the licensing and regulatory provisions of the Municipal District of Willow Creek Animal Control Bylaw.
- (b) No livestock or poultry, with the exception of dogs, cats and other such domestic pets as are typically kept indoors, shall be kept on lots 3 acres (1.2 ha) or less in size.
- (c) On a country residential lot greater than 3 acres (1.2 ha) and less than 5 acres (2.0 ha) in size, not more than a total of two (2) of the following may be kept: horses, cattle, pigs, donkeys, mules, goats, llamas, or alternatively a total of twelve (12) fowl or rabbits.
- (d) A person may be allowed to keep animals, livestock, or fowl in excess of the number specified in Section 27(c) if, in the opinion of the Municipal Planning Commission, the site is suitable for such use and it is determined that the additional numbers would not create a nuisance for neighbouring properties.
- (e) All animals, on a residential lot, are kept only for the private use and enjoyment of the residents of the lot.
- (f) The keeping of exotic reptiles and/or threatened or endangered species is prohibited.

28. CABINS / GUEST HOUSES

Cabins/guest houses are considered to be temporary residential accommodation intended for overflow sleeping and living purposes on a temporary basis. All cabins/guest houses constructed or relocated within residential lots shall comply with the following:

- (a) A lot intended for a cabin/guest house shall have an area of at least 43,560 sq. ft. (4,046 m²).
- (b) Cabins/guest houses shall be a maximum of 500 sq. ft. (46.45 m²) in size.
- (c) Only one cabin/guest house shall be allowed per parcel.
- (d) Coverage of all buildings on a residential lot shall not exceed 15 percent of the total site area.
- (e) Cabins/guest houses shall comply with the *Safety Codes Act* and Alberta Sewage Treatment and Disposal Regulation.

29. CAMPGROUNDS

- (a) A comprehensive site plan shall be provided to the satisfaction of the Municipal Planning Commission that shows the location, design standards and site requirements of any common accessory uses and services, such as washrooms, Laundromat, recreational buildings, retail store, food concession, fire pits, fire wood storage, lighting, water supply, wastewater disposal facilities, solid waste collection facilities and any other similar uses or services that may be associated with or required within a campground. The following regulations shall be applied in designing the campground site plan:
 - (i) a minimum site area of 3 acres (1.2 ha);
 - (ii) a minimum of 10 percent of the total site shall be set aside in a location acceptable to the Municipal Planning Commission as a common open space recreation area. Tent camping is not permitted in dedicated open spaces;
 - (iii) the road system shall be properly signed for users and for emergency response vehicles;
 - (iv) roads shall be hard surfaced or surfaced to the satisfaction of the Municipal Planning Commission;

- (v) pedestrian circulation routes to public facilities and major recreational activity areas must be provided. Walking trails shall be provided as alternatives to the main campground road;
- (vi) potable water and wastewater disposal facilities are required to the satisfaction of the local Health Authority;
- (vii) minimum campground front, side and rear yards shall be 20 feet (6.1 m) from all site boundaries;
- (viii) Parking requirements:
 - a. one (1) parking stall per camping stall; and
 - b. one (1) visitor parking for every 10 stalls shall be provided in a common area to the satisfaction of the Municipal Planning Commission.
- (b) A fire safety plan outlining fire prevention, mitigation and suppression procedures shall be submitted to the Municipal District prior to becoming operational, and fire preparedness equipment shall be in place to the satisfaction of the Emergency Service Manager.
- (c) A landscaping plan that retains natural vegetation and provides for a buffer from adjacent uses shall be provided to the satisfaction of the Municipal Planning Commission.
- (d) One on-site surveillance suite may be permitted.
- (e) Animal-proof garbage cans shall be provided throughout the campground.

30. MEDICAL MARIHUANA PRODUCTION FACILITIES

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with medical marihuana production as issued by Health Canada.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- (c) The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.
- (d) The development shall not operate in conjunction with another approved use.
- (e) The development shall not include an outdoor area for storage of goods, materials or supplies.
- (f) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.
- (g) The development must not be within 246 feet (75.0 m) of a residential or a public institutional district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public institutional district.
- (h) The Municipal Planning Commission may require, as a condition of a development permit, a public utility waste management plan, completed by a qualified professional, that includes detail on:
 - (i) the incineration of waste products and airborne emissions, including smell;
 - (ii) the quantity and characteristics of liquid and waste material discharged by the facility; and
 - (iii) the method and location of collection and disposal of liquid and waste material.
- (i) The minimum number of motor vehicle parking stalls shall be based on the parking requirements found in Schedule 9.

Schedule 6

MOBILE / MODULAR HOME DEVELOPMENT STANDARDS

MOBILE / MODULAR HOME DEVELOPMENT STANDARDS

1. STANDARDS AND REQUIREMENTS APPLICABLE TO MOBILE / MODULAR HOMES

- (a) Mobile/Modular Home Development Standards - Schedule 6.
- (b) General Standards of Development - Schedule 5.
- (c) Any special mobile/modular home development standards that may be adopted by resolution of Council.
- (d) Except where noted, all standards, requirements and guidelines shall apply to both single-wide and double-wide units located in conventional subdivisions or mobile/modular home parks.

2. ELIGIBLE MOBILE / MODULAR HOMES

Eligible mobile/modular homes include:

- (a) new factory built units;
- (b) used factory built units in a good state of repair (to the satisfaction of the Development Officer);
- (c) Canadian Standards Association (CSA) certified units.

3. APPLICATION REQUIREMENTS

Any application for a development permit to locate a used mobile/modular home:

- (a) shall include recent colour photographs of the whole structure; and
- (b) may require a personal inspection by the Development Officer to determine the unit's suitability.

4. FOUNDATIONS, BASEMENTS, ROOF LINES AND ADDITIONS

The following are required for the placement of mobile/modular homes outside hamlet areas:

- (a) All double-wide units shall be placed on continuous concrete or concrete block foundations capable of supporting the maximum anticipated load in conformity with the provincial building standards and CMHC regulations.
- (b) All single-wide mobile/modular homes not placed on permanent foundations of continuous concrete or concrete blocks shall be skirted in compatible materials and enclosed to the satisfaction of the Development Officer.
- (c) A basement for a mobile/modular home may be permitted provided access to the basement is housed within an approved enclosure.
- (d) Mobile/modular home units not provided with a basement shall be placed not less than 1 foot (0.3 m) and not more than 2 feet (0.6 m) higher than the average finished grade of the surrounding ground.
- (e) All mobile/modular homes shall be securely fastened to a suitable foundation or otherwise anchored to the site in accordance with CSA standards.

5. HAMLET AREAS

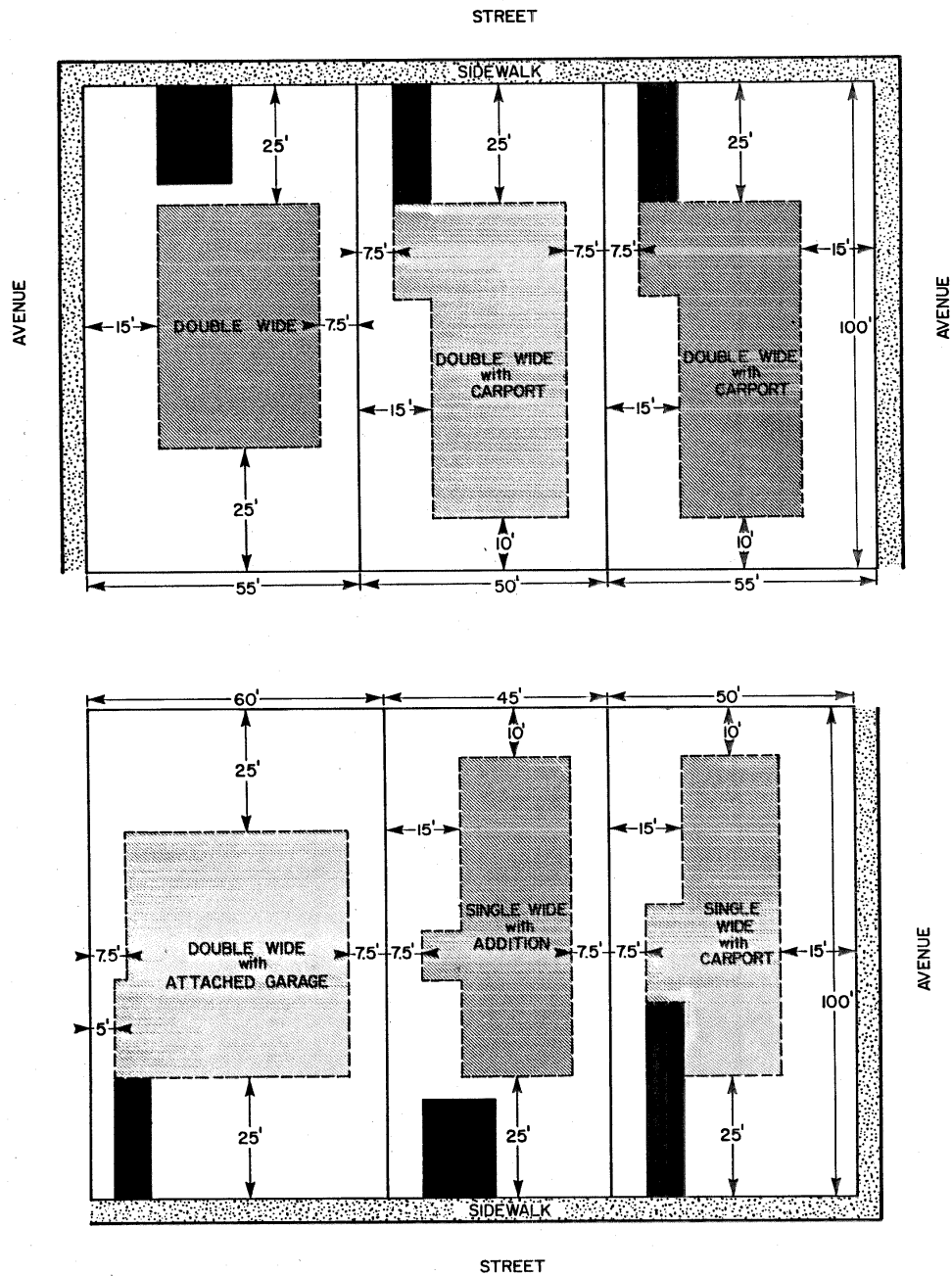
In addition to the above requirements in section 4, the following additional conditions may be requested for mobile/modular homes locating within designated hamlets:

- (a) Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with an approved material.
- (b) The maximum height of the exposed portion of a continuous concrete or concrete block foundations shall be not more than 2 feet (0.6 m) above the average finished grade level of the surrounding ground.
- (c) To ensure compatibility of housing types in hamlet areas, the variation of roof lines between double-wide mobile/modular homes and conventional homes may be limited. Generally, the double-wide unit should not be more than 2 feet (0.6 m) higher or lower than an adjacent home, whether conventional or double-wide. Generally, single-wide units shall not be encouraged to locate adjacent to or among conventional dwellings. In addition, the Municipal Planning Commission may exercise its discretion in determining the suitability of the site location of single-wide mobile/modular homes.
- (d) All mobile/modular home additions shall be of a design and finish which will complement the unit.
- (e) The wheels, hitches and other running gear shall be removed from a mobile/modular home or suitably screened immediately after the placement of the home on a permanent or concrete pad.
- (f) Nothing may be stored upon or left unattached to the roof of any mobile/modular home.

6. MOBILE / MODULAR HOME PARKS

All applications for mobile/modular home parks shall be considered on the basis of a Municipal District approved area structure plan or conceptual scheme where the standards of development meet or exceed the Canada Mortgage and Housing Corporation site planning handbook criteria and the CSA Mobile/Modular Home Parks Code A 240.7.1.

7. MOBILE / MODULAR HOME SETBACKS AND SITING PLAN GUIDELINE



Schedule 7

MODULAR HOME COMMUNITY STANDARDS

MODULAR HOME COMMUNITY STANDARDS

<p>In addition to the General Rules contained in Schedule 5, the following rules apply:</p>
--

1. An approved comprehensive siting plan shall be required prior to the subdivision and/or development of land in this district, and all development shall conform to the comprehensive siting plan.
2. The comprehensive siting plan shall show:
 - (a) lot or site dimensions,
 - (b) minimum setback dimensions,
 - (c) the type of dwelling and number of dwelling units on each lot or site,
 - (d) signage,
 - (e) garbage containers,
 - (f) lighting,
 - (g) open space,
 - (h) buffers,
 - (i) landscaping including screening around garbage containers and other community facilities and buildings,
 - (j) location of utilities or required infrastructure; and
 - (k) such other information as deemed necessary by the Municipal Planning Commission.
3. The comprehensive siting plan shall incorporate:
 - (a) curvilinear internal roads;
 - (b) an internal road system that minimizes potential traffic congestion, traffic hazards and conflict with pedestrian traffic;
 - (c) a pedestrian walkway system connecting homes with community facilities and abutting public walkways;
 - (d) recreation and open space that is conveniently located for residents and is free from traffic hazards;
 - (e) variation in front setbacks;
 - (f) cluster designs or other lot or site configurations that promote a wide choice of sites and settings for residents, maximize privacy and minimize conflict between adjacent lots and community facilities; and
 - (g) establish guidelines and standards satisfactory to the Municipal Planning Commission governing the design and materials of homes, community buildings and facilities, carports, patios, porches, foundations, fences and other attached or detached structures.
4. The comprehensive siting plan shall be evaluated and approved by the Municipal Planning Commission on the basis of the development standards of this schedule. The Municipal Development and Subdivision Authority may adopt additional guidelines as a further basis on which to evaluate the comprehensive siting plan. Both the development standards and additional guidelines applying to the comprehensive siting plan shall be employed in the consideration of all subsequent development permit applications.

5. Notwithstanding the Municipal Planning Commission granting a waiver of the Land Use Bylaw, only those standards whose relaxation will not alter the intent or substance of the comprehensive siting plan may be waived. All other changes shall require an amendment to the comprehensive siting plan.
- (a) **Community Area** – A minimum cumulative size of 5 acres (2 ha).
 - (b) **Lot or Site Area for Dwellings**
 - (i) A minimum area for single section homes of 3766 sq. ft. (350 m²).
 - (ii) A minimum area for multi-section homes of 4304 sq. ft. (400 m²).
 - (c) **Lot or Site Width**
 - (i) A minimum width for single section homes of 39.4 feet (12 m).
 - (ii) A minimum width for multi-section homes of 44.3 feet (13.5 m).
 - (d) **Lot or Site Depth**
 - (i) A minimum depth for single section homes of 95.1 feet (29 m).
 - (ii) A minimum depth for multi-section homes of 88.6 feet (27 m).
 - (e) **Density** – A maximum gross density of 8 units per acre (20 dwelling units per ha).
6. The following criteria and standards shall apply to any proposed Modular Home Community:
- (a) **Front Yard** – A minimum yard measured from a community or public road right-of-way of 15 feet (4.6 m).
 - (b) **Side Yards**
 - (i) Principal Building – 4 feet (1.2 m) for each side yard; or
 - (ii) Zero Lot Line Properties – The minimum side yard setback for all internal sites will apply zero lot line siting where:
 - the owner of the adjacent site grants a 10 feet (3 m) access easement for maintenance and fire separation, which shall be registered by caveat against the title of any site proposed for development and the title of the adjacent site, including a 60 cm eave and footing encroachment, and
 - all roof drainage from the building is directed onto the site by eavestrough and downspouts.
 - (c) **Rear Yard** – A minimum yard of 5 feet (1.5 m).
 - (d) **Separation Spaces** – A minimum separation between any building and the boundary of the community of 15 feet (4.5 m).
 - (e) **Floor Area** – A minimum floor area for each dwelling of 700 sq. ft. (65 m²).
 - (f) **Lot or Site Coverage**
 - (i) A maximum coverage for all buildings together of 40 percent.
 - (ii) A maximum coverage for accessory buildings of 15 percent.
 - (g) **Height of Buildings**
 - (i) A maximum height for dwellings and other principal building of two storeys.
 - (ii) A maximum height for accessory buildings of 16.4 feet (5 m).

(h) **Other**

- (i) Dwellings shall have CSA and Alberta Building Standards (ABS) Label Numbers.
- (ii) Dwellings shall be finished from the floor level to the ground level within 30 days of placement. All finish materials shall either be parged, factory fabricated or of equivalent quality, be pre-finished or painted so that the design and construction complements the dwelling.
- (iii) Equipment used for transportation of modular homes shall be removed from the dwelling and finished installed within thirty (30) days of placement.
- (iv) Dwellings shall be placed on a CSA Z240.10.1 Standard foundation, an engineer approved foundation, or a basement.
- (v) The floor area of an addition shall not exceed the floor area of the dwelling.
- (vi) The roof line of an addition or accessory building shall not exceed the height of the home.
- (vii) Two off-street parking shall be provided.
- (viii) All attached or accessory structures such as room additions, porches, sun rooms, garages and garden sheds shall be a factory prefabricated unit or of an equivalent quality and shall be pre-finished or painted so that the design and construction complements the principal building.

7. The following design standards shall pertain to development of a Modular Home Community:

(a) **Vehicular and Pedestrian Areas**

- (i) All roads in a community shall meet the municipality's Engineering Design Standards, to the satisfaction of the Municipal Planning Commission.
- (ii) Internal pedestrian walkways shall have a hard surface and a minimum width of 3.3 feet (1 m) and shall be constructed to the satisfaction of the Municipal Planning Commission.
- (iii) Visitor parking shall be:
 - located in convenient areas throughout the community;
 - properly signed; and
 - not used for the storage of vehicles, trailers and boats.
- (iv) A secondary access from a public roadway shall be provided for emergency access to any community containing more than 70 lots or sites.
- (v) All roads shall be designed, constructed and paved in accordance with specifications approved and certified by a Professional Engineer.

(b) **Recreation and Landscaping Areas**

- (i) On parcels of land where reserves have been taken, a maximum of 2.5 percent of the gross area of the parcel may be required for recreational use by the Municipal Planning Commission.
- (ii) On parcels of land where reserves have not been taken, a maximum of 10 percent of the gross area of the parcel may be required for recreational use by the Municipal Planning Commission.
- (iii) All areas of a community not occupied by dwellings, buildings, roads and other facilities shall be landscaped to the satisfaction of the Municipal Planning Commission.
- (iv) Adequate screening shall be provided around garbage containers and storage facilities to the satisfaction of the Municipal Planning Commission.
- (v) For the purpose of calculating recreational and open space requirements, any indoor recreational space fully developed in a community facility, shall be counted as triple its actual total floor area. Any common outdoor community facility such as a swimming pool, tennis courts, shuffle boards, lawn bowling, putting greens or barbecue patios, may be

counted as double its actual surface area, subject to the approval of the Municipal Planning Commission.

(c) Buffering

- (i) The need for a buffer area, landscaping, screening or a perimeter fence, shall be determined on an individual case by case basis depending upon natural conditions found on the parcel, adjacent land uses and the proposed roads, storage facility, lots or sites and open space locations.
- (ii) Buffer areas, if or where required by the Municipal Planning Commission, shall be restricted to a maximum width of 15 feet (4.5 m) adjacent to a highway or railway and 10 feet (3 m) elsewhere. The buffer width requirement may be reduced or eliminated by the use of berms, walls, fences or dense landscape screening, or a combination thereof as determined by the Municipal Planning Commission.

(d) Signs

- (i) Only one main, freestanding identification sign of a residential character and appearance, shall be erected at the entrance of a community unless the Municipal Planning Commission is of the opinion that a further and similar sign is appropriate due to the layout, location and size of the community, in relation to the surrounding areas.
- (ii) Directional signs within the community must be integrated in design and appearance, be kept in scale with the immediate surroundings, and constructed of durable materials.
- (iii) All signs will require a development permit.

(e) Lighting

Adequate road lighting shall be designed by a Professional Engineer to the satisfaction of the Municipal Planning Commission. Such lighting shall be installed and maintained to adequately illuminate the travelled portion of the road including all intersections, the turning circle of cul-de-sacs, any point at which an internal roadway changes direction 30 degrees or more, and any off-street visitor parking areas.

(f) Utilities

Municipal utilities shall be provided underground to all lots or sites.

(g) Community Service Facilities

- (i) The location and design of all community offices and related facilities are subject to the approval of the Municipal Planning Commission.
- (ii) All buildings must be accessible by community residents.

Schedule 8

MOVED-IN BUILDINGS

MOVED-IN BUILDINGS

1. Any application for a development permit for a moved-in building (other than a mobile home) or a building for intensive agricultural purposes considered by the Municipal Planning Commission shall:
 - (a) be accompanied by recent colour photographs of the whole structure;
 - (b) be accompanied by a suitable guarantee of either a performance bond or an irrevocable letter of credit as established by the Municipal Planning Commission;
 - (c) indicate if the building will meet CSA standards and the requirements of the provincial building standards and if it does not, how the building will be brought up to these requirements within any time limit established by the Municipal Planning Commission.
2. The building, when completed, shall:
 - (a) meet or exceed the provincial building standards before it is occupied;
 - (b) comply with provincial and municipal health and fire regulations and be subject to inspections by the appropriate agencies;
 - (c) be subject to such further conditions as may be required by the Development Officer or the Municipal Planning Commission, having regard to the potential impact on existing and proposed uses in the vicinity of the site;
 - (d) comply with all other applicable conditions under this bylaw.
3. The Municipal Planning Commission may waive any or all of the requirements of this section for moved-in buildings.

Schedule 9

**OFF-STREET PARKING AND LOADING AREA
REQUIREMENTS FOR NON-AGRICULTURAL USES**

OFF-STREET PARKING AND LOADING AREA REQUIREMENTS FOR NON-AGRICULTURAL USES

1. GENERAL PARKING REQUIREMENTS

- (a) All parking space provided shall be on the same lot as the building or use, except where the Municipal Planning Commission may permit parking space to be on a lot within such distance as prescribed by the Municipal Planning Commission of the building (or use) if, in their opinion, it is impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat, to the approval of the Municipal Planning Commission, shall be registered against the lot.
- (b) The number of parking stalls to be provided for any land use shall be as required by the Municipal Planning Commission.
- (c) Parking areas shall be laid out and delineated in a manner which will provide for orderly parking.
- (d) Parking areas shall be constructed in a manner which will permit adequate drainage and snow removal.
- (e) The Development Officer or Municipal Planning Commission may require that parking area or portions thereof be hard-surfaced, e.g. asphalt.
- (f) Off-site levies may be charged for parking areas or portions thereof that do not conform to this bylaw.
- (g) No parking shall be permitted in any required front yard in a designated hamlet (recreation vehicles, boats, etc.) other than on a properly constructed driveway.
- (h) Parking stalls are to be a minimum of 10 feet by 20 feet (3.0 m x 6.1 m) in size.

2. SPECIFIC REQUIREMENTS

USE	NUMBER OF STALLS REQUIRED
Automotive sales and service	1 per employee or more as required by the Development Officer
Bulk fertilizer storage and sales	1 per employee or more if required by the Development Officer
Bulk fuel and sales	1 per employee or more if required by the Development Officer
Churches	1 per each 4 seating spaces
Civic halls or clubs and public assembly buildings	1 per 100 sq. ft. (9.3 m ²) of gross floor area or 1 per every 6 seating spaces
Grain elevators	1 per employee or more if required by the Development Officer
Medical clinics	1 per employee and 1 per each 200 sq. ft. (18.6 m ²) of gross floor area

USE	NUMBER OF STALLS REQUIRED
Motor hotels and motels	1 per guest room
Multiple family dwellings	1.5 per dwelling unit
Public services	As required by the Development Officer
Public utilities	As required by the Development Officer
Retail and service outlets	1 per each 300 sq. ft. (27.9 m ²) of gross floor area
Roadside restaurants and cafes	1 per every 2 seating spaces
Schools	1 per employee or more if required by the Development Officer
Service stations	1 per employee and 2 per service bay
Single family dwellings and mobile homes	2 per dwelling
Single family dwellings (Moon River Estates land use district)	4 per dwelling
Theatres	1 per 4 seating spaces
Two family dwellings	2 per unit
All other uses	As required by the Development Officer

3. LOADING AREA REQUIREMENTS

- (a) For commercial, industrial and other uses determined by the Municipal Planning Commission, there shall be a minimum of one (1) off-street loading area, or more as required by the Development Officer.
- (b) The Development Officer or the Municipal Planning Commission may require that off-street loading areas be provided in other land use districts.
- (c) The Development Officer or the Municipal Planning Commission may require additional loading areas or doors at their discretion.
- (d) Each loading area shall be a minimum of 10 feet (3.0 m) in width and 30 feet (9.1 m) in length.
- (e) Each loading area shall provide a loading doorway of adequate size into the building.
- (f) Each loading area shall be designed so that vehicles using it will not interfere with safe and convenient pedestrian movement, traffic flow and parking.

Schedule 10

SIGN REGULATIONS

SIGN REGULATIONS

DEFINITIONS

1. In addition to the definitions in Schedule 16 of this bylaw, the following definitions apply to this schedule:

A-Board sign means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure.

A-Board off-premises directional sign means a self-supporting A-shaped sign or sandwich board which is set upon the ground and has no external supporting structure at a location other than the premises on which the business is located.

Abandoned sign means a sign which no longer advertises or identifies an existing activity, business, owner, product, lessee or service, or a sign for which no legal owner can be found.

Animated sign means a sign which uses movement or change of lighting to depict action or to create a special effect or scene, but does not include a changeable copy sign.

Awning means an adjustable or temporary roof-like covering fitted over windows and doors and used for either shelter, advertising or decoration.

Balloon sign means any inflatable device, used or employed as a sign, that is anchored to the ground or to a building.

Banner sign means a sign made of fabric or other non-rigid material with no enclosing framework.

Billboard means a sign structure designed and intended to provide a leasable advertising copy area of not less than 91.5 sq. ft. (8.5 m²), usually where the copy can be periodically replaced and not necessarily related to an adjacent use.

Boulevard means that portion of a public roadway that lies between a curb and the boundary of a lot or parcel.

Canopy means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration.

Canopy sign means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

Changeable copy sign means a sign on which the copy changes automatically through electronic or mechanical means.

Construction sign means a temporary sign erected on a site where construction is taking place to identify the construction project and those parties having a role or interest in the construction.

Copy means the message on a sign in either permanent or removable form.

Copy area means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

Community signs means any sign advertising a local community organization.

Council means the Council of the Municipal District of Willow Creek No. 26.

Development permit means a document authorizing a development issued pursuant to the Land Use Bylaw.

Directional off-premises sign means any sign which advertises, directs or otherwise identifies a service, facility, product or activity to be found at a location other than the premises on which the sign is located.

Facade means the entire front of a building including the parapet.

Fascia sign means a sign attached across the face of a building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 12 inches (0.3 m) from the building or structure supporting said sign.

Free-standing sign means any sign or display supported by a free-standing column or structure.

Frontage means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.

Home occupation means a home occupation as it is defined in the Land Use Bylaw.

Home occupation sign means a sign advertising a home occupation approved under the provisions of the Land Use Bylaw.

Incidental sign means a small sign, decal or emblem advertising goods, facilities, business hours or services available on the premises.

Informational sign means a sign the message of which is limited to providing directions and information necessary or convenient for persons coming onto the property, including signs marking entrances, exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.

Illuminated sign means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Land Use Bylaw means the Municipal District of Willow Creek No. 26 Land Use Bylaw.

Marquee means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building.

May means that an action is discretionary.

Memorial sign means a tablet or plaque memorializing a person, event, structure or site, provided said sign is not located in conjunction with any commercial or industrial use.

Merchandising aid means a device, such as statues, inflatables, and tethered balloons intended to call attention to a business and which may contain a name, logo, advertising message or announcement.

Multiple listing or multi-tenant sign means a sign that contains within one structural frame two or more smaller signs, each of which identifies or advertises a different business, organization or facility.

Municipal Government Act (MGA) means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Municipal Planning Commission (MPC) means the Municipal District of Willow Creek No. 26 Municipal Planning Commission as established by bylaw to act as the Development Authority.

Mural means a painting or other decorative work applied to and made integral with an exterior wall surface of a building.

Parapet means the extension of a false front wall above a roof line.

Political poster means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

Portable sign means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

Projecting sign means a sign that is wholly or partly dependent upon a building for support and which projects more than 1 foot (0.3 m) from such building.

Primary sign means a sign advertising the primary use of the premises.

Public place means any location in the Municipal District of Willow Creek No. 26 that is for public use and includes streets, lanes, avenues, boulevards, sidewalks, parks, campgrounds, squares or rights-of-way and the space above the same.

Real estate sign means a sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located.

Resident identification sign means a sign located on the premises, limited to providing the address and/or name of the owner or occupant of a building or premises.

Roofline means the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor similar projections.

Roof sign means any sign which is entirely upon and above the roofline or parapet of a building.

Secondary sign means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

Shall means that the action is mandatory.

Should means that the action is recommended.

Sign means any development:

- (a) constructed and permanently affixed directly or indirectly to any building, structure, window or a parcel of land; and
- (b) which is used to advertise, identify or display a commercial or non-commercial activity, product, place, organization, institution, person, service, event or location, by any means, including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images and in such a manner as to be visible from any public place, but does not include any real estate sign, window display, political poster, flags, graffiti, athletic scoreboards or any traffic or directional and informational sign erected by the Municipal District of Willow Creek No. 26, the Alberta or federal governments and their agencies.

Sign area means the entire face of a sign including the advertising surface and any framing, trim or moulding, but not including the supporting structure, with the sign area of individual letter signs being the sum total of the area of the smallest straight line geometric figure that encloses the individual letters or figures of the sign.

Sign band means a prominent exterior display surface located horizontally between storefront windows and the cornice or roofline.

Sign clutter area means any area of the Municipal District of Willow Creek No. 26 that Council has declared by resolution to appear cluttered by an excessive amount of signs, and therefore warranting special restrictions in order to limit the sign clutter.

Temporary sign means any sign permitted, designed or intended to be displayed for a short period of time.

Theme sign means any sign that is part of a series or group of signs incorporating a distinctive theme, design or logo.

Third party sign means any permanent off-premises sign advertising a commercial activity not located on the same lot or parcel of land as the sign.

Waiver means a whole or partial exemption from compliance with a particular standard or requirement of this bylaw which has been allowed by a municipal authority authorized to grant it pursuant to this bylaw.

Wall sign means a sign fastened to or painted on the wall of a building.

Window sign means a sign permanently applied directly to the inside surface of a window and intended to be viewed from the outside.

ADMINISTRATION

2. Unless specifically exempted under Schedule 3 hereof, no one shall erect, place, alter or commence any sign without having first obtained a development permit.
3. In addition to information submitted with any development permit application, the Development Officer or the Municipal Planning Commission may require additional details including:
 - (a) the location of all existing and proposed signs on the lot or premises;
 - (b) all size, height, and other dimensions of the proposed signs and any supporting structures, including mounting details if it is proposed to mount the signs on a building;
 - (c) the finish proposed for the signs and the type of illumination or animation, if any;
 - (d) photos and/or drawings at a suitable scale.

GENERAL REGULATIONS

4. Signs and billboards shall be prohibited except for signs advertising the principal use of the premises or the principal products offered for sale on the premises, unless otherwise indicated.
5. Lawn, fascia and freestanding signs only shall be permitted subject to the following limitations:
 - (a) not more than two signs shall be permitted on the premises;
 - (b) no sign or combined area of two signs, as permitted on a single premises shall be in excess of 40 sq. ft. (3.7 m²) in area. Each sign may be double faced;
 - (c) no sign shall be illuminated unless the source of light is steady and suitably shielded;
 - (d) the maximum height of any freestanding sign shall be 20 feet (6.1 m);
 - (e) the maximum height of any lawn sign or front yard sign shall be 5 feet (1.5 m);

- (f) no sign shall create a visual obstruction to traffic.
- 6. In exceptional circumstances, the Municipal Planning Commission may approve:
 - (a) private directional and information signs;
 - (b) banding signs as part of a mall development; and
 - (c) any miscellaneous variance of these sign regulations.
- 7. The Development Officer and/or the Municipal Planning Commission may require any sign to be removed or relocated at the sign owner's expense in its entirety if:
 - (a) the sign becomes unsightly or unstable;
 - (b) the sign creates a snow or vehicular visibility problem;
 - (c) the municipal road needs to be widened or upgraded.
- 8. With the exception of approved off-premises signs, the message on a sign shall relate to the use of the lot or building on which the sign is located (also see Portable Signs).
- 9. All signs shall:
 - (a) be maintained in a safe and tidy manner to the satisfaction of the Development Officer or the Municipal Planning Commission;
 - (b) be placed so as not to obstruct the vision of vehicular traffic or interfere with or cause confusion with any information sign, traffic sign, signal light or other device;
 - (c) not be relocated or substantially repaired unless authorized by a development permit except for cleaning, repainting or other routine maintenance.
- 10. The source of lighting for any illuminated signs shall be fixed, non-flashing, non-revolving and shielded to the satisfaction of the Development Officer or the Municipal Planning Commission.
- 11. Unless otherwise specified, the maximum area of a primary sign located on a lot with a single frontage is 130 sq. ft. (12 m²).
- 12. As a condition of approval, the Municipal Planning Commission may require that a sign's design and/or the materials comprising it be of acceptable quality having regard to its size, purpose and location.

FREESTANDING SIGNS

- 13. A freestanding sign shall:
 - (a) only be permitted on the site of a non-residential land use or an approved home occupation;
 - (b) be limited to one sign per frontage and a total of not more than two signs on a single lot or premises with more than one frontage;
 - (c) be limited to 25 feet (7.6 m) in overall height, including any supporting structure;
 - (d) be limited to 70 sq. ft. (6.5 m²) of sign area per sign face;
 - (e) have no part of the sign area less than 9 feet (2.7 m) above grade if located within a required front yard setback;
 - (f) be of a design and construction acceptable to the Development Officer or the Municipal Planning Commission.

PROJECTING AND CANOPY SIGNS

14. Every projecting or canopy sign shall:
- (a) be limited to one sign per individual lot or premises;
 - (b) be at least 9 feet (2.7 m) above grade if it projects over public property;
 - (c) not exceed 10 sq. ft. (0.9 m²) of copy area in the case of a projecting sign, or 100 sq. ft. (9.3 m²) in the case of a canopy sign;
 - (d) be securely fastened to the building to the satisfaction of the Development Officer or the Municipal Planning Commission;
 - (e) not project more than 5 feet (1.5 m) horizontally over any public place or within 5 feet (1.5 m) of a curb or developed street;
 - (f) not be mounted or extend within 1.6 feet (0.5 m) of a roofline or the top of a parapet;
 - (g) only be considered for approval if the owners of the premises upon which it is located provide, to the satisfaction of the municipality, a written waiver of liability or an indemnification agreement for any injury or damage resulting from the presence of the said sign.

FASCIA SIGNS

15. A fascia sign shall only be permitted either in a non-residential land use district or in conjunction with an approved home occupation.
16. In a residential land use district, fascia signs shall be limited to one per frontage or, where there are two or more frontages, a total of two such signs may be located on a single lot provided they are located on the same site as the use being advertised.
17. In a non-residential land use district, the total area of the one or more fascia signs on an exterior wall shall not exceed the lesser of 70 sq. ft. (6.5 m²) or 15 percent of the area of the exterior wall on which the sign or signs are located.
18. On a building which is divided into units, one or more of which have individual frontages, the area of the one or more fascia signs on an individual unit shall be limited to the equivalent of 15 percent of the area of the exterior frontage wall of the unit.
19. A fascia sign shall be located at or reasonably near the level of any other fascia or projecting signs on the same premises and/or adjacent buildings.
20. Wherever there is an identifiable sign band, a fascia sign shall be located within the sign band.
21. No fascia sign shall be located within 1.6 feet (0.5 m) of a roofline or the top of a parapet.

ROOF SIGNS

22. A roof sign:
- (a) shall be limited to one sign in conjunction with any one conforming non-residential development or use;
 - (b) shall not exceed 90 sq. ft. (8.4 m²) of sign area;
 - (c) shall not be placed on the sloped portion of a roof;
 - (d) shall not project horizontally beyond an exterior wall, parapet or roofline;

- (e) shall extend no more than 15 feet (4.6 m) above the portion of the roof to which the sign is attached;
 - (f) be securely fastened to the building to the satisfaction of the Development Officer or the Municipal Planning Commission.
23. At the discretion of the Municipal Planning Commission, a separation of up to 300 feet (91.4 m), measured horizontally, from any other roof sign may be made a condition of development approval for a roof sign.

BALLOON SIGNS

24. A balloon sign:
- (a) shall not be permitted in a residential land use district;
 - (b) may be permitted in any other land use district at the discretion of the Municipal Planning Commission.

PORTABLE OR SIDEWALK SIGNS

25. A portable sign:
- (a) shall not be permitted in a residential land use district;
 - (b) placed on private land shall not exceed 40 sq. ft. (3.7 m²) in sign area;
 - (c) shall only be placed adjacent to or upon the parcel or premises to which it applies;
 - (d) shall not remain on a particular site for more than a total of 120 days in any calendar year.
26. Not more than one portable sign on a lot with a single frontage or a total of two signs on a lot with two or more frontages shall be permitted.
27. At the discretion of the Municipal Planning Commission, a portable sign not exceeding 7.5 sq. ft. (0.7 m²) may be permitted on a public sidewalk or boulevard strip for a limited period of time.
28. No portable sign shall occupy more than 30 percent of the width of any public sidewalk.
29. Unless approved by the Municipal Planning Commission, no portable sign shall be placed on, or project into, any public place.

HOME OCCUPATION SIGNS

30. A sign associated with a home occupation shall:
- (a) be limited to one fascia sign, wall sign or freestanding sign on the premises of an approved ancillary non-residential use;
 - (b) not extend more than 5 feet (1.5 m) above grade;
 - (c) not be greater than 4 sq. ft. (0.4 m²) in area.

THEME SIGNS

31. At the discretion of the Municipal Planning Commission, a theme sign displaying a logo or design approved by Council:
- (a) may be used for information or promotional purposes;

- (b) may be used for commercial or other purposes only;
- (c) may be exempted from any provisions of this schedule if it is to be used to promote a theme or attraction in the municipality;
- (d) shall not be attached to any light standard, traffic control sign, signal, light or similar device;
- (e) shall not be more than 4 sq. ft. (0.4 m²) in area.

TOURISM SIGN AREAS

32. The following signs may be located in a tourism sign area designated as such by Council:
- (a) specific attraction signs and theme signs, provided the theme, design, colour and type is consistent with sign advertising the same specific attraction;
 - (b) directional or informational signs required by Alberta Transportation or the municipality;
 - (c) special event signs approved by the Development Officer or the Municipal Planning Commission for no longer than a total accumulation of 30 days per calendar year;
 - (d) community signs, third party signs, off-premises signs or billboards approved by the Development Officer or the Municipal Planning Commission;
 - (e) portable and temporary signs approved as special event signs.

TEMPORARY SIGNS

33. A single temporary sign may be permitted on a single lot or premises provided that:
- (a) it is to remain on the premises a total of no more than 60 days, cumulatively, in any one calendar year; and
 - (b) the Development Officer is satisfied that it will not create a traffic hazard or obstruct other signs.

THIRD PARTY AND OFF-PREMISES SIGNS

34. The sign area of a third party or off-premises sign visible from a public roadway shall not exceed:
- (a) 25 sq. ft. (2.3 m²) where the speed limit is not over 50 km per hour; and
 - (b) 50 sq. ft. (4.6 m²) where the speed limit is over 50 km per hour but no more than 80 km per hour; and
 - (c) 70 sq. ft. (6.5 m²) where the speed limit is over 80 km per hour.

WINDOW SIGNS

35. A window sign shall only be permitted in conjunction with a conforming non-residential use or an ancillary residential land use.
36. An illuminated window sign may be approved at the discretion of the Municipal Planning Commission.

SIGN CLUTTER

37. The Municipal Planning Commission may recommend that Council designate a building, a site or a specific area as a sign clutter area.
38. No new signs shall be permitted in a designated sign clutter area until the amount of existing signs has been reduced to the satisfaction of the Municipal Planning Commission.

RESIDENCE IDENTIFICATION SIGNS

39. All residence identification signs should be:

- (a) visible from the main road,
- (b) reflective in appearance and finish,
- (c) made of non-combustible materials.

Schedule 11

HOME OCCUPATIONS

HOME OCCUPATIONS

All home occupations may be approved subject to the following conditions:

1. An application for a home occupation shall only be considered by the Municipal Planning Commission or the Development Officer upon an application endorsed or filed by the registered owner of the property.
2. No person other than the occupant's family and one paid assistant on the premises shall be engaged in such operations.
3. The use should not involve the display or storage of goods or equipment upon or inside the premises in such a manner that these items are exposed to public view from the exterior.
4. No variation in the residential character and appearance of the dwelling, accessory residential building, or land shall be permitted.
5. Advertising signs shall be permitted only as allowed by the signage regulations (see Schedule 10) with the additional requirement in Moon River Estates that no sign advertising a home occupation shall be bigger than 1 square foot (0.9 m²).
6. The use shall not generate significantly more vehicular or pedestrian traffic and vehicular parking than normal within the district.
7. No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare produced by the use shall be discernible beyond the premises.
8. No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation significantly exceeds the average for residences in the area.
9. No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home occupation is located.
10. All permits issued for home occupations shall be subject to the conditions attached and may be revoked at any time if, in the opinion of the Municipal Planning Commission, the use is, or has become detrimental to the residential character of and amenities of the neighbourhood.
11. No home occupation shall be allowed which includes any use declared by resolution of Council to be undesirable as a home occupation.

Schedule 12

INTENSIVE LIVESTOCK OPERATIONS

INTENSIVE LIVESTOCK OPERATIONS

For the purposes of determining the requirement for a development permit and applying the standards of the Land Use Bylaw, an intensive livestock operation is any feedlot or covered facility of significant investment and/or permanence, capable of confining a specified minimum number of animals as outlined in Table 1 for growing or finishing for market and at a density of greater than 2 animal units per acre for more than six consecutive months, and less than thresholds established in the *Agricultural Operation Practices Act* Regulation.

Type of Livestock	Number of Animals Requiring a Development Permit	Number of Animals Requiring a NRCB Registration	Number of Animals Requiring a NRCB Approval
Beef Cows/Finishers (900+ lbs.)	75 - 149	150 - 349	350+
Beef Feeders (<900 lbs.)	100 - 199	200 - 499	500+
Dairy (milking cows including replacements and dries)	25 - 49	50 - 199	200+
Swine (sows - farrow to finish)	15 - 29	30 - 249	250+
Swine (sows - farrow to wean)	25 - 49	50 - 999	1,000+
Swine (feeders)	250 - 499	500 - 3,299	3,300+
Swine (weaners)	250 - 499	500 - 8,999	9,000+
Poultry (broilers)	1,000 - 1,999	2,000 - 59,999	60,000+
Poultry (breeder hens)	500 - 999	1,000 - 15,999	16,000+
Poultry (layers)	2,500 - 4,999	5,000 - 29,999	30,000+
Poultry (pullets)	1,000 - 1,999	2,000 - 59,999	60,000+
Turkeys (toms)	500 - 999	1,000 - 29,999	30,000+
Ducks	500 - 999	1,000 - 29,999	30,000+
Geese	500 - 999	1,000 - 29,999	30,000+
Horses (PMU)	50 - 99	100 - 399	400+
Horses (feeders)	50 - 99	100 - 299	300+
Sheep (ewes/rams)	100 - 199	200 - 1,999	2,000+
Goats	100 - 199	200 - 1,999	2,000+
Bison	75 - 149	150 - 349	350+
Elk	75 - 149	150 - 399	400+
Deer	100 - 199	200 - 999	1,000+
Wild Boar	50 - 99	100 - 299	300+

ANIMAL UNITS

Type of Livestock	Factor to be used to determine the animal units
Beef Cows/Finishers (900+ lbs.)	1.1
Beef Feeders (<900 lbs.)	2
Dairy (milking cows including replacements and dries)	0.5
Swine (sows - farrow to finish)	0.56
Swine (sows - farrow to wean)	1.5
Swine (feeders)	5
Swine (weaners)	18.2
Poultry (broilers)	500
Poultry (breeder hens)	100
Poultry (layers)	125
Poultry (pullets)	500
Turkeys (toms)	50
Ducks	50
Geese	50
Horses (PMU)	1
Horses (feeders)	1
Sheep (ewes/rams)	5
Goats	6
Bison	1
Elk	1.7
Deer	5
Wild Boar	4

Schedule 13

WATER ACT POLICIES

WATER ACT POLICIES

WATER ACT

The new *Water Act* came into force in January, 1999. It is the intent of the provincial government to eventually adopt Water Management Plans (WMPs) for all water basins in Alberta. As these plans will take several years to prepare in accordance with the provincial guidelines, municipalities are encouraged to adopt interim policies in their respective municipal development plans and land use bylaws.

To this end, the Municipal District of Willow Creek has identified the following objectives and adopted the subsequent policies with respect to the *Water Act, Chapter W-3, Revised Statutes of Alberta 2000, as amended*.

1. OBJECTIVES

- (a) To ensure that the Municipal District complies with the provisions of the *Water Act*.
- (b) To adopt interim land use policies prior to the preparation of Water Management Plans (WMPs).

2. POLICIES

- (a) Prior to the preparation of a Water Management Plan (WMP), the Municipal District shall require that a certified report be prepared for any application for subdivision approval or a proposed land use redesignation which proposes to create, in a traditional agricultural area, six or more parcels of land in a quarter section.
- (b) All certified reports shall be prepared in accordance with the "Report Requirements Under Section 23 of the *Water Act* for Subdivision Development" as produced by Alberta Environment, September 1999 (see Appendix C).
- (c) The certified report may be forwarded by the municipality to the Regional Director for the *Water Act* for interpretation, evaluation and comment.
- (d) All costs associated with the preparation, evaluation, interpretation and/or distribution of the said report shall be borne by the registered owner or agent authorized to act on behalf of the registered owner.
- (e) At its sole discretion, the municipality may charge additional fees to ensure that any certified report is referred to the appropriate authorities for evaluation and interpretation pursuant to section 61 of the *Municipal Government Act*.
- (f) Upon the preparation and subsequent adoption of a water management plan within the municipality, these policies shall be reviewed, re-evaluated and modified if necessary.

Schedule 14

WIND ENERGY CONVERSION SYSTEMS (WECS)

WIND ENERGY CONVERSION SYSTEMS (WECS)

DEFINITIONS

1. The following definitions apply to this part:

Blade

An element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

Blade Clearance

In reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

External Parcel Boundary

The property boundary for lands which are outside the footprint of the wind farm and adjacent to the WECS, where adjacent refers to lands that are contiguous in nature and not separated by a municipal road allowance.

Horizontal Axis Rotor

A wind energy conversion system, typical of conventional or traditional windmills.

Internal Parcel Boundary

The property boundary for lands which are within the footprint of the wind farm.

Rotor's Arc

The largest circumferential path travelled by a WECS' blade.

Total Height

The height from grade to the highest vertical extension of a WECS. In the case of a WECS with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

Towers

The structure which supports the rotor above grade.

Vertical Axis Rotor

A wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

Small Scale Wind Energy Conversion System (Category 1)

A wind energy conversion system consisting of a single structure with the capacity to generate electricity only for the property owner's use on the site it is located, and not connected to the grid. The system and supporting structure is less than 80 feet (25 m) in height.

Wind Energy Conversion System (WECS) (Category 2)

A wind energy conversion system of one or more structures designed primarily for the property owner's use but being capable of producing excess power that can augment the existing provincial grid system.

Wind Energy Conversion System (WECS) (Category 3)

A wind energy conversion system of one or more structures designed to convert wind energy into mechanical or electrical energy on one or more parcels of land for commercial purposes.

INFORMATION REQUIREMENTS

2. All development applications for a WECS, depending upon category, may be required to be accompanied by the following if determined necessary by the Municipal Planning Commission:

	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>
(a) an accurate site plan showing and labeling the information outlined in this Section, and the location of overhead utilities on or abutting the subject lot or parcel;	✓	✓	✓
(b) a detailed public consultation process, complete with a summary report;			✓
(c) an analysis of the visual impact of the project, especially with respect to the scenic qualities of the M.D. landscape. The analysis will include the cumulative impact if other WECS are in the area and the impact of overhead collection lines;			✓
(d) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour;	✓	✓	✓
(e) the manufacturer's specifications indicating: (i) the WECS rated output in kilowatts; (ii) safety features and sound characteristics; (iii) type of material used in tower, blade, and/or rotor construction;	✓	✓	✓
(f) an analysis of the potential for noise, both at the site of the installation and at the boundary of the property containing the development, shall be provided to ensure consistency with AUC Rule 12 and Noise Directive 038;	✓	✓	✓
(g) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;	✓	✓	✓
(h) the status of the applicant's circulation to all required regulatory agencies and any other government departments required for provincial approval;		✓	✓

	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>
(i) any information regarding general public safety;	✓	✓	✓
(j) any impacts to the local road system including required approaches from public roads having regard to Municipal District standard;			✓
(k) a plan outlining how the site will be decommissioned and reclaimed prior to the development;			✓
(l) a description of all potential impacts on existing or nearby WECS and wind resources on adjacent properties.		✓	✓

REFERRALS

3. Prior to making a decision on a development application for a WECS, the Municipal Planning Commission should refer and consider the input of the following agencies and departments:
 - Alberta Environment
 - Alberta Sustainable Resource Development
 - Alberta Electric System Operator (AESO)
 - Transport Canada
 - Navigation Canada
 - Alberta Culture and Community Spirit
 - Alberta Transportation

SETBACKS

4. A WECS shall be located at a distance of twice the height of the WECS, as measured from the ground to the highest point of rotor's arc, from any dwelling or at the distance established by the 'AUC Directive 038: Noise Control'; the greater distance shall be used.
5. A WECS shall be located so that the outside of the rotor arc is a minimum of 32.8 feet (10 m) from the vertical projection of the internal parcel boundary and the total height plus ten (10) percent from any external parcel boundary.
6. In the case of multiple WECS, setbacks can be increased from the minimum setback requirements in the district depending upon the number of WECS in a group and the prominence of the location.
7. The setback for a WECS shall be a minimum of 328 feet (100 m) from any municipal road allowance.

MINIMUM BLADE CLEARANCE

8. The minimum vertical blade clearance from grade shall be 24.6 feet (7.5 m) for a WECS employing a horizontal axis rotor unless otherwise required by the Municipal Planning Commission.

TOWER ACCESS AND SAFETY

9. To ensure public safety, the Municipal Planning Commission may require that:
 - (a) a security fence with a lockable gate shall surround a WECS tower not less than 5.9 feet (1.8 m) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;

- (b) no ladder or permanent tower access device shall be located less than 12 feet (3.7 m) from grade;
- (c) a locked device shall be installed on the tower to preclude access to the top of the tower;
- (d) all of the above be provided or such additional safety mechanisms or procedures be provided as the Municipal Planning Commission considers reasonable and appropriate;
- (e) the use of tubular towers, with locked door access, will preclude the above requirements.

COLOUR AND FINISH

- 10. Unless otherwise required by the Municipal Planning Commission, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Municipal Planning Commission.
- 11. The Municipal Planning Commission shall allow wind turbines to display the developer's and/or manufacturer's logos and identification lettering on the structure.

NUMBER OF WECS

- 12. Two or more WECS on a parcel or lot will be considered a multiple WECS for the purposes of this bylaw.
- 13. The Municipal Planning Commission may approve multiple WECS on a case-by-case basis having regard for:
 - (a) proximity to other immediate land uses,
 - (b) density of WECS,
 - (c) underlying utilities,
 - (d) information received through the circulation process and at the development hearing.

Schedule 15

KENNEL REGULATIONS

KENNEL REGULATIONS

1. An application for a development permit must be made to the Development Officer by submitting:
 - (a) a completed development application in Form A of Schedule 4;
 - (b) the fee prescribed in Form A;
 - (c) a site plan indicating the legal description, all property lines and easements, and the location of existing and proposed development in relation to lot boundaries; and
 - (d) floor plans, elevations and sections at a minimum scale of 1:200 or such other scale as required by the Development Officer.
2. No buildings or exterior exercise area(s) to be used to accommodate dogs shall be allowed within 1000 ft. (304.8 m) of any dwelling located on adjacent parcels and a diagram indicating the distances shall be submitted with the development permit application. A reciprocal setback from existing kennels shall be applied to all new dwellings.
3. All dog facilities, including buildings and exterior exercise areas, shall be located to the rear of the principal building and shall be constructed to the following standards:
 - (a) interior walls and ceilings shall be constructed of washable building material;
 - (b) exterior walls shall be fire-resistant and impervious to moisture;
 - (c) doors, window frames and window sashes shall be impervious to moisture and rodent resistant;
 - (d) insulation shall be required, taking into consideration the breed, age and overall health of the dogs; and
 - (e) all facilities shall have adequate ventilation and light.
4. The Municipal Planning Commission may, when issuing a development permit, determine the maximum number of adult dogs that may be kept at any one time by the operator of a private or commercial kennel.
5. All pens, rooms, exercise runs, and holding stalls shall be soundproofed if deemed necessary by the Municipal Planning Commission which shall base its decision on the number of animals to be kept at the kennel, the proximity of the kennel to other uses and/or other kennels, and possibility that the noise from the kennel may adversely affect the amenities of the area.
6. In addition to soundproofing requirements, the times at which the animals are allowed outdoors may be regulated. In particular, all dogs at a kennel, including pups, may be required to be kept indoors between the hours of 9:00 p.m. and 7:00 a.m.
7. All kennel facilities shall be screened by both a visual and sound barrier, by fences and/or landscaping, from existing dwellings on adjacent parcels to the satisfaction of the Municipal Planning Commission.
8. Kenneling facilities shall be operated in accordance with health regulations and, in particular, excrement and similar waste shall be disposed of in a manner acceptable to Alberta Health Services.

9. As a condition of approval, the Municipal Planning Commission shall require that the applicant submit an inspection report, prepared by a doctor of veterinary medicine, to the Municipal District of Willow Creek on an annual basis.

Schedule 16

DEFINITIONS

DEFINITIONS

**In this bylaw, words used in the singular include the plural,
and words using the masculine gender include the feminine gender.**

A

Abattoir means a licensed facility where animals are killed and processed into meat products for human consumption.

Accessory building means any building:

- (a) which is separate from the principal building on the lot on which both are located and the use of which the designated officer decides is normally subordinate and incidental to that of the principal building; or
- (b) the use of which the designated officer decides is normally subordinate and incidental to that of the principal use of the site on which it is located.

Accessory development means a building or use which is subordinate, incidental and directly related to the principal use of the premises, building, or site and which does not substantially add to the patronage, volume of traffic, or intensity of the use of the premises, building or site. An accessory building or use must be located on the same site as the principal use and shall not precede the development of the principal building or use.

Accessory structure means a building or structure detached from a principal building, normally ancillary, incidental, subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, propane tanks, satellite dishes, garages, and garden sheds. When a building is attached to the principal building by a roof, a floor or foundation above or below grade, it is part of the principal building.

Accessory use means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building.

Act means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Addition means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

Adjacent means land that abuts a site and land that would abut if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature.

Airport site means the lands licensed as an airport by Transport Canada.

Amusement arcade means a facility where four or more mechanical or electronic games are kept for the purpose of furnishing entertainment or amusement to the public for a fee.

Animal care service, large means development used for the care, treatment, boarding, breeding or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding and breeding kennels, facilities for impounding and quarantining animals and related research facilities.

Animal care service, small means development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off-site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming salons, pet clinics and veterinary offices.

AOPA means the *Agricultural Operation Practices Act*, Revised Statutes of Alberta, 2000, Chapter A-7, as amended.

Apartment dwelling means a building or a portion of a building which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use also includes eightplexes or any building containing more than six dwelling units, where each unit is provided with its own primary access to the outside.

Applicant means the registered owner of the land or his or her representative or agent certified as such.

Approved use means a use of land and/or building for which a development permit has been issued by the designated officer or the Municipal Planning Commission.

Apron means a flat-surfaced area that surrounds and lies adjacent to a mobile home pad.

Aquaculture means the hatching, raising and breeding of fish or other aquatic plants or animals for sale or personal consumption that requires a body of water such as a pond, river, lake, estuary, waterbody or facility to sustain the operation.

Arcades – see “Amusement arcades”.

Area redevelopment plan means a statutory plan in accordance with the *MGA* and the Municipal Development Plan for the purpose of all or any of the following:

- (a) preserving or improving land and buildings in the area;
- (b) rehabilitating buildings in the area;
- (c) removing buildings from the area;
- (d) constructing or replacing buildings in the area;
- (e) establishing, improving or relocating public roadways, public utilities or other services in the area;
- (f) any other development in the area.

Area structure plan means a statutory plan prepared in accordance with section 634 of the *MGA* and the Municipal Development Plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

Art and craft studio means a development used for the purpose of small scale, on-site production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewelry, toy manufacturing, and sculpture and artist studios.

Artificial insemination facility means an operation which places semen from animals not resident of the facility into the reproductive tract of a female by means other than sexual intercourse for the purpose of impregnating the female.

As required by the Municipal Planning Commission means that a standard or requirement of the Land Use Bylaw may be varied but not completely waived.

Athletic and recreational facilities means a facility for the purpose of active recreation or athletic activities where patrons are predominantly participants and any spectators are incidental. This includes skating and hockey rinks, swimming pools, rifle, archery and pistol ranges, bowling alleys and racquet courts.

Auction mart means a use of land or buildings for the auctioning and related temporary storage of household effects, goods and equipment, except livestock.

Auditorium means a room, hall or entire building specially designed for stage and film presentations, concerts, recitals, lectures and audio-visual features and activities.

Auto body and paint shop means a premise where the bodies, but not other parts of motor vehicles, are repaired, and where motor vehicle bodies and other metal machines, components or articles may be painted.

Auto sales and/or service means an enclosed building within which motor vehicles and parts are displayed for sale, and may include a new or used automobile sales lot, and may also include auto repairs, except for body work and painting.

B

Bakery means a facility where baked products (i.e. bread, buns, cookies, pastries) are prepared, sold and/or distributed.

Bank means a financial institution for the deposit, custody, loan, exchange or issuance of money.

Basement means any storey of a building of which the ceiling level is less than 6 feet (1.8 m) above the average finished surface level of the surrounding ground.

Batch plants – see “Natural resource extraction”.

Bed and breakfast means a home occupation which provides short-term accommodation, generally not exceeding one week, to the travelling public, tourists or members of the general public.

Berm means a dyke-like form used to separate incompatible areas or functions, or constructed to protect the site or district from vehicular road or other noise.

Boarding house means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where meals or lodging for five or more persons are provided for compensation pursuant to previous arrangements or agreements.

Boat launch means a facility for dispatching of boats and other structures into a body of water.

Bowling alley means an indoor facility to accommodate several games which balls are rolled down an alley toward a stationary group of objects (i.e. pins).

Buffer means a row of trees, hedges, shrubs or berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

Buildable area means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions and separation distances have been deducted.

Building has the same meaning as it has in the *MGA*.

Building height means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

Building inspector means the person or persons appointed by the municipality to be the chief building inspector in and for The Municipal District of Willow Creek No. 26.

Bulk fertilizer storage and sales means a facility or storage containers used to house and sell fertilizer products to customers.

C

Cabin means a seasonal habitable dwelling unit of not more than 500 square feet complete with sleeping, cooking and washroom facilities that is constructed, renovated or relocated in compliance with this bylaw and the *Safety Codes Act*.

Campground means an area upon which two or more campsites are located or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes.

Campground, family means an area upon which no more than five campsites are located or maintained for occupancy, at no cost, to members of the landowner's immediate family or friends.

Campground, private means:

- (a) a use of land or buildings for financial gain where the public is admitted only on payment of a fee, or where admission may include members of a club, organization or association; and
- (b) a use of land or buildings intended for seasonal occupancy by holiday or tent trailers, recreation vehicles, tents and similar equipment. This use may include supplementary bathroom and recreational facilities, eating shelters, convenience retail, laundry facilities and dwelling accommodation for the owner/operator as part of the use or, as accessory uses.

Campground, tourist means development of land for the paid use of holiday trailers, motor homes, tents, campers, and similar vehicles, recreation, and is not normally used as year-round storage, or accommodation for residential uses.

Car wash means a building designed for the cleansing and vacuum of motor or recreational vehicles.

Carport means a partially enclosed structure intended for the shelter of one or more motor vehicles.

Cemetery means a landscaped open space for the entombment of the deceased, and may include crematoria, cineraria, columbaria, and mausolea.

Cenotaph means a structure or monument erected at an area designed for public assembly and reflection to honour individuals who lost their lives in wartime periods and whose bodies are buried elsewhere.

Certificate of Compliance means a document signed by the Municipal Planning Commission or Development Officer certifying that a development complies with this bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyor's Real Property Report.

Church means a facility for the purpose of assembly and worship and may include as accessory uses social, recreational and community activities such as group meetings, cultural events, banquets, and child care services.

Clear vision triangle means a triangular area formed on the corner site by the two street property lines and a straight line, which intersects them 20 feet (6.1 m) from the corner where the property lines meet.

Clearance means the shortest vertical distance between the underside of a sign and grade.

Club house means a building or room occupied by a club, fraternity or an association used for social or recreational activities by its members and/or guests.

Commercial means the use of land and/or buildings for the purpose of public sale, display and storage of goods and/or services on the premises. Any on-premises manufacturing, processing or refining of materials may, at the discretion of the Municipal Planning Commission, be deemed to be a commercial use.

Commercial logging means the removal of existing timber stands within the municipality whereby the logs are removed from the site to be processed at a different location into dimensional lumber or other wood by-products.

Commercial/private recreation means the recreational use of land or a building for financial gain where the public is admitted only on the payment of a fee or where admission is limited to members of a club, organization or association. Examples include go-cart tracks, riding stables or academies, golf driving ranges and such other facilities as the Municipal Planning Commission considers similar in character and nature to any one or all of these uses. Commercial/private recreation uses may include dining or eating facilities, retail commercial uses and dwelling or sleeping units, provided that such facilities are accessory uses and clearly incidental to the principal recreational use of land and buildings.

Common wall means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

Communication facilities means a building, cabinet, shed, vault, box, pedestal, tower, pole, antenna or structure which is used for the transmission, distribution, housing or protection of electronic equipment used for the broadcast or reception of electro-magnetically transmitted information or for processing wireless communication signals.

Communication systems means the sum total of one or more networks of communication links, services or facilities used for the broadcast or reception of wireless communication signals or information.

Community facilities means community halls, public libraries, parks, playgrounds, schools, hospitals, agri-plexes, arenas, skating rinks, medical and dental clinics and other similar facilities.

Comprehensive development means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provisions.

Conceptual scheme means a detailed site layout plan for a piece of land which:

- (a) shows the location of any existing or proposed buildings; and
- (b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole;
- (c) provides for access roads, water, sewer, power and other services to the satisfaction of the Municipal Planning Commission; and
- (d) has not been adopted by municipal bylaw.

Condominium means a building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners.

Condominium plan means a plan of survey registered at Land Titles Offices prepared in accordance with the provisions of the *Condominium Act*, Revised Statutes of Alberta 2000, Chapter C-22, as amended.

Confined feeding operation (CFO) has the same meaning as defined in the *Agricultural Operation Practices Act (AOPA)*.

Construction trade shop means a facility for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

Contractor means an individual or company who contracts on predetermined terms to provide labour and materials and to be responsible for the performance of a construction job in accordance with established specifications or plans.

Convenience store means a small retail outlet selling goods and foodstuffs to area residents on a day-to-day basis from business premises.

Convention facility means a permanent facility for meetings, seminars and conventions. Eating establishments and drinking establishments may be incorporated into the facility as accessory uses.

Copy area means the entire area within a single square or rectangle or combination of squares or rectangles which encloses the limits of the advertising message or announcement, and which:

- (a) shall include, but not be limited to, decorations related to the specific nature of the advertising message or announcement;
- (b) the area of individual figures or letters shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures; and
- (c) in the case of a double or multi-face sign, the average of the total area of all sign faces will be counted in copy area calculations.

Council means the Council of the Municipal District of Willow Creek No. 26 in the Province of Alberta.

Country lodge – see “Lodge”.

Country residence means a use of land, the primary purpose of which is for a dwelling or the establishment of a dwelling in a rural area, whether the dwelling is occupied seasonally, for vacation purposes or otherwise, or permanently.

Critical wildlife zone means an area which is critical to a significant number of individuals of a species during at least part of the year. This can include, for example, wintering areas for ungulates, nesting or staging areas for waterfowl, colony sites for colonial nesters, and over-wintering areas for upland birds.

Cultural establishment means a development that is available to the public for the purpose of assembly, instruction, cultural or community activity and includes such uses as a church, a library, a museum and an art gallery.

Cut-off parcel means a piece of land that is separated from the major area of the quarter section by:

- (a) a permanent irrigation canal,
- (b) a water course,
- (c) a railway,
- (d) a graded public roadway or highway,
- (e) an embankment,

such that it is impractical, in the opinion of the Municipal Planning Commission, to farm or graze the piece of land either independently or with adjacent lands, including those under different ownership.

D

Day care facility means a facility for the provision of care, supervision or rehabilitation of children or adults for periods not exceeding 24 consecutive hours.

Density means the number of dwelling or accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit.

Designated officer means a person authorized under section 210(1) of the *Municipal Government Act* by Council to act as a development authority pursuant to section 624(2) of the *Municipal Government Act* and in accordance with the municipality's Subdivision and Development Authority Bylaw.

Designated waterbodies means the Pine Coulee Reservoir, Clear Lake, the Twin Valley Reservoir or any other body of water identified by resolution of Council.

Developed residence means a dwelling that:

- (a) in the opinion of the Municipal Planning Commission is permanent and habitable, based on comments from the appropriate regional health authority;
- (b) has developed legal access;
- (c) has electrical and gas utilities available to the site;
- (d) has a supply of potable water and a functional sewage disposal system;
- (e) is situated on a permanent foundation.

Developer means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use.

Development has the same meaning as it has in the *Municipal Government Act*.

Development agreement means a contractual agreement completed between the municipality and an applicant for a development permit which specifies the public roadways, utilities and other services to be provided by the permit holder as a condition of development approval or subdivision approval, provided the agreement is in accordance with sections 648, 650, 654 and 655 of the *MGA*, as amended.

Development area means the area to be occupied by a building plus the reasonable area required for excavation and construction.

Development Authority means the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority, in accordance with this bylaw.

Development permit means a document issued pursuant to this bylaw authorizing a development.

Direct control means a land use designation attributed to a piece of land for exercising specific land use regulations and uses in accordance with section 641 of the *MGA*, as amended.

Discretionary use means the one or more uses of land or buildings that are described in Schedule 2 as discretionary uses.

District means a district established under Schedule 1 of this bylaw.

Dog Kennel – see “Kennel”.

Double-wide mobile home means mobile home (as defined) that is permanently fixed to two chassis, or is permanently fixed to one chassis and has a section which can be expanded or telescoped from the mobile home for additional floor area. Double-wide mobile homes are typically not less than 20 feet (6 m) in width.

Drinking establishment means an establishment licensed pursuant to provincial legislation where alcoholic beverages are served for consumption on the premises.

Drive-in business means an establishment with facilities for on-site service to customers who remain in their motor vehicles.

Drive-in food service means a facility for eating and drinking which offers a limited menu produced in a manner that allows rapid customer service and includes one or more of the following features: car attendant services, drive-through food pickup services, or parking primarily intended for the on-site consumption of food within a motor vehicle.

Drive-in restaurant means a restaurant which offers car attendant service or drive-through pick-up service.

Driving range means a designated practice area designed for the purpose of hitting and/or putting golf balls.

Dry cleaners means an establishment which specializes in the cleansing of clothes or fabrics with substantially non-aqueous organic solvents to which special detergents or soaps are often added.

Duplex means a building containing two separate dwelling units connected by a common floor or ceiling.

Dwelling unit means one or more self-contained rooms provided with sleeping, cooking, dining and sanitary facilities intended to be used permanently or semi-permanently as a residence for one or more individuals as a single housekeeping unit.

E

Easement means a right held by one party in land owned by another, typically for access or to accommodate a public utility.

Eating establishment means a facility where food is prepared and served on the premises for sale to the public and includes restaurants, delicatessens, and cafeterias but excludes drive-in food services.

Eaveline means the line formed by the intersection of the wall and roof of a building.

Electronic sign “electronic message board” means a computerized structure which uses digital technology to provide visual communication in advertising or conveying a message to pedestrian or vehicular traffic.

Employee housing means one or more dwelling units used exclusively for the residence of employees and members of their family.

Entertainment establishment means a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a live theatre or cinema, but does not include a restaurant, gaming establishment or adult mini-theatre.

Entertainment establishment, adult means any premises or part thereof wherein live performances, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory to some other business activity which is conducted on the premises.

Environmental education means field trips related to publicly or privately sponsored educational and interpretive programs.

Environmental reserve means any parcel of land specified as environmental reserve by a Subdivision Authority pursuant to section 664 of the *MGA*, as amended.

Environmentally significant areas means:

- (a) “Hazard” lands and areas which are unsuitable for development in their natural state such as floodplains, permanent wetlands, and steep and unstable slopes; or which pose severe constraints on types of development such as areas of artesian flow and aeolian surficial deposits;
- (b) areas which perform a vital environmental, ecological or hydrological function such as aquifer recharge;
- (c) areas which contain unique geological or physiographic features;
- (d) areas which contain significant, rare or endangered species;
- (e) areas which are unique habitats with limited representation in the region or are a small remnant of once large habitats which have virtually disappeared;
- (f) areas which contain an unusual diversity of plant and/or animal communities due to a variety of geomorphological features and microclimatic effects;
- (g) areas which contain large and relatively undisturbed habitats and provide sheltered habitat for species which are intolerant of human disturbance;
- (h) areas which contain plants, animals or land forms which are unusual or of regional, provincial or national significance;
- (i) areas which provide an important linking function and permit the movement of wildlife over considerable distance.

Equipment sales, rental and service means the use of land or buildings for the retail sale, wholesale distribution, rental and/or service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

Escarpment means a steeply sloping area associated with a slope of 15% or greater that is separating two comparatively level or more gently sloping areas and may contain isolated pockets of lesser sloped terrain and includes ravines, gullies, coulees, side draws, and other similar features.

Escarpment setback means a line established by the Municipal Planning Commission based on a geotechnical assessment defining the closest point to the escarpment top of bank or toe of slope where subdivision or development may occur.

Escarpment zone means a geographic area that includes an escarpment and areas parallel to the escarpment top of bank and toe of slope. An escarpment zone identifies an area which will require a geotechnical assessment prior to consideration of subdivision and development applications.

Essential public service means a fire station, police station, or similar service.

Extended care facility means a public or private health facility for the care, supervision or rehabilitation of individuals, and containing overnight accommodation.

Extensive agricultural pursuit means systems of tillage and animal husbandry on large areas of land for the raising of crops or the rearing of livestock either separately or in conjunction with another in unified operations and includes buildings and other structures incidental to the operation.

Extensive agriculture means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing 160 acres (64.8 ha) more or less.

Existing lot means a lot that existed at the time this bylaw was adopted.

Existing parcel means a lot or parcel as defined in the *MGA* and for which a certificate of title has been issued.

Exotic animals means any species of animals that are not indigenous to the planning area.

F

Factory-built housing means homes intended for residential occupancy that are constructed in a factory setting. Includes modular, panelized and pre-engineered homes.

Family means one or more persons occupying a dwelling unit as a single housekeeping unit.

Family campground – see “Campground, family”.

Farm buildings means buildings or development commonly or normally contained in a farmstead that is associated with a farming operation or an extensive agriculture use. Examples include barns, granaries, implement machinery and equipment sheds, dugouts, corrals, fences and haystacks but this use does not include intensive horticultural facility, intensive livestock operation or any dwelling unit including conventional single-detached residences and mobile homes.

Farm/industrial machinery sales, rental and service means the use of land or buildings for the sale, service and/or rental of agricultural implements, vehicles over 13,000 lbs. (5,900 kg) tare weight and heavy

machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

Farm supplies and service means the use of land or buildings for the sale, storage and distribution of grain (including grain elevators), livestock feed, fertilizer and chemicals used in agriculture.

Farmstead means a part of a parcel:

- (a) upon which a dwelling that was or is presently being utilized as a farm home is located;
- (b) that is developed with dwellings, buildings, structures, shelter belts, dugouts, storage areas for farm equipment, produce and fertilizer and so on; or
- (c) is otherwise defined by topography, vegetation, physical characteristics and other constraints.

Fence means a roofless structure, wall or hedge used as an enclosure or screening on any part of a lot.

Fill means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials.

Financial institutions – see “Banks”.

Fire halls – see “Public and institutional use”.

FireSmart means a program developed in Alberta by Partners in Protection to educate stakeholders on the risks of developing in the Wildland Urban Interface and methods to reduce the risk of wildfire to developments. The publication *“FireSmart – Protecting Your Community from Wildfire”* (PIP, 1999) outlines minimum standards for development in the Wildland Urban Interface.

Fitness centre means the use of premises for the development of physical health or fitness, including but not limited to, health centres, gymnasiums, racquet and ball courts, spas and reducing salons.

Flood elevation, 1:100 year means the water level reached during a 1:100 year flood as determined in accordance with the technical criteria established by Alberta Environment.

Flood fringe means that portion of the floodplain that lies outside the designated floodway which is inundated by flood waters characterized by relatively low velocity flows, shallow depths and/or standing water.

Floodplain means the areas adjacent to a watercourse that are susceptible to inundation by water as a result of a flood.

Flood prone lands means areas that may be subject to flooding from time to time.

Floodrisk area means the area of land bordering a water course or waterbody that would be inundated by a 1:100 year flood (i.e. a flood that has a 1 percent chance of occurring every year) as determined by Alberta Environment in consultation with the municipality and may include both flood fringe and floodway.

Floodway means the channel of a watercourse and those portions of the floodplain joining the channel which are readily required to carry and discharge flood waters or flood flows of a 1:100 year flood with no significant increase in the base flood elevation.

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building, but not including basements, attached garages, and open porches. All dimensions shall be external dimensions.

Food processing means an industry which refines, mills or alters a basic agricultural product into an edible commodity fit for human consumption.

Food services/catering means a land use which involves the preparation of meals at one location and delivers those meals to a second location for human consumption.

Foundation means the supporting base structure of a building.

Fourplex dwelling means a form of cluster housing containing four dwelling units, where:

- (a) each unit has two contiguous or abutting walls which provide fire separation from the adjacent dwelling units;
- (b) two of the dwelling units ordinarily face the front yard, and two dwelling units ordinarily face the rear yard; and
- (c) each unit is provided with its own separate primary access to the outdoors.

Fragmented parcel means a titled area that has been subdivided or has the potential of being subdivided pursuant to the policies and criteria established in the M.D. of Willow Creek Municipal Development Plan.

Freight terminal means a facility accommodating the storage and distribution of freight shipped by rail, or highway transportation.

Frontage means the lineal distance measured along the front legal lot line.

Front property boundary, principal means the front property boundary as shown in Figure 1.

Front property boundary, secondary means the front property boundary as shown in Figure 1.

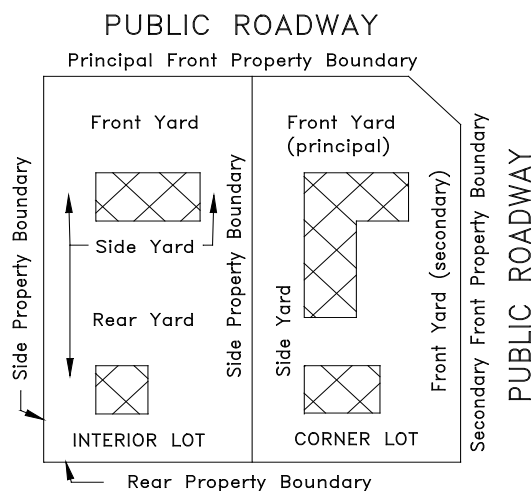


FIGURE 1

Funeral home means a development used for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.

G

Gaming or gambling establishment means a building or structure, or any portion thereof, which is used or intended for use for the purpose of dealing, operating, maintaining or conducting any game played with cards, dice, or any mechanical device or machine for money, property or any item of value.

Garage (residential) means an accessory building designed and used for storage of motor vehicles.

Garage suite means a dwelling unit located above a rear detached garage, which is accessory to a principal dwelling unit.

Garden centre means the use of land or buildings for the sale, display, growing and storage of garden, household, and ornamental plants and trees provided that the retail sale and display of plants and trees remains the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

Garden shed means a small outdoor storage compound constructed for the housing of garden tools, lawn equipment or other small items.

Garden suite means a small, self-contained housing unit constructed on site or manufactured and moved into a residential area, sited in conjunction with a single family dwelling located on the same lot and used to temporarily accommodate one or more elderly individuals usually related to the host family.

Gas bar means a facility for the sale of gasoline and associated automotive fluids but is not a service station.

Golf course means an outdoor establishment/development of varying sized designated primarily for the game of golf. Accessory uses include a pro shop, driving range and/or practice facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

Golf driving range means an area of land whose primary purpose is to accommodate the practicing of golf shots and may include the land encompassed by netting or screening and may also include buildings, such as a club house or maintenance building as part of the use.

Government buildings – see :Public and institutional use”.

Government services means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property.

Grade means the average elevation of the finished ground or street surface.

Grade point means the point(s) on a site which are used to measure the maximum permitted height of a building from grade. Where grade points have not been established as part of an approved comprehensive grading plan, the location of grade points shall be determined by the Municipal Planning Commission.

Grain elevator means a facility for the collection, grading, sorting, storage, and transshipment of grains. This definition also includes inland grain terminals.

Grandfathered development means a use of land or buildings that has been in existence and/or operational prior to adoption of the present Land Use Bylaw that is lawfully allowed to exist in its present

state even though it may not comply with the uses or standards allowed within the present Land Use Bylaw.

Greenhouse means a building specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale.

Gross floor area means the sum of the areas of all floors of a building measured to the outside surface of the exterior walls or, where buildings are separated by firewalls, to the centre line of the common firewalls and includes all floors totally or partially above the finished ground surface excluding an artificial embankment but including all mechanical equipment areas.

Group camp means a number of individuals taking part in the same educational or extracurricular activities.

Group home means development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A “Group home” may incorporate accommodation for resident staff as an accessory use.

Grouped country residential development means two or more contiguous country residential lots.

Grouped country residential resort use means two or more contiguous country residential lots developed in conjunction with an approved recreation use.

Grouped noxious industry means two or more contiguous noxious industries usually located in a designated area or district designed to accommodate these particular uses of land or buildings.

Guest means an individual who occupies a dwelling unit other than as their residence.

Guest house means an attached or detached accessory building with no kitchen or cooking facilities used to house guests of the occupants of the principal building and which is never rented or leased.

Guest ranch means a ranch or resort in an agricultural setting designed for vacationers offering primarily lodging, horseback riding and other activities typical of western ranches.

H

Habitat enhancement means the manipulation of plant, animal and microbe habitat for the purpose of improving the capacity of the habitat as a source of food, shelter, or cover for an identified species or suite of species.

Hazard lands means areas that may not be suitable for subdivision and/or development due to geographic or locational constraints.

Health care services means development used for the provision of physical and mental health services on an outpatient basis, of a preventative, diagnostic treatment, therapeutic nature. Typical uses or facilities would include medical and dental offices, health clinics, and chiropractor offices.

Heavy industrial means manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials used in the manufacturing or other processes.

Height of sign means the vertical distance measured from the highest points of the sign or sign structure to grade.

Helipad means a designated area, usually with a prepared surface, used for the takeoff, landing, or parking of helicopters.

Heliport means a facility for the use of helicopters landing or taking off on a frequent basis and includes development of passenger terminals, service, repair and storage facilities and other necessarily ancillary developments required for the purpose of operating a heliport in accordance with all applicable statutes and regulations.

Highway means those highway types as outlined in the Memorandum of Agreement between Alberta Transportation and the Municipal District of Willow Creek No. 26 dated September 26, 2001, as amended.

Highway commercial is a general term used to describe development, typically along a major roadway or highway, that provides goods and services to the travelling public. Typical highway commercial uses include service stations, truck stops, motels, motor-hotels, drive-in and fast-food restaurants.

Historical site means a site or a building or both designated to be of historical significance by the Government of Canada, the Government of Alberta or the Municipal District of Willow Creek No. 26.

Holiday trailer or **travel trailer** means an accommodation unit designed to be transported on its own wheels or by other means (including units permanently mounted or otherwise on trucks) designed or constructed in such manner as will permit its use for temporary dwelling accommodation for travel and recreation purposes only, but does not include a mobile home.

Holiday trailer park means a parcel of land on which two or more holiday trailers are harboured.

Home improvement centre means a facility where building materials, tools, domestic garden supplies, household accessories required for interior or exterior building renovations, and similar goods are stored, offered or kept for sale but does not include any outside storage yards.

Home care service means the provision of food, lodging and care for up to three individuals conducted in a conventional single-family dwelling which has common cooking and washroom facilities.

Home occupation means the ancillary use of a dwelling unit (and/or its accessory buildings or lands) by any trade, profession, or craft for gainful employment involving the manufacture, processing, provision or sale of goods and/or services such that the use, location, and operation is not readily apparent under normal scrutiny from the nearby lands or public roadways with the exception of signage associated with a major home occupation. Home occupations shall include, but not be limited to the following: basketry, weaving, small engine repair, manufacturing and/or sale of small crafts, goods and wares, sale of baked goods, ornaments, lawn decorations, garden produce sales on site and uses similar in nature. Home occupations do not include the following activities: Bed and Breakfast accommodation, guest ranches, welding and fabricating, food processing, food service/catering, kennels, veterinary clinics, taxidermy and a transportation business consisting of more than two transport vehicles. The Municipal Council may by resolution identify certain activities to be, or not to be, home occupations from time to time.

Home occupation - minor means a home occupation such that the use does not result in any of the following:

- (a) any structural changes to existing buildings or construction of any additional buildings,
- (b) generation of pedestrian or vehicular traffic,
- (c) any increase or change to any existing storage facilities,
- (d) any outside storage of materials, commodities or finished products on site,

(e) any signage associated with the home occupation.

Examples may include, but are not limited to: basketry, weaving, arts and crafts; sewing; sale of baked goods or ornaments; computer sales, repairs and programming; in-home business office; secretarial services; consulting services; tutorial services; contractors; small animal grooming; clothing and interior/exterior design.

Home occupation - major means a home occupation which is not defined as a minor home occupation and which is consistent with conditions outlined in Schedule 11 of this bylaw. Examples may include, but are not limited to: small engine repair, sale of lawn decorations and garden produce sales on site.

Horticulture means the concentrated utilization of land or buildings for the raising of crops, plants or vegetables.

Hospital means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoria, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

Hostel means a facility operated to provide temporary (not exceeding 30 days) accommodation to transients for remuneration within dormitory-style visitor accommodation with communal kitchen and sanitary facilities and may include recreational facilities or services but not additional services such as room service.

Hotel means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, restaurant or dining room, room service or public convention facilities.

Household repair service means a facility for the provision of repair services to goods, equipment and appliances normally found within the home. This includes radio, television and appliance repair shops, and furniture refinishing and upholstery shops.

I

Illumination means the lighting of any sign by artificial means and may further be described as:

- internal illumination which means the lighting of any sign face from a light source located within the sign or behind the copy;
- directed illumination which means the lighting of any sign face from a light source located on or near the exterior of the sign;
- indirect illumination which means the lighting of any sign face by reflected light from a source that is distinct from, but intentionally directed toward the sign.

Improvement means any installation or physical change made to a property with a purpose of increasing its value, utility or beauty.

Industrial equipment sale and rental means a facility for the sale or rental of equipment typically used in building, roadway, pipeline, oilfield and mining construction or agricultural production. This does not include truck and mobile home sales and rentals.

Industrial operation means a business engaged in secondary manufacturing, processing, assembling, disassembling, packaging, printing, cleaning, servicing, testing, storing and distribution of materials, goods, products or equipment.

Industrial/manufacturing means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

Institutional means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

Intensive agricultural pursuit means any concentrated method used to raise crops or to rear or keep livestock, animals, poultry or their products for market, including such operations as horse riding stables, poultry farms, pastures, rabbitries, fur farms, greenhouses, tree farms, sod farms, apiaries, dairies, nurseries and similar specialty uses conducted as the principal use of a building or site.

Intensive grazing is a pasture management program which utilizes pasture or rangeland that has been cross-fenced into small areas for the purpose of grazing livestock on each area for a short time on a rotational basis, at a density that does not exceed 2 animal units per acre if considering the total area of the pasture or rangeland.

Intensive horticultural operation or facility means a use of land or buildings for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponic or market gardens, tree, mushroom and sod farms and such other uses that the Municipal Planning Commission considers similar in nature and character to any one or all of these uses.

Intensive livestock operation means any land enclosed by buildings, shelters, fences, corrals or other structures which, in the opinion of the Municipal Planning Commission, or in accordance with the Land Use Bylaw, is capable of confining, rearing, feeding, dairying or auctioning livestock, and excepting only wintering of a basic breeding herd of livestock and intensive grazing programs, and exceeds the thresholds established in the Land Use Bylaw but is less than the thresholds established by the NRCB.

Isolated country residential means a small single-lot parcel of land or acreage created by subdivision for the purpose of accommodating a single family dwelling.

K

Kennel - Category 1 means an establishment in which three or less dogs, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes an animal care services facility (veterinary clinic).

Kennel - Category 2 means an establishment in which more than three dogs, more than one year old, are housed, groomed, bred, boarded, exercised, trained and/or sold over a period of time but excludes an animal care services facility (veterinary clinic).

Kiosk means a location or structure housing a seasonal/temporary business.

L

Laboratory means a facility for the purpose of scientific or technical research, investigations or experimentation.

Landscaped area means that portion of a site which is to be landscaped pursuant to a development permit, and excludes areas used for parking and driveways.

Landscaping means the modification and enhancement of a site or development through the use of the following elements:

- natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other ground cover;
- hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and
- excludes all areas utilized for driveways and parking.

Lane means a public thoroughfare which provides a secondary means of access to a lot or lots.

Laundromat means a facility for the cleaning of clothing or other fabric goods on a self-serve basis.

Laundry means a facility for the cleaning and pressing of clothing or other fabric goods.

Light industrial/manufacturing means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

Liquor store means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off-premises. Full walls must physically separate the premises from any other business.

Loading space means a portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

Lodge means a facility for tourists that complies with the definition of visitor accommodation except that a lodge has a minimum of five (5) accommodation rooms and cooking facilities which are not located in the accommodation rooms and where there are no areas for public retail, public entertainment functions, meeting rooms and public convention rooms. Accessory uses may include rental cabins, accommodation for permanent staff and one or more beverage rooms, dining rooms, athletic and recreation facilities (indoor and outdoor) for use by the guests and other similar uses.

Lodging house means the use of a dwelling unit for residential purposes by more than three (3) persons who do not constitute a “family” within the meaning of the Land Use Bylaw.

Loft means the floor space above the eaveline and within the pitch of the roof of a building.

Lot, in accordance with the *MGA*, means:

- (a) a quarter section;
- (b) a river lot shown on an official plan referred to in section 32 of the *Surveys Act* that is filed or lodged in a land titles office;

- (c) a settlement lot shown on an official plan referred to in section 32 of the *Surveys Act* that is filed or lodged in a land titles office;
- (d) a part of a parcel where the boundaries of the parcel are separately described in a certificate of title other than by reference to a legal subdivision; or
- (e) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

Lot area means the area contained within the lot lines of a lot as shown on a plan of subdivision or described in a certificate of title.

Lot, corner means a lot located at the intersection of two or more streets.

Lot, double fronting means a lot with two front property boundaries, where the front property boundaries are situated at opposite or approximately opposite sides of the lot, as shown in Figure 2.

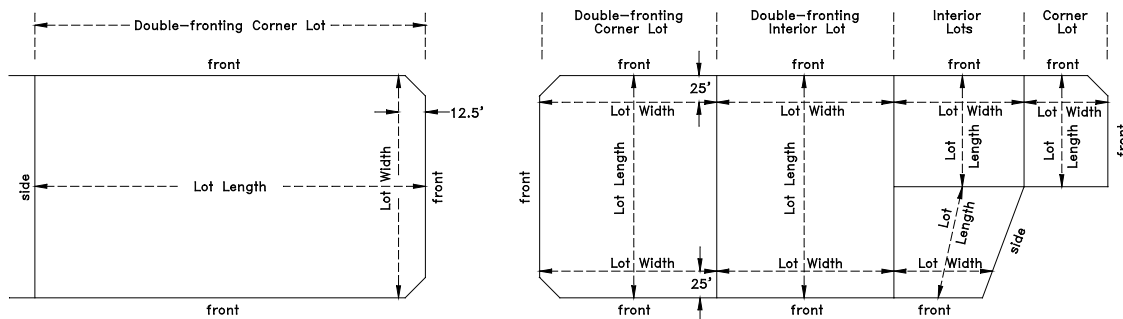


FIGURE 2

Lot, interior means a lot other than a corner lot as shown in Figure 2.

Lot length means the horizontal distance between the shortest or principal front property boundary and the opposite property boundary, measured along the median between the side property boundaries as shown in Figure 2.

Lot width means the horizontal distance between opposite side property boundaries measured at a point 25 feet (7.6 m) from the shorter or principal front property boundary as shown in Figure 2.

Lumber yard means a facility where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and includes storage on or about the premises of such material but does not include retail sales of furniture, appliances or other goods not ordinarily used in building construction.

M

Machinery and equipment sales and repair means the use of land or buildings for the display, sale, service and/or rental of machinery.

Manufactured home – see “Modular home”.

Market garden means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

Marina means a series of connected docks located primarily in a sheltered area which provides secure moorings, protection and service for boats and other watercraft.

May means that an action is discretionary.

Measurable standards means the numerical values attributed to items listed in the land use districts and/or schedules of this land use bylaw. Measurable standards refer to, include but are not limited to heights, setbacks, parcel sizes, lot coverage, parking stall requirements, sign copy areas, animal units or densities.

Medical and dental office means development providing medical and health care on an outpatient basis. Examples of this use include medical and dental offices, clinics, occupational health and safety offices, counselling services, chiropractic and naturopathic services and such other uses as the Municipal Planning Commission considers similar in character and nature to any of these uses, but this excludes dispensaries (which sell pharmaceutical and related medical supplies) as an accessory use.

Medical marihuana means a substance used for medical purposes authorized by a licence issued under the federal government's Marihuana for Medical Purposes Regulations (MMPR) or any subsequent legislation which may be enacted in substitution.

Medical marihuana production facility means development where medical marihuana is grown, processed, packaged, tested, destroyed, stored or loaded for shipping.

Mechanical and structural repair means the upgrading, maintenance or replacement of the airport hangars within the Claresholm Industrial Area land use district.

Minimum building setback means the shortest distance between the wall of a building and a designated lot line.

Minimum Distance Separation (MDS) means the minimum distance calculated for separation between an intensive livestock operation or confined feeding operation and another use based on criteria established by the Natural Resources Conservation Board, the municipality or provincial regulation, intent on minimizing land use conflicts.

Mobile home means a prefabricated dwelling unit that:

- (a) is designed to be transported, and when placed on a foundation and connected to utilities is ready for occupancy; and
- (b) is subject to the current provincial building requirements.

The term mobile home includes “double-wide” and single-wide” mobile homes, as defined, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

Mobile home park means a lot occupied by or intended for two or more single-wide and/or double-wide mobile homes, where each mobile home site is not subdivided into a separately titled lot.

Mobile home sales and service means development for the sale, rental or storage of new and used mobile homes, and includes supplementary maintenance services and the sale of parts and accessories.

Mobile home subdivision means lands divided into lots intended to be occupied by their owners for private residential purposes, and on which are erected permanent foundations for mobile or modular homes.

Modular home means the construction of a building in prefabricated units at a factory or place other than that of its final assembly which:

- (a) are assembled at the location away from the home site under climate controlled conditions;
- (b) are transported from one point to another by being carried on a motor vehicle;
- (c) are not constructed on a frame capable of being equipped with wheels and thus towed from one point to another;
- (d) are equipped at the factory with interior electrical and plumbing utilities and interior walls (if these elements are required in the modular building); and
- (e) are certified Alberta Building Code compliant under CSA A277 and labelled accordingly.

Modular home park means a site which provides rentable space for long-term parking and occupancy of modular homes as defined under “modular homes”.

Motel means development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a motel usually has its own private exterior access and is typically provided with an adjoining or conveniently-located parking stall. A motel may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses.

Moved-in building means a conventional, preconstructed, previously utilized, non-residential building which is physically removed from one site, transported and re-established on another site and does not include mobile homes or residential structures.

Multi-family dwelling means a building (other than a rowhouse dwelling) containing three or more separate dwelling units.

Municipal development plan means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the *MGA*.

Municipal Government Act (MGA) means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

Municipal Planning Commission (MPC) means a committee appointed by Council to act as a development authority pursuant to section 624(2) of the *Municipal Government Act* and in accordance with the municipality's Subdivision and Development Authority Bylaw.

Municipal reserve means the land specified to be municipal reserve by a subdivision authority pursuant to section 666 of the *MGA*.

Municipality means the geographic area of The Municipal District of Willow Creek No. 26 in the Province of Alberta.

Municipal/school reserve means the land specified to be municipal and school reserve by a subdivision authority pursuant to section 666 of the *MGA*.

Museum means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period.

N

Natural resource extraction uses – see “Resource extraction uses”.

Natural Resources Conservation Board (NRCB) means the board established by provincial statute to regulate confined feeding operations and associated uses in the Province of Alberta.

Non-conforming building, in accordance with the *MGA*, means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.

Non-conforming use, in accordance with the *MGA*, means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

Noxious industry means an industry which is hazardous, noxious, unsightly or offensive and cannot, therefore, be compatibly located in an urban environment. Examples include, but are not necessarily limited to: abattoirs, oil and gas plants, asphalt plants, sanitary landfill sites, sewage treatment plants or lagoons, auto wreckers or other such uses determined by the Municipal Planning Commission to be similar in nature.

Noxious industry, grouped means two or more contiguous noxious industries.

Nuisance means any use, prevailing condition or activity which has a detrimental effect on living or working conditions.

O

Office means development to accommodate:

- (a) professional, managerial and consulting services;
- (b) the administrative centres of businesses, trades, contractors and other organizations; and
- (c) service-related businesses such as travel agents, insurance brokers, real estate agents.

Off-street parking space means a lot or parcel or portion thereof, excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.

Orientation means the arranging or facing of a building or other structure with respect to the points of the compass.

Outdoor athletic and recreational facility means a facility available to the public for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.

Outdoor vehicle storage means the outdoor storage of vehicles including automobiles, recreation vehicles and boats.

Outside storage means the open storage of goods, merchandise or equipment outside a building.

Owner means the person or persons shown as the owner(s) of land on the assessment roll of a municipality.

P

Parcel, in accordance with the *MGA*, means the aggregate of the one or more areas of land described in a certificate of title by reference to a plan filed or registered in a land titles office.

Parking facility includes parking areas, parking spaces and parking structures which are defined as follows:

- (a) **Parking area** means a portion of land or a building or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles.
- (b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.
- (c) **Parking structure** means a building or other structure designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.

Patio means an outdoor area of a lot developed and used for leisure and/or recreation purposes.

Permanent foundation means a foundation installed to provide structural support for a building or structure, for a period of at least 20 years including: concrete slab on grade, concrete strip footings, wood or concrete full basement and pile or pier footings.

Permanent residence – see “Developed residence”.

Permitted use means:

- (a) the one or more uses of land or buildings that are stated in Schedule 2 as permitted uses; and
- (b) uses which, in accordance with and subject to the *MGA*, shall be issued a development permit with or without conditions (unless the use is exempted from requiring a development permit) if the proposed development conforms with this bylaw.

Personal service use means a development providing services for personal care and appearance; services for cleaning, servicing, altering and maintenance of personal effects and accessories. Personal service includes barber shops, beauty salons, tailors, diet centres, shoe repair shops, dry cleaners, upholstery and rug cleaners, laundromats, funeral homes and such other uses that the Municipal Planning Commission considers similar to any one or all of these uses.

Pet cemetery means the use of land or buildings for the internment of deceased domestic animals.

Place of worship means a building dedicated to the undertaking of religious practices and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, or mosques and may include such accessory uses as offices for administration of the place of worship, parsonages, and parish houses.

Plan of subdivision means a plan of survey prepared in accordance with the relevant provisions of the *Land Titles Act* for the purpose of effecting subdivision.

Planning advisor means the person or organization retained by The Municipal District of Willow Creek No. 26 to provide planning-related advice or services.

Playground – see “Public park or recreation use”.

Pollution means any non-point source impacts on the environment from substances such as sediments, nutrients, pesticides, bacteria, parasites or toxic chemicals that reach a watercourse by surface or subsurface flow through adjacent land, and the unauthorized release of any “deleterious substance” as defined in the *Fisheries Act* (Canada) or the unauthorized release of any substance whether non-point or otherwise that may cause an adverse effect under provisions of the *Environmental Protection and Enhancement Act*.

Portable storage structure means a framework structure made of steel or aluminium and covered by a fabric used to provide outdoor storage for vehicles and/or equipment.

Post office means a government approved facility charged with regulating and handling the transmission of mail or parcels in a country.

Primary access means the location and manner of the principal means of vehicular access and egress from a site or building.

Primary farm residence means the principal dwelling unit located on a farmstead as defined.

Principal building means a building which:

- (a) is the main building on a lot; or
- (b) by reason of its use, is the primary purpose for which the lot is used.

Principal use means the main purpose for which a lot, parcel, or building is used or intended to be used.

Printing establishment, commercial means a retail business providing photocopying and/or commercial offset printing and retail services.

Printing establishment, industrial means a facility providing non-retail commercial, industrial printing and publishing services normally using automated, web-type presses or full colour process printing.

Private means the use of land or buildings intended for or restricted to the use of a particular person or group or class of persons which is not freely available to the general public.

Private campground – see “Campground, tourist”.

Private club means a facility, not open to the general public, for the meeting, social or recreational activities of members of philanthropic, social services, athletic, business or service organizations, without on-site residences. Private clubs may include rooms for eating, drinking and assembly.

Private utilities means the provision, distribution, collection, transmission or disposal of water, sewage, garbage, oil, gas, power, information, telecommunications, telephone or generation of electricity provided by an entity which is not under public, provincial or municipal franchise or ownership that provides the public or business with a particular utility or service.

Prohibited use means one or more uses of land or buildings that are described in a land use district as prohibited uses.

Provincial Land Use Policies means policies established by order of the Lieutenant Governor in Council pursuant to section 622 of the *MGA*.

Property line means any legal surveyed boundary of a parcel.

Provincial Land Use Policies means policies established by order of the Lieutenant Governor pursuant to section 622 of the *MGA*.

Public means the use of land or a building which is accessible or visible to all members of the community.

Public and private institutional use means a use of land or buildings for an organization, individuals or society for public or social purposes and includes the following:

- (a) a school or educational facility whether public or private;
- (b) churches or places of worship;
- (c) medical facilities which provide both in-patient and out-patient services, including hospitals, nursing homes and sanatoriums;
- (d) government and municipal offices, libraries and similar developments;
- (e) protective services, including fire halls, police stations and ambulance services;
- (f) cemeteries; and
- (g) such other uses as the Municipal Planning Commission considers similar in nature and character to any one of these.

Public and private recreation use means a public or private park, playground, recreation area, including but not limited to hiking, biking, snow sledding, skiing, all-terrain vehicle (ATV), and/or walking trail, indoor or outdoor rink, gymnasium, sportsfield, campground, historic or archaeological site or any similar facility or use of land or buildings provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government, a private organization, association or society or private individual.

Public day use means a seasonal facility or site which is open to the public for primarily recreation purposes with the intention of being utilized during the daylight hours and thus restricting its use and operation overnight.

Public open space means land which is not in private ownership and is open to use by the public.

Public park or recreation use means a public park, playground, recreation area, indoor or outdoor rink, gymnasium, sportsfield, campground, historic or archaeological site or any similar facility or use of land or buildings provided that the park, playground, recreation area or similar facility is owned and/or administered by any level of government.

Public or quasi-public building or use means a facility owned or operated by or for the municipality, the provincial government, the federal government, or a corporation which is an agent of the Crown under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality.

Public roadway means, in a city, town, new town, village or summer village, the right-of-way of all or any of the following:

- (a) a local road,
- (b) a service road,
- (c) a street,

- (d) an avenue, or
- (e) a lane.

Public thoroughfare means any pathway, sidewalk, bridge, lane, service road, local street, collector street, arterial street, or highway.

Public utility means the right-of-way for one or more of the following:

- (a) telecommunications systems;
- (b) waterworks systems;
- (c) sewage systems;
- (d) heating systems;
- (e) systems for the distribution of gas, whether natural or artificial;
- (f) systems for the distribution of artificial light or electric power;
- (g) water management projects;
- (h) wind energy conversion systems (WECS).

Q

Quarter section means a titled area of approximately 160 acres (64.8 ha).

R

Railway means any use connected with the direct operation of a railway system.

Ready-to-move (RTM) home means a house that would normally be built on your construction site, but for various reasons, such as cost and location, the RTM gets built on the plant site. It is then loaded and transported as one unit onto the proper moving equipment and delivered to the client's location.

Real property report (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries.

Rear lane means service access, generally for vehicular traffic at the rear of properties.

Recreational vehicle park – see “Campground, private”.

Recreational vehicle sale and rental means a facility for the retail sale or rental of new or used motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar recreational vehicles, bicycles, and skis and may include incidental maintenance services and sale of parts.

Recreational vehicle sanitary pump out site means a facility for the disposal of wastes from recreational vehicles.

Recreational vehicle storage means a fenced compound used for the parking, wintering, or storing of trailers, motor homes, boats, quads, recreational vehicles and/or hauling structures licensed under the *Motor Vehicles Administration Act* for a specified fee paid to the owner or proprietor of the property.

Recycling facility means the use of land or buildings for the purchasing, receiving and/or temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance

beyond the boundaries of the lot or site on which it is situated. A recycling facility may involve supplementary production of by-products or materials and includes bottle, can and paper recycling depots.

Redesignation “redesignate”, “redistrict”, or “rezone” means changing the existing land use district on the official Land Use District Map in the Land Use Bylaw.

Registered owner means:

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
- (b) in the case of any other land:
 - (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser’s interest that is the subject of a caveat registered against the certificate of title; or
 - (ii) in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

Regionally sensitive areas means lands within the municipality that are or may be environmentally sensitive including but not limited to:

- (a) a swamp;
- (b) a gully, ravine or coulee;
- (c) an escarpment;
- (d) a natural drainage course;
- (e) riparian lands adjacent to the beds and shores of rivers, streams, creeks, water bodies, or natural drainage courses;
- (f) wetlands;
- (g) lands subject to flooding, including flood risk areas, floodways, and flood fringe;
- (h) unstable lands;
- (i) contaminated lands;
- (j) a public park;
- (k) a designated historic or archaeological site;
- (l) an environmentally significant area; or
- (m) a forest reserve.

Religious assembly means development owned by a religious organization used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

Religious institution – see “Churches” or “Place of worship”.

Reserve land means environmental reserve, municipal reserve or school reserve or municipal and school reserve.

Residential means the use of land or buildings for the purpose of domestic habitation on a continual, periodic or seasonal basis.

Residential streets means streets whose primary function is to allow access to residential lots. A collector street may be classified as a residential street, providing the volume of traffic is not detrimental to living conditions.

Resort means a comprehensively planned and operated development offering recreational, educational, cultural, convention and conference facilities, together with visitor accommodation, in a location chosen for the unique qualities and attributes of its natural physical setting. Appropriate uses within a resort could include, but are not limited to: visitor accommodation, private residences, convention and conference facilities, indoor and outdoor recreation facilities (e.g. golf courses, ski hills, riding stables, tennis courts, health spas), retail and personal service facilities and other uses suitable to the location and compatible with adjacent land uses.

Resort accommodation means a facility for visitors to a resort, which may be in the form of visitor accommodation, apartment hotels, lodges, campground or other forms of tourist accommodation.

Resource development activity means the removal of natural resources including oil, gas, minerals or timber on a commercial basis.

Resource extraction uses means those uses of land or buildings which are governed by the location of a natural resource and which involve the extraction or on-site processing and/or storage of a natural resource, except those industries which are “Noxious or hazardous industries”. Resource extraction uses include, but are not limited to the following:

- (a) cement and concrete batching plants;
- (b) sand and gravel operations;
- (c) logging and forestry operations, including sawmills; and
- (d) such other uses as established by Council or the Municipal Planning Commission to be similar to any one or all of the above uses.

Resource processing activity means the extraction, refining or other processing of natural resources including oil, gas, minerals or timber on a commercial basis.

Restaurant means development where food and beverages are prepared and served and includes supplementary alcoholic beverage service and supplementary on- or off-premises catering services. This term includes restaurants, cafes, lunch and tea rooms, ice cream parlours, banquet facilities, take-out restaurants and such other uses as the Municipal Planning Commission considers similar in character and nature to any one of these uses.

Retail means premises where goods, merchandise, other materials, and personal services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store’s operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores. This use excludes warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, pawnshops, or second-hand goods, or retail stores requiring outdoor storage. Minor government services, such as postal services, are permitted within general retail stores.

Retail store means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store.

Riding arena means either an indoor or outdoor establishment where horses are boarded and cared for, and where instruction in riding, jumping and showing is offered, and where horses may be hired for riding.

Riding stable means a compound designed with stalls for the housing, bedding or confinement of four-legged animals used for riding purposes.

Rifle range means a designated practice area designed for the purpose of controlled discharge of firearms or archery equipment.

Riparian area means land that is comprised of the vegetative and wildlife areas strongly influenced by water that occur adjacent to streams, shorelines and wetlands which are delineated by the existence of plant species normally found near fresh water.

Rodeo grounds consists of an agricultural-recreation oriented facility where exhibiting horses and cattle and giving exhibitions of the speed, breeding and management of livestock and husbandry is a few of its functions and purposes, and which may also include facilities (arena, chutes, grandstand, corrals, stables, concession booths, etc.) to carry out such purpose, and may be managed by civic, private or non-profit organizations.

Rowhouse dwelling or townhouse means a residential building containing three or more dwelling units, where each dwelling unit is joined in whole or in part at the side only and where no dwelling unit is located in whole or in part above another dwelling unit. Each dwelling unit in a rowhouse is separated from the abutting dwelling unit by a wall, generally extending from the foundation to the roof, and each dwelling unit is provided with its own direct access from grade.

Rural industry means an agriculturally-related industry which supports agriculture directly in rural areas and non-labour intensive industries which require relatively large areas of land, but require minimal on-site improvements, services and public amenities. Examples include, but are not necessarily limited to: seed cleaning plants, apiaries, grain elevators, storage warehouses, water treatment plants, reservoirs, anhydrous ammonia storage, alfalfa depots, livestock sales yards, alfalfa dehydrating plants and other uses determined by the Municipal Planning Commission to be similar in nature.

Rural industry, grouped means two or more contiguous rural industries.

Rural recreation means the use of land, buildings or structures for the provision of recreational activities, pursuits or opportunities which are not conducive or practical in an urban environment which include, but are not limited to, hiking, fishing, outdoor archery, pistol, rifle and skeet clubs, rodeo facilities, guest ranches, health resorts or retreats, camping, boating or picnicking.

S

Salvage or waste disposal facility means development for purchasing, receiving or transporting of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. This term includes uses such as autowreckers, salvage and scrap yards, garbage container services, effluence tanker services and such other uses as the Municipal Planning Commission considers similar in character and nature to any one or all of these uses.

Satellite dish means an anchored structure designed to capture or receive broadcast signals beamed by satellites for audio-visual purposes.

Satellite dish antenna means a parabolic antenna including foundation used for the reception of satellite transmitted television or radio waves.

School means a place of instruction offering courses of study. Included in the category are public, private, and separate schools.

School, commercial means a place in instruction operated for profit but does not include a private school.

School, post-secondary means a public or private educational establishment providing academic, professional, trade, craft or other educational curriculum to post-secondary students.

School , private means a school, other than a school operated by a School Board under the *School Act*, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education.

School, public or separate means a place of instruction operated with public funds pursuant to The *School Act*.

Scrap yard means a facility where materials are stored temporarily on the site for reprocessing into scrap materials for sale or where useable parts for used goods, equipment or vehicles are sold.

Screening means a fence, wall, berm or hedge used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

Seasonal occupancy means the habitation or use of land, buildings or structures which coincides with the weather seasons that prevail in a particular area or region.

Secondary and/or subsequent residence(s) means a developed residence or residences in addition to the primary residence on the same parcel.

Seed cleaning plants – see “Rural industry”.

Semi-detached dwelling means a residential building containing only two dwelling units located side by side with separate access to each dwelling unit. Each dwelling unit in a “Semi-detached dwelling” is joined to the other unit by at least one common wall which extends from the foundation to at least the top of the first storey of both dwelling units.

Senior citizen housing means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

Service club – see “Private club”.

Service station means premises or the portion thereof used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils and minor accessories for motor vehicles.

Setback means the distance required between a building, development or use from a property line facing a street or other property line.

Shall means that the action is mandatory.

Shipping container means an container that was used for transport of goods by means of rail, truck or sea. These containers are rectangular in shape and are generally made of metal.

Shopping malls means a unified concentration of retail stores and service establishments in a suburban area with generous parking space, usually planned to serve a community or neighbourhood.

Should means that the action is recommended.

Shrub means a single or multi-stemmed woody plant under five (5) metres at maturity.

Sign has the same meaning as it has in the sign standards in Schedule 10 of this bylaw.

Similar use means a use which is not specifically considered in a land use district but, in the opinion of the Municipal Planning Commission, is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the Municipal Planning Commission may:

- (a) rule that the proposed use is either a permitted or discretionary use in the land use district in which it is proposed; and
- (b) direct that a development permit be issued in accordance with this bylaw.

Single family dwelling means a freestanding residential dwelling, other than a mobile home, not forming part of and not physically attached to any other dwelling or structure.

Single-wide mobile home means a mobile home which is:

- (a) typically not greater than 16 feet (4.9 m) in width; and
- (b) permanently fixed to a single chassis; and
- (c) not intended to be expanded, telescoped or twinned for additional floorspace.

Double-wide mobile home is a separate use.

Site means that part of a parcel or a group of parcels on which a development exists or for which an application for a development permit is being made.

Ski resort – see “Resort”.

Slope adaptive housing means housing which incorporates specific building and site design methods that minimize the impact of site development on the natural environment, ensures slope stability, and responds positively to the aesthetic opportunities presented by construction on sloping lands. Techniques to achieve this normally include: design of rooflines and building massing designs to echo the angles and shapes of the surrounding landscape; breaking up of the building mass to conform to the slope; and the use of indigenous materials and compatible colours.

Sod farm means the commercial growing of sod through seeding and stripping of topsoil to sell the final product.

Solar energy system means the use of land or buildings for the conversion of the sun’s rays to thermal, electrical or mechanical energy.

Souvenir shop means a retail store which sells various souvenirs and mementos and generally caters to the shopping needs of visitors.

Stake out of the site means the process of measuring the site and designating the areas on the site where construction will occur.

Statutory plan means a municipal development plan, area structure plan or area redevelopment plan adopted under the *Municipal Government Act*.

Stop order means an order issued by the Municipal Planning Commission pursuant to section 645 of the *MGA*.

Storey means that portion of a building situated between the top of any floor and the top of the next floor above it or, if there is no floor above it, the ceiling above it. When the top of a floor directly above a basement is over 6 feet (1.8 m) above grade, that basement shall be considered a storey.

Street means a public thoroughfare affording the principal means of access to abutting parcels, and includes the sidewalks and the land on each side of and contiguous with the prepared surface of the thoroughfare and owned by the municipality.

Structural alteration means a repair or alteration to the supporting members or fabric of a building which tends to either substantially prolong its use or alter its character.

Subdivision means the division of a parcel by an instrument, and “subdivide” has a corresponding meaning.

Subdivision and Development Appeal Board means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development.

Subdivision and Development Regulation means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the *MGA*.

Subdivision approval means the approval of a subdivision by a subdivision approving authority.

Subdivision Authority means the person or body empowered to approve a subdivision.

Surveillance suite means a dwelling unit or sleeping unit that is developed in conjunction with a principal use so that the dwelling is a supplementary use to that principal use, and which is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security for a development provided for in the land use district.

T

Take-out service means the sale of food or beverages in a form ready for consumption from a restaurant or other premises where a significant portion of the consumption will take place off the premises.

Taxi service means a business established to provide chauffeur-driven automobile transportation available on call to carry a passenger between two points for a fare determined by a taximeter or flat rate.

Taxidermist means an individual engaged in the art of preparing life-like representations of animals by stuffing the skin or usually fashioning a wooden or plaster model on which the skin of the specimen is mounted or moulded.

Temporary occupancy means the habitation or use of land, buildings or structures for a defined or finite period of time usually limited to a consecutive number of days, weeks or months during a calendar year.

Temporary storage yard means development used exclusively for temporary outside storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include storage yards for construction vehicles, equipment and materials or recreation vehicles.

Temporary structure means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected and ceased.

Theatre means a building or structure designed for the showing of motion pictures or to accommodate a company of performers for the showing of plays or dances.

Tourist home means a dwelling unit operated as an accommodation unit, occupied by a guest or guests for a period of less than 28 days.

Tower means a vertical structure used to support, including but not limited to telecommunication, navigational, microwave, power generation, telephone, transmission, cellular or directional devices.

Townhouse means a single building comprised of three or more dwelling units separated from each other by walls extending from foundation to roof, with each dwelling unit having a separate, direct, at grade entrance. This includes all row, linked, patio, garden court or other housing which meet these criteria. A townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

Townhouse, stacked means a multiple dwelling comprised of three or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another dwelling unit, and each having a separate, direct entrance from grade or a landscaped area. A stacked townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

Transportation systems means the sum total of one or more networks of transportation links, services and facilities which collectively are of federal, provincial or municipal importance which include, but are not limited to, highways, railways, public transportation, aviation, bicycle or pedestrian systems.

Travel agency means an office or enterprise engaged in the selling, arranging or furnishing of information regarding personal transportation or travel.

Triplex means a single building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area.

Truck and modular home sale and rental means development used for the sale or rental of new or used trucks, motor homes, modular homes, and automobiles together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and modular home dealerships.

Truck repair and servicing means a facility for the servicing and repair primarily of licensed motor vehicles with a gross vehicle weight in excess of 8818 lbs. (4000 kg).

Truck stop means a service station which caters to large commercial vehicles such as semi-trailer trucks as well as intermediate-sized vehicles and passenger vehicles. The use "Truck stop" includes an accompanying restaurant or cafe as well as a card lock or key lock motor vehicle fuel dispensing facility. The use may also include general retail sales, vehicle towing services, limited vehicle sales or rentals and similar uses provided that any such uses are clearly accessory uses and incidental to the operation of the truck stop in the opinion of the Municipal Planning Commission.

Truck transport depot means a centralized area for the parking, loading, unloading, storage or servicing of large commercial trucks engaged in the business of transporting goods and materials to specified destinations.

Truck wash – see "Car wash".

Trucking establishment means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods.

U

Urban fringe means a specified rural land use district immediately adjacent to the corporate limits of a city, town or village where certain land uses are either allowed or prohibited to protect the land use interests agreed to by both jurisdictions.

Urban municipality means the area of a town or village.

Unsubdivided quarter section means a titled area of 160 acres (64.8 ha) more or less, but excluding road widenings, previous subdivision for school sites and other public uses.

Utilities means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm sewage drainage facilities;
- (e) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.

V

Vegetation management means the manipulation of plant material for purposes such as the spread of wildfires, or the control of plants or diseases.

Vehicle sales and rental use means a use of land or buildings for the sale of automobiles, vans, motorcycles, snowmobiles, tent and holiday trailers, boats and other recreational vehicles and craft and trucks with a tare weight not exceeding 13,000 lbs. (5,900 kg). This use includes supplementary vehicle maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel.

Veterinary clinic means a facility for the care of animals but does not include outdoor pens, runs or enclosures.

Visitor accommodation means a building or group of buildings not intended for residential use where sleeping facilities are provided for persons for periods of up to 30 days and which may also contain recreational facilities, commercial uses and additional facilities including but not limited to eating establishments, drinking establishments, room service, meeting rooms, public convention rooms, and laundry service. Where the majority of visitor accommodation units within the visitor accommodation contain suites of more than one room, two or more of the following services shall be provided: eating establishment, drinking establishment, room service, public convention room, or laundry service. This definition does not include lodges.

Visitor accommodation unit means a room or suite of rooms located within visitor accommodation which has a door leading directly to a public hallway or other public access area.

W

Waiver means the relaxation or variance of a development standard established in the Land Use Bylaw. For the purpose of this bylaw, only the Municipal Planning Commission or, on appeal, the Subdivision and Development Appeal Board can waive provisions of the Land Use Bylaw.

Warehouse means a building used or intended to be used predominantly for the indoor storage of goods and merchandise.

Warehouse store means a facility for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the warehouse or storage component occupies at least 50 percent of the gross floor area and retail uses occupy 50 percent or less of the gross floor area. Typical uses include furniture, carpet and appliance warehouses.

Warehousing means the use of a building for the storage of materials, products, goods and merchandise.

Welding shop means a business engaged in the fabrication, assembly or repair of machinery or equipment by heating materials to a fluid state and uniting or consolidating them at a common point known as a weld.

Wetland means those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil condition including swamps, marshes, bogs and similar areas.

Wildland Urban Interface (WUI) means an identified area where residential, industrial or agricultural developments are located within or near wildland settings with natural vegetation, that are at risk from wildfire.

Wildlife corridor means an area which provides or is designed to provide connectivity between patches of wildlife habitat. Wildlife corridors generally do not fulfill the requirements of wildlife habitat patches except for the physical security provided by vegetative cover or other buffers from development.

Wind energy conversion system (WECS) means a system consisting of subcomponents which convert wind energy to electrical energy and having major components being generator rotors, tower and a storage system.

Workshop means a small establishment where manufacturing or craftwork is carried on by an individual or proprietor with or without helpers or power machinery.

Y

Yard means the minimum required open space, on a site, that lies between the principal and accessory building or structure and the nearest lot line.

Yard, front means a yard extending across the full width of the site and measured, as to depth, at the least horizontal distance between the front street line and the nearest projection of the principal building as shown in Figure 3.

Yard, rear means a yard which extends the full width of a site and measured, as to depth, at the least horizontal distance between the rear property line and the nearest projection of any building as shown in Figure 3.

Yard, side means a yard extending from the front yard to the rear yard, and measured as to width at the least horizontal distance between the side property line or side street line and the nearest projection of any building as shown in Figure 3.

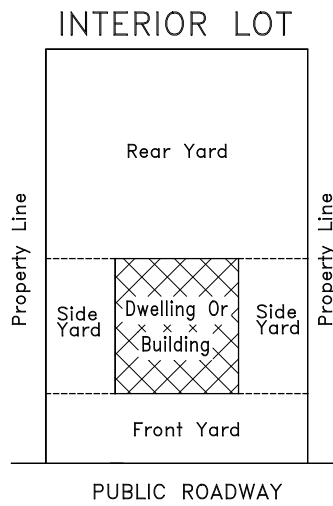
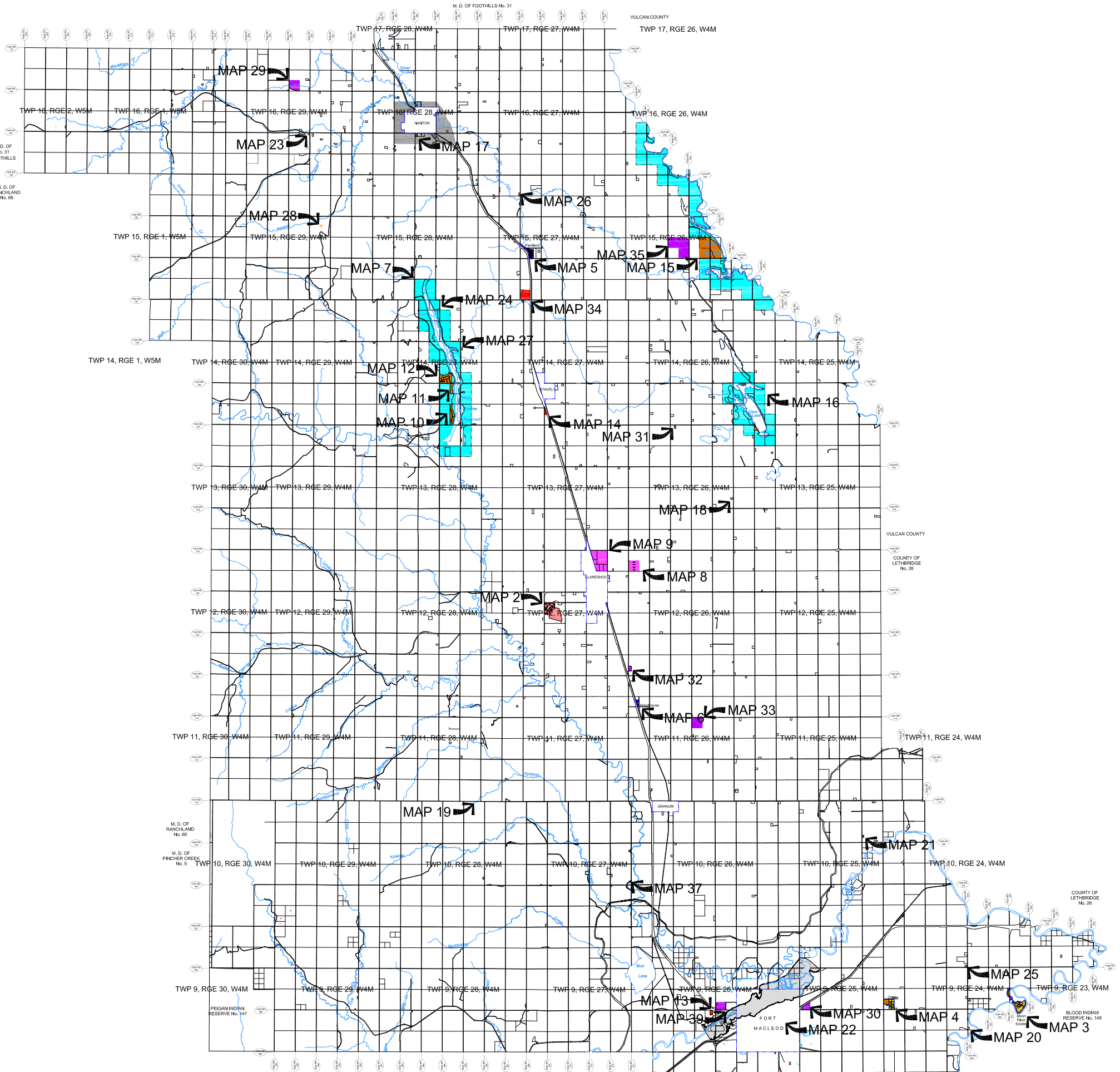


FIGURE 3

Schedule 17

LAND USE DISTRICT MAPS



MUNICIPAL DISTRICT OF WILLOW CREEK NO.26
LAND USE DISTRICTS

LAND USE BYLAW # 1616, December 15, 2010
(Amended to and including Bylaw 1743)

- Rural General (RG)
- Rural Hamlets (RH) (See Maps 4 & 6)
- Moon River Estates (MRE) (See Map 3)
- Hamlet Of Parkland Direct Control (DC-1) (See Map 5)
- Grouped Country Residential (GCR) (See Maps 4, 6, 10, 11, 12, 15, 16, & 17)
- Rural Small Holdings (RSH) (See Maps 8 & 9)
- Claresholm Industrial Area (CIA) (See Map 2)
- Rural Industrial (RI) (See Maps 21, 29, 30, 32, 33, 35 & 39)
- Rural Commercial (RC) (See Maps 2, 13, 14, 22 & 34)
- Flood Damage Reduction (FDR) (See Maps 13 & 22)
- Reservoir Vicinity (RV) (See Maps 7, 10, 11, 12, 15, 16 & 24)
- Rural Recreational (RR)
- Vacant Country Residential (VCR)(See Maps 7, 18, 20, 23, 24, 26, 27, 28, 31, 36, 37 & 38)
- Nanton Urban Fringe (NUF) (See Map 17)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1740)




MAP # 2

CLARESHOLM INDUSTRIAL AREA

WITHIN

N 1/2 SEC 16,
S 1/2 & NW 1/4 SEC 21,
TWP 12, RGE 27, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Claresholm Industrial Area (CIA)
-  Rural Commercial (RC)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

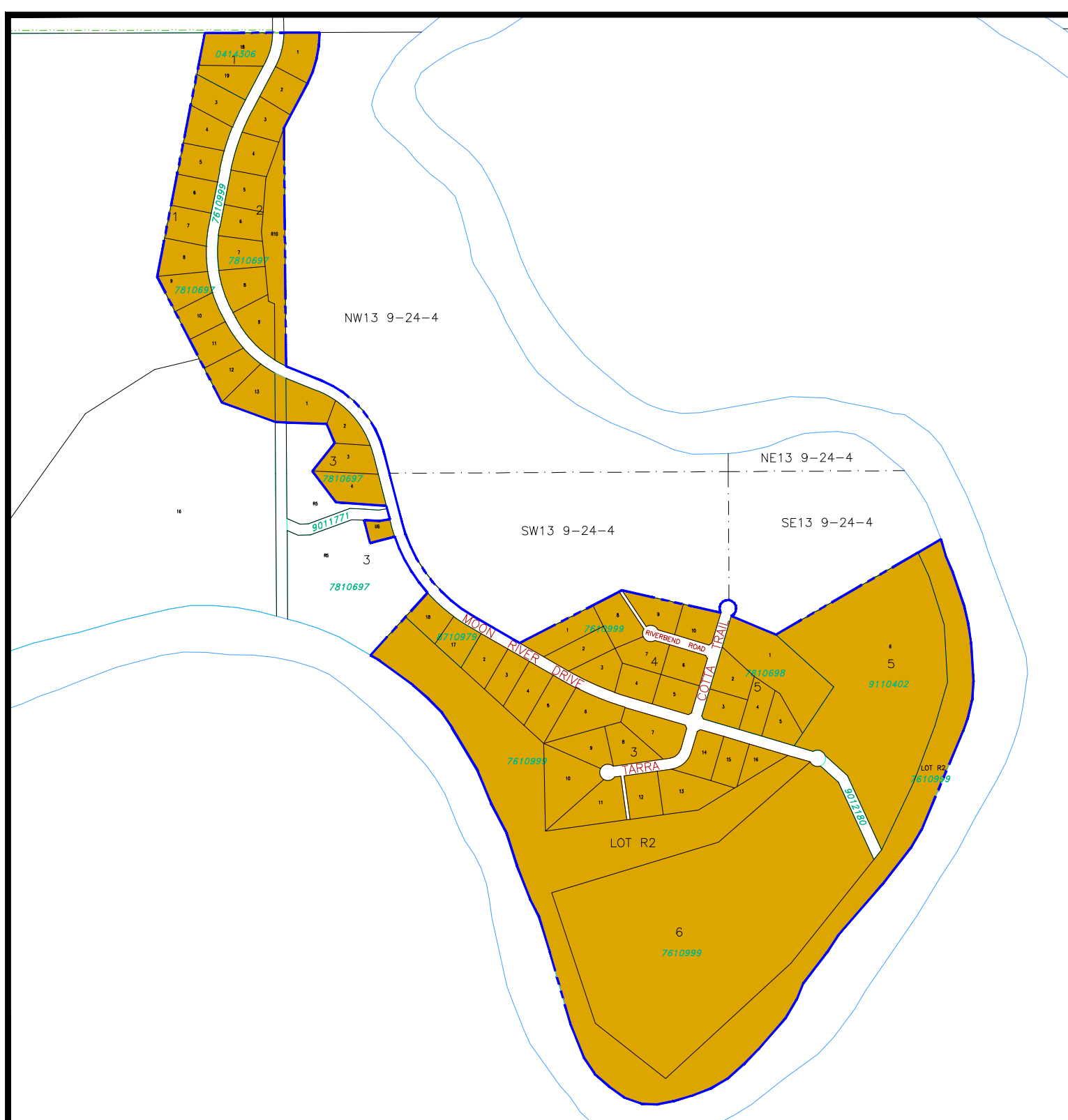
LAND USE BYLAW # 1616
December 15, 2010

MAP # 3

MOON RIVER ESTATES
IN NW 1/4 SEC 13, S 1/2 SEC 13
& NE 1/4 SEC 14,
TWP 9, RGE 24, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Moon River Estates (MRE)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 4

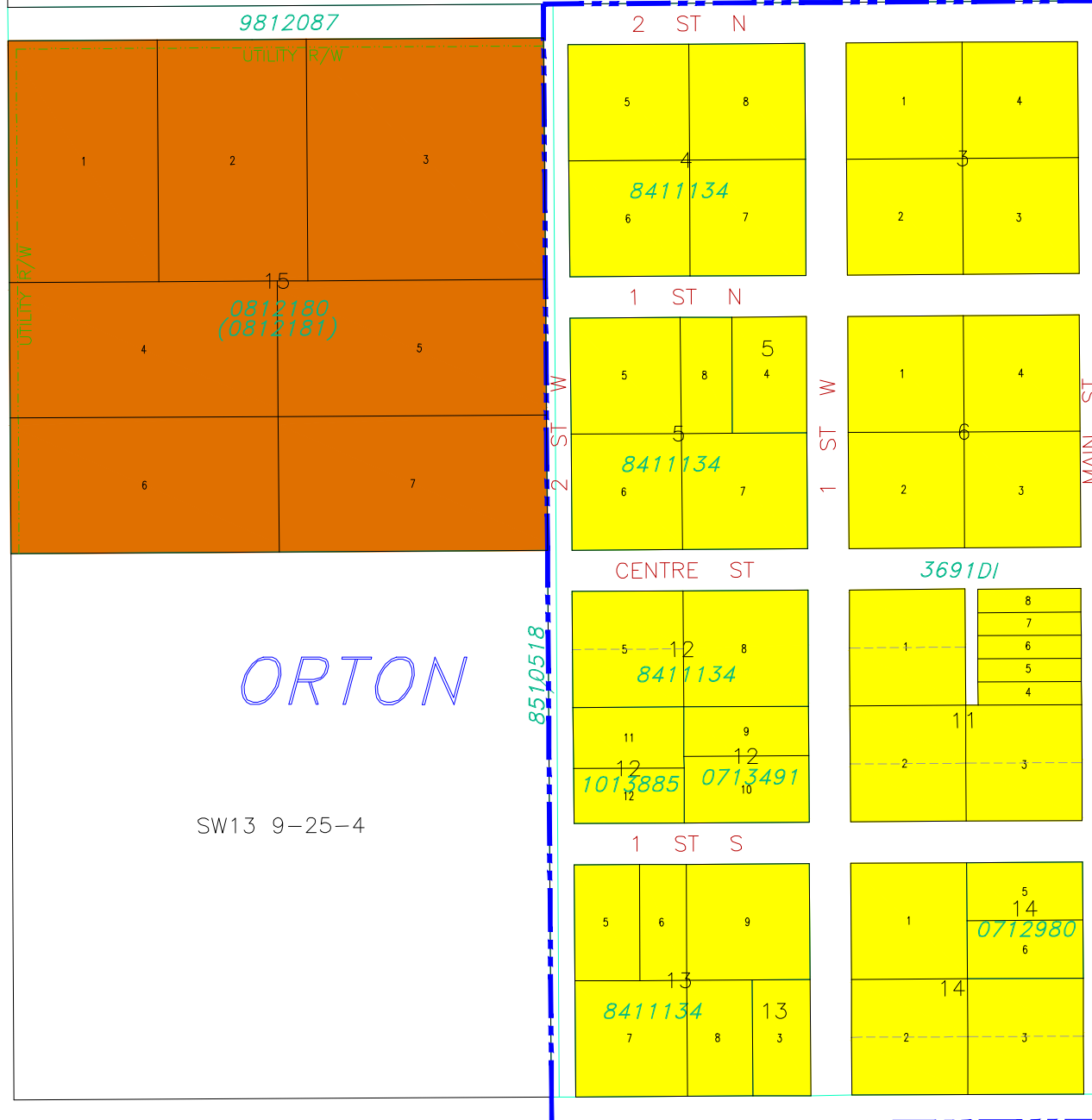
HAMLET OF ORTON
IN SW 1/4 SEC 13,
TWP 9, RGE 25, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Hamlets (RH)
-  Grouped Country Residential (GCR)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 5

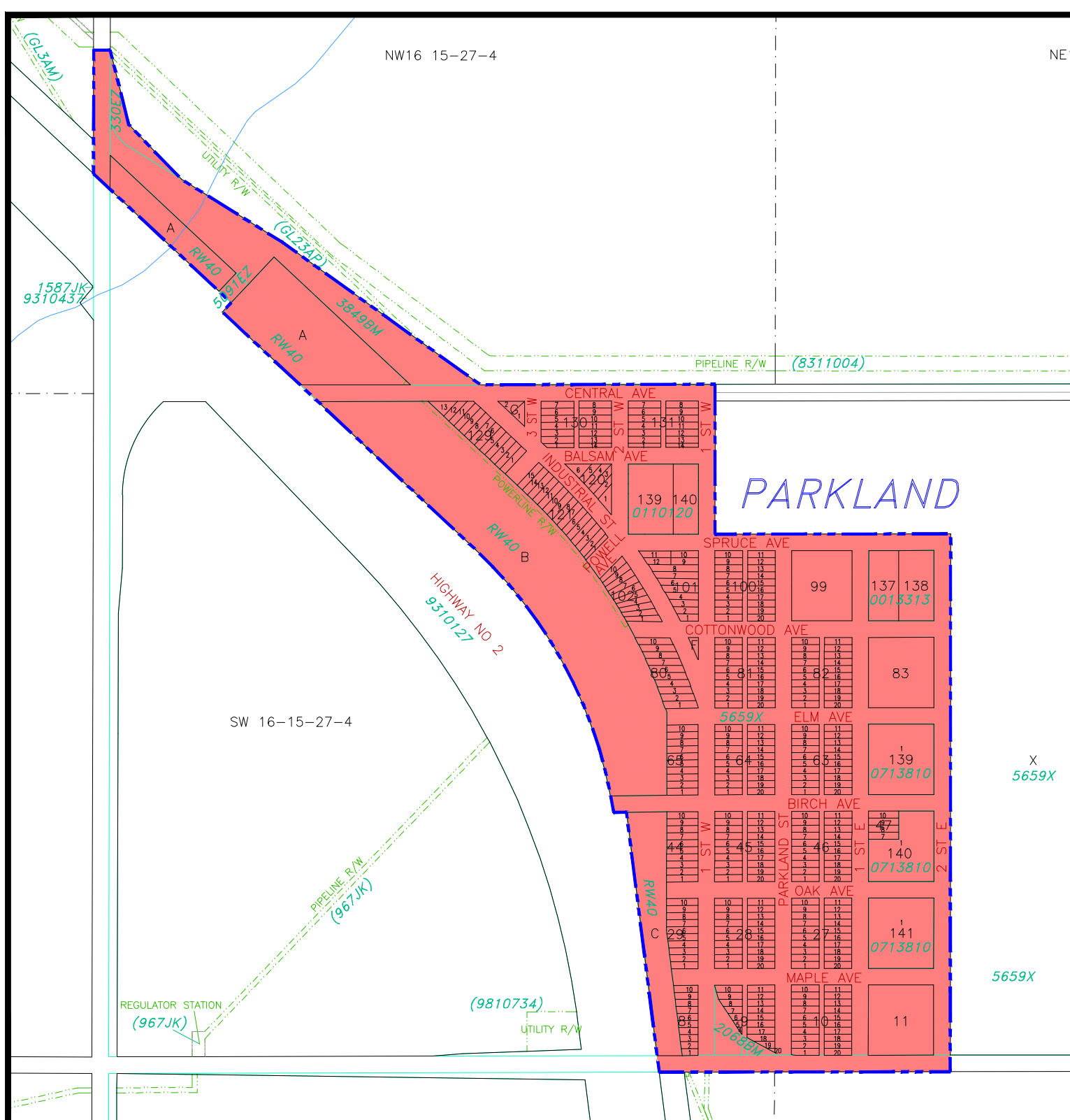
HAMLET OF PARKLAND
IN NW, SE, SW PORTIONS OF
SEC 16, TWP 15, RGE 27, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Hamlet Of Parkland
Direct Control (DC-1)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 6

HAMLET OF WOODHOUSE
WITHIN
NW 1/4 SEC 30,
TWP 11, RGE 26, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Hamlets (RH)

NW30 11-26-4

NW30 11-26-4

WOODHOUSE

ROADWAY

CENTRE ST

RAILWAY AVE

1 ST

9212235

0313336

4803CL

1568BM

SW30



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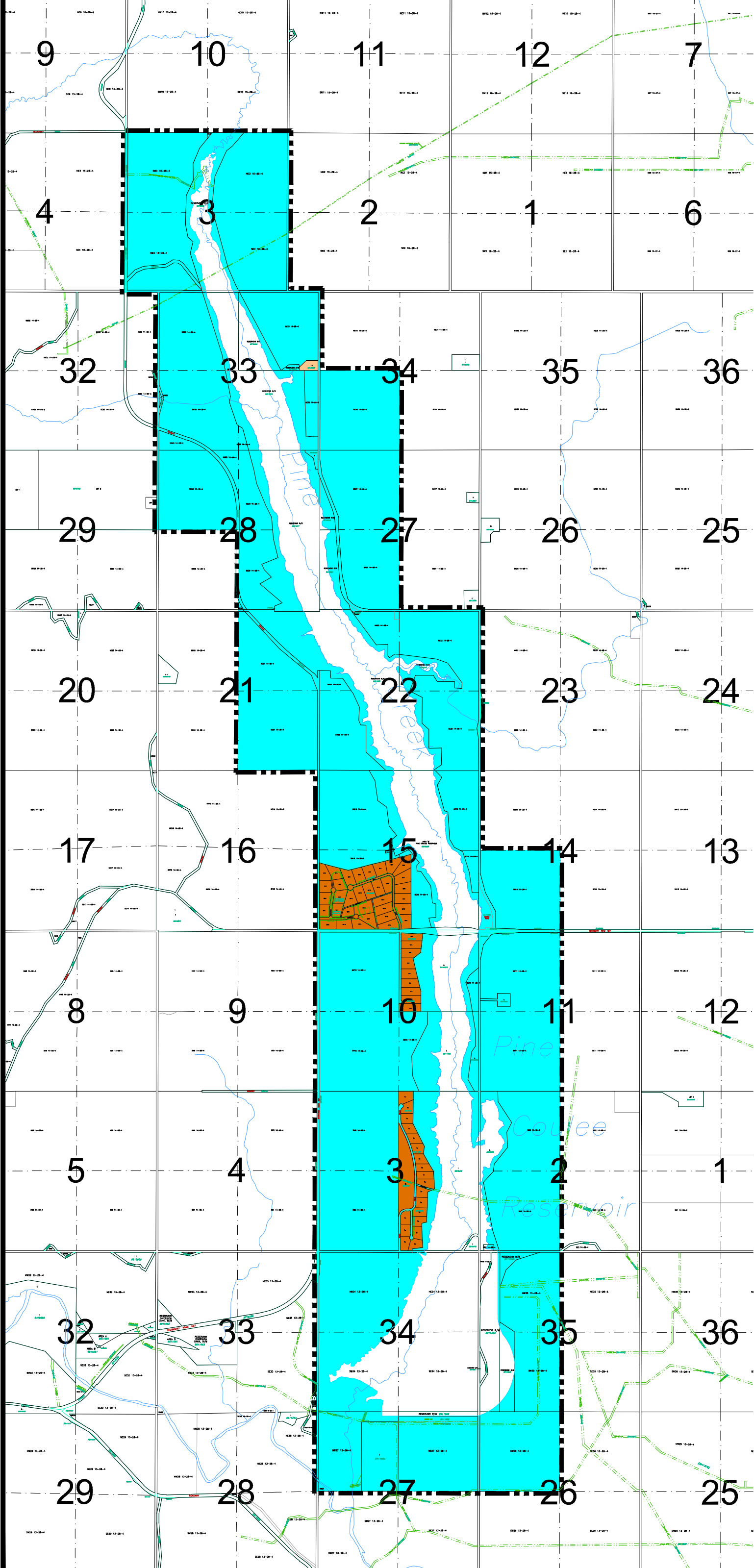


MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26





LAND USE BYLAW # 1616
December 15, 2010

MAP # 7

PINE COULEE RESERVOIR



LAND USE DISTRICTS

-  Rural General (RG)
-  Grouped Country Residential (GCR)
-  Reservoir Vicinity (RV)
-  Vacant Country Residential (VCR)





MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 8

SW 1/4 SEC 31,
TWP 12, RGE 26, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Small Holdings (RSH)



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PIPELINE R/W
(9012206)

N 1/2 LSD's 5 & 6
16.20±ha(40.00±Acres)

S 1/2 LSD's 5 & 6
16.20±ha(40.00±Acres)

SW31 12-26-4

N 1/2 LSD's 3 & 4
16.20±ha(40.00±Acres)

S 1/2 LSD's 3 & 4
16.20±ha(40.00±Acres)

PIPELINE R/W
(9811995)

PIPELINE R/W
(9711636)





MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 9

PORTION OF SEC 35,
TWP 12, RGE 27, W 4 M

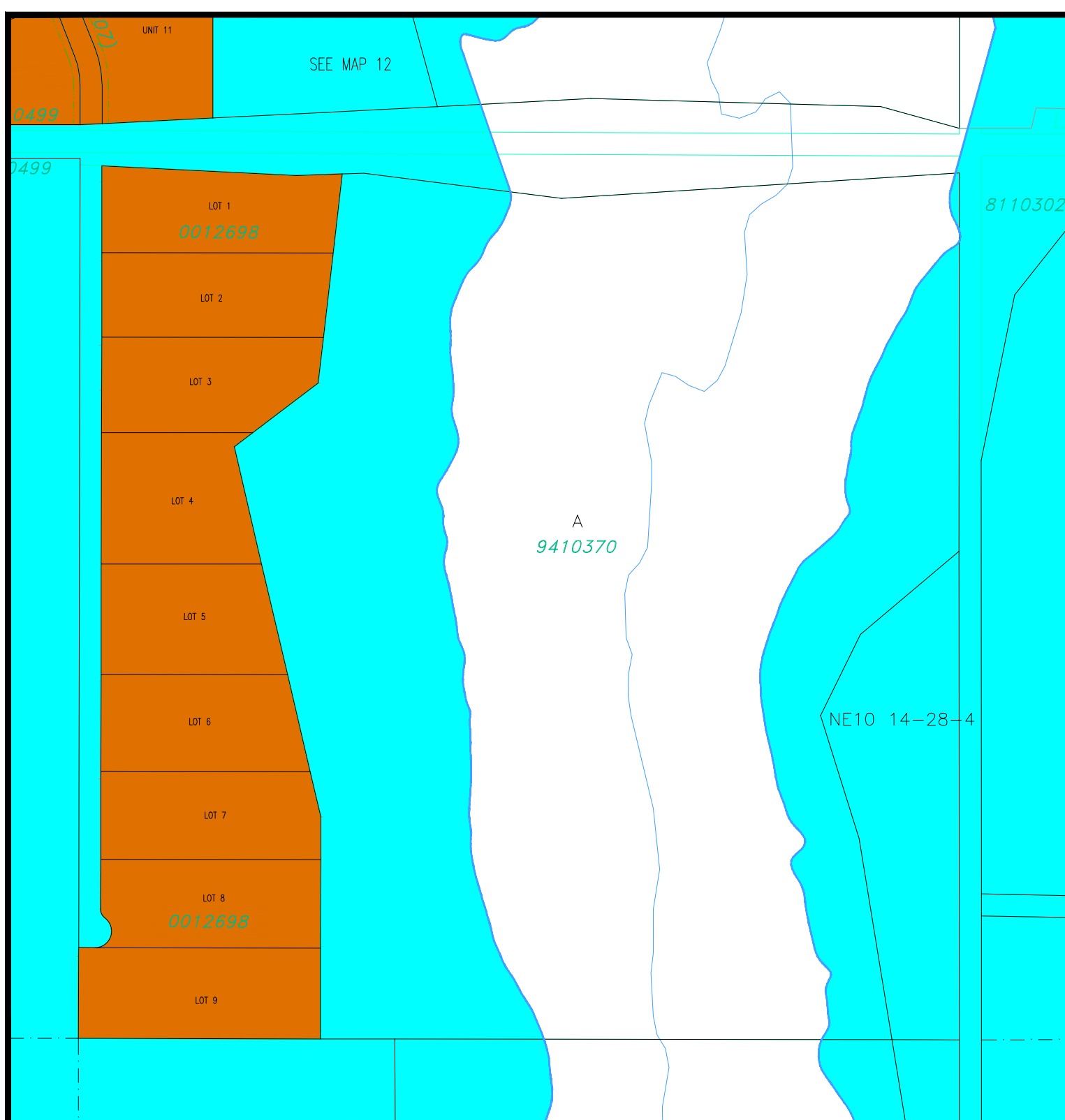
LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Small Holdings (RSH)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 11

PORTION OF NE 1/4 SEC 10,
TWP 14, RGE 28, W 4 M

LAND USE DISTRICTS

-  Grouped Country Residential (GCR)
-  Reservoir Vicinity (RV)



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WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 12

PORTION OF S 1/2 SEC 15,
TWP 14, RGE 28, W 4 M

LAND USE DISTRICTS

-  Grouped Country Residential (GCR)
-  Reservoir Vicinity (RV)



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8610499

SEE MAP 11

LOT 1

001269




MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

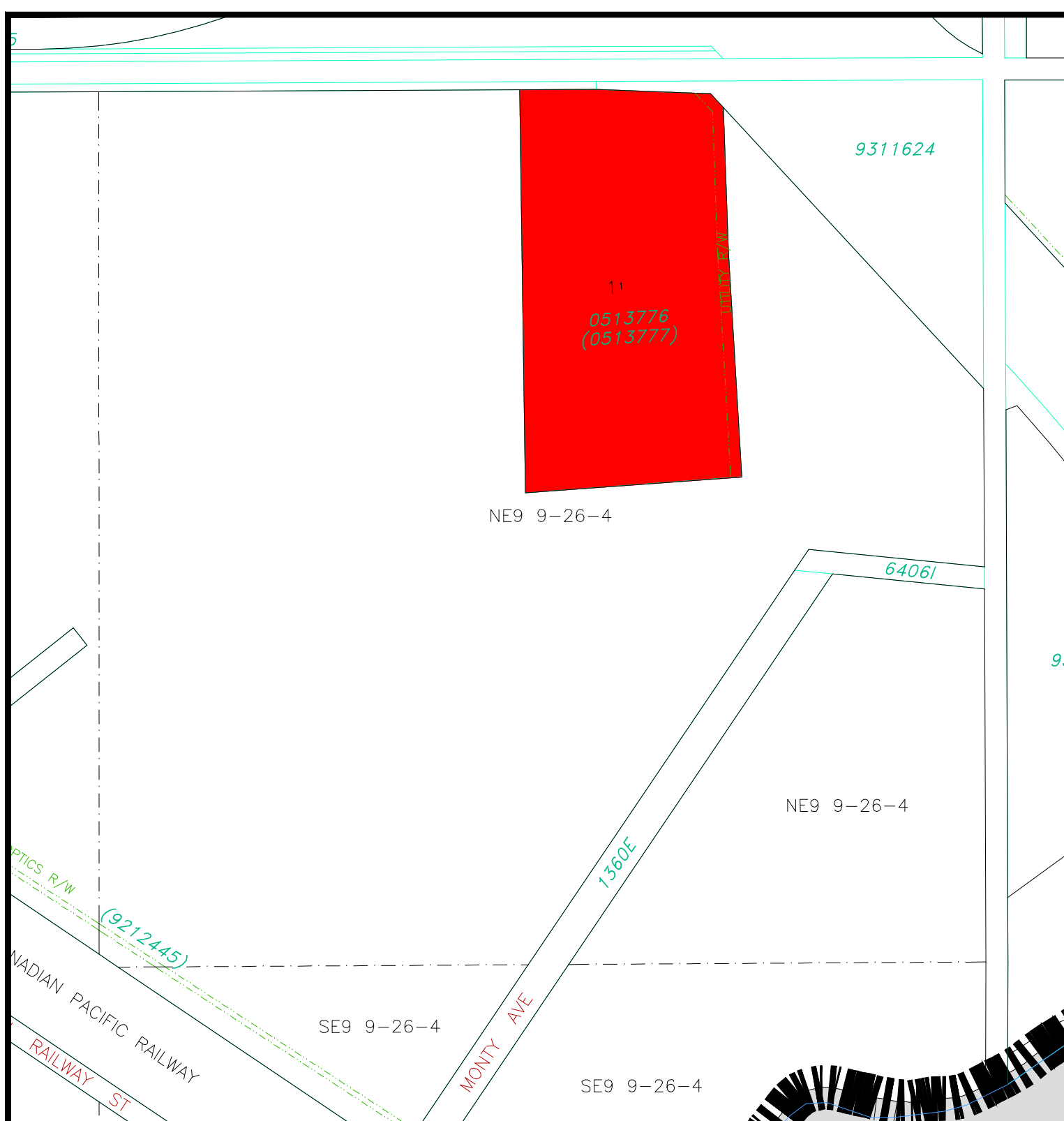
LAND USE BYLAW # 1616
December 15, 2010

MAP # 13

PORTION OF NE 1/4 SEC 9,
TWP 9 RGE 26, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Commercial (RC)
-  Flood Damage Reduction (FDR)



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WILLOW CREEK NO.26



LAND USE BYLAW # 1616
December 15, 2010

MAP # 14

PORTION OF NW 1/4 SEC 4,
TWP 14, RGE 27, W 4 M

NW4 14-27-4

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Commercial (RC)



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20

TWP 16, RGE 26, W4M

LAND USE DISTRICTS

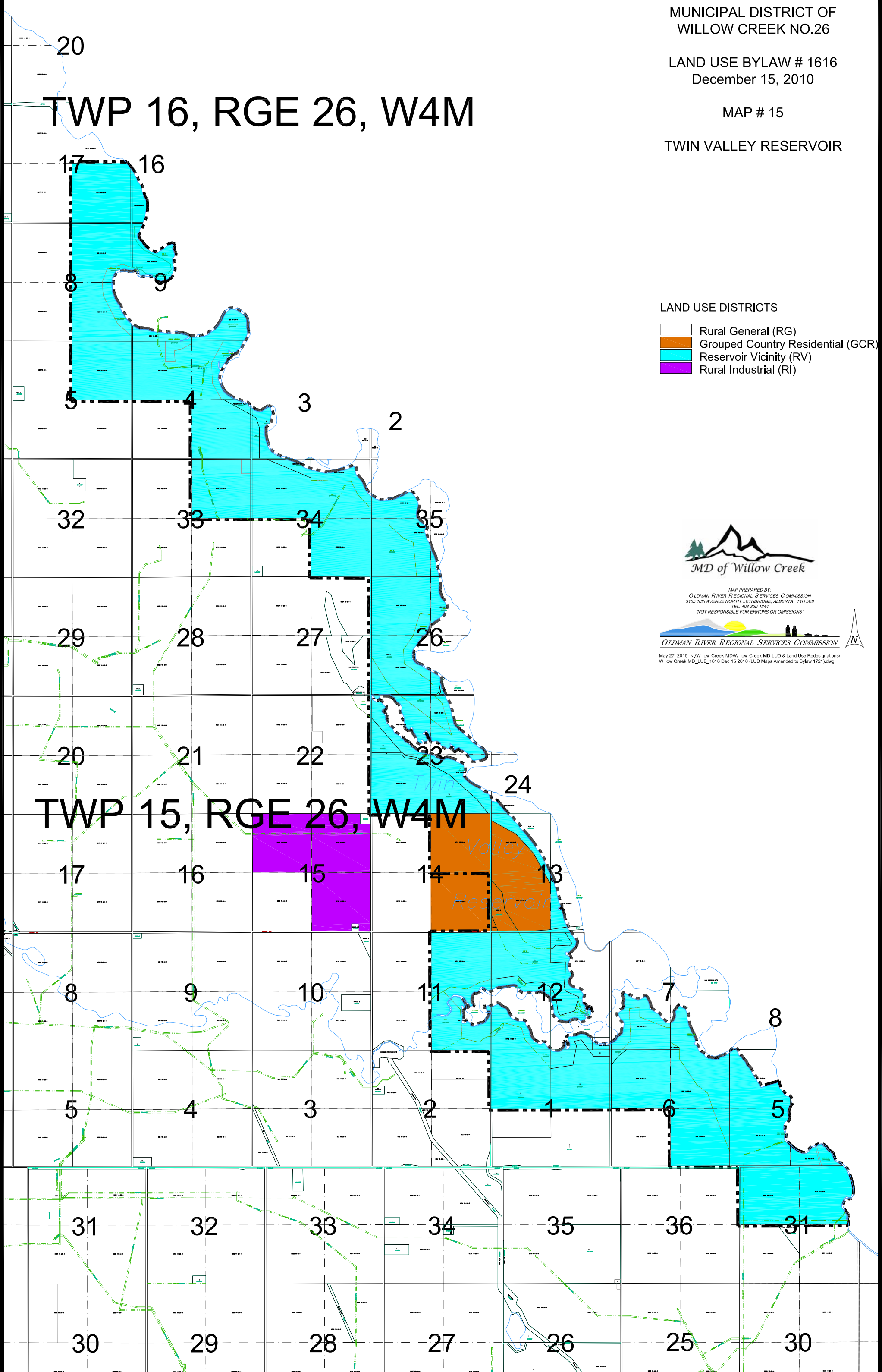
- Rural General (RG)
- Grouped Country Residential (GCR)
- Reservoir Vicinity (RV)
- Rural Industrial (RI)



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TWP 15, RGE 26, W4M

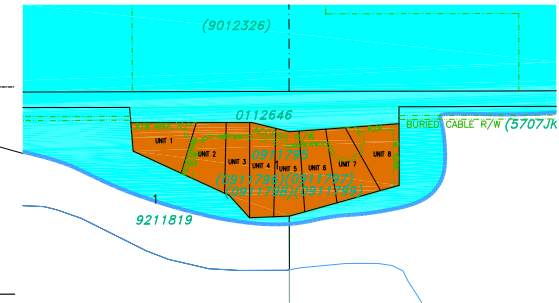


MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26




LAND USE BYLAW # 1616
December 15, 2010

MAP # 16

CLEAR LAKE RESERVOIR



LAND USE DISTRICTS

-  Rural General (RG)
-  Grouped Country Residential (GCR)
-  Reservoir Vicinity (RV)



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WILLOW CREEK NO.26




LAND USE BYLAW # 1616
December 15, 2010

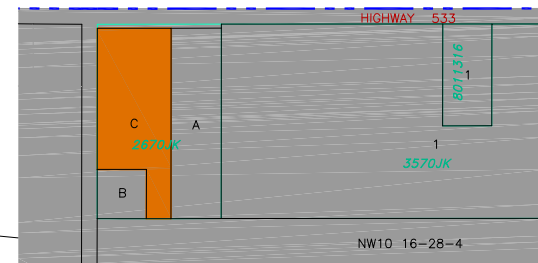
MAP # 17

BLOCK C, PLAN 2670JK IN
NW 1/4 SEC 10,
TWP 16, RGE 28, W 4 M

NANTON

LAND USE DISTRICTS

-  Rural General (RG)
-  Grouped Country Residential (GCR)
-  Nanton Urban Fringe (NUF)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010



MAP # 18

BLOCK 1, LOT 1, PLAN 0914022 IN
SE 1/4 SEC 14,
TWP 13, RGE 26, W 4 M

SE14 13-26-4

1 1
0914022

LAND USE DISTRICTS

-  Rural General (RG)
 Vacant Country Residential (VCR)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1647)

MAP # 19

SE 1/4 SEC 2,
TWP 11, RGE 28, W 4 M

SE2 11-28-4

LAND USE DISTRICTS

 Rural General (RG)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 20

SW 1/4 SEC 10,
TWP 9, RGE 24, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Vacant Country Residential (VCR)

SW10 9-24-4

11
1010461

SE10



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 21

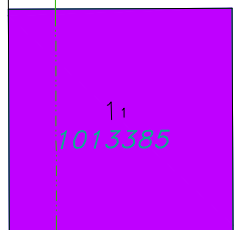
SW 1/4 SEC 26,
TWP 10, RGE 25, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Industrial (RI)



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SW26 10-25-4

CANAL R/W
(9912005)

0213588




MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 22

PORTIONS OF,
TWP 9, RGE's 25, 26 W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Commercial (RC)
-  Flood Damage Reduction (FDR)

FORT
MACLEOD



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 23

NE 1/4 SEC 10,
TWP 16, RGE 29, W 4 M



DIGITAL CARRIER SITE
(9011965)

11
1111002

ACCESS R/W
(0110316)

8710310

LAND USE DISTRICTS

-  Rural General (RG)
-  Vacant Country Residential (VCR)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616
December 15, 2010

MAP # 24

PORTION OF NE 1/4 SEC 33,
TWP 14, RGE 28, W 4 M



NE33 14-28-4

RESERVOIR R/W
9710426

RESERVOIR R/W
9710426

11
1014686

LAND USE DISTRICTS

-  Reservoir Vicinity (RV)
-  Vacant Country Residential (VCR)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1632)

MAP # 25

SE 1/4 SEC 28,
TWP 9, RGE 24, W 4 M

1
8211676

SE28 9-24-4

142.25
142.25
21
1210032
142.25
20.12

LAND USE DISTRICTS



Rural General (RG)

Vacant Country Residential (VCR)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1656)

MAP # 26

SE 1/4 SEC 32,
TWP 15, RGE 27, W 4 M



SE32 15-27-4

FIBRE OPTICS CABLE R/W
(9411820)

202.34

100.00

LAND USE DISTRICTS

-  Rural General (RG)
 Vacant Country Residential (VCR)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010




(With amendments to and including Bylaw 1657)

MAP # 27

NW 1/4 SEC 23,
TWP 14, RGE 28, W 4 M

NW23 14-28-4

LAND USE DISTRICTS

-  Rural General (RG)
-  Vacant Country Residential (VCR)
-  Reservoir Vicinity (RV)



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1691)

MAP # 28



NE 1/4 SEC 23,
TWP 15, RGE 29, W 4 M

NE23 15-29-4

NE23

6319Q

LAND USE DISTRICTS

-  Rural General (RG)
-  Vacant Country Residential (VCR)



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March 19, 2014 N\Willow-Creek-MD\Willow-Creek-MD-LUD & Land Use Redesignations\Willow Creek MD_LUB_1616 Dec 15 2010 (LUD Maps Amended to Bylaw 1692).dwg



MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616



December 15, 2010

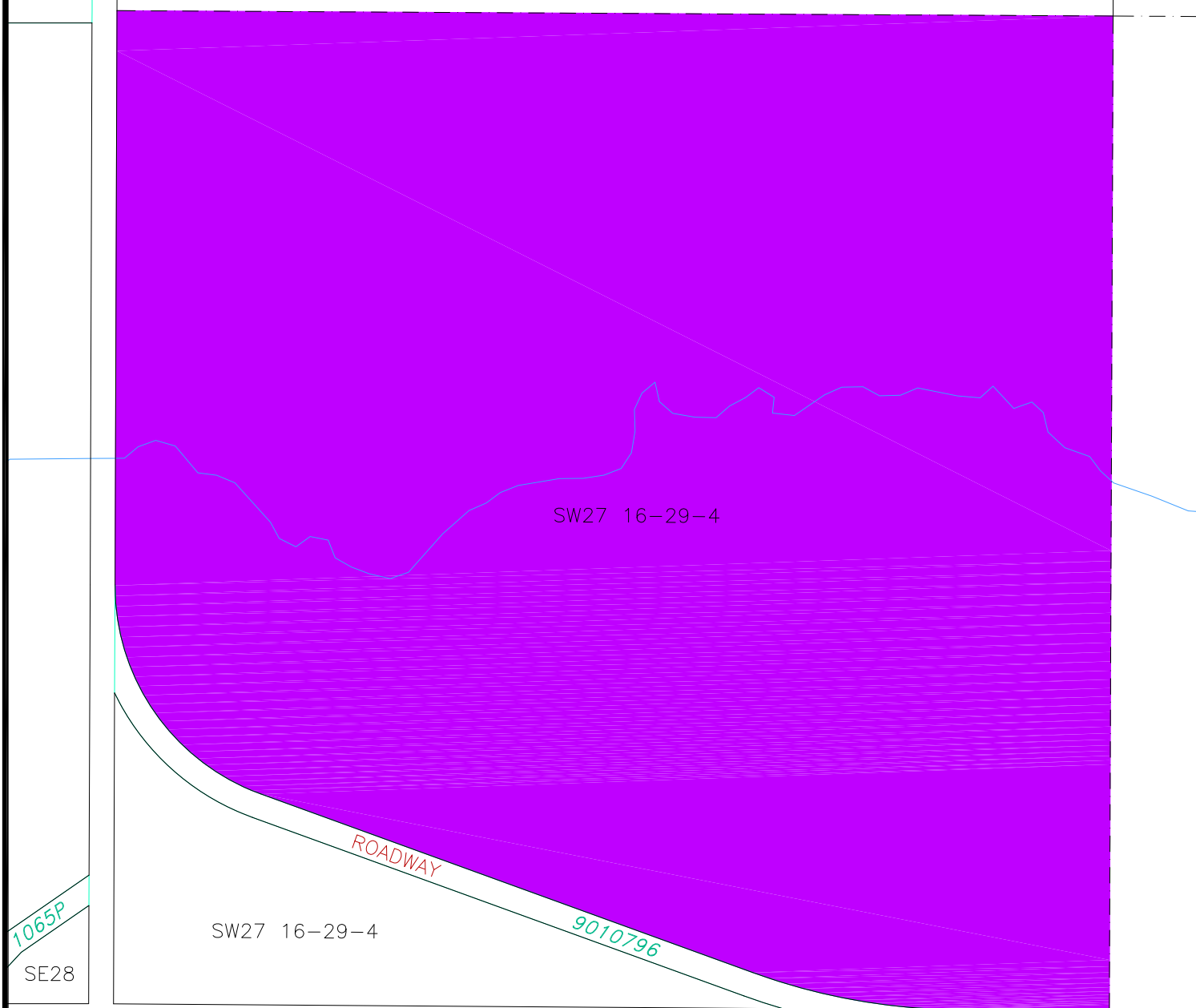
(With amendments to and including Bylaw 1692)

MAP # 29

SW 1/4 SEC 27,
TWP 16, RGE 29, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Industrial (RI)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616



December 15, 2010

(With amendments to and including Bylaw 1705)

MAP # 30

SW 1/4 SEC 17,
TWP 9, RGE 25, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Industrial (RI)



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October 08, 2014 N:\Willow-Creek-MD\Willow-Creek-MD-LUD & Land Use Redesignations\Willow Creek MD_LUB_1616 Dec 15 2010 (LUD Maps Amended to Bylaw 1707).dwg

SE17

SW17 9-25-4

CANADIAN PACIFIC RAILWAY RW366

HIGHWAY 3

9611866

SW17 9-25-4

8011584

ROADWAY

ROAD ALLOWANCE

WAY

MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

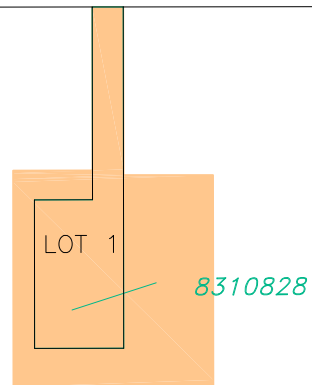
LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1706)



MAP # 31

NW 1/4 SEC 33,
TWP 13, RGE 26, W 4 M



NW33 13-26-4

LAND USE DISTRICTS

-  Rural General (RG)
 -  Vacant Country Residential (VCR)*
- *Location is approximate



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Willow Creek MD_LUB_1616 Dec 15 2010 (LUD Maps Amended to Bylaw 1707).dwg

MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1707)

MAP # 32

SW 1/4 SEC 6,
TWP 12, RGE 26, W 4 M

SW6 12-26-4

PIPELINE R/W (9512367)

PIPELINE R/W (081373)

PIPELINE R/W (961051)

(9612156)

(9512166)
(9512173)

NE36
CPR

LAND USE DISTRICTS

- Rural General (RG)
- Rural Industrial (RI)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1711)



MAP # 33

NW 1/4 SEC 22,
TWP 11, RGE 26, W 4 M

NW22 11-26-4

[9912245]

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Industrial (RI)



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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616



December 15, 2010

(With amendments to and including Bylaw 1712)

MAP # 34

SW 1/4 SEC 4,
TWP 15, RGE 27, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
 Rural Commercial (RC)



MAP PREPARED BY:
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MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1718)

MAP # 35

NW, NE & SE 1/4 SEC 15,
TWP 15, RGE 26, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Industrial (RI)
-  Reservoir Vicinity (RV)



MAP PREPARED BY:
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TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



1.1
0810557

FIRELINE RVN (09510826)

NW15 15-26-4

NE15 15-26-4

SW15 15-26-4

SE15 15-26-4

GRAVEL PIT
1173E2

HIGHWAY 529

PARCEL A
3324HD

MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010

(With amendments to and including Bylaw 1720)

MAP # 36



SE 1/4 SEC 11,
TWP 16, RGE 29, W 4 M

SE11 16-29-4

WATER PIPELINE R/W

(538HC)

LAND USE DISTRICTS

-  Rural General (RG)
-  Vacant Country Residential (VCR)



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May 26, 2015 N:\Willow-Creek-MD\Willow-Creek-MD-LUD & Land Use Redesignations\Willow Creek MD_LUB_1616 Dec 15 2010 (LUD Maps Amended to Bylaw 1721).dwg



MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616

December 15, 2010



(With amendments to and including Bylaw 1721)

MAP # 37

SE 1/4 SEC 14,
TWP 10, RGE 27, W 4 M

SE14 10-27-4

LAND USE DISTRICTS

-  Rural General (RG)
 Vacant Country Residential (VCR)

4883EZ

SE14 10-27-4

SE14 10-27-4

SW13



MAP PREPARED BY:
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May 26, 2015 N:\Willow-Creek-MD\Willow-Creek-MD-LUD & Land Use Redesignations\Willow Creek MD_LUB_1616 Dec 15 2010 (LUD Maps Amended to Bylaw 1721).dwg



MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616



December 15, 2010

(With amendments to and including Bylaw 1739)

MAP # 38

NE 1/4 SEC 23,
TWP 8, RGE 25, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
 Vacant Country Residential (VCR)



MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



March 23, 2016 N2Willow-Creek-MDWillow-Creek-MD-LUD & Land Use Redesignations
Willow Creek MD_LUB_1616 Dec 15 2010 (LUD Maps Amended to Bylaw 1743).dwg



MUNICIPAL DISTRICT OF
WILLOW CREEK NO.26

LAND USE BYLAW # 1616


December 15, 2010

(With amendments to and including Bylaw 1743)

MAP # 39

SW 1/4 SEC 15,
TWP 9, RGE 26, W 4 M

LAND USE DISTRICTS

-  Rural General (RG)
-  Rural Industrial (RI)



MAP PREPARED BY:
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TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

11
0610954

SW15 9-26-4

5686EZ

8111526

APPENDIX A
**SUBDIVISION AND DEVELOPMENT
AUTHORITY BYLAW NO. 1485**

**MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA
SUBDIVISION AND DEVELOPMENT AUTHORITY BYLAW NO. 1485**

1. BEING a bylaw of the Municipal District of Willow Creek No. 26 in the Province of Alberta, to establish a municipal Subdivision and Development Authority;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Authority;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal land use bylaw;

AND WHEREAS, this bylaw may be cited as the Municipal District of Willow Creek No. 26 Subdivision and Development Authority Bylaw;

NOW THEREFORE, the Council of the Municipal District of Willow Creek No. 26 in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:

- (a) "Act" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended from time to time.
- (b) "Authorized persons" means a person or organization authorized by the Council to which the municipality may delegate any or its Subdivision and Development Authority powers, duties or functions.
- (c) "Council" means the Municipal Council of the Municipal District of Willow Creek No. 26.
- (d) "Designated officer" means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.
- (e) "Members" means the members of the Subdivision and Development Authority.
- (f) "Municipal Planning Commission" means the Municipal Planning Commission of the Municipal District of Willow Creek No. 26 as established by bylaw.
- (g) "Municipality" means the Municipal District of Willow Creek No. 26 in the Province of Alberta.
- (h) "Secretary" means the person or persons appointed by Council to act as secretary of the Subdivision and Development Authority.

- (i) "Subdivision and Development Authority" means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified;
 - (i) in the Act; or
 - (ii) in the Municipal District of Willow Creek No. 26 Land Use Bylaw; or
 - (iii) in the bylaw; or
 - (iv) by resolution of Council.
- (j) All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

- 3. For the purpose of this bylaw, the Subdivision and Development Authority for the municipality shall be the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority in accordance with the land use bylaw.
- 4. The Subdivision and Development Authority shall be composed of not more than seven persons who are elected officials and adult residents of the Municipal District of Willow Creek No. 26.
- 5. Appointments to the Subdivision and Development Authority shall be made by resolution of Council.
- 6. Appointments to the Subdivision and Development Authority shall be made for a term of one year.
- 7. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his/her term, Council may, by resolution, appoint another person for the unexpired portion of that term.
- 8. After the organizational meeting of Council each year, the members of the Subdivision and Development Authority shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year.
- 9. Each member of the Subdivision and Development Authority shall be entitled to such remuneration, traveling, and living expenses as may be fixed from time to time by

Council; and the remuneration, traveling, and living expenses shall be paid by the Municipal District of Willow Creek No. 26.

10. Council may, by resolution, appoint a secretary who shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Authority, but shall not vote on any matter before the Subdivision and Development Authority.
11. The Subdivision and Development Authority shall hold regular meetings at least 12 times per year on a date to be determined by the Subdivision and Development Authority, and it may also hold special meetings at any time at the call of the chairman or vice-chairman.
12. Four of the members of the Subdivision and Development Authority shall constitute a quorum.
13. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Authority.
14. The Subdivision and Development Authority may make its orders, decisions, development permits, and approvals; and may issue notices with or without conditions.
15. The Subdivision and Development Authority may make rules to govern its hearings.
16. Members of the Subdivision and Development Authority shall not be members of the Subdivision and Development Appeal Board.
17. The secretary of the Subdivision and Development Authority shall attend all meetings of the Subdivision and Development Authority and shall keep the following records with respect thereto:
 - (a) the minutes of all meetings;
 - (b) all applications;
 - (c) records of all notices of meetings and or persons to whom they were sent;
 - (d) copies of all written representations to the Subdivision and Development Authority;
 - (e) notes as to each representation;

- (f) the names and address of those making representations at the meeting;
- (g) the decision of the Subdivision and Development Authority;
- (h) the reasons for the decision of the Subdivision and Development Authority;
- (i) the vote of the members of the Subdivision and Development Authority on the decision;
- (j) records of all notices of decision and of persons to whom they were sent;
- (k) all notices, decisions and orders made on appeal from the decision of the Subdivision and Development Authority;
- (l) such other matters as the Subdivision and Development Authority may direct.

18. This bylaw shall come into effect upon third and final reading thereof.

19. Bylaw No. 1174 and amendments thereto are hereby rescinded.

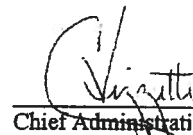
Received a first reading this 9th day of November, 2005.

Received a second reading this 9th day of November, 2005.

Received a third and final reading and finally passed this 9th day of November, 2005.



Reeve



Chief Administrative Officer

APPENDIX B

**SUBDIVISION AND DEVELOPMENT
APPEAL BOARD BYLAW NO. 1486**

**MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
IN THE PROVINCE OF ALBERTA
SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW NO. 1486**

1. BEING a bylaw of the Municipal District of Willow Creek No. 26 in the Province of Alberta, to establish a municipal Subdivision and Development Appeal Board;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time requires the municipality to adopt a bylaw to establish a municipal Subdivision and Development Appeal Board;

AND WHEREAS, the Subdivision and Development Appeal Board is authorized to render decisions on appeals resulting from decisions of the Subdivision and Development Authority or the Development Authority in accordance with the provincial land use policies, the subdivision and development regulations, the municipality's land use bylaw and statutory plans;

AND WHEREAS, this bylaw may be cited as the Municipal District of Willow Creek No. 26 Subdivision and Development Appeal Board Bylaw;

NOW THEREFORE, the Council of the Municipal District of Willow Creek No. 26 in the Province of Alberta duly assembled, enacts as follows:

2. DEFINITIONS:

- (a) "Act" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended from time to time.
- (b) "Council" means the Council of the Municipal District of Willow Creek No. 26.
- (c) "Member" means a member of the Subdivision and Development Appeal Board.
- (d) "Municipality" means the Municipal District of Willow Creek No. 26 in the Province of Alberta.
- (e) "Secretary" means the person or persons authorized to act as secretary of the Subdivision and Development Appeal Board.
- (f) "Subdivision and Development Appeal Board" means the tribunal established to act as the municipal appeal body.
- (g) All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

3. For the purpose of this bylaw, the Subdivision and Development Appeal Board shall be composed of not more than five persons who are adult residents within the geographical boundaries of the Municipal District of Willow Creek No. 26.
4. An alternate member may be appointed to the Subdivision and Development Appeal Board, by resolution of Council, for the purpose of fulfilling the duties of a member of the board unable to attend or otherwise carry out the duties of the board, on an individual basis. The calling of the alternate member to sit at a meeting of the Board shall be at the discretion of the Subdivision and Development Appeal Board.
5. Appointments to the Subdivision and Development Appeal Board shall be made by resolution of Council.
6. Appointments to the Subdivision and Development Appeal Board shall be made for a term of one year.
7. Upon convening the first time after an organizational meeting of Council has taken place, the members of the Subdivision and Development Appeal Board shall elect one of themselves as chairman, and one of themselves as vice-chairman to hold office for a term of one year from the date of election.
8. Each member of the Subdivision and Development Appeal Board shall be entitled to such remuneration, traveling, and living expenses as may be fixed from time to time by Council; and the remuneration, traveling, and living expenses shall be paid by the Municipal District of Willow Creek No. 26.
9. Council may, by resolution, appoint a secretary who shall attend all meetings of the Subdivision and Development Appeal Board, but shall not vote on any matter before the Subdivision and Development Appeal Board.
10. The Subdivision and Development Appeal Board shall hold meetings as required pursuant to the Act on a date determined by the Subdivision and Development Appeal Board, and it may also hold special meetings at any time at the call of the chairman or vice-chairman.

11. Three of the members of the Subdivision and Development Appeal Board shall constitute a quorum.
12. There shall not be a majority of municipal Councilors sitting to hear any individual appeal.
13. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Appeal Board.
14. The Subdivision and Development Appeal Board may make its orders, decisions, development permits, and subdivision approvals; and may issue notices with or without conditions.
15. The Subdivision and Development Appeal Board may make rules to govern its hearings.
16. Members of the Subdivision and Development Appeal Board shall not be members of the Subdivision Authority or the Development Authority.
17. When a person ceases to be a member of the Subdivision and Development Appeal Board before the expiration of his/her term Council may, by resolution, appoint another person for the unexpired portion of that term.
18. The secretary of the Subdivision and Development Appeal Board shall attend all meetings of the Subdivision and Development Appeal Board and shall keep the following records with respect thereto:
 - (a) the minutes of all meetings;
 - (b) all applications;
 - (c) records of all notices of meetings and or persons to whom they were sent;
 - (d) copies of all written representations to the Subdivision and Development Appeal Board;
 - (e) notes as to each representation;
 - (f) the names and address of those making representations at the meeting;
 - (g) the decision of the Subdivision and Development Appeal Board;
 - (h) the reasons for the decision of the Subdivision and Development Appeal Board;

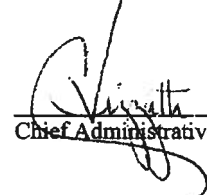
- (i) the vote of the members of the Subdivision and Development Appeal Board on the decision;
 - (j) records of all notices of decision and of persons to whom they were sent;
 - (k) all notices, decisions, and orders made on appeal from the decision of the Subdivision and Development Appeal Board;
 - (l) such other matters as the Subdivision and Development Appeal Board may direct.
19. Any development appeal filed with the Secretary of the Subdivision and Development Appeal Board shall be accompanied by the fee so specified in the Schedule of Fees set by resolution of Council.
20. This bylaw comes into effect upon third and final reading thereof.
21. Bylaw No. 1175, and amendments thereto, are hereby rescinded.

Received a first reading this 9th day of November, 2005.

Received a second reading this 9th day of November, 2005.

Received a third and final reading and finally passed this 9th day of November, 2005


Reeve


Chief Administrative Officer

APPENDIX C

**REPORT REQUIREMENTS UNDER SECTION 23 OF THE
WATER ACT FOR SUBDIVISION DEVELOPMENT**



Report Requirements
under Section 23 of
the *Water Act*
for Subdivision Development



Report Requirements for Subdivision Development Under Section 23 of the *Water Act*

Introduction

The *Water Act* (the "Act") came into force on January 1, 1999, replacing the *Water Resources Act*.

Under the Act, a statutory right exists for the diversion and use of water for household purposes. The statutory right is defined for a volume of water with use of up to 1,250 m³ of water per year and applies to a person who owns or occupies land that adjoins a river, stream, lake, or under which groundwater exists.

Section 23 of the Act and the regulations stipulate that where a proposed subdivision will result in six or more parcels of land within a quarter-section, a professional engineer, geologist, or geophysicist must submit a report to the local subdivision approving authority. This report must advise whether there is sufficient volume for each of the parcels to divert a volume of 1,250 cubic metres of water, while not interfering with other water users in the area. If the report is not submitted, each of the parcels will not have statutory right for household purposes except for those parcels in place prior to the subdivision. Residents in the new subdivision may divert and use water, however they will not have the benefit of the statutory right, which is the highest priority use under the Act.

This requirement addresses rural landowners' concerns during the extensive public consultation process regarding subdivision development and its impacts on existing diversions of water. The requirement does not apply to subdivisions that were either approved or applied for prior to January 1, 1999.

Report Guidelines

It is acknowledged that groundwater is the major water supply source for individual lots within a newly created subdivision, and that the majority of reports prepared in meeting Section 23 requirements will be with respect to groundwater. Surface water sources can be considered and where a surface water source is considered for meeting the household requirements, a report to meet the Section 23 requirement is necessary. The following guidelines address the requirements that are necessary to assess groundwater feasibility and impacts.

Groundwater conditions vary within the province, thus the level of investigations and testing is left to the hydrogeologist who is responsible for making decisions based on site-specific conditions. These guidelines do not attempt to deal with details of testing or with technical interpretation.

The report required under Section 23(3)(a) must be prepared and certified by a professional member of the Alberta Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA), whose area of competence is within the groundwater discipline.

The report should contain:

1. A field-verified survey of all the wells, springs and dugouts within an appropriate radius of the proposed subdivision test well. The survey data should be presented on plan(s) showing the quarter section and section-line grids and include the following:
 - (a) locations of all wells (including observation wells), test holes, springs and dugouts with the following information:
 - (i) names of licensees and registration holders under the *Water Act* and the allocation of each source of supply within the area of interest surrounding the proposed subdivision, and
 - (ii) ownership of municipal (central distribution source of supply) and private water wells, observation wells, test-holes, springs and dugouts.
 - (b) table(s) summarizing the location, ownership, and well depth and construction details (screened, open or slotted interval), depth to water, aquifer unit intervals, pump intake depth, the purpose, water use requirements and, if available, chemical analyses for sites identified in the survey. Dugout sizes and the flow rate of springs should also be included.
2. Schematic diagrams showing construction of the proposed production well(s)/test wells and any observation well(s).
3. Names of drilling contractors involved in data acquisition.
4. Lithologic and where available, geophysical logs, with aquifer zones indicated, of all holes drilled along with copies of any maps drawn showing the extent and thickness of the aquifer being tested and other aquifers.
5. Plans showing the location of buried valleys, delineation of depth to bedrock and the aerial distribution and extent (contact/subcrop), etc.

6. Details of drawdown and recovery in all test well(s) and observation well(s) together with and interpretation of the results including graphs of time-drawdown and distance-drawdown and all calculation performed. Copies of raw data must be included.
7. Cross sections of appropriate orientation and length through the proposed subdivision test well(s), neighbouring water wells, observation wells and test holes illustrating the correlation of the aquifer units and their non pumping water levels, and the location of springs, dugouts and water bodies when applicable.
8. Calculated cones of depression, neglecting recharge, after 1, 5 and 20 years of production at rates projected for the complete subdivision development.
9. Table of expected drawdown, neglecting recharge, after, 1, 5 and 20 years of production at the location of all wells within an appropriate distance of the proposed subdivision test well(s).
10. (1) Copies of all chemical analyses performed. Time and date of sampling must be recorded.
(2) During the pumping test, at least one water sample collected in a sterilized container shall be analysed for the following constituents (time and date of sampling must be recorded):

CHEMICAL

- | | |
|-----------------------------|---|
| - Ammonia – Nitrogen (mg/L) | - Nitrite and Nitrate (mg/L as N) |
| - Arsenic (mg/L) | - pH |
| - Calcium (mg/L) | - Phenols (mg/L) |
| - Chloride (mg/L) | - Sodium (mg/L) |
| - Colour (TCU) | - Sulphate (mg/L as SO ₄) |
| - Copper (mg/L) | - Sulphide (mg/L) |
| - Fluoride (mg/L) | - Total Dissolved Solids (mg/L) |
| - Dissolved Iron (mg/L) | - Total Alkalinity (mg/L as CaCO ₃) |
| - Lead (mg/L) | - Total Hardness (mg/L as CaCO ₃) |
| - Magnesium (mg/L) | - Total Kjeldahl Nitrogen (TKN) |
| - Manganese (mg/L) | - Total Phosphate (mg/L) |
| - Mercury (mg/L) | - Turbidity (NTU) |
| | - Zinc (mg/L) |

BACTERIOLOGICAL:

Fecal Coliforms (mpn/mL)
Total Coliforms (mpn/mL).

10. Analysis of the pumping test data by recognized hydrogeologic methods assessing
 - (a) the aquifer potential yield,
 - (b) aquifer(s) continuity within the drift or bedrock,
 - (c) aquifer parameters: Transmissivity (T), Storativity Coefficient (S),
 - (d) the potential impacts (drawdown) on area residents' water supplies as a result of the long-term diversion of groundwater from the aquifer interval(s), and
 - (e) groundwater/surface water interaction, if applicable.
11. Groundwater quality assessment
12. Statement(s) quantifying whether the diversion of 1,250 cubic metres of water per year for each household within the proposed subdivision
 - (a) has a significant adverse effect on household users, licensees or traditional agriculture users identified in the field-verified survey in existence prior to subdivision approval, and
 - (b) is consistent with an applicable approved water management plan.

Future wells proposed for subdivision may be completed in different aquifer units (zones). Thus assessment of potential interference should be done for each unit, assuming "worst case" situation.

The required report should be a culmination of a process that includes:

- Literature review:
 - (a) Alberta Research Council reports and maps (hydrogeological reconnaissance and bedrock topography, etc)
 - (b) Consultants' reports filed with the Groundwater Information Centre (submitted in support of groundwater diversion licences and other published reports)
 - (c) Groundwater quality of the aquifer unit(s) in which the neighbouring water wells are situated (based on available chemical analyses).

- **Field verification of water wells within an appropriate radius of the proposed subdivision:**
 - (a) **The county or municipal district may have historic land ownership records to help verify the location of water wells and test holes.**
 - (b) **Information may be available from the Groundwater Information Centre (contains name of the landowner at the time the well was drilled).**
 - (c) **The field survey provides an opportunity to identify the location of old water well(s) for which no record is available, and any new well(s) for which the record(s) has yet to be submitted by the water well contractor. During the field-verified survey, additional water use information can be obtained from the landowner such as current usage, existing approval(s) under the *Water Resources Act* and whether the current landowner will be applying for registration under section 24 of the Act (up to 6250 cubic metres/year).**
- **A preliminary pumping test (up to two hours in length) for each test well if more than one aquifer unit is being considered**
- **Assessment of all available information to determine if further hydrogeologic investigations are warranted. If it is, a longer pumping test should be carried out on each test well to determine long-term yield and potential impact on the surrounding wells**
- **Selecting or drilling observation wells before a longer constant-rate pumping test(s) is carried out**
- **A constant-rate pumping test to meet, but not limited to, the following criteria:**
 - (a) **Rate shall not be less than the anticipated maximum production rate**
 - (b) **Maximum variation in pump rate shall be +/- 5%**
 - (c) **Pumping shall continue for a period of time sufficient to identify any limiting boundary conditions**
 - (d) **Recovery measurements are to be taken for at least the same length of time as the well was pumped**
 - (e) **Appropriate number of observation wells should be provided and monitored on the same schedule as the test well**
 - (f) **Pumped water should be disposed of in accordance with regulations**

APPENDIX D

BED & BREAKFAST HEALTH STANDARD GUIDELINES

BED AND BREAKFAST HEALTH STANDARDS AND GUIDELINES

The following are excerpts from Alberta Health “Bed and Breakfast Health Standards and Guidelines”, April 1996.

DEFINITIONS

Bed and Breakfast	A private owner-occupied dwelling where rooms are rented and a breakfast meal is provided for registered guests.
Potable Water	Water that is safe and suitable to drink. The Regional Health Authority will assess the water quality in Bed and Breakfast facilities.
Potentially Hazardous Food	Any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish or other ingredients, including synthetic ingredients and which is in a form capable of supporting the growth of disease-causing organisms.
Residential Kitchen	The primary kitchen in a private home.
Sanitization	The application of cumulative heat or chemicals or cleaned food contact surfaces that, when evaluated for efficacy, yield a reduction of 5 logs, which is equal to a 99.999% reduction, of representative disease micro organisms of public health importance. (FDA Food Code 1993)

OPERATIONAL REQUIREMENTS

General Premises

1. A Bed and Breakfast establishment must comply to building standards set out by the Alberta Building Code. (refer to Appendix B)
2. The premises must be maintained in good repair and sound condition.
3. The premises must be maintained in a condition that prevents, wherever possible, the entry, presence or harbourage of rodents, flies and other pests.
4. The premises must be equipped with smoke alarms and fire extinguishers as prescribed by the Alberta Building Code. (refer to Appendix B)
5. The building shall be maintained in a clean and sanitary condition.
6. Plumbing and drainage systems or private sewage disposal systems shall be maintained in proper operating condition and free from defects.
7. Heating facilities supplied must be capable of maintaining an indoor temperature of not less than 22°C (72°F) if the premises are used or intended to be used during the winter months.

Bedrooms

1. Bedrooms shall be of sufficient size [3.5 m² (38 sq. ft.) of floor space per person] to prevent overcrowding.
2. Beds provided for guests shall be maintained in a clean and sanitary condition and equipped with a mattress cover.
3. All other furnishings provided shall be maintained in good condition and easily cleanable.
4. An adequate supply of mattress covers, pillows and other bedding must be provided and maintained in a clean and sanitary condition.
5. Sheets and pillow cases that are provided for guests must be laundered prior to each new guest or at least once per week for long-term guests.

Washrooms

1. Washroom floors must be smooth/impervious to moisture and easily cleanable.
2. In a washroom provided for guests, a supply of soap and single service or individual hand towels must be provided. Paper towels are recommended.
3. Individual guest towels shall be laundered as needed and prior to each new guest.
4. Washrooms shall be cleaned and disinfected on a daily basis.

Swimming Pools/Hot Tubs

1. Hot tubs and/or swimming pool facilities made available to registered guests must comply with the Public Health Act – Swimming Pool Regulation.
2. If hot tub/swimming pool facilities are made available to guests, application for a swimming pool permit must be made to the Regional Health Authority to operate such a facility.

Waste Disposal

1. Garbage containers shall be provided in each guest room and emptied daily.
2. Garbage and refuse must be disposed of in an approved manner to prevent objectionable odours and the attraction of pests.
3. All waste sharps – such as needles, syringes and razor blades – shall be placed in a puncture resistant container with a tight fitting lid and disposed of in accordance with the Regional Health Authority's requirements.
4. All other waste materials shall be collected in appropriate containers.
5. Indoor waste receptacles shall be lined with disposable plastic bags.

FOOD PROTECTION AND PREPARATION

1. An adequate supply of hot and cold potable water shall be provided. The source of drinking water shall be subject to the approval of the Regional Health Authority and tested annually.
2. All food preparation surfaces shall be smooth, impervious to moisture and easily cleanable.

3. All food must come from an approved/inspected source. The use of home-canned food, with the exception of fruit jams and jellies, is prohibited.
4. All foods are to be protected from contamination.
5. Perishable foods or potentially hazardous foods must be kept refrigerated at a temperature of less than 4°C (40°F) or held at greater than 60°C (140°F). A food grade thermometer shall be kept in the refrigerator(s) to monitor the temperature by the Bed and Breakfast operator.
6. All frozen food items must be stored at a temperature of not warmer than -18°C (0°F).
7. Once served to a guest, open portions of left-over food must not be re-used.
8. All utensils (dishes, silverware, etc.) must be stored in a clean and sanitary condition.
9. All reusable utensils are to be effectively cleaned and sanitized by using one of the following methods:
 - (1) An approved manual three-compartment sink procedure, or
For example: If your kitchen has only a two-compartment sink, the three-compartment method can be incorporated by either refilling the second sink with a sanitizing solution after rinsing or using a tub or basin with a sanitizing solution. This can be discussed with your Health Inspector. (see Approved Sanitizing Solutions)
 - (2) An approved commercial dishwasher, or
 - (3) A domestic or home-style dishwasher, provided the following criteria are met and has been approved by the local Health Inspector.
 - a) The dishwasher must effectively remove physical soil from all surfaces of dishes.
 - b) The dishwasher must sanitize the dishes, i.e. by the application of sufficient accumulative heat (sani cycle) or by the addition of chemical sanitizer.
 - c) The dishwasher must be installed and operated according to the manufacturer's instructions for the highest level of sanitization possible.
10. Pets may be present on the premises, but must be kept out of preparation and dining areas during food preparation and serving for the guests.
11. Laundry facilities may be present in the residential kitchen but shall not be used during food preparation and service.
12. A food handler while engaged in food handling shall
 - (a) be clean in his person,
 - (b) be free from infected sores or wounds,
 - (c) wear only clean clothing,
 - (d) refrain from smoking or chewing tobacco, and
 - (e) keep his hair effectively under control.

13. A food handler is recommended to take the FOOD SANITATION AND HYGIENE training course available from your Regional Health Authority.
14. A food handler must have good personal hygiene and ensure that hands are washed prior to handling food.
15. Soap and paper towels shall be provided by the kitchen sink.

APPROVED SANITIZING SOLUTIONS

BLEACH	<p>A chlorine solution of not less than 100 p.p.m. available chlorine is required at a temperature of not less than 45°C.</p> <p>Dilution of household bleach (chlorine) for disinfecting purposes:</p> <ul style="list-style-type: none">a) one Tablespoon per gallon of waterb) ½ ounce per gallon of waterc) ½ teaspoon per litre of waterd) 2 ml per litre of water <p><i>(These examples are approximations based on 5% available chlorine or household bleach)</i></p> <p>If used for disinfecting surfaces the diluted bleach (chlorine) should be prepared fresh on a daily basis. Store in a spray bottle labelled accordingly, and keep the solution, as all other chemicals away from children. The use of bleach is inexpensive and effective, however, bleach is corrosive.</p>												
QUATS	<p>A Quaternary ammonium compound (QUATS) having a strength of at least 200 p.p.m. is required at a temperature of not less than 45°C.</p> <p>QUATS are mild to the skin, heat stable (strength stays the same from the day dilution is made), do not dull finishes on floors nor corrode metals, however, are more expensive.</p> <p>Examples include:</p> <table><tr><td>a) Deosan</td><td>e) Micro Quat</td><td>h) Pursue</td></tr><tr><td>b) Air X-78</td><td>f) Proclean 130</td><td>i) Lemon Tree</td></tr><tr><td>c) Enzall</td><td>g) Quavo Plus</td><td></td></tr><tr><td>d) Germicidal multi purpose cleaner</td><td></td><td></td></tr></table>	a) Deosan	e) Micro Quat	h) Pursue	b) Air X-78	f) Proclean 130	i) Lemon Tree	c) Enzall	g) Quavo Plus		d) Germicidal multi purpose cleaner		
a) Deosan	e) Micro Quat	h) Pursue											
b) Air X-78	f) Proclean 130	i) Lemon Tree											
c) Enzall	g) Quavo Plus												
d) Germicidal multi purpose cleaner													
IODINE	<p>An iodine solution containing at least 25 p.p.m. available iodine is required at a temperature of not less than 45°C.</p> <p>Commonly formulated as an iodophor it has quick microbial action, is relatively non-toxic, non-irritating and stable. Iodine may stain porous and plastic surfaces and is relatively expensive.</p>												

ALBERTA BUILDING CODE REQUIREMENTS

The following are excerpts from Alberta Labour “Bed and Breakfast Accommodation and the Alberta Building Code”, January 1996.

INTRODUCTION

This document is for individuals wishing to convert their single family dwelling into Bed and Breakfast accommodations.

These guidelines assume there will be a maximum of eight (8) guests plus the permanent residents of the dwelling. If this is exceeded, then the bed and breakfast establishment is to be treated as a motel or hotel, and other more stringent requirements of the Alberta Building Code will apply.

GENERAL

It is recommended that a general overview of the dwelling be conducted by a Building Safety Codes Officer to review the safety of the dwelling in such areas as structural, stability, stairs, guards & handrails, heating system, etc.

If any renovation or construction is needed to operate a Bed and Breakfast, safety permits for building, electrical, plumbing and gas may be required. Contact your local building authority or the nearest Alberta Labour Office.

REGIONAL HEALTH AUTHORITY

No person is to operate a Bed and Breakfast establishment unless the owner has received written approval from the Regional Health Authority.

BEDROOMS

No cooking facilities are allowed in sleeping rooms or suites.

WINDOWS

Each bedroom is to have at least one exterior window, (unless an exterior door is provided), openable from the inside without the use of tools or special knowledge. It is to have an unobstructed opening of not less than 380 mm (15 in.) in any direction and 0.35 m² (3.76 sq. ft.) in area.

Where a window opens into a window well, a clearance of at least 550 mm (22 in.) is to be provided in front of the window. Where the sash swings toward the window well, the operation of the sash will not reduce the clearance in a manner that would restrict escape in an emergency.

The window glass area for each bedroom is to be a minimum 5% of the floor area.

SMOKE ALARMS

At least one permanently wired smoke alarm is required on each floor level, including basements, and between each sleeping room and the rest of the dwelling.

It is also recommended that smoke alarms, either battery or hardwired, be located in each bedroom.

Where two or more alarms are required, they are to be interconnected so that the activation of one alarm will cause all alarms to sound.

FIRE ALARMS

If sleeping accommodation is provided for more than 10 persons (including the guests and family) a fire alarm system is to be provided throughout the dwelling.

Fire alarm systems are to be installed in conformance with CAN/ULC-S524-M, "Standard for Installation of Fire Alarm Systems" and tested to ensure satisfactory operation in conformance with CAN/ULC-S537-M, "Standard for the Verification of Fire Alarm Systems."

A certificate of verification is to be obtained from a Certified Fire Alarm technician, who does not work for the installation company, to ensure satisfactory operation of the system.

EXTINGUISHERS

At least one Class 2A-10 BC portable extinguisher is to be installed on each floor level of the dwelling and an additional one is to be installed in the kitchen area.

EMERGENCY PLAN

An emergency escape plan for the occupants of the dwelling unit is to be prepared by the owner and be acceptable by the local fire department. The guests are to be kept informed of the plan. For further information contact your local fire department or refer to the emergency plan section of the Alberta Fire Code.

HEATING AND VENTILATION

The heating system is to be capable of maintaining an indoor air temperature of 22°C at the outside winter design temperature.

The mechanical ventilation system is to have a capacity to exhaust inside air and to introduce outside air at the rate of not less than 0.5 air changes per hour.

COOKING EQUIPMENT

A domestic stove and oven complete with a range hood is acceptable for food preparation. If a commercial grill and/or fryer is proposed, the kitchen ventilation system is to be designed, constructed and installed to conform to NFPA 96, "Installation of Equipment for the removal of Smoke and Grease-Laden Vapours from Commercial Cooking Equipment."

PLUMBING FACILITIES

An accessible adequate supply of potable water, suitable sanitary facilities and plumbing fixtures are to be provided for the occupants in the dwelling.

SWIMMING POOLS & HOT TUBS

Swimming pool and/or hot tub facilities made available to guests are to comply with section 7.3 of the Alberta Building Code and they must also meet the requirements of the Swimming Pool Regulations under the Public Health Act.

For further information, please contact your Local Building Authority or the nearest Alberta Labour Building Safety Office.

APPENDIX E

MINIMUM HOUSING AND HEALTH STANDARDS

Minimum Housing and Health Standards

July 20, 1999

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I. INTRODUCTION

Purpose

The primary objective of this *Minimum Housing and Health Standard* is to protect and promote the health and well being of occupants of rental housing premises and of those who may reside in the immediate vicinity of such premises.

Housing regulations and standards are distinct and separate from building and construction codes. However, these differences are often not well understood and many people may use “housing” and “building” interchangeably. The primary intent of the *Minimum Housing and Health Standards* is to establish minimum conditions which are essential to good health and which make housing premises safe, sanitary and fit for human habitation. The Housing Regulation and corresponding *Minimum Housing and Health Standards* govern the conditions and maintenance, the supplied utilities, and the use and occupancy of housing. In contrast, the principal purpose of a building code is to regulate the construction of buildings by setting minimum regulations for public health, fire safety and structure sufficiency.

Housing Regulations and the *Minimum Housing and Health Standards* are also different from building and other construction codes in that the latter are enforced primarily through a system of permits which are granted after plans and specifications have been submitted and evaluated and at which time the construction would be subject to inspection. The appropriate government and accredited agencies maintain control through their power to issue and withhold the required permits. Housing Regulations and the *Minimum Housing and Health Standards*, however, are enforced by inspections of housing premises by Public Health Inspectors/Executive Officers of Regional Health Authorities on a systematic or complaint basis.

The *Minimum Housing and Health Standards* requirements are summarised as follows:

Housing Premises The housing premises must be structurally sound and must be maintained in a waterproof, windproof and weatherproof condition.

Equipment and Furnishings Occupants of a housing premises must be supplied with adequate heat, potable water; sanitary facilities, cooking facilities and adequate space for sleeping.

Sanitation All rooms including other areas used in common by the occupants of a housing premises must be maintained in a clean and sanitary condition.

II. DEFINITIONS

Dwelling

means a unit that:

- consists of 1 or more rooms;
- is used or intended to be used for accommodations purposes; and may
- contain cooking, eating, living, sleeping and sanitary facilities, including but not limited to; a kitchen sink, wash basin, bathtub or shower and a toilet; and
- may be individual or shared.

Habitable room

means a room that is intended to be used for sleeping, living, cooking or eating purposes but does not include a lobby, hallway, closet, toilet room, bathroom, corridor, laundry or storage space.

Potable water

means water that is safe for human consumption.

Regulation

means the Housing Regulation made pursuant to the Public Health Act.

Smoke Alarm

means a combined smoke detector and audible alarm device designed to sound an alarm within the room or suite in which it is located upon the detection of smoke within that room or suite.

III. HOUSING PREMISES

The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.

1. *Good repair, safe condition and structurally sound.*

- (a) The housing premises shall be structurally sound.
- (b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.
- (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- (d) Repairs or modifications required by the Executive Officer of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).

2. *Windproof, waterproof, weatherproof condition*

- (a) **Roof and exterior cladding**
The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- (b) **Windows and exterior doors**
 - (i) All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
 - (ii) In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
 - (iii) During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.

3. *Safe and Secure*

(a) **Locking Window and Door Hardware**

Exterior windows and doors shall be capable of being secured.

(b) **Emergency Egress**

For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.

(i) Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m^2 (3.8 ft^2), with no dimension less than 380 mm (15").

(ii) If the window referred above is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.

(c) **Handrails**

Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.

4. *Ventilation*

All rooms used for sleeping shall be provided with:

(a) openable window area of 0.28 m^2 (3.0 ft^2); or

(b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.

5. *Finishes*

All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.

(a) Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.

(b) Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.

IV. EQUIPMENT AND FURNISHINGS

Occupants of a housing premises are supplied with adequate; sanitary facilities, heat, potable water, utilities and space for sleeping;

6. *Plumbing and Drainage System*

Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system.

- (a) The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures.
- (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.

7. *Washroom Facilities*

Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.

- (a) The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
- (b) The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet.
- (c) All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.

Shared Washrooms

- (d) Occupants of a housing premises with more than one dwelling unit may share a flush toilet, wash basin and bathtub or shower provided that:
 - (i) the occupants have access to the washroom facility without going through another dwelling or outside of the building; and
 - (ii) the facility is located on the same floor as, or on the next storey up or down from the floor on which the suite is located; and
 - (iii) each group of plumbing fixtures (toilet, washbasin, bathtub or shower) shall not serve more than eight persons.

8. *Heating Facilities*

- (a) All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of ;
 - (i) at least 22°C(71°F), or
 - (i) maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- (b) When the outside temperature is colder than the winter design temperature as referenced in the Alberta Building Code(97) Section 2.2.1.1 and Appendix C, then the Executive Officer may permit an indoor temperature of less than 22°C(71°F) but greater than 16°C (60°F).
- (c) Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
- (d) Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.

9. *Water Supply*

Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.

- (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (114°F), and not more than 60 degrees C (140°F) measured at the plumbing fixture.

10. *Space for Sleeping purposes (overcrowding)*

The owner of a housing premises shall not permit it to become or remain overcrowded.

- (a) A housing premises shall be deemed to be overcrowded if:
 - (i) a bedroom in it has less than 3m² (32ft²) of total floor area and 5.6m³ (197ft³) of air space for each adult sleeping in the bedroom,
 - (ii) in the case of a dormitory, the sleeping area in the dormitory has less than 4.6m² (49.5ft²) of floor space and 8.5 m³ (300ft³) of air space for each adult sleeping in the sleeping area, or
 - (iii) a habitable room in it that is not a bedroom but is used for sleeping purposes in combination with any other use has less than 9.5m² (102ft²) of floor space and 21.4m³ (756ft³) of air space for each adult sleeping in the habitable room.

- (b) For the purposes of calculating this section, a person who is more than 1 year of age but not more than 10 years of age shall be considered as a 1/2(one half) adult and a person who is more than 10 years of age shall be considered as 1 adult;
- (c) This section does not apply to a hotel/motel.

11. *Electrical Service*

Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.

12. *Smoke Alarms*

Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.

- (a) Smoke alarms shall be operational and in good repair at all times.

13. *Lighting*

Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.

14. *Food Preparation Facilities*

- (a) Every housing premises shall be provided with a food preparation area, which includes:
 - (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and
 - (ii) cupboards or other facilities suitable for the storage of food; and
 - (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and
 - (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F).
- (b) *Shared Kitchen Facilities*
Occupants of a housing premises with more than one dwelling may share food preparation facilities provided that:
 - (i) the food preparation facilities are located in a common kitchen room,
 - (ii) the occupants have access to the common kitchen room from a public corridor without going outside the building,

- (iii) the common kitchen room is located on the same floor as, or on the next storey up or down from the floor on which the dwelling unit is located,
 - (iv) the food preparation facilities shall not serve more than eight persons, and
 - (v) the refrigerator shall provide a minimum volume of two cubic feet of storage for each intended occupant.
- (c) This section does not apply to a hotel/motel, or other housing premises where meals are provided.
 - (d) The owner shall be responsible for the provision and operating condition of the cooking and refrigeration equipment supplied by the owner, unless the rental agreement stipulates that the tenant is responsible.

15. *Garbage and Refuse*

Every housing premises shall have an adequate number of containers suitable for the storage of garbage and refuse awaiting final disposal.

V. SANITATION

- 16. The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.
 - (a) The owner shall ensure that the housing premises are free of insect and rodent infestations; and
 - (i) all situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and
 - (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection.
 - (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.
- 17. Every tenant shall allow access for repairs or pest control treatment as per the requirements of the Residential Tenancy Act.

APPENDIX F

RULES RESPECTING MICRO-GENERATION

Rule 024

Rules Respecting Micro-Generation

The Alberta Utilities Commission (AUC/Commission) has approved this rule on June 17, 2008.

Definitions

1 In these rules:

- (a) “Act” means the *Electric Utilities Act*;
- (b) “applicable owner” means the owner of an electric distribution system in whose service territory the relevant micro-generation unit and interconnection of that unit is located;
- (c) “Commission” means the Alberta Utilities Commission;
- (d) “customer” means a person purchasing electricity for the person’s own use;
- (e) “inverter” means an electronic device that converts DC electricity into AC electricity;
- (f) “mini micro-generator” means a micro-generation generating unit of a micro-generator which is using an inverter, or a technology which has been proven by an independent third party to act like an inverter, and has a generation capacity of no more than 10kW of electrical energy and is generating or proposing to generate electric energy solely for the customer’s own use;
- (g) “notice of application” means a notice provided by the customer to the applicable owner in accordance with section 2(1) of the regulation and in the form set out in Appendix A;
- (h) “notice of complaint” means a notice prepared by the customer and filed with the Commission in accordance with subsection 3(5) of the regulation and in the form set out as Appendix C;
- (i) “notice of dispute” means a notice prepared by the applicable owner and filed with the Commission in accordance with section 2(2) or section 4(3) of the regulation and in the form set out in Appendix B;
- (j) “owner” means the owner of an electric distribution system;
- (k) “regulation” means the *Micro-Generation Regulation*, Alta. Reg. 27/2008.

Hydro and Electric Energy Act Requirements

- 2 The customer must obtain approval from the Commission to construct and operate its proposed micro-generation generating unit pursuant to section 11 of the *Hydro and Electric Energy Act* unless the customer is proposing to generate within the meaning of section 13 of *Hydro and Electric Energy Act*.
- 3 The customer may use the notice of application form as its application form for *Hydro and Electric Energy Act* approval.
- 4 Section 2 of the rules does not apply to a customer who intends to install a mini micro-generator.

Application to Supply Electric Energy

- 5 A customer who intends to supply electric energy to the interconnected electric system from a micro-generation generating unit shall complete a notice of application and shall serve the notice of application on the applicable owner.

Qualification as a Micro-Generation Generating Unit

- 6 If, following receipt of a complete notice of application from a customer, the applicable owner considers that the customer's proposed generating unit will not qualify as a micro-generation generating unit, the applicable owner shall complete a notice of dispute.
- 7 Within 14 days following receipt of a complete notice of application, a copy of the notice of dispute shall be served by the applicable owner on the customer at the contact address and in the manner indicated in the notice of application.
- 8 The notice of dispute shall be filed with the Commission by the applicable owner within 14 days following receipt of a complete notice of application. On receipt of the notice of dispute, the Commission shall, within 30 days or such long period as the Commission considers necessary issue its decision in accordance with the provisions of subsection 2 (3) of the regulation.

Costs of Interval Meter

- 9 If a customer has requested that a bi-directional interval meter be installed for its small micro-generation and the applicable owner declines the request, the applicable owner shall notify the customer of its decision within 14 days following receipt of this request.
- 10 The notice required under section 9 of these rules, declining the bi-directional interval meter request, shall be served on the customer at the contact address and in the

manner indicated in the notice of application, and shall indicate the contact address and manner in which the applicable owner may be served.

- 11 On receipt of a notice declining the bi-directional interval meter request, the customer may apply to the Commission for an order requiring the applicable owner to comply with the customer's request for the installation of a bi-directional interval meter by completing and filing with the Commission a notice of complaint.
- 12 The notice of complaint must be filed with the Commission within 14 days following receipt of the notice declining the bi-directional interval meter request.
- 13 A copy of the notice of complaint must be served by the customer on the applicable owner.

Extraordinary Interconnection Costs

- 14 Following receipt of a complete notice of application from a customer, if the applicable owner considers the costs of connecting a customer's micro-generation generating unit to be extraordinary for the reasons set out in subsection 4(3) of the regulation, the applicable owner shall file a notice of dispute with the Commission within 14 days from the date in which the applicable owner finalizes its cost estimate.
- 15 A copy of the notice of dispute shall be served on the customer, by the applicable owner, at the contact address and in the manner indicated in the notice of application within 14 days from the date in which the applicable owner finalizes its cost estimate.

General Provisions

- 16 With respect to any application or complaint filed with the Commission pursuant to the regulation or these rules, the Commission will determine the process it considers appropriate to follow given the subject matter before it.
- 17 AUC Rule 021, Settlement System Code, shall apply, as required, to all transactions conducted under the regulation.

APPENDIX G

PRIVATE DRIVEWAY POLICY

MD of Willow Creek No. 26

Private Driveway Policy

1. AUTHORITY

- 1.1 Pursuant to Section 532 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 the Municipal District of Willow Creek No. 26 (the “MD”), is only required to maintain all roads shown as a road on plan of survey registered at the Land Titles Office or used as a public road in a reasonable state of repair and is not responsible to maintain private driveways.
- 1.2 Pursuant to Sections 650 and 655 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 and the MD’s Land Use Bylaw No. 1616, the MD’s Development Authority and Subdivision Authority may require as a condition of development permit being issued or subdivision approval that the applicant construct a road required to give access to the development or subdivision.
- 1.3 Pursuant to Section 7 of the *Forest and Prairie Protection Act*, R.S.A. 2000, c. F-19, as amended, provides that the MD is responsible for fighting and controlling all fires within the boundaries of the MD, other than areas contained in a forest protection area.

2. POLICY STATEMENT

- 2.1 In order to ensure that Emergency Vehicles are able to access lands via private Driveways, the Private Driveway Policy establishes an acceptable standard of design and maintenance for Driveways to be maintained by the Landowner in certain circumstances.
- 2.2 Notwithstanding anything contained within this Policy, the applicable standards for the Driveway in any particular case should be determined by the MD’s Development Authority or Subdivision Authority with consideration of the unique character, location, length and purpose of the driveway or approach, including the level and nature of road use, terrain, limitation, geometric constraints, the prevailing topography of the area in which the Driveway is located and the intended use of the parcel to which the Driveway provides access.

3. PURPOSE

- 3.1 The purpose of the Private Driveway Policy is to promote public health, safety and welfare of people and the protection of people and property in the MD by establishing minimum access and maintenance standards for private Driveways to ensure that Emergency Vehicles can access lands in the MD via private Driveways as well as to ensure that it is clear to the travelling public that the Driveway is a private driveway and not a public road.

4. **SCOPE**

- 4.1 The Private Driveway Policy applies to any Driveway that exceeds 1.0 kilometer in length, calculated from the nearest boundary of the MD road or Provincial highway right of way to which the Driveway provides access and to:
- a) the terminus of the Driveway; or
 - b) where the Driveway leads directly to a building or structure, to the foundation of that building or structure.

5. **DEFINITIONS**

- 5.1 “Development Authority”: means the MD’s Development Authority and includes all appellate bodies;
- 5.2 “Development Permit”: means a Development Permit issued in accordance with the MD’s Land Use Bylaw No. 1616 to authorize development of land in the MD;
- 5.3 “Driveway”: means a private primary access route located on private land which is intended to be utilized by vehicles to access one or more parcels of residential or non-residential land from a MD road or Provincial highway;
- 5.4 “Emergency Services”: means the provision of fire control, protection or fighting services and emergency medical services provided by the MD, the Province or any other designated party;
- 5.5 “Emergency Vehicle”: means
- a) a vehicle operated by a police service as defined in the ***Police Act***, R.S.A. 2000, c. P-17, as amended from time to time;
 - b) a fire-fighting or other type of vehicle operated by the Fire Protection Service of the MD or other municipality having jurisdiction to provide fire fighting services within the MD;
 - c) an ambulance operated by a person or organization authorized to provide ambulance services;
 - d) a vehicle operated as a gas disconnection unit of a public utility; and
 - e) a vehicle designated by Provincial regulation as an emergency response unit;
- 5.6 “Landowner”: means the registered owner of the lands upon which a Driveway is located;
- 5.7 “Land Use Bylaw”: means the MD’s Land Use Bylaw No. 1616, as amended or replaced by MD Council from time to time;
- 5.8 “MD”: means the Municipal District of Willow Creek No. 26;

- 5.9 “Policy”: means the Private Driveway Policy;
- 5.10 “Subdivision Authority”: means the Subdivision Authority of the MD and all appellant bodies; and
- 5.11 “Shared Driveway”: means a Driveway used to access one or more parcels of land.

6. GENERAL PROVISIONS

- 6.1 The landowner is responsible for constructing and maintaining the Driveway in accordance with this Policy.
- 6.2 The Landowner is responsible for ensuring the Driveway complies with all applicable Provincial legislation and all regulations enacted thereunder.
- 6.3 The Landowner is solely responsible for all snow removal, plowing, grading, gravelling, paving and all other construction and maintenance of the Driveway whatsoever.

7. GATES AND SIGNAGES

- 7.1 Entrances to all Driveways must be gated and the gate must remain closed when not in use.
- 7.2 The Landowner at his/her discretion may lock the gate. However, in the case of an emergency, the lock shall be cut and the Landowner is responsible for the costs of replacing the lock.
- 7.3 Gates should be located a minimum of twenty-five (25) feet to a maximum of fifty (50) feet from the MD road or Provincial highway that intersects with the Driveway.
- 7.4 One sign clearly notifying travelers that the Driveway is a “Private Road” shall be posted either on the gate or immediately beside the gate.
- 7.5 All signs notifying travelers that the Driveway is a “Private Road” should be clearly visible from the MD road or Provincial highway that intersects with the Driveway.
- 7.6 No signs shall be permitted within the right of way of the MD road or Provincial highway without the necessary approvals having been obtained.

8. SPECIFICATIONS FOR DRIVEWAYS

- 8.1 In order to ensure access for Emergency Services vehicles, Driveways should be constructed in accordance with the following specifications:

8.1.1 **Dimensions:**

8.1.1.1 **Single Driveway:** Eight (8) feet [Twenty-four (24) feet] wide, with a two (2) foot wide shoulder or side slope; or

8.1.1.2 **Shared Driveways:** Ten (10) feet [Twenty-four (24) feet] wide, with a two (2) foot wide shoulder or side slope;

For single Driveways exceeding one (1) kilometer in length, Shared Driveway dimensions should be used.

8.1.2 **Subgrade:** The top one (1) foot of the subgrade should be compacted to 95% of the Standard Proctor Density. All Driveways should be surfaced with a minimum of four (4) inches crown.

8.1.3 **Surface:** All Driveways should be surfaced with a minimum of six (6) inches of rock on the surface and covered with six (6) inches of $\frac{3}{4}$ inch gravel. [$\frac{3}{4}$ inch of gravel to be applied eight hundred (800) cubic yards per mile].

8.1.4 **Grade Height:** All Driveways should have a minimum grade height of 3.0 to a maximum grade height of 3.5 feet.

8.1.5 **Gradient:** The maximum grade for all Driveways is five (5%) percent.

8.1.6 **Shoulders and Side Slopes:** Shoulders or side slopes for all Driveways should slope no more than one (1) foot of vertical rise for six (6) feet of horizontal distance [one (1) foot of vertical rise for three (3) feet of horizontal distances.] Erosion control measures, including but not limited to mulching, matting or seeding, to maintain the slope may be necessary and are the responsibility of the Owner.

8.1.7 **Driveway Setback:** The minimum setback of single Driveways from adjacent lands should be five (5) feet from the property line.

8.1.8 **Culverts:** All Driveways should have a culvert at the ditch line where the Driveway meets the MD road or Provincial highway unless waived by the Development Authority or Subdivision Authority. The culvert should be a minimum size of eighteen (18) inches [twenty (20) inches] and the length should be determined by the MD's Development Authority or Subdivision Authority [forty (40) feet. All culverts installed are to be standard corrugated steel pipe.]

8.1.9 **Curves:** The minimum horizontal and vertical curves should be defined in consideration of the desired design speed but should be designed for a minimum of one hundred and sixty-five (165) feet in radius, for roads with a ninety degree turn, a minimum fifty (50) foot radius should be provided [stopping distance of three hundred and fifty (350) feet, unless otherwise specified.]

- 8.1.10 **Emergency Services Vehicle Turn-around:** All Driveways should maintain a vehicle turnaround, hammerhead or “T” configuration of sufficient radius to allow Emergency Vehicles to turn around.
- 8.1.11 **Vegetation:** In order to provide adequate access for Emergency Services vehicles, fifteen (15) feet of overhead tree clearance should be maintained within the width of the gravel or pavement of the Driveway.
- 8.1.12 **Erosion Control:** An engineering plan showing adequate erosion control measures should be required for any segment of a Driveway that is located on land with a grade of more than twenty-five (25%) percent, unless this provision is waived by the Development Authority or Subdivision Authority.
- 8.1.13 **Seeding:** All side banks, shoulders, ditches and culverts are to be re-loamed and seeded to a short crested wheat grass or other grass approved by the Development Authority or Subdivision Authority.

APPENDIX H

**GROUPED COUNTRY RESIDENTIAL /
RECREATIONAL LAND USE GUIDELINES**

MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
GROUPED COUNTRY RESIDENTIAL / RECREATIONAL
LAND USE GUIDELINES

The following are guidelines concerning information which may be required to be provided by all applicants proposing to subdivide and/or develop land in terms of the above-noted uses in the municipality.

AREA STRUCTURE PLANS / CONCEPTUAL SCHEMES

All applications for grouped country residential/recreational land uses shall be accompanied by a duly prepared area structure plan or conceptual scheme. An application which proposes to create less than 4 lots may be exempted from the preparation of an area structure plan or conceptual scheme by the Subdivision and Development Authority (Municipal Planning Commission).

LOT SIZES

The minimum lot size for any or all country residential parcels shall be 1.2 hectares (3 acres) unless waived to a lesser amount by the Municipal Planning Commission.

PARCEL DENSITIES

The maximum amount of lots allowed on an unsubdivided quarter section of land shall be at the discretion of the Municipal Planning Commission based on the parcel location, the suitability of the land to be subdivided or developed, etc.

CONCEPTUAL DESIGNS

An application for a multi-lot or recreational proposal shall be accompanied by a detailed site plan showing all proposed lots and future development area on the said parcel. The site plan shall be drawn to scale and a copy submitted to the designated officer when an application is filed with the municipality.

CONTOURS

Where developments are proposed to be built in areas of slopes greater than 10° or where roads and water channelization are to be incorporated in the development, a detailed contour map shall be prepared for the development area.

OTHER DEVELOPMENT CONSIDERATIONS

The developer, in preparing the area structure plan or conceptual scheme, shall provide details regarding the following matters:

- garbage disposal,
- fire protection (location of on-site water reservoirs),
- school bus service,
- location, width and turning radius of existing and proposed roadways,
- access and egress to the proposal,
- a statement of all the intended land uses for the development site,

- types and location of fencing proposed for the development,
- the environmental impacts on lands and wildlife in the immediate area.

DEVELOPMENT AGREEMENTS

Pursuant to the Municipal Government Act the municipality may, at the time of subdivision or development, require the developer to enter into a development agreement for the construction of roadways and/or servicing necessary to serve the development area.

NOTE: The municipality may require the developer to provide a form of security to ensure that any or all aspects of the agreement are undertaken to the satisfaction of the municipal district.

GEOTECHNICAL REPORTS

As a requirement of the area structure plan or conceptual scheme, geotechnical reports may be required by the municipality. The said reports may require the following testing and subsequent reports to be done for:

- percolation,
- aquifer and groundwater analysis,
- slope stability,
- drainage.

ARCHITECTURAL CONTROLS

As a development standard of the area structure plan or conceptual scheme, architectural controls are suggested to be supplied by the developer to ensure that all development in the development area is consistent with neighbouring property. These controls may be registered concurrently by a Restrictive Covenant at the time a plan of survey is filed with Land Titles Office.

PHASING OF SUBDIVISION AND DEVELOPMENT

The developer shall provide to the municipality a detailed time frame that outlines the timing they envision for the consideration and subsequent decision on their development and/or development application.

PUBLIC PARTICIPATION PROCESS AND CONSULTATION

The developer shall provide to the municipality a detailed outline of the proposed public participation process for the development and/or subdivision. An indication of the time and place of public meetings as well as consultation with the elected officials and affected community ratepayers is encouraged.

TRANSPORTATION ROUTES AND PUBLIC UTILITIES

A requirement of an area structure plan or conceptual scheme is to indicate and provide locations of existing and proposed transportation routes and public utilities which will serve the development area.

MUNICIPAL RESERVE DEDICATIONS

Pursuant to the Municipal Government Act, the municipality may require the applicant proposing a multi-lot subdivision to provide up to 10 percent of the development area for Municipal Reserve purposes. As the municipality's existing policy is to take money in place of land for this purpose, a market analysis provided by the developer or a price agreed upon by both parties will be used to determine the value of reserve owing on the proposal.

SUBDIVISION AND DEVELOPMENT REFERRALS

The developer may be required to obtain other regulatory approvals from the appropriate agencies and government departments that have jurisdiction on these uses. The municipality is required to refer certain applications to various agencies and departments for their comments and consent.

NOTE: A municipal approval does in no way absolve a developer from obtaining any other necessary local, provincial or federal approvals including the requirement to undertake an environmental impact assessment.

WATER SUPPLY

The area structure plan or conceptual scheme shall describe the proposed water supply proposed for the development area. An indication of the number and location of wells or the number and capacity of cisterns shall be provided by the developer.

NOTE: If wells are to be used individually or as a community water supply, the developer is encouraged to have the said well(s) licensed with the Groundwater Branch of Alberta Environment (Phone 381-5396 or 297-6649).

SEWAGE DISPOSAL

The area structure plan or conceptual scheme shall describe the proposed sewage disposal system proposed for the development area. Septic fields or pump-out systems shall be used for private sewage disposal systems based on geotechnical information provided by the developer. No sewage mounds will be allowed as disposal systems for the above-noted uses.

TYPES OF SUBDIVISION

The Municipal Planning Commission is the Subdivision Authority having jurisdiction in the municipal district. An application that proposes a multi-lot subdivision shall be undertaken either by a plan of survey or by a condominium plan (if bareland is involved).

NOTE: An undivided interest whereby a number of land owners are identified on one or more certificate of title does not constitute a subdivision of land.

MUNICIPAL PREROGATIVES

The municipality, at its sole discretion, may undertake any or all of the following:

- adopt a duly prepared area structure plan or conceptual scheme by municipal bylaw which will govern subsequent subdivision and development of the specific area,
- may change any or all of the guidelines or requirements outlined in the above-noted sections,
- may waive the requirements to provide any of the information discussed in these guidelines,
- may waive the lot sizes or the parcel densities proposed in these guidelines,
- may require the developer to provide a higher standard of servicing than outlined in the land use bylaw or a statutory plan based on the density or complexity of a development proposal,
- may require the developer to provide any additional information not addressed or contemplated in these guidelines.

APPENDIX I

**MEMORANDUM OF AGREEMENT BETWEEN
ALBERTA TRANSPORTATION AND
THE MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26**

MEMORANDUM OF AGREEMENT

THIS AGREEMENT made the 26th day of SEPTEMBER, 2001.

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ALBERTA
as represented by the Minister of Alberta Transportation
("Minister")

- and -

MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26
("Municipality")

Background

The municipality is a subdivision approving authority under the Municipal Government Act and pursuant to the Subdivision and Development Regulation (AR 212/95) ("Regulation");

The Municipality must pursuant to section 5(3)(d)(ii) of the Regulation send a copy of subdivision applications to the Deputy Minister of Alberta Transportation if the land that is subject of an application is within 0.8 kilometres of a highway where the posted speed is 80 kilometres per hour or greater unless a lesser distance is agreed to by the Deputy Minister of Alberta Transportation and the municipality in which the land that is subject of an application is located;

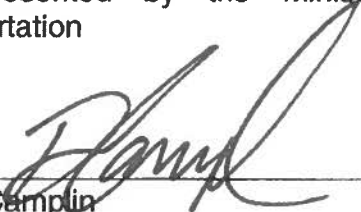
The Deputy Minister and the Municipality desire to agree to a lesser distance prescribed by the Regulation.

For roadside planning purposes the Minister has classified all provincial highways into four types with standards applicable for each type as shown in Schedule "A" (attached).

NOW THEREFORE it is agreed that:

1. The Background is part of this Agreement.
2. For those provincial highways classified as "Minor Two-lane Highways " as shown in Schedule "A"; submissions only on adjacent lands or requiring physical access to a provincial highway must be referred to the Deputy Minister of Alberta Transportation for review.
3. For purposes of access, signs, utilities and development approvals from Alberta Transportation Schedule "A" will apply.

HER MAJESTY THE QUEEN in Right of Alberta,
as represented by the Minister of Alberta
Transportation



Darrell Campin
Regional Director

MUNICIPAL DISTRICT OF WILLOW CREEK NO. 26



Jean Beyer
Reeve

Schedule "A"

ROADSIDE PLANNING FOR MUNICIPALITIES ON THE PROVINCIAL HIGHWAY SYSTEM

The following guidelines are for rural provincial highway roadside developments. A separate document provides guidelines for developments in urban centres.

HIGHWAY TYPES - The attached map shows the classifications for each provincial highway. Criteria used in the preparation of the map include: traffic volumes, the provincial/national highway systems network, identified growth highways, and continuity.

- 1) **Freeway/Expressway** - Multi-lane highways that do not have any stop conditions allowed on them.
Freeway – all access to freeways are restricted to interchanges.
Expressway – Have limited access locations and may have some interchanges.
- 2) **Multi-lane** - Highways with at least two lanes of traffic in each direction. These are generally high volume commuter highways.
- 3) **Major Two-lane Highways** - May develop into multi-lane highways. Carry significant volumes of traffic.
- 4) **Minor Two-lane Highways** - Highways with low to moderate traffic volumes.

ACCESS - In all instances good access management guidelines indicate that where a roadway with a lower classification is adjacent to lands requiring access the new access should be constructed on the lower classified roadway.

Alberta Transportation must approve:

1. All new accesses on provincial highways,
 2. All accesses to provincial highways involved in land re-designation or new developments that will cause intensified or increased use of an access.
- On Freeways/Expressways
Freeway - No access permitted except via interchanges or freeway on/off ramps.
Expressways – Access restricted to public road intersections. Highway commercial facilities may be required to access from interchanges or freeway on/off ramps.
 - On Multi-lane Highways - Access restricted to public road intersections. Spacing usually 1.6 km or greater. Lands between public roads accessed via local/public/subdivision roads.
 - On Major Two-lane Highways - Access limited to one per quarter section. Where possible, access is to be on property lines and shared. In case of subdivision, no new accesses permitted and redundant accesses removed. May require service road dedication.

- On Minor Two-lane Highways - A limit of one access per quarter section is desirable. Preference is shared access. Will attempt to avoid requirement for service road dedications in the instance of first parcel removals. Should not exceed two accesses per quarter section.

SIGNS

Freeways/Expressways, Multi-lane and Major Two-lane Highways

Signs within the right-of-way – All new signs within the highway right-of-way require approval of Alberta Transportation.

Signs outside the highway right-of-way – Where the municipality has previously approved private signs located on lands outside the highway right-of-way these approvals continue however all new signs require Alberta Transportation approval.

Minor Two-lane Highways

Signs within the right-of-way – All new signs within the highway right-of-way require approval of Alberta Transportation.

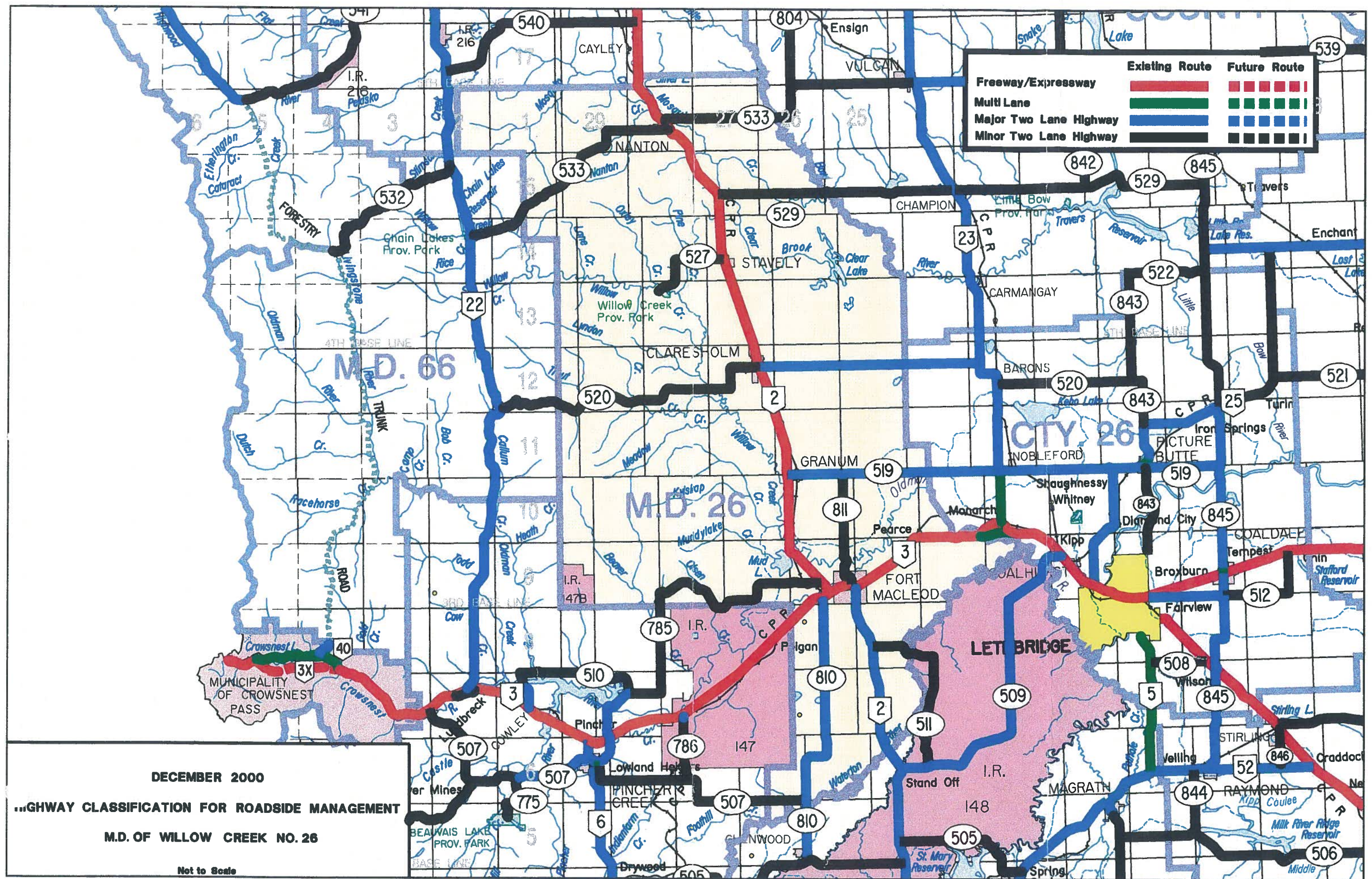
Signs outside the highway right-of-way – Municipalities control private signs on adjacent lands. Guidelines will be developed in consultation with the AAMD&C.

UTILITIES - All utilities crossing provincial highways require Alberta Transportation approvals. Municipalities need to advise Alberta Transportation of any master agreements municipalities may have with utility companies.

SUBDIVISIONS - On Full Freeways/Expressways, Multi-Lane and Major Two-Lane Highways there will be no relaxation from the requirements of the Subdivision and Development Regulation. On Minor Two-Lane Highways, Alberta Transportation will review subdivisions only on adjacent lands where proposed parcels front onto the provincial highway, or require physical access to a provincial highway.

DEVELOPMENT SETBACKS - On Freeways/Expressways, Multi-lane and Major Two-lane Highways developments, setbacks, and accesses are reviewed on a highway by highway/development by development basis and require approval(s) from Alberta Transportation.

On Minor Two-lane Highways developments are to be setback 30 metres from the property line or 50 metres from the centre of the highway, whichever distance is greater.



APPENDIX J

FEES

FEES

1. For the purpose of this bylaw, the following non-refundable fees are applicable:
 - (a) Application for a Permitted Use \$50.00
 - (b) Application for a Discretionary Use (except Intensive Livestock Operations, Home Occupation - Major, Resources Extraction, Kennels, Campgrounds, WECS) \$150.00
 - (c) Home Based Business (Home Occupation - Major) \$200.00
 - (d) Resource Extractions \$200.00
 - (e) Boarding/Breeding Kennels \$200.00
 - (f) Campgrounds \$200.00
 - (g) Wind Energy Conversion Systems (Category 2) \$200.00
 - (h) Application for a Land Use Bylaw Amendment..... \$2,000.00
 - (i) Request to Convene a Special Meeting \$500.00
 - Council
 - Municipal Planning Commission
 - Subdivision and Development Appeal Board (over and above the original Appeal Fee)
 - (j) Appeal to the Subdivision and Development Appeal Board \$500.00
 - (k) Letter of Compliance \$100.00
 - (l) Written confirmation of the land use designation of a parcel \$50.00
 - (m) Request for a Bylaw Waiver or Variance except for waiver of the required setback for signs and trees (in addition to the Application Fee) \$300.00
 - (n) Request for a Bylaw Waiver of the required setback for signs and trees (in addition to the Application Fee) \$50.00
 - (o) Registration Costs \$150.00
 - Easements
 - Save Harmless Agreements
 - Development Agreements
 - Encroachment Agreements
 - Party Wall Agreements
 - (p) Intensive Livestock Operations (basic fee) \$300.00
2. In any case, where a required fee is not listed in the fee schedule, such fee shall be determined by the Development Officer or the Municipal Planning Commission.
3. The Municipal Planning Commission may determine that the whole or any part of an application fee for a charity or registered society may be returned to the applicant.
4. When, in the opinion of the Development Officer or the Municipal Planning Commission an application is substantially revised, the applicant may be required to pay an addition 50 percent of the original fee prior to the consideration of the revised application.

5. When a development has been commenced prior to the issuance of a development permit a fee shall be charged that is double the normal permit fees (inclusive of development and safety code permit fees).

APPENDIX K

**GUIDELINES FOR CANADIAN DRINKING
WATER QUALITY (May 2008)**



Health
Canada

Santé
Canada

*Your health and
safety... our priority.*

*Votre santé et votre
sécurité... notre priorité.*

Guidelines for Canadian Drinking Water Quality Summary Table

Prepared by the

Federal-Provincial-Territorial Committee on Drinking Water

of the

**Federal-Provincial-Territorial Committee
on Health and the Environment**

May 2008

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Introduction

The *Guidelines for Canadian Drinking Water Quality* are published by Health Canada on behalf of the Federal-Provincial-Territorial Committee on Drinking Water (CDW). This summary table is updated regularly and published on Health Canada's website (www.healthcanada.gc.ca/waterquality). It supersedes all previous versions, as well as the published booklet of the *Sixth Edition of the Guidelines for Canadian Drinking Water Quality*.

These guidelines are based on current, published scientific research related to health effects, aesthetic effects, and operational considerations. Health-based guidelines are established on the basis of comprehensive review of the known health effects associated with each contaminant, on exposure levels and on the availability of treatment and analytical technologies. Aesthetic effects (e.g., taste, odour) are taken into account when these play a role in determining whether consumers will consider the water drinkable. Operational considerations are factored in when the presence of a substance may interfere with or impair a treatment process or technology (e.g., turbidity interfering with chlorination or UV disinfection) or adversely affect drinking water infrastructure (e.g., corrosion of pipes).

The Federal-Provincial-Territorial Committee on Drinking Water establishes the Guidelines for Canadian Drinking Water Quality specifically for contaminants that meet all of the following criteria:

1. exposure to the contaminant could lead to adverse health effects;
2. the contaminant is frequently detected or could be expected to be found in a large number of drinking water supplies throughout Canada; and
3. the contaminant is detected, or could be expected to be detected, at a level that is of possible health significance.

If a contaminant of interest does not meet all these criteria, the Federal-Provincial-Territorial Committee on Drinking Water may choose not to establish a numerical guideline or develop a Guideline Technical Document. In that case, a Guidance Document may be developed.

Guidance Documents undergo a process similar to Guideline Technical Documents, including public consultations through the Health Canada web site. They are offered as information for drinking water authorities, and help provide guidance relating to contaminants, drinking water management issues or emergency situations. Consultation documents, Guideline Technical Documents and Guidance documents are available from the Health Canada website (www.healthcanada.gc.ca/waterquality).

In general, the highest priority guidelines are those dealing with microbiological contaminants, such as bacteria, protozoa and viruses. Any measure taken to reduce concentrations of chemical contaminants should not compromise the effectiveness of disinfection.

Inquiries can be directed to: water_eau@hc-sc.gc.ca

Membership of the Federal-Provincial-Territorial Committee on Drinking Water**Jurisdictional representatives**

Alberta	Department of Environment	Mr. Karu Chinniah
British Columbia	Ministry of Health Services	Mr. Barry Boettger
Manitoba	Department of Water Conservation	Mr. Don Rocan
New Brunswick	Department of Health and Wellness	Ms. Karen White
Newfoundland and Labrador	Department of Environment and Conservation	Mr. Martin Goebel
Northwest Territories	Stanton Territorial Health Authority	Mr. Duane Fleming
Nova Scotia	Department of Environment and Labour	Ms. Judy MacDonald
Nunavut Territory	Department of Health and Social Services	Mr. Peter Workman
Ontario	Ministry of the Environment	Dr. Satish Deshpande
Prince Edward Island	Department of Environment, Energy and Forestry	Mr. George Somers
Québec	Ministère du Développement durable, de l'Environnement et des Parcs	Ms. Caroline Robert
Saskatchewan	Department of the Environment	Mr. Sam Ferris
Yukon Territory	Department of Health and Social Services	Ms. Patricia Brooks
Canada	Department of Health	Dr. John Cooper

Liaison officers

Federal-Provincial-Territorial Committee on Health and the Environment (CHE)	Mr. Peter Workman
Environment Canada/Canadian Council of Ministers of the Environment	Dr. Doug Spry
Canadian Advisory Council on Plumbing	Mr. William Fallow

Committee secretary

Health Canada (Water, Air and Climate Change Bureau, Safe Environments Programme, Healthy Environments and Consumer Safety Branch)	Mr. David Green
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Guidelines for Canadian Drinking Water Quality—Summary Table

New, revised, reaffirmed and upcoming guidelines

Guidelines for several chemical, physical and microbiological parameters are new or have been revised since the publication of the *Sixth Edition of the Guidelines for Canadian Drinking Water Quality* in 1996. These new and revised guidelines are presented in Table 1.

Table 1. New and revised guidelines

Parameter	Guideline (mg/L)	Previous guideline (mg/L)	CHE approval
<i>Microbiological parameters^a</i>			
Bacteriological		0 coliforms/100 mL	
<i>E.coli</i>	0 per 100 mL		2006
Total coliforms	0 per 100 mL		2006
Heterotrophic plate count	No numerical guideline required		2006
Emerging pathogens	No numerical guideline required		2006
Protozoa	No numerical guideline required	None	2004
Enteric viruses	No numerical guideline required	None	2004
Turbidity	0.3/1.0/0.1 NTU ^b	1.0 NTU	2004
<i>Chemical and physical parameters</i>			
Aluminum	0.1/0.2 ^c	None	1999
Antimony	0.006	None	1997
Arsenic	0.010	0.025	2006
Bromate	0.01	None	1999
Bromodichloromethane (BDCM)	0.016	None	2006
Chlorate	1.0	None	2008
Chlorite	1.0	None	2008
Cyanobacterial toxins—microcystin-LR	0.0015	None	2002
Fluoride	1.5	1.5	1996
Formaldehyde	No numerical guideline required	None	1998
Haloacetic Acids—Total (HAAs)	0.080	None	2008
Methyl tertiary-butyl ether (MTBE)	0.015	None	2006
Trichloroethylene (TCE)	0.005	0.05	2005
Trihalomethanes—Total (THMs)	0.100	0.100	2006
Uranium	0.02	0.1	2000

^aRefer to section on Guidelines for microbiological parameters.

^bBased on conventional treatment/slow sand or diatomaceous earth filtration/membrane filtration.

^cThis is an operational guidance value, designed to apply only to drinking water treatment plants using aluminum-based coagulants. The operational guidance values of 0.1 mg/L applies to conventional treatment plants, and 0.2 mg/L applies to other types of treatment systems.

Guidelines for Canadian Drinking Water Quality—Summary Table

The Federal-Provincial-Territorial Committee on Drinking Water has established a science-based process to systematically review older guidelines to assess the need to update them. Table 2 provides the list of parameters whose guidelines remain appropriate and have been reaffirmed as a result of this review. Health Canada and the FPT Committee on Drinking Water will continue to monitor research on these parameters and recommend any revision(s) to the guidelines that is deemed necessary.

Table 2. Reaffirmed guidelines (2005)

Asbestos	Cyanazine	Iron	Taste
Azinphos-methyl	Diazinon	Magnesium	Temperature
Bendiocarb	Dicamba	Malathion	Terbufos
Benzo(a)pyrene	2,4-Dichlorophenol	Methoxychlor	2,3,4,6-Tetrachlorophenol
Bromoxynil	Diclofop-methyl	Metribuzin	Toluene
Cadmium	Dimethoate	Odour	2,4,6-Trichlorophenol
Calcium	Diquat	Paraquat	Trifluralin
Carbaryl	Diuron	Pentachlorophenol	Xylenes
Carbofuran	Ethylbenzene	Phorate	Zinc
Chloride	Gasoline	Picloram	
Colour	Glyphosate	Silver	

Table 3 outlines documents which are being or have been developed and are awaiting approval through the Federal-Provincial-Territorial process.

Table 3. Upcoming documents (not yet finalized/approved)

Parameter or subject	Document type (GTD or guidance)	Current status
Protozoa	GTD	In preparation ^b
Enteric viruses	GTD	In preparation ^b
Ammonia	GTD	In preparation ^b
Boil water advisories	Guidance	In preparation ^a
Benzene	GTD	Consultation concluded ^a
Carbon tetrachloride	GTD	In preparation ^b
Chloral hydrate	Guidance	Consultation concluded ^a
Chlorine	GTD	Consultation concluded ^a
Corrosion control	Guidance	Consultation concluded ^a
Drinking water avoidance advisories	Guidance	In preparation ^a
Fluoride	GTD	In preparation ^b
2-Methyl-4-chlorophenoxyacetic acid (MCPA)	GTD	In preparation ^c
Nitrate/Nitrite	GTD	In preparation ^b

Guidelines for Canadian Drinking Water Quality—Summary Table

Parameter or subject	Document type (GTD or guidance)	Current status
N-Nitrosodimethylamine (NDMA)	GTD	In preparation ^b
Potassium from water softeners	Guidance	In preparation ^a
Radiological characteristics	GTD	Consultation concluded ^a

^aFinal guideline technical document or guidance document in preparation for final approval/posting

^bGuideline technical document or guidance document being prepared for public consultation

^cGuideline technical document being prepared for second public consultation due to new scientific information

Guidelines for microbiological parameters

Currently available detection methods do not allow for the routine analysis of all microorganisms that could be present in inadequately treated drinking water. Instead, microbiological quality is determined by testing drinking water for *Escherichia coli*, a bacterium that is always present in the intestines of humans and other animals and whose presence in drinking water would indicate faecal contamination of the water.

Bacteriological guidelines

Escherichia coli

The maximum acceptable concentration (MAC) of *Escherichia coli* in public, semi-public, and private drinking water systems is none detectable per 100 mL.

Testing for *E. coli* should be carried out in all drinking water systems. The number, frequency, and location of samples for *E. coli* testing will vary according to the type and size of the system and jurisdictional requirements.

Total coliforms

The MAC of total coliforms in water leaving a treatment plant in a public system and throughout semi-public and private supply systems is none detectable per 100 mL.

For distribution systems in public supplies where fewer than 10 samples are collected in a given sampling period, no sample should contain total coliform bacteria. In distribution systems where greater than 10 samples are collected in a given sampling period, no consecutive samples from the same site or not more than 10% of samples should show the presence of total coliform bacteria.

Testing for total coliforms should be carried out in all drinking water systems. The number, frequency, and location of samples for total coliform testing will vary according to the type and size of the system and jurisdictional requirements.

Heterotrophic plate count

No MAC is specified for heterotrophic plate count (HPC) bacteria in water supplied by public, semi-public, or private drinking water systems. Instead, increases in HPC concentrations above baseline levels are considered undesirable.

Emerging pathogens

No MAC for current or emerging bacterial waterborne pathogens has been established. Current bacterial waterborne pathogens include those that have been previously linked to gastrointestinal illness in human populations. Emerging bacterial waterborne pathogens include, but are not limited to,

Legionella, *Mycobacterium avium* complex, *Aeromonas hydrophila*, and *Helicobacter pylori*.

Protozoa

Although *Giardia* and *Cryptosporidium* can be responsible for severe and, in some cases, fatal gastrointestinal illness, it is not possible to establish MACs for these protozoa in drinking water at this time. Routine methods available for the detection of cysts and oocysts suffer from low recovery rates and do not provide any information on their viability or human infectivity. Nevertheless, until better monitoring data and information on the viability and infectivity of cysts and oocysts present in drinking water are available, measures should be implemented to reduce the risk of illness as much as possible. If the presence of viable, human-infectious cysts or oocysts is known or suspected in source waters, or if *Giardia* or *Cryptosporidium* has been responsible for past waterborne outbreaks in a community, a treatment and distribution regime and a watershed or wellhead protection plan (where feasible) or other measures known to reduce the risk of illness should be implemented. Treatment technologies in place should achieve at least a 3-log reduction in and/or inactivation of cysts and oocysts, unless source water quality requires a greater log reduction and/or inactivation.

Viruses

Although enteric viruses can be responsible for severe and, in some cases, fatal illnesses, it is not possible to establish MACs for enteric viruses in drinking water at this time. Treatment technologies and watershed or wellhead protection measures known to reduce the risk of waterborne outbreaks should be implemented and maintained if source water is subject to faecal contamination or if enteric viruses have been responsible for past waterborne outbreaks. Where treatment is required, treatment technologies should achieve at least a 4-log reduction and/or inactivation of viruses.

Turbidity

Waterworks systems that use a surface water source or a groundwater source under the direct influence of surface water should filter the source water to meet the following health-based turbidity limits, as defined for specific treatment technologies. Where possible, filtration systems should be designed and operated to reduce turbidity levels as low as possible, with a treated water turbidity target of less than 0.1 NTU at all times. Where this is not achievable, the treated water turbidity levels from individual filters:

1. For **chemically assisted filtration**, shall be less than or equal to **0.3 NTU** in at least 95% of the measurements made, or at least 95% of the time each calendar month, and shall not exceed 1.0 NTU at any time.
2. For **slow sand or diatomaceous earth filtration**, shall be less than or equal to **1.0 NTU** in at least 95% of the measurements made, or at least 95% of the time each calendar month, and shall not exceed 3.0 NTU at any time.
3. For **membrane filtration**, shall be less than or equal to **0.1 NTU** in at least 99% of the measurements made, or at least 99% of the time each calendar month, and shall not exceed 0.3 NTU at any time. If membrane filtration is the sole treatment technology employed, some form of virus inactivation* should follow the filtration process.

*Some form of virus inactivation is required for all technologies. The difference is that chemically assisted, slow sand and diatomaceous earth filters are credited with log virus reductions and membrane filters receive no credit.

Guidelines for chemical and physical parameters

Table 4 provides the complete list of all current numerical Guidelines for chemical and physical parameters. Guidelines are either health-based and listed as Maximum Acceptable Concentrations (MAC), based on aesthetic considerations and listed as aesthetic objectives (AO) or established based on operational considerations and listed as Operational Guidance Values (OG). Parameters for which the health-based guideline was developed as an interim maximum acceptable concentration (IMAC) are identified with an asterisk (*) in the table below. The use of these ‘interim’ MACs was discontinued by the Federal-Provincial-Territorial Committee on Drinking Water in 2003. For more information on specific guidelines, please refer to the guideline technical document for the parameter of concern.

Table 4. Health-based and aesthetic guidelines

Parameter	MAC (mg/L)	AO [or OG] (mg/L)	Year of approval (or reaffirmation)
Aldicarb	0.009		1994
Aldrin + dieldrin	0.0007		1994
Aluminum ^a		[0.1/0.2]	1998
*Antimony ^b	0.006		1997
Arsenic	0.010		2006
*Atrazine + metabolites	0.005		1993
Azinphos-methyl	0.02		1989 (2005)
Barium	1		1990
Bendiocarb	0.04		1990 (2005)
Benzene	0.005		1986
Benzo[a]pyrene	0.00001		1988 (2005)
*Boron	5		1990
*Bromate	0.01		1998
Bromodichloromethane (BDCM)	0.016		2006
*Bromoxynil	0.005		1989 (2005)
Cadmium	0.005		1986 (2005)
Carbaryl	0.09		1991 (2005)
Carbofuran	0.09		1991 (2005)
Carbon tetrachloride	0.005		1986
Chloramines—total	3		1995
Chlorate	1.0		2008
Chloride		≤250	1979 (2005)
Chlorite	1.0		2008
Chlorpyrifos	0.09		1986
Chromium	0.05		1986
Colour ^d		≤15 TCU	1979 (2005)

Guidelines for Canadian Drinking Water Quality—Summary Table

Parameter	MAC (mg/L)	AO [or OG] (mg/L)	Year of approval (or reaffirmation)
Copper ^b		≤1.0	1992
*Cyanazine	0.01		1986 (2005)
Cyanide	0.2		1991
Cyanobacterial toxins—Microcystin-LR ^c	0.0015		2002
Diazinon	0.02		1986 (2005)
Dicamba	0.12		1987 (2005)
1,2-Dichlorobenzene ^c	0.2	≤0.003	1987
1,4-Dichlorobenzene ^c	0.005	≤0.001	1987
*1,2-Dichloroethane	0.005		1987
1,1-Dichloroethylene	0.014		1994
Dichloromethane	0.05		1987
2,4-Dichlorophenol,	0.9	≤0.0003	1987 (2005)
*2,4-Dichlorophenoxyacetic acid (2,4 -D)	0.1		1991
Diclofop-methyl	0.009		1987 (2005)
*Dimethoate	0.02		1986 (2005)
Dinoseb	0.01		1991
Diquat	0.07		1986 (2005)
Diuron	0.15		1987 (2005)
Ethylbenzene		≤0.0024	1986 (2005)
Fluoride	1.5		1996
*Glyphosate	0.28		1987 (2005)
Haloacetic Acids—Total (HAAs)	0.080		2008
Iron		≤0.3	1978 (2005)
Lead ^b	0.01		1992
Malathion	0.19		1986 (2005)
Manganese		≤0.05	1987
Mercury	0.001		1986
Methoxychlor	0.9		1986 (2005)
Methyl tertiary-butyl ether (MTBE)		0.015	2006
*Metolachlor	0.05		1986
Metribuzin	0.08		1986 (2005)
Monochlorobenzene	0.08	≤0.03	1987
Nitrate ^f	45		1987
Nitrilotriacetic acid (NTA)	0.4		1990
Odour		Inoffensive	1979 (2005)

Guidelines for Canadian Drinking Water Quality—Summary Table

Parameter	MAC (mg/L)	AO [or OG] (mg/L)	Year of approval (or reaffirmation)
*Paraquat (as dichloride) ^a	0.01		1986 (2005)
Parathion	0.05		1986
Pentachlorophenol	0.06	≤0.030	1987 (2005)
pH ^h		6.5–8.5	1995
Phorate	0.002		1986 (2005)
*Picloram	0.19		1988 (2005)
Selenium	0.01		1992
*Simazine	0.01		1986
Sodium ⁱ		≤200	1992
Sulphate ^j		≤500	1994
Sulphide (as H ₂ S)		≤0.05	1992
Taste		Inoffensive	1979 (2005)
Temperature		≤15°C	1979 (2005)
*Terbufos	0.001		1987 (2005)
Tetrachloroethylene	0.03		1995
2,3,4,6-Tetrachlorophenol	0.1	≤0.001	1987 (2005)
Toluene		≤0.024	1986 (2005)
Total dissolved solids (TDS)		≤500	1991
Trichloroethylene	0.005		2005
2,4,6-Trichlorophenol	0.005	≤0.002	1987 (2005)
*Trifluralin	0.045		1989 (2005)
Trihalomethanes-total (THMs) ^k	0.100		2006
Turbidity ^l			2004
*Uranium	0.02		1999
Vinyl chloride	0.002		1992
Xylenes—total		≤0.3	1986 (2005)
Zinc ^b		≤5.0	1979 (2005)

^aThis is an operational guidance value, designed to apply only to drinking water treatment plants using aluminum-based coagulants. The operational guidance values of 0.1 mg/L applies to conventional treatment plants, and 0.2 mg/L applies to other types of treatment systems.

^bFaucets should be thoroughly flushed before water is taken for consumption or analysis.

^cThe guideline is considered protective of human health against exposure to all microcystins that may be present.

^dTCU = true colour unit.

^eIn cases where total dichlorobenzenes are measured and concentrations exceed the most stringent value (0.005 mg/L), the concentrations of the individual isomers should be established.

^fEquivalent to 10 mg/L as nitrate–nitrogen. Where nitrate and nitrite are determined separately, levels of nitrite should not exceed 3.2 mg/L.

^gEquivalent to 0.007 mg/L for paraquat ion.

^hNo units.

ⁱIt is recommended that sodium be included in routine monitoring programmes, as levels may be of interest to authorities who wish to prescribe sodium-restricted diets for their patients.

^jThere may be a laxative effect in some individuals when sulphate levels exceed 500 mg/L.

^kExpressed as a running annual average. The guideline is based on the risk associated with chloroform, the trihalomethane most often present and in greatest concentration in drinking water.

^lRefer to section on Guidelines for microbiological parameters for information related to various treatment processes.

Parameters without guidelines

Some chemical and physical parameters for which a Guideline Technical Document is available have been identified as not requiring a numerical guideline, because currently available data indicate that it poses no health risk or aesthetic problem at the levels generally found in drinking water in Canada.

Table 5. Parameters without numerical guidelines

Ammonia	Asbestos
Calcium	Formaldehyde
Gasoline	Hardness ^a
Magnesium	Radon
Silver	

^aPublic acceptance of hardness varies considerably. Generally, hardness levels between 80 and 100 mg/L (as CaCO₃) are considered acceptable; levels greater than 200 mg/L are considered poor but can be tolerated; those in excess of 500 mg/L are normally considered unacceptable. Where water is softened by sodium ion exchange, it is recommended that a separate, unsoftened supply be retained for culinary and drinking purposes.

Archived parameters

The Federal-Provincial-Territorial Committee on Drinking Water has established a science-based process to systematically review older guidelines and archive older guidelines which are no longer required. Guidelines are archived for parameters which are no longer found in Canadian drinking water supplies at levels that could pose a risk to human health, including pesticides which are no longer registered for use in Canada, and for mixtures of contaminants that are addressed individually. Table 6 provides the list of parameters whose guidelines have been archived as a result of this review.

Table 6. Parameters that have been archived^a

Chlordane (total isomers) ^b	Polychlorinated biphenyls (PCBs)
Dichlorodiphenyltrichloroethane (DDT) + metabolites ^b	Polycyclic aromatic hydrocarbons (PAH) ^c
Endrin ^b	Resin acids
Heptachlor + heptachlor epoxide ^b	Tannin
Lignin ^b	Temephos ^d
Lindane ^b	Total organic carbon (TOC)
Methyl-parathion ^b	Toxaphene ^b
Mirex	Triallate ^d
Pesticides (total)	2,4,5-Trichlorophenoxyacetic acid (2,4,5-T) ^d
Phenols (total)	2,4,5-Trichlorophenoxypropionic acid (2,4,5-TP) ^b
Phthalic acid esters (PAE)	

^aPublished in the 1978 version of the *Supporting Documentation* for these parameters (available upon request).

^bIn 1978 'Pesticides' Supporting Documentation.

^cOther than benzo[a]pyrene.

^dNo documentation available.

Guidelines for radiological parameters

In setting dose guidelines for radionuclides in drinking water, it is recognized that water consumption contributes only a portion of the total radiation dose and that some radionuclides present are natural in origin and therefore cannot be excluded. Consequently, maximum acceptable concentrations for radionuclides in drinking water have been derived based on a committed effective dose of 0.1 mSv** from one year's consumption of drinking water. This dose represents less than 5% of the average annual dose attributable to natural background radiation.

To facilitate the monitoring of radionuclides in drinking water, the reference level of dose is expressed as an activity concentration, which can be derived for each radionuclide from published radiological data. The National Radiological Protection Board has calculated dose conversion factors (DCFs) for radionuclides based on metabolic and dosimetric models for adults and children. Each DCF provides an estimate of the 50-year committed effective dose resulting from a single intake of 1 Bq*** of a given radionuclide.

The MACs of radionuclides in public water supplies are derived from adult DCFs, assuming a daily water intake of 2 L, or 730 L/year, and a maximum committed effective dose of 0.1 mSv, or 10% of the International Commission on Radiological Protection limit on public exposure:

$$\text{MAC (Bq/L)} = \frac{1 \times 10^{-4} \text{ (Sv/year)}}{730 \text{ (L/year)} \times \text{DCF (Sv/Bq)}}$$

When two or more radionuclides are found in drinking water, the following relationship should be satisfied:

$$\frac{C_1}{\text{MAC}_1} + \frac{C_2}{\text{MAC}_2} + \dots + \frac{C_i}{\text{MAC}_i} \leq 1$$

where C_i and MAC_i are the observed and maximum acceptable concentrations, respectively, for each contributing radionuclide.

MACs for radionuclides that should be monitored in water samples are listed in Table 7. If a sample is analysed by gamma-spectroscopy, additional screening for radionuclides that may be present under certain conditions can be performed. MACs for a number of additional radionuclides, both natural and artificial, can be found in the sixth edition of the guidelines booklet.

Water samples may be initially screened for radioactivity using techniques for gross alpha and gross beta activity determinations. Compliance with the guidelines may be inferred if the measurements for gross alpha and gross beta activity are less than 0.1 Bq/L and 1 Bq/L, respectively, as these are lower than the strictest MACs. Sampling and analyses should be carried out often enough to accurately characterize the annual exposure. If the source of the activity is known, or expected, to be changing rapidly with time, then the sampling frequency should reflect this factor. If there is no reason to suppose that the source varies with time, then the sampling may be done annually. If measured concentrations are consistent and well below the reference levels, this would be an argument for reducing the sampling frequency. On the other hand, the sampling frequency should be maintained, or even increased, if

** Sievert (Sv) is the unit of radiation dose. It replaces the old unit, rem (1 rem = 0.01 Sv)

*** Becquerel (Bq) is the unit of activity of a radioactive substance, or the rate at which transformations occur in the substance. One becquerel is equal to one transformation per second and approximately equal to 27 picocuries (pCi).

Guidelines for Canadian Drinking Water Quality—Summary Table

concentrations are approaching the reference levels. In such a case, the specific radionuclides should be identified and individual activity concentrations measured.

Table 7. Primary list of radionuclides

Radionuclide		Half-life $t_{1/2}$	DCF (Sv/Bq)	MAC (Bq/L)
<i>Natural radionuclides</i>				
Lead-210	^{210}Pb	22.3 years	1.3×10^{-6}	0.1
Radium-224	^{224}Ra	3.66 days	8.0×10^{-8}	2
Radium-226	^{226}Ra	1600 years	2.2×10^{-7}	0.6
Radium-228	^{228}Ra	5.76 years	2.7×10^{-7}	0.5
Thorium-228	^{228}Th	1.91 years	6.7×10^{-8}	2
Thorium-230	^{230}Th	7.54×10^4 years	3.5×10^{-7}	0.4
Thorium-232	^{232}Th	1.40×10^{10} years	1.8×10^{-6}	0.1
Thorium-234	^{234}Th	24.1 days	5.7×10^{-9}	20
Uranium-234 ^a	^{234}U	2.45×10^5 years	3.9×10^{-8}	4
Uranium-235 ^a	^{235}U	7.04×10^8 years	3.8×10^{-8}	4
Uranium-238 ^a	^{238}U	4.47×10^9 years	3.6×10^{-8}	4
<i>Artificial radionuclides</i>				
Cesium-134	^{134}Cs	2.07 years	1.9×10^{-8}	7
Cesium-137	^{137}Cs	30.2 years	1.3×10^{-8}	10
Iodine-125	^{125}I	59.9 days	1.5×10^{-8}	10
Iodine-131	^{131}I	8.04 days	2.2×10^{-8}	6
Molybdenum-99	^{99}Mo	65.9 hours	1.9×10^{-9}	70
Strontium-90	^{90}Sr	29 years	2.8×10^{-8}	5
Tritium ^b	^3H	12.3 years	1.8×10^{-11}	7000

^a The activity concentration of natural uranium corresponding to the chemical guideline of 0.02 mg/L (see separate guideline technical document on uranium) is about 0.5 Bq/L.

^b Tritium is also produced naturally in the atmosphere in significant quantities.

APPENDIX L

**ALBERTA PRIVATE SEWAGE SYSTEMS
STANDARD OF PRACTICE (April 2009)**

ALBERTA PRIVATE SEWAGE SYSTEMS

STANDARD OF PRACTICE 2009

Site Evaluation

Number of Soil Profiles Investigated

A minimum of two test pit excavations shall be investigated at the proposed location for the *soil*-based treatment component to classify and assess the treatment capacity of the *soil*.

Minimum Depth of Soil Investigation

The *soil* profiles shall be investigated to a

Site Evaluation Report1. minimum depth below ground surface of

- i) 1.2 m (4 ft.) for *treatment mounds*,
- ii) 2.7 m (9 ft.) for *treatment fields* receiving *primary treated effluent level 1*,
- iii) 2 m (7 ft.) for a *treatment field* receiving *secondary treated effluent (level 2 or better)*, or
- iii) 1.8 m (6 ft.) for *open discharge systems*, or

2. depth at which *vertical separation* limiting features such as saturated *soil* indicators or limiting soil conditions are encountered.

A report as required by Article 7.1.1.3. shall be developed and included in the system design information.

Vertical Separation

Soil-based treatment systems shall maintain a *vertical separation* between the point of *effluent* infiltration into the *soil* and a *water table* or an impervious layer of not less than

1. 1500 mm (5 ft.) when receiving *primary treated effluent level 1*,
2. 900 mm (3 ft.) when receiving *secondary treated effluent (level 2 or better)*,
3. 900 mm (3 ft.) below a *treatment mound* as measured from the bottom of the required 300 mm (1 ft.) depth of *sand layer* intended to provide secondary treatment, or
4. the depth of *soil* required to achieve a 7-day *effluent* travel time to the design boundary depth, provided the design boundary depth does not exceed 2.4 m (8 ft.), as set out in Article 8.1.1.5.

Within the required vertical separation there shall be at least 300 mm of in situ soil that is assigned a loading rate within this standard.

Article 2.1.2.4 Separation from Specific Surface Waters

1. The *soil*-based treatment component of an *on-site wastewater treatment system* shall be located not less than 90 m (300 ft.) from the *shore* of a
lake,
river,
stream, or
creek.

Despite the requirements of Sentence 1, where a principal building or other *development* feature is situated between the *soil*-based treatment component and a lake, river, stream, or creek, such that a failure of the system causing effluent on the ground surface will be obvious and create an undesirable impact on the owner, the distance may be reduced to the minimum distance requirements set out in this standard for the particular type of treatment system being used.

A water tight septic tank or similar component need not meet requirements of this Article.

Septic Tank Working Capacity

The *working capacity* of a *septic tank* shall not be less than the volume set out in Table 4.2.2.2. for a single family *dwelling* or duplex, or the volume required by Article 4.2.1.1.

Table 4.2.2.2. Working Capacity of Septic Tank	
Number of Bedrooms	Working Capacity Volume
2 or 3 bedrooms	3360 L (740 Imp. gal.)
4 bedrooms	4360 L (940 Imp. gal.)
5 bedrooms	5230 L (1,150 Imp. gal.)
6 bedrooms	6140 L (1,350 Imp. gal.)

Note: Table 4.2.2.2. provides the working capacity volume required of the septic tank for residential applications where there are no conditions that require additional flow to be added to the peak daily volume.

Septic Tanks and Holding Tanks

Separation Distances

Septic tanks and holding tank shall not be located within

1. 1 m (3.25 ft.) from a *property line*,
2. 10 m (33 ft.) from a *water source*,
3. 10 m (33 ft.) from a *water course*, and
4. 1 m (3.25 ft.) from a *building*.

Separation Distances

A **treatment field**, measured from any part of a *weeping lateral trench*, shall not be located within

1. 1.5m (5 ft.) from a *property line*,
2. 15 m (50 ft.) from a *water source*,
3. 15 m (50 ft.) from a *water course*, except as provided in Article 2.1.2.4,
4. 10 m (33 ft.) from a basement, cellar, or crawl space,¹
5. 1 m (3.25 ft.) from a *building* that does not have a permanent foundation,
6. 5 m (17 ft.) from a *building* that has a permanent foundation but does not have a basement, cellar, or crawl space, and
7. 5 m (17 ft.) from a *septic tank* or *packaged sewage treatment plant*.

¹ Note: Clause (1)(d)—The 10 m (33 ft.) requirement to a basement, cellar, or crawl space is intended to protect excavations below grade from accumulating migrating effluent. A crawl space that is not below grade, or where the level of the ground surface at the treatment area is below the level of the crawl space, the separation required is 5 m (17 ft.) clearance as it can be treated as a building without a basement.

A **treatment mound** shall not be located within

1. 3m (10 ft.) of a *property* line,
2. 15 m (50 ft.) of a *water source*,
3. 15 m (50 ft.) of a *water course*, except as provided in Article 2.1.2.4,
4. 3 m (10 ft.) of a *septic tank*,
5. 10m (33 ft.) of a basement, cellar, or crawl space, and
6. 10m (33 ft.) of a *building* that does not have a basement, cellar, or crawl space.

For the purposes of Sentence (1), all measurements are to be taken from the point where the side slope of the mound intersects with the natural *soil* contour.

An **effluent open discharge** to the ground surface may be installed in a location that provides separation distances from the point of discharge of not less than

1. 50 m (165 ft.) to a *water source*,
2. 50 m (165 ft.) to a *water course* except as required by Article 2.1.2.4.
3. 45 m (150 ft.) to a *building*, and
4. 90 m (300 ft.) to a *property* line.

Open Discharge Prohibited

1. An open discharge shall not be installed on a *property* located within a quarter section where more than 4 parcels, excluding the remnant of the parcel, have been subdivided out of the quarter section.¹

i. ¹ *Intent: Sentence (1)—Existing systems may remain in operation but once the number of subdivided parcels exceeds 4, additional open discharge systems are not allowed.*

2. An *open discharge system* shall not be used where
 - i. the expected peak volume of *wastewater* per day, as determined by Section 2.2., exceeds 3 m³ (660 Imp. gal.) per day, or
 - ii. the strength of the effluent will exceed the quality of *primary treated effluent level 1*.

A ***lagoon serving a single-family dwelling*** or duplex shall not be located within

1. 100 m (330 ft.) from a *water source*,
2. 90 m (300 ft.) from a *water course*,
3. 45 m (150 ft.) from a *building*, and
4. 30 m (100 ft.) from a *property line*.

A ***lagoon serving other than a single-family dwelling*** or duplex shall not be located within

1. 90 m (300 ft.) from a *building*,
2. 100 m (330 ft.) from a *water source*,
3. 90 m (300 ft.) from a *water course*,
4. 30 m (100 ft.) from a *property line*, and
5. 90 m (300 ft.) from a numbered primary or secondary road.

All measurements shall be taken from the outside of the *berm*, where the side slope of the *berm* intersects with the natural ground surface.

Comments: Options for Private Sewage Systems are listed above.

The following criteria must be followed:

Permits are required before installation commences

If installing any system other than an open discharge to the ground surface, consult your local plumbing inspector before starting installation

DO NOT COVER the installation before calling for an inspection.

If you have any questions, please contact:

Alberta Municipal Affairs

1-866-421-6929

http://municipalaffairs.gov.ab.ca/cp_permit_information_search.cfm

Public Health Inspector

Environmental Health Department

Peace Region Health

Grande Prairie Office

(780) 513-7519

APPENDIX M

**STANDARD CONDITIONS FOR
DEVELOPMENT WITHIN PARKLAND**

STANDARD CONDITIONS FOR DEVELOPMENT WITHIN PARKLAND

1. In consideration that, despite investigations into contamination of water and soils and Environmental Site Assessment(s) in the Hamlet of Parkland, the potential exists for contaminated water or soils to be present on the property, now or in the future, and therefore development on the property has additional risks, and insofar as those risks must be accepted by the applicant and future property owners, the following conditions shall apply in respect of potential contamination:
 - a. The owner/developer shall obtain at a minimum a Phase I Environmental Site Assessment to assure that the site is clean before commencement of construction;
 - b. The developer/landowner shall assume all responsibility for development of the property;
 - c. The developer/landowner shall assume responsibility for all conditions existing on the site;
 - d. The developer/landowner shall assume responsibility for any clean-up of the property;
 - e. The developer/landowner shall assume responsibility to ensure no escape occurs onto neighboring lands.
2. The Municipal District shall not be liable, either directly or indirectly, for any damage, injury, or consequential loss, or damages for pure economic loss or other costs or inconvenience however caused from the development of the property.
3. A development agreement shall be entered into between the developers and the Municipal District of Willow Creek No. 26 before issuance of the Development Permit, and it shall be registered on the land title;
4. Prior to construction, a building permit shall be obtained from an agency authorized by Alberta Municipal Affairs, Safety Services, to issue permits, and a copy filed with the Municipal District Office;
5. Except for fences seven (7) feet or less in height, there shall be no development within 6.1 meters (20 feet) of the front and rear yard property boundaries or within 3 meters (10 feet) of the side yards, unless a development permit is obtained that specifically varies the required setback to allow the development.

APPENDIX N

**SAMPLE OF DEVELOPMENT
AGREEMENT FOR PARKLAND**

Agreement 610-07

THIS AGREEMENT made this _____ day of _____, A.D. 20__.

BETWEEN:

The Municipal District of Willow Creek No. 26
(hereinafter referred to as “**MD**”)

of the First Part

- and -

[Insert name of registered landowner]
(hereinafter referred to as “_____”)

of the Second Part

Development Agreement

WHEREAS _____ is/are the registered owner(s) of those lands legally described as:

[INSERT LEGAL LAND LOCATION]

RESERVING UNTO HER MAJESTY ALL MINES AND MINERALS

(hereinafter referred to as “**the Lands**”)

AND WHEREAS _____ propose(s) to construct a building on **the Lands** pursuant to a Development Application submitted to the **MD** dated the ____ day of _____, A.D. 20__ for [insert brief description of development];

AND WHEREAS the proposed development has been approved by the **MD** on certain conditions including the requirement that _____ enter into a Development Agreement with the **MD** pursuant to Section 650 of the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26, and amendments thereto;

NOW THEREFORE, in consideration of the premises and of the mutual terms, conditions and covenants to be observed and performed by each of the parties hereto, the **MD** agrees with the _____ and the _____ agree(s) with the **MD** as follows:

1. Any access that _____ require(s) to be constructed for access onto **the Lands**, shall be built in accordance the **MD's** Road Access Policy No. 320-08 (attached as Schedule "A") in consultation with and under the supervision of the Superintendent of Public Works of the **MD**.
2. _____ acknowledge(s) and agree(s) to the following:
 - a. That three reports have been completed in regards to investigations into contamination of water and soils in the Hamlet of Parkland, namely:
 - i. "Tank Removal Report"
 - ii. "Limited Phase II Environmental Site Assessment First Street West and Birch Avenue", and
 - iii. "Town of Parkland 2006 Additional Phase II Environmental Site Assessment",all of which are available for perusal at the Municipal District of Willow Creek No. 26 administration office, bound as one volume under the title, "Hamlet of Parkland Environmental Site Assessment Study Reports".
 - b. That despite the investigations referred to in 2(a), the extent of water or soils contamination in the Hamlet of Parkland has not been conclusively and absolutely determined and therefore the potential exists for contaminated water or soils to be present on **the Lands** now or in the future.
3. As result of the foregoing, the _____ acknowledge(s) that all development on the **Lands** has additional risks and that those risks which must be accepted by the _____ and future property owners;
4. The _____ acknowledge(s) that the requirements of this Agreement and the Development permit are designed to reduce the risks of developing **the Lands**;
5. The _____ shall:

- a. assume all responsibility for the development of **the Lands** and shall;
 - b. ensure that the aforementioned potential defects on or within **the Lands**, and the associated risks, do not arise from **the Lands** so as to damage or affect neighbouring lands, including, without restriction, all roads, services, municipal improvements and municipal property;
 - c. respond to and address the aforementioned potential defects on or within **the Lands**, and the associated risks, should they arise, including, but without restriction, attend to the clean-up of **the Lands**, prevent future risk related to the defect in **the Lands**, and clean up and prevent any long-term affect on the MD's property, including, but not limited to, roads, curbs, sidewalks, and utility infrastructure, arising from the defect of **the Lands**;
6. The _____ acknowledge(s) and agree(s) that the MD, its servants, agents, employees and contractors, is not providing any warranty, representation or guarantee respecting the feasibility of the development of **the Lands**, nor is the MD responsible for monitoring **the Lands** or the _____'s development of **the Lands**;
7. Therefore, _____ do hereby indemnify, remise, release and forever discharge, and by these presents do for themselves, their heirs, executors, administrators, assigns, receivers, and successors on title, remise, release, and forever discharge the MD, its heirs, executors, administrators, and assigns, of and from any and all manner of action and actions, cause and causes of actions, suits, claims, and demand whatsoever at law or in equity which they had, or now have, or which they or any heirs, executors, administrators, assigns, receivers, and successors on title hereafter can, shall or may have by reason of any matter, cause, or things whatsoever existing up to the present time, and in particular, but without restricting the generality of the foregoing, any loss or damage caused by or alleged to be caused by the presence of contaminated water or soils on **the Lands** to the landowner or any other occupant of **the Lands**, to **the Lands**, and to [INSERT BRIEF DESCRIPTION OF DEVELOPMENT] thereon.
8. The terms of this Agreement shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors, receivers, and assigns.
9. _____ agree(s) that the MD shall be entitled to immediately register a Caveat against **the Lands** pursuant to this Agreement, at the expense of _____.

10. Wherever the singular and/or masculine are herein used, the plural and feminine should also be inferred where appropriate.

IN WITNESS WHEREOF the parties hereto have affixed their signatures and seals to be effective the date first above written.

The Municipal District of Willow Creek No. 26

Reeve

Municipal Administrator/CAO

Witness

Name

Witness

Name