

WESTLOCK COUNTY

Land Use Bylaw

WESTLOCK COUNTY
LAND USE BYLAW
BYLAW NO. _____

2003

WESTLOCK COUNTY

Province of Alberta

Bylaw No. _____

BEING a bylaw to adopt the Westlock County LAND USE BYLAW.

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended, requires a municipality in the Province of Alberta to adopt a Land Use Bylaw to regulate and control the use and development of land and buildings within the municipality;

NOW THEREFORE the Council of Westlock County hereby enacts as follows:

1. That LAND USE BYLAW NO. 13-1998 be repealed;
2. That this Bylaw be adopted as the Westlock County Land Use Bylaw; and
3. That this Bylaw shall come into effect on the date of the third reading.

READ A FIRST TIME, this ____ day of _____, 200__.

PUBLIC HEARING HELD, this ____ day of _____, 200__.

READ A SECOND TIME, this ____ day of _____, 200__.

READ A THIRD and FINAL TIME, this ____ day of _____, 200__.

REEVE

ADMINISTRATOR

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PART 1 GENERAL ADMINISTRATION PROCEDURES

1.1 TITLE

The title of this bylaw shall be the Land Use Bylaw of Westlock County.

1.2 PURPOSE

The purpose of this bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, amongst other things:

- (a) to divide the municipality into districts;
- (b) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (c) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (d) to provide the manner in which notice of the issuance of a development permit is to be given;
- (e) to establish the number of dwelling units permitted on a lot.

1.3 CONTROL OF DEVELOPMENT

No development other than that designated in Section 1.4 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

1.4 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1.4.1 The following development shall not require a development permit:

- (a) the carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation;
- (b) the completion of a building which was lawfully under construction at the date of the adoption of this bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve months from the said date of the said date of adoption;

- (c) the use of any such building as is referred to in subsection 1.4.1(b) for the purpose for which construction was commenced;
- (d) the erection of construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 0.9 m (3 ft.) in height in front yards and less than 1.8 m (6 ft.) in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- (e) a temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this bylaw;
- (f) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- (g) the development of land for a confined feeding operation or a manure storage facility within the meaning of the Agricultural Operation Practices Act if the confined feeding operation or the manure storage facility is the subject of an approval, registration or authorization under Part 2 of that Act;
- (h) the erection of all fences or other means of enclosure which are accessory to agricultural operations;
- (i) other minor improvements such as yard amenities such as rock gardens, fish ponds, walkways, mail boxes, flower pots; projections from buildings such as decks, steps, awnings, movable garden shed, etc.; and common agricultural structures such as line fences and dugouts that satisfy Prairie Farm Rehabilitation Administration guidelines, provided, however, that dugouts satisfy the minimum front yard requirements of this Bylaw.

1.5 NON-CONFORMING BUILDINGS AND USES

- 1.5.1 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform with this bylaw.
- 1.5.2 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made thereto or therein.
- 1.5.3 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be erected upon the lot while the non-conforming use continues.

- 1.5.4 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
- (a) to make it a conforming building, or
 - (b) for the routine maintenance of the building, if the development authority considers it necessary, or
 - (c) in accordance with the powers possessed by the development authority pursuant to the Act and Section 2.1.10 of this bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this bylaw.
- 1.5.5 If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may ~~shall~~ not be repaired or rebuilt except in accordance with this bylaw.
- 1.5.6 The use of land or the use of a building is not affected by a change of ownership or tenancy of the land or building.

1.6 DEVELOPMENT AUTHORITY

1.6.1 DEVELOPMENT AUTHORITY

1.6.1.1 The development authority, as established and appointed pursuant to the municipality's Development Authority Bylaw, shall perform such duties that are specified for it in this bylaw.

1.6.2 DEVELOPMENT AUTHORITY OFFICER

1.6.2.1 The development authority officer, as established and appointed pursuant to the municipality's Development Authority Bylaw, shall perform such duties that are specified for him/her in PART 2 of this bylaw.

1.6.2.2 The development authority officer may sign, on behalf of the development authority, any order, decision, approval, notice or other thing made or given by it.

1.6.2.3 The development authority officer shall:

- (a) keep and maintain for the inspection of the public during all reasonable hours, a copy of this bylaw and all amendments thereto; and
- (b) keep a register of all applications for development, including the decisions thereon and the reasons therefore;

1.6.2.4 The development authority officer is hereby declared to be a designated officer for the purposes of Section 542 of the Act.

1.6.3 MUNICIPAL PLANNING COMMISSION

The Municipal Planning Commission shall perform such duties as are specified for it in PART 2 of this bylaw.

1.7 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board shall perform such duties as are specified in PART 3 of this bylaw.

PART 2 DEVELOPMENT PERMITS, RULES AND PROCEDURES

2.1 PERMISSION FOR DEVELOPMENT

2.1.1 An application for a development permit shall be made to the development authority officer in writing, in the form required by the development authority, and shall be accompanied by:

- (a) a site plan in duplicate showing the legal description and the front, rear, and side yards, if any, and any provision for off-street loading and vehicle parking and access and egress points to the site;
- (b) floor plans and elevations and section in duplicate;
- (c) a statement of existing and proposed uses;
- (d) a statement of ownership of land and interest of the applicant therein;
- (e) the estimated commencement and completion dates;
- (f) the estimated cost of the project or contract price;
- (g) any other information required by this bylaw, the Municipal Development Plan, or the development authority officer.

2.1.2 Each application for a development permit shall be accompanied by a development permit application fee as established by resolution of Council.

2.1.3 Notwithstanding subsection 2.1.1, the development authority may make a decision on a development permit application notwithstanding that all of the required information and materials which are required to accompany a development permit application have not been submitted.

2.1.4 The development authority officer shall:

- (a) receive, consider and decide on applications for a development permit for those uses listed in PART 6 which constitute permitted uses in a district where all of the regulations for that district are complied with by the proposed development or where the regulations have been assigned to him/her for consideration and decision;
- (b) refer with his/her recommendations to the Municipal Planning Commission for its consideration and decision all other applications for a development permit; and

- (c) refer to the Municipal Planning Commission at his/her discretion for its consideration and decision any application which in his/her opinion should be decided by the Commission.
- 2.1.5 The Municipal Planning Commission shall receive, consider and decide on all applications for a development permit which are referred to them by the development authority officer.
- 2.1.6 In making a decision the development authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- 2.1.7 The development authority may require, with respect to a development, that as a condition of issuing a development permit, the applicant enter into a development agreement with the municipality to construct or pay for the construction of roads, pedestrian walkways, parking areas, or loading and unloading facilities, to install or pay for the installation of public utilities, to pay an off-site levy imposed by bylaw, and/or to give security to ensure that the terms of the agreement noted herein are carried out.
- 2.1.8 In the case where an applications for a development permit has been refused pursuant to this PART or ultimately after appeal pursuant to PART 3 of this bylaw, the development authority may or may not, at his sole discretion, accept the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant for 6 months after the date of the refusal.
- 2.1.9 In the case where a proposed specified use of land or a building is not provided for in any district in the bylaw, the Municipal Planning Commission may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in PART 6.
- 2.1.10 The Municipal Planning Commission may approve an application for a development permit even though the proposed development does not comply with the regulations of this bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Municipal Planning Commission,
- (a) the proposed development would not:
 - i) unduly interfere with the amenities of the neighbourhood, or
 - ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
 - (b) the proposed development conforms with the use prescribed for the land or building in this bylaw.
- 2.1.11 An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made on it by the development authority within 40 days after receipt of the application by the development authority officer. The

person claiming to be affected may appeal in writing as provided for in PART 3 of this bylaw as though he has received a refusal at the end of the period specified in this subsection.

2.2 DEVELOPMENT PERMITS AND NOTICES

- 2.2.1 A decision on a development permit application made pursuant to this PART does not come into effect until 15 days after the date the decision is publicized as described in subsection 2.2.3 of this bylaw. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 2.2.2 Where an appeal is made pursuant to PART 3 of this bylaw, a decision on a development permit application which has been made shall not come into effect until the appeal has been determined and the decision has been confirmed, modified or nullified thereby.
- 2.2.3 When a decision on a development permit application has been made for an application for a discretionary use or pursuant to subsection 2.1.9, the development authority officer shall:
- (a) immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (b) immediately mail a notice in writing to all adjacent landowners who, in the opinion of the development officer, may be affected; and/or
 - (c) immediately publish a notice in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- 2.2.4 When a decision on a development permit application has been made pursuant to subsection 2.1.10, the development authority officer shall:
- (a) immediately mail a notice in writing to all adjacent landowners who, in the opinion of the development officer, may be affected; and
 - (b) immediately publish a notice in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- 2.2.5 If the development authorized by a decision is not commenced within 12 months from the date of the issue of the development permit, or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has previously been granted by the development authority.
- 2.2.6 A decision of the development authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.

2.2.7 When the development authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART 3 DEVELOPMENT APPEAL PROCESS

3.1 APPEAL PROCEDURE

- 3.1.1 An appeal may be made to the Subdivision and Development Appeal Board (the Board) where the development authority:
- (a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;
 - (b) issues a development permit subject to conditions;
 - (c) issues an order under Section 5.1 of this bylaw.
- 3.1.2 The person applying for the permit or affected by the order, under subsection 3.1.1, or any other person affected by an order, decision or development permit of a development authority officer may appeal to the Board.
- 3.1.3 An appeal shall be made by serving a written notice of appeal, together with reasons and the development appeal fee as established by resolution of Council, to the secretary of the Board within 14 days after the date the order, decision or permit issued by the development authority was either:
- (a) first published in a newspaper circulating in the area, or
 - (b) posted on the site of the property the subject of the application, or
 - (c) received by the applicant;
- whichever of these occurs first.

3.2 APPEAL HEARING

- 3.2.1 Within 30 days of receipt of a notice of appeal, the Board shall hold an appeal hearing respecting the appeal.
- 3.2.2 The Board shall give at least 5 days notice in writing of the appeal hearing to:
- (a) the appellant,
 - (b) the development authority from whose order, decision or development permit the appeal is made,
 - (c) the Municipal Planning Commission if it is not the development authority,

- (d) those adjacent landowners who were notified under subsections 2.2.3 or 2.2.4 and any other person who, in the opinion of the Board, are affected by the order, decision or permit, and
- (e) such other persons as the Board specifies.

3.2.3 The Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:

- (a) the application for the development permit, is refusal and the appeal therefrom; or
 - (b) the order of the development authority under Section 5.1,
- as the case may be.

3.2.4 At the appeal hearing referred to in subsection 3.2.1, the Board shall hear:

- (a) the appellant or any person acting on his/her behalf;
- (b) the development authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the development authority, that person;
- (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his/her behalf; and
- (d) any other person who claims to be affected by the order, decision or permit and that the Board agrees to hear or a person acting on his/her behalf.

3.3 DECISION

3.3.1 The Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the appeal hearing.

3.3.2 A decision made under this PART of the bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to appeal to the Court of Appeal shall be made:

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

PART 4 BYLAW AMENDMENT PROCESS

4.1 APPLICATION TO AMEND BYLAW

- 4.1.1 A person may apply to have this bylaw amended by applying in writing, furnishing reasons in support of the application and paying the fees therefore required under Section 4.2.
- 4.1.2 Council may at any time initiate an amendment to this bylaw by directing the development authority officer to initiate an application therefor.

4.2 FORM OF APPLICATION

- 4.2.1 All applications for amendment to the land use bylaw shall be made to the municipality on the form provided by the municipality and shall be accompanied by:
 - (a) an application fee as established by resolution of Council for each application;
 - (b) an advertising fee as established by resolution of Council for each application;
 - (c) a recent title search of the land affected or other documents satisfactory to the development authority officer showing the applicant's interest in the said land;
 - (d) drawings showing the subject site, the proposed district, and the use and development to be proposed on the site, if applicable.

4.3 AMENDING BYLAWS

All amendments to this bylaw shall be made by Council by bylaw and in conformance with the provisions of the Act.

PART 5 ENFORCEMENT AND PENALTIES

5.1 CONTRAVENTION

5.1.1 Where a development authority finds that a development or use of land or buildings is not in accordance with:

- (a) the Act or the regulations; or
- (b) a development permit or subdivision approval; or
- (c) this bylaw,

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

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

5.1.2 Where a person fails or refuses to comply with an order directed to him under subsection 5.1.1 or an order of the Subdivision and Development Appeal Board within the time specified, a person appointed by Council may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.

5.1.3 A person who contravenes this bylaw is guilty of an offence 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, pursuant to Section 566 of the Act.

5.1.4 Where the Council or a person appointed by it carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

5.1.5 In addition to the process and penalties described above, the development authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this bylaw.

5.1.6 Violation Tickets

- 5.1.6.1 The development authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this bylaw.
- 5.1.6.2 The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the municipality.
- 5.1.6.3 Persons contravening any provision of this bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the bylaw has occurred may be considered to be a separate offence.
- 5.1.6.4 The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- 5.1.6.5 If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- 5.1.6.7 If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

PART 6 LAND USE DISTRICTS - USES AND REGULATIONS

6.1 ESTABLISHMENT OF LAND USE DISTRICTS

6.1.1 For the purpose of this bylaw Westlock County is divided into the following districts:

Agricultural (A1) District
Agricultural (A2) District
Controlled Urban Development (CU) District
Urban General (U) District
Natural Use (N) District
Country Residential (CR) District
Industrial (M) District

6.1.2 The boundaries of the districts listed in subsection 6.1.1 are as delineated on the Land Use District Map being PART 11 hereto.

6.1.3 Where uncertainty exists as to the boundaries of districts as shown on the Land Use District Map, the following rules shall apply:

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

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

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

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

6.1.4 Where the application of the above rules does not determine the exact location of the boundary of a district, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this bylaw and the degree of detail as to measurements and directions as the circumstances may require.

6.1.5 After Council has fixed a district boundary pursuant to the provisions of subsection 7.1.4, the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this bylaw.

- 6.1.6 The development authority officer shall maintain a list of the decisions with respect to boundaries or portions thereof fixed by the Council.
- 6.1.7 Where two or more districts overlap the more restrictive requirements shall prevail.

6.2 AGRICULTURAL (A1) DISTRICT

The general purpose of this district is to allow activities associated with primary production, and to preserve higher capability agricultural land from development that might be incompatible with primary production.

6.2.1 District Boundaries

This district comprises all the land in Westlock County within the area so designated on the Land Use District Map - PART 11 excepting:

- (a) The Agricultural (A2) District
- (b) The Controlled Urban Development (CU) District
- (c) The Urban General (U) District
- (d) The Natural Use (N) District
- (e) The Country Residential (CR) District
- (f) The Industrial (M) District

6.2.2 Permitted Uses

- (a) Extensive Agriculture, but not including a manufactured home or a one family dwelling (which shall be discretionary uses)
- (b) Minor Home Occupations (see Section 7.30)
- (c) Accessory buildings and uses incidental to permitted uses

6.2.3 Discretionary Uses

- (a) Commercial and Light Industrial uses (see Section 7.23 and 7.24)
- (b) Farmsteads (see Section 7.27)
- (c) Intensive Agriculture (see Section 7.22)
- (d) Institutional, Public and Quasi-public uses
- (e) Major Home Occupations (see Section 7.30)
- (f) Manufactured Homes (see Section 7.26)
- (g) Natural Resources Extraction Industries (see Section 7.25)
- (h) One Family Dwellings
- (i) Single Lot Country Residential Development (see Section 7.27)
- (j) Uses as identified in area structure plans adjacent to lakes (see Section 7.27)
- (k) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (l) Accessory buildings and uses incidental to discretionary uses

6.2.4 Regulations

6.2.4.1 Minimum Parcel Area - Permitted Uses

64 ha (158.1 acres) except where the parcel is subject to the following exemptions:

- (a) where a discretionary use is allowed, then the size of the parcel after the discretionary use is removed;
- (b) where the parcel is fragmented by a natural or physical barrier, then the size of the fragmented parcel.

6.2.4.2 Minimum Parcel Area - Discretionary Uses - as required by the Municipal Planning Commission.

6.2.4.3 Minimum Front Yard - The minimum front yard in this district shall be 40.84 metres (134 feet) from the property line of any adjoining road.

6.2.4.4 Minimum Side Yard - Ten percent of mean parcel width provided that no side yard need exceed 6.09 metres (20 feet) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

6.2.4.5 Minimum Rear yard - 7.62 metres (25 feet).

6.2.4.6 On parcels of land in excess of 1.21 ha (3 acres), the maximum number of birds and livestock or equivalent allowed will be as identified in subsection 7.10. Farm operations in excess of this limitation shall become subject to the regulations pertaining to confined feeding operations.

6.2.4.7 Development proposals adjacent to a primary highway, a secondary road or a rural road shall comply with the provisions of Multi-Lane Highways, Major Two-Lane Highways, Minor Two-Lane Highways, and Rural Roads - Section 7.12.

6.2.4.8 All applications for development shall conform with the appropriate policies in the Municipal Development Plan.

6.2.4.9 Notwithstanding any other provision in this Bylaw to the contrary, except as noted in Section 6.2.4.10 hereof, only one subdivision for any purpose other than a public or quasi-public use shall be permitted from any quarter section in the A1 District.

6.2.4.10 Notwithstanding any other provision in this Bylaw to the contrary, additional country residential lots may be permitted on the following quarter sections:

- (a) W ½ NW 26-59-1-W5 (2 country residential lots),
- (b) NE 16-64-1-W5 (3 country residential lots),
- (c) NE 34-62-27-W4 (2 country residential lots),
- (d) NW 20-61-25-W4 (2 country residential lots),
- (e) SE 28-61-2-W5 (2 country residential lots),
- (f) NE 27-61-27-W4 (2 country residential lots),
- (g) NW 4-58-26-W4 (2 country residential lots),
- (h) NW 14-63-27-W4 (2 country residential lots),
- (i) SW 1-60-26-W4 (3 country residential lots),
- (j) SE 17-62-26-W4 (2 country residential lots),
- (k) SW 36-59-27-W4 (2 country residential lots),
- (l) NW 33-58-25-W4 (2 country residential lots),

- (m) SE 13-60-1-W5 (2 country residential lots),
- (n) NE 14-57-1-W5 (2 country residential lots),
- (o) NE 4-61-27-W4 (2 country residential lots),
- (p) SW 8-61-26-W4 (2 country residential lots),
- (q) NE 35-58-27-W4 (2 country residential lots),
- (r) SE 15-60-26-W4 (2 country residential lots),
- (s) SW 35-58-26-W4 (2 country residential lots),
- (t) SE 20-64-1-W5 (2 country residential lots),
- (u) NW 21-58-25-W4 (2 country residential lots),
- (v) SE 18-58-26-W4 (2 country residential lots),
- (w) NE 31-59-25-W4 (2 country residential lots),
- (x) NW 29-59-25-W4 (2 country residential lots),
- (y) NE 14-60-26-W4 (2 country residential lots),
- (z) NE 14-60-25-W4 (2 country residential lots),
- (aa) SE 26-61-24-W4 (2 country residential lots),
- (ab) SE 3-59-27-W4 (2 country residential lots).

6.2.4.11 Notwithstanding any other provision in this Bylaw to the contrary, two extensive agricultural parcels with smaller areas may be permitted on the following quarter sections:

- (a) SE 16-59-26-W4 (2 at 32 ha (79 ac.) each),
- (b) NE 1-58-1-W5 (16.19 ha (40.0 ac.) parcel),
- (c) NW 35-59-27-W4 (8.1 ha (20.0 ac.) parcel),
- (d) SE 31-58-24-W4 (2 at 32 ha (79 ac.) each),
- (e) NE 30-60-26-W4 (2 at 32 ha (79 ac.) each),
- (f) NW 7-61-24-W4 (2 at 32 ha (79 ac.) each),
- (g) SW 22-64-1-W5 (24.28 ha (90.0 ac.) parcel).

6.3 AGRICULTURAL (A2) DISTRICT

The general purpose of this district is to allow activities associated with primary production, and, under appropriate circumstances, some other uses that might be incompatible with primary production.

6.3.1 District Boundaries

This district comprises all the land in Westlock County within the area so designated on the Land Use District Map - PART 11 excepting:

- (a) The Agricultural (A1) District
- (b) The Controlled Urban Development (CU) District
- (c) The Urban General (U) District
- (d) The Natural Use (N) District
- (e) The Country Residential (CR) District
- (f) The Industrial (M) District

6.3.2 Permitted Uses

- (a) Extensive Agriculture, but not including a manufactured home or a one family dwelling (which shall be discretionary uses)
- (b) Minor Home Occupations (see Section 7.30)
- (c) Accessory buildings and uses incidental to permitted uses

6.3.3 Discretionary Uses

- (a) Commercial uses (see Section 7.23)
- (b) Country Residential Development (see Section 7.27)
- (c) Farmsteads (see Section 7.27)
- (d) Industries and Industrial Parks (see Section 7.24)
- (e) Intensive Agriculture (see Section 7.22)
- (f) Institutional, Public and Quasi-public uses
- (g) Major Home Occupations (see Section 7.30)
- (h) Manufactured Homes (see Section 7.26)
- (i) Natural Resources Extraction Industries (see Section 7.25)
- (j) One Family Dwellings
- (k) Recreational uses
- (l) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (m) Accessory buildings and uses incidental to discretionary uses

6.3.4 Regulations

6.3.4.1 Minimum Parcel Area - Permitted Uses

32 ha (79.1 acres) except where the parcel is subject to the following exemptions:

- (a) where a discretionary use is allowed, then the size of the parcel after the discretionary use is removed;
- (b) where the parcel is fragmented by a natural or physical barrier, then the size of the fragmented parcel.

6.3.4.2 Minimum Parcel Area - Discretionary Uses - as required by the Municipal Planning Commission.

6.3.4.3 Minimum Front Yard - The minimum front yard in this district shall be 40.84 metres (134 feet) from the property line of any adjoining road.

6.3.4.4 Minimum Side Yard - Ten percent of mean parcel width provided that no side yard need exceed 6.09 metres (20 feet) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

6.3.4.5 Minimum Rear yard - 7.62 metres (25 feet).

6.3.4.6 On parcels of land in excess of 1.21 ha (3 acres), the maximum number of birds and livestock or equivalent allowed per acre will be as identified in subsection 7.10. Farm operations in excess of this limitation shall become subject to the regulations pertaining to confined feeding operations.

6.3.4.7 Development proposals adjacent to a primary highway, a secondary road or a rural road shall comply with the provisions of Multi-Lane Highways, Major Two-Lane Highways, Minor Two-Lane Highways, and Rural Roads - Section 7.12.

6.3.4.8 All applications for development shall conform with the appropriate policies in the Municipal Development Plan

6.4 CONTROLLED URBAN DEVELOPMENT (CU) DISTRICT

The general purpose of this district is to limit development around incorporated towns and villages.

6.4.1 District Boundaries

This district comprises all the land in Westlock County within the area so designated on the Land Use District Map - PART 11 excepting:

- (a) The Agricultural (A1) District
- (b) The Agricultural (A2) District
- (c) The Urban General (U) District
- (d) The Natural Use (N) District
- (e) The Country Residential (CR) District
- (f) The Industrial (M) District

6.4.2 Permitted Uses

- (a) Extensive Agriculture, but not including a manufactured home or a one family dwelling (which shall be discretionary uses)
- (b) Minor Home Occupations (see Section 7.30)
- (c) Accessory buildings and uses incidental to permitted uses

6.4.3 Discretionary Uses

- (a) Country Residential Development on existing single parcels only (see Section 7.27)
- (b) Farmsteads (see Section 7.27)
- (c) Major Home Occupations (see Section 7.30)
- (d) Manufactured Homes (see Section 7.26)
- (e) Natural Resources Extraction Industries (see Section 7.25)
- (f) One Family Dwellings
- (g) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (h) Accessory Buildings and uses incidental to discretionary uses

6.4.4 Regulations

6.4.4.1 All applications for development permits for discretionary developments within a Controlled Urban Development District shall be submitted to the urban municipality located within that area for comments prior to rendering a decision. The Municipal Planning Commission shall give due consideration to such comments but shall not be bound by the recommendation of the urban municipality.

6.4.4.2 Minimum Parcel Area - Permitted Uses

32 ha (79.1 acres) except where the parcel is subject to the following exemptions:

- (a) where a discretionary use is allowed, then the size of the parcel after the discretionary use is removed;
- (b) where the parcel is fragmented by a natural or physical barrier, then the size of the fragmented parcel.

6.4.4.3 Minimum Parcel Area - Discretionary Uses - as required by the Municipal Planning Commission.

6.4.4.4 The minimum front yard in this district shall be 40.84 metres (134 feet) from the property line of any adjoining road.

6.4.4.5 Rear and side yards shall be as required by the Development Authority.

6.4.4.6 The location of any shelter belts shall be as allowed by the Development Authority.

6.4.4.7 All applications for development shall conform with the appropriate policies in the Municipal Development Plan.

6.4.4.8 Notwithstanding any other provision in this Bylaw to the contrary, except as noted in Section 6.4.4.9 hereof, only one subdivision for any purpose other than a public or quasi-public use shall be permitted from any quarter section in the CU District.

6.4.4.9 Notwithstanding any other provision in this Bylaw to the contrary, additional country residential lots may be permitted on the following quarter sections:

- (a) NW 31-59-26-W4 (1 additional country residential lot),
- (b) SE 3-60-25-W4 (1 additional country residential lot),
- (c) NW 19-59-26-W4 (1 additional country residential lot),
- (d) SW 2-60-26-W4 (1 additional country residential lot),
- (e) SE 29-59-26-W4 (1 additional country residential lot).

6.5 URBAN GENERAL (U) DISTRICT

The general purpose of this district is to allow a wider variety of urban-type uses within the hamlets.

6.5.1 District Boundaries

This district comprises all the land in Westlock County within the area so designated on the Land Use District Map - PART 11, including those areas on the Map within the hamlets of Busby, Dapp, Fawcett, Jarvie, Nestow, Pibroch, Pickardville, Tawatinaw and Vimy, excepting:

- (a) The Agricultural (A1) District
- (b) The Agricultural (A2) District
- (c) The Controlled Urban Development (CU) District
- (d) The Natural Use (N) District
- (e) The Country Residential (CR) District
- (f) The Industrial (M) District

6.5.2 Permitted Uses

- (a) One Family Dwellings
- (b) Manufactured Homes in the Hamlet of Vimy
 - Block 6, Lots 12 to 49 inclusive
 - Block 7, Lots 1 to 24 inclusive
 - Block 8, Lots 1 to 14 inclusiveon Plan 792-1526
- (c) Manufactured Homes in those Manufactured Home Parks which have been issued a development permit (see Section 7.26)
- (d) Minor Home Occupations (see Section 7.30)
- (e) Accessory buildings and uses incidental to permitted uses

6.5.3 Discretionary Uses

- (a) Commercial Uses (see Section 7.23)
- (b) Duplexes
- (c) Institutional, public and quasi-public uses
- (d) Light industrial uses (see Section 7.24)
- (e) Major Home Occupations (see Section 7.30)
- (f) All other Manufactured Homes (see Section 7.26)
 - Except that Manufactured Homes in Pickardville shall be limited to the following:
 - All of Plan 5769 C.L.
 - All of Pt. of S.E. 36-58-27-W4 (2.00 acre parcel)
 - All of Pt. of S.E. 36-58-27-W4 (.67 acre parcel)
 - All of Plan 6149 N.Y.
 - All of Plan 912 0703
 - All of Pt. of S.E. 36-58-27-W4 (1.58 acre parcel)

All of Plan 602 E0 Block 1 and 2
 All of Plan 6887 CE Block 3 Lots 1 - 10
 All of Plan 6887 CE Block 4

- (g) Manufactured Home Parks (see Section 7.26)
- (h) Offices
- (i) Parks and playgrounds
- (j) Recreational buildings and uses
- (k) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (l) Accessory buildings and uses incidental to discretionary uses

6.5.4 Regulations

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

6.5.4.2 Minimum Lot Size for One Family Dwellings

Use	Width:		Area:	
	Metres	(Feet)	Sq. Metres	(Sq. Feet)
Residential (unserviced)	30.48	(100)	1858	(20,000)
Residential (both services)	15.24	(50)	557.4	(6,000) *
Residential (sewerage)	30.48	(100)	929	(10,000)
Residential (water)	30.48	(100)	1393.5	(15,000)

* except as identified in Section 7.5

6.5.4.3 Minimum Lot Size for all other uses - as required by the Development Authority.

6.5.4.4 Minimum Floor Area

One Family Dwellings - 74.32 sq. metres (800 sq. ft.)
 Duplexes - 111.48 sq. metres (1200 sq. ft.)
 Manufactured Homes – 74.32 sq. metres (800 sq. ft.)
 All other uses as required by the Municipal Planning Commission.

6.5.4.5 Minimum Yard Dimensions

Residential Uses: Front yard - 7.62 metres (25 feet)
 Rear yard - 7.62 metres (25 feet)
 Side yard - 10% of lot width but not less than 1.52 metres (5 feet) each
 Side yard on Corner Parcel - 4.57 metres (15 feet) on each side of flanking road

Commercial Uses: Retail stores built adjacent to existing similar uses may be built without front or side yard setbacks where there is lane access. Where there is no lane access, one side yard of at least 4.57 metres (15 feet) shall be provided.

All other uses: As required by the Development Authority.

6.5.4.6 Minimum Construction Standards

All development must be provided with sanitary facilities to satisfy Provincial regulations.

6.6 NATURAL USE (N) DISTRICT

The general purpose of this district is to protect natural areas while allowing minimal residential development to provide residents with undisturbed natural environments.

6.6.1 District Boundaries

This district comprises all the land in Westlock County within the area so designated on the Land Use District Map - PART 11 excepting:

- (a) The Agricultural (A1) District
- (b) The Agricultural (A2) District
- (c) The Controlled Urban Development (CU) District
- (d) The Urban General (U) District
- (e) The Country Residential (CR) District
- (f) The Industrial (M) District

6.6.2 Discretionary Uses

- (a) Manufactured Homes (see Section 7.26)
- (b) Municipal parks and playgrounds
- (c) Municipal recreational buildings and uses
- (d) One Family Dwellings
- (e) Private and public nature reserves
- (f) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (g) Accessory buildings and uses

6.6.3 Regulations

6.6.3.1 Minimum Parcel Area

All Uses - 64 ha (158.1 acres) except where the parcel is subject to the following exemptions:

- (a) where the parcel is fragmented by a natural or physical barrier, then the size of the fragmented parcel.

6.6.3.2 Minimum Front Yard - The minimum front yard in this district shall be 40.84 metres (134 feet) from the property line of any adjoining road.

6.6.3.3 Minimum Side Yard - Ten percent of mean parcel width provided that no side yard need exceed 6.09 metres (20 feet) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

6.6.3.4 Minimum Rear yard - 7.62 metres (25 feet).

- 6.6.3.5 Development proposals adjacent to a primary highway, a secondary road or a rural road shall comply with the provisions of Multi-Lane Highways, Major Two-Lane Highways, Minor Two-Lane Highways, and Rural Roads - Section 7.12.
- 6.6.3.6 Subdivision and development for agricultural, industrial or commercial uses shall not be permitted.
- 6.6.3.7 All applications for development shall conform with the appropriate policies in the Municipal Development Plan.

6.7 COUNTRY RESIDENTIAL (CR) DISTRICT

The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place within the County.

6.7.1 District Boundaries

This District comprises all the land in Westlock County within the area so designated on the Land Use District Map – Part 11 excepting:

- (a) The Agricultural (A1) District
- (b) The Agricultural (A2) District
- (c) The Controlled Urban Development (CUD) District
- (d) The Urban General (U) District
- (e) The Natural Use (NU) District
- (f) The Industrial (M) District

6.7.2 Permitted Uses

- (a) One Family Dwellings
- (b) Minor Home Occupations (See Section 7.30)
- (c) Accessory buildings and uses incidental to permitted uses

6.7.3 Discretionary Uses

- (a) Extensive Agriculture
- (b) Institutional Buildings and Uses
- (c) Major Home Occupations (See Section 7.30)
- (d) Manufactured Homes (See Section 7.26)
- (e) Public Utility Buildings and Installations
- (f) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- (g) Accessory buildings and uses incidental to discretionary uses

6.7.4 Regulations

6.7.4.1 Minimum Lot Size:

- (a) Permitted uses - 0.4 ha (1.0 ac.)
- (b) Discretionary uses - as regulated by the land use provisions, or, if not specified, to be determined by the Development Authority.

6.7.4.2 Minimum Yard Setbacks:

- (a) Front and corner - 7.5 m (24.5 ft.) (*Refer to definition of “front line” in Section 8.29 of Part 8*)
- (b) Side - 10% of parcel width, but not less than 1.5 m (5 ft.) each;

- (c) Rear - 7.5 m (24.5 ft.).
- (d) Notwithstanding Subsections (a), (b), and (c) above, the minimum required yard to be provided from a Multi-Lane Highway, a Major Two-Lane Highway, a Minor Two-Lane Highway, and a Rural Road shall be 40.84 m (134 ft.)

6.7.4.3 Minimum Floor Area

- (a) One family dwellings – 74.32 sq. m (800 sq. ft.)
- (b) Manufactured homes – 74.32 sq. m (800 sq. ft.).

6.7.4.4 Maximum Building Height

- (a) Dwelling units - 7.6 m (25 ft.) or 2 storeys, whichever is shorter
- (b) Accessory buildings - 4.6 m (15 ft.).

6.7.4.5 Maximum Lot Coverage - as required by the Development Authority.

6.7.4.6 Minimum Setback From Lakes:

Notwithstanding anything in this Bylaw to the contrary, no development other than accessory boathouses, docks, swimming facilities, and similar developments shall occur within 22.86 m (75 ft.) of the bed and shore of any lake.

6.7.4.7 Recreational Vehicles

No more than two (2) recreational vehicles may be located for more than fourteen (14) days at a time on any lot in the CR District unless a development permit has been granted to allow more recreational vehicles.

6.7.4.8 Restrictive Covenants

Notwithstanding any other provision of this Bylaw to the contrary, where a restrictive covenant is on the title of a lot, the Development Authority may require, as a condition of approval, that the development satisfy any and/or all requirements of the restrictive covenant.

6.8 INDUSTRIAL (M) DISTRICT

The general purpose of the District is to provide for specific areas where industrial development may take place within the County.

6.8.1 District boundaries

This District comprises all the land in Westlock County within the area so designated on the Land Use District Map - Part 11 excepting:

- (a) The Agricultural (A1) District
- (b) The Agricultural (A2) District
- (c) The Controlled Urban Development (CUD) District
- (d) The Urban General (U) District
- (e) The Natural Use (NU) District
- (f) The Country Residential (CR) District

6.8.2 Permitted Uses

- (a) Light Industrial Uses (See Section 7.24)
- (b) Public and quasi-public uses
- (c) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted uses
- (d) Accessory buildings and uses incidental to permitted uses

6.8.3 Discretionary Uses

- (a) Commercial uses (See Section 7.23)
- (b) Other industrial uses
- (c) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned discretionary uses
- (c) Accessory buildings and uses incidental to discretionary uses

6.8.4 Regulations

6.8.4.1 Minimum Lot Size – to be determined by the Development Authority

6.8.4.2 Minimum Front Yard – The minimum front yard of this District shall be 7.62 m (25 ft.) from the property line of any adjoining road.

6.8.4.3 Minimum Side Yard – The minimum side yard of this district shall be ten percent of mean parcel width provided that no side yard need exceed 6.09 meters (20feet) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

6.8.4.4 Minimum Rear Yard – The minimum rear yard of this district shall be 7.62 meters (25 feet) from the property line.

- 6.8.5 All developments shall comply with the provision of Multi-Lane Highways, Major Two-Lane Highways, Minor Two-Lane Highways and Rural Roads - Section 7.12.
- 6.8.6 Subdivision for permitted uses shall be permitted.
- 6.8.7 All applications for development shall conform with the appropriate policies in the Municipal Development Plan.

PART 7 LAND USE PROVISIONS

7.1 SUBDIVISION OF LAND

Where the development of land involves the subdivision of land, no development permit shall be issued until the application has been approved by the Subdivision Authority of the municipality, and the title has been created for the parcel.

7.2 NUMBER OF DWELLINGS ON A PARCEL OF LAND

7.2.1 The number of dwelling units permitted on any parcel of land shall not exceed one except when the second or additional dwelling unit:

- (a) is to be occupied by the a person who is engaged on a full-time basis for at least 6 months each year in an agricultural pursuit; or
- (b) is contained in a building that, or in buildings each of which, is designed for or divided into 2 or more dwelling units; or
- (c) is a manufactured home located within a manufactured home park; or
- (d) is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a land titles office under that Act.

7.2.2 A development authority may issue a development permit to a person that would permit the construction or location of a second dwelling unit on a lot if the lot has an area of at least 32 ha (79.1 acres). In such an instance, the development authority shall require that the second dwelling be located so that it can in the future be subdivided from the current titled area.

7.3 SITE CONDITIONS

7.3.1 The development authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar items.

7.3.2 The development authority may, as a condition of the approval of a development permit, impose conditions requiring the retention of trees, or additional planting of such a type and extent that is considered necessary or as is indicated in the Municipal Development Plan.

7.3.3 A minimum buffer strip with a horizontal width of 22.86 m (75 feet) shall be preserved from the top of the bank of any river, creek, watercourse, or water body. No structures of any kind shall be permitted within this strip other than accessory boathouses, docks, swimming facilities, and similar developments. The development authority may require a bank stability analysis, and additional setbacks may be required at his discretion.

7.4 TOP SOIL REMOVAL

A development permit is required before the commencement or continuation of the removal of top soil. Such permits shall only be granted where it is shown to the satisfaction of the development authority that the land will not be adversely affected by removal. The development authority may refer any application for removal of top soil to any agent or agency he feels may have competence in the matter for input prior to considering any approval.

7.5 EXISTING SUBSTANDARD LOTS

Development on existing substandard lots may be considered by the Municipal Planning Commission. Compliance with appropriate Provincial regulations will be required.

7.6 SANITARY FACILITIES

All buildings erected, placed or moved into districts established by this bylaw, to be used for a dwelling unit, commercial or industrial purpose shall be provided with sanitary facilities to meet the requirements of any Provincial regulations.

7.7 PROTECTION FROM EXPOSURE HAZARDS

- 7.7.1 The location of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 9092 litres (2000 gallons) shall be in accordance with the requirement of the development authority, but in no case be less than a minimum distance of 121.92 metres (400 feet) from assembly, institutional, commercial or residential buildings.
- 7.7.2 AA or LPG containers with a water capacity of less than 9092 litres (2000 gallons) shall be located in accordance with regulations under the Safety Codes Act.
- 7.7.3 Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
- 7.7.4 Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Provincial regulations or Acts.

7.8 SOUR GAS FACILITIES

- 7.8.1 All applications for development adjacent to sour gas facilities shall be referred to the Alberta Energy and Utilities Board (A.E.U.B.) for comments prior to the consideration of the issuance of a development permit.
- 7.8.2 No development shall be permitted within 0.1 km (0.06 miles) of a Level 1 sour gas facility (consisting of a well) as determined by the A.E.U.B.

7.8.3 In the case of a Level 2 sour gas facility as determined by the A.E.U.B.:

- (a) no permanent dwelling shall be permitted within 0.1 km (0.06 miles) of the facility;
- (b) no rural public facility shall be permitted within 0.5 km (0.31 miles) of the sour gas facility.

7.8.4 In the case of a Level 3 or Level 4 sour gas facility as determined by the A.E.U.B.:

- (a) no permanent dwelling shall be permitted within 0.1 km (0.06 miles) of the facility;
- (b) no unrestricted country residential development having a density of more than 8 dwellings per quarter section shall be permitted within 0.5 km (0.31 miles) of the facility;
- (c) no rural public facility shall be permitted within 0.5 km (0.31 miles) of the sour gas facility.

7.9 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

7.9.1 No person shall keep or permit in any residential area:

- (a) any dismantled or wrecked vehicle for more than 14 successive days;
- (b) any object or chattel which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the district;
- (c) any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken. The owner of such materials or excavations shall assume full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

7.10 KEEPING OF ANIMALS

7.10.1 Other than domestic pets, no fur bearing animals, fowl or livestock, whether or not the keeping of such animals, fowl or livestock is considered to be a confined feeding operation which does not require either a registration or an approval pursuant to the Regulations passed under the Agricultural Operation Practices Act, shall be permitted on parcels lying within the Urban General (U) District or the Country Residential (CR) District, except for the following:

- (a) In the Country Residential (CR) District, parcels of 0.6 ha (1.5 acres) or more in size may be permitted one horse;
- (b) In the Country Residential (CR) District, parcels of 0.8 ha (2 acres) or more in size may be permitted two horses;
- (c) In the Country Residential (CR) District, parcels exceeding 1.2 ha (3 acres) in size may be allowed in additional horse or cattle unit per each additional 0.6 ha (1.5 acres).

7.10.2 In the Agricultural (A1) District, the Agricultural (A2) District, the Controlled Urban Development (CU) District, and the Natural Use (N) District, isolated country residential parcels may be allowed one animal unit per each 0.6 ha (1.5 acres).

7.10.3 In the Urban General (U) District and the Country Residential (CR) District, and in isolated country residential parcels within the Agricultural (A1) District, the Agricultural (A2) District, the Controlled Urban Development (CU) District, and the Natural Use (N) District, the maximum number of dogs allowed on any parcel shall be two.

7.11 POLLUTION AND ADVERSE EFFECTS

7.11.1 The matters of pollution and adverse effects on other properties by holdings created shall be such that no use be allowed which may be offensive to a neighbouring owner or municipality. The word “offensive” here implies sight, smell and/or anything which may adversely affect a neighbouring owner or municipality.

7.12 MULTI-LANE HIGHWAYS, MAJOR TWO-LANE HIGHWAYS, MINOR TWO-LANE HIGHWAYS, AND RURAL ROADS

7.12.1 No development permit shall be issued for development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a multi-lane, major two-lane, or minor two-lane highway until any permit required under regulations made in accordance with the Public Highways Development Act has been issued by Alberta Transportation.

7.12.2 On a parcel of land located at the intersection of a multi-lane, major two-lane, or minor-two lane highway with a rural road, no development shall be permitted within the areas illustrated in Figure 9.2 of this bylaw.

7.12.3 On a parcel of land located at the intersection of two multi-lane, major two-lane, or minor two lane highways, or any combination of them, no development shall be permitted within the area illustrated in Figure 9.3 of this bylaw.

7.12.4 On a parcel of land located at the intersection of two rural roads, no development shall be permitted within the area illustrated in Figure 9.5 of this bylaw.

7.12.5 On a parcel of land located in the inside of a road curve, no development shall be permitted within the areas illustrated in Figure 9.4 of this bylaw.

7.12.6 The planting of trees adjacent to multi-lane, major two-lane and minor-two lane highways and rural roads shall be in accordance with the requirements in Figures 9.2, 9.3, 9.4 and 9.5 of this bylaw.

7.12.7 The minimum setback distance for an internal road from a multi-lane, major two-lane, or minor two-lane highway or a rural road shall be at the discretion of the development authority.

7.13 ACCESS AND PARKING

- 7.13.1 In all districts, vehicular entrances and exits onto roads shall only be permitted at locations approved by the municipality (see Section 7.12).
- 7.13.2 In all districts an offstreet parking space shall be provided in accordance with the minimum requirements of each use.
- 7.13.3 Unless otherwise approved by the development authority, a parking space shall not be less than 2.59 metres (8 feet 6 inches) in width nor less than 5.48 metres (18 feet) in length and shall be located on the same lot as the main building or use.
- 7.13.4 Offstreet loading space shall be provided in accordance with the minimum requirements of each use.
- 7.13.5 Unless otherwise approved by the development authority a loading space shall be located on the same lot as the main building or use.
- 7.13.6 In all districts, if not otherwise provided for, in regulating the facilities for offstreet parking, the owner of the land to be developed may, subject to the approval of the development authority:
- (a) provide the required offstreet parking on land other than that to be developed; or
 - (b) at his option and in lieu of providing offstreet parking, pay to the municipality such amount of money on such terms as the development authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in the district, any money so received by the municipality shall be used only for the development of municipal offstreet parking facilities.

7.14 SIGNS

- 7.14.1 No signs or advertising structures of a commercial, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.
- 7.14.2 No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
- 7.14.3 No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- 7.14.4 Notwithstanding the generality of subsection 7.14.1 above nor the provisions of subsections 7.14.2 and 7.14.3, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that no such signs shall be illuminated and provided that any necessary permits have been obtained in accordance with the any provincial regulations:

- (a) signs for the purpose of identification, direction or warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character or to a hotel, apartment, club or similar institution, not exceeding 1.1 sq. metres (12 sq. ft.) and limited to one sign per parcel;
- (b) temporary advertisement relating to the sale or letting of land, the sale of goods or livestock, the carrying out of building or similar work, or announcement of any local event of a religious, educational, cultural, political, or similar character not exceeding 1.86 sq. metres (20 sq. ft.), provided that all such temporary advertisements shall be removed by the advertiser within 15 days of the completion of the event or works to which such advertisement relate;
- (c) advertisements or signs in relation to the function of local authorities, utility boards or other public or quasi-public bodies.

7.14.5 No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.

7.14.6 All advertisements shall be kept in a safe, clean and tidy condition, and may by order of the development authority be required to be renovated or removed.

7.14.7 No signs or advertising structures other than those specified under Section 7.14.4 shall be permitted in multi-lot country residential subdivisions.

7.14.8 No signs or advertising structures of any kind shall be permitted within 0.8 km (0.5 miles) of a multi-lane, major two-lane or minor two-lane highway unless the prior approval of Alberta Transportation has been obtained.

7.15 ACCESSORY BUILDINGS IN THE URBAN GENERAL AND IN THE COUNTRY RESIDENTIAL DISTRICTS

7.15.1 An accessory building shall not be used as a dwelling.

7.15.2 The site of a detached garage or other accessory building shall be in accordance with those figures shown on the Figure 7.1.

7.15.3 The siting of an accessory building on an irregular shaped parcel shall be as approved by the development officer.

7.15.4 An accessory building shall not be located in the front yard.

Siting of Accessory Buildings figure

- 7.15.5 An accessory building shall not be located closer than 2.13 metres (7 feet) to a main building.
- 7.15.6 The height of an accessory building shall not exceed 4.57 metres (15 feet).
- 7.15.7 Where a structure is attached to the main building on a site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the main building and is not an accessory building.

7.16 AIRPORT VICINITY AREA

- 7.16.1 No development shall be permitted within an Airport Vicinity Area unless it complies with this Section.
- 7.16.2 The following shall apply to development adjacent to licensed and paved airstrips in Westlock County as identified on Figures 10.1 and 10.2:
- (a) multi-lot country residential development shall be prohibited on land located within the 30 Noise Exposure Forecast contour or higher as shown on Figure 10.1;
 - (b) development which will cause a concentration of people such as schools, libraries, nursing homes, and hospitals shall be prohibited from locating on land within the 30 Noise Exposure Forecast contour or higher;
 - (c) development shall not be higher than the heights indicated on Figure 10.2;
 - (d) development permit applications for developments within the Airport Vicinity Area that may result in emissions of steam, smoke, dust or other atmospheric condition, an accumulation of any material or waste edible by or attractive to birds, or the use of extensive exterior lighting will be reviewed carefully by the development authority prior to considering any approval. Developments which may result in such emissions may be refused by the development authority, or may be approved subject to conditions designed to alleviate the emissions and thus not negatively impact the operations of the airport;
 - (e) development permit applications for the manufacturing of petroleum products, pulp or paper products, stone, clay or glass products, metal processing, the processing of coal or natural gas, asphalt or ready-mix concrete products, gravel crushing, meat packing, a public incinerator, a sewage treatment plant and disposal plant, a hay or forage drier, a seed cleaning plant or feed mill plant, a thermal electric power generating plant or a steam generating plant or that includes any device, apparatus, equipment or other thing that is operated for industrial scientific, medical or similar purpose that produces and utilizes radio frequency energy in its operation excluding radio communication within the Airport Vicinity Area will be reviewed carefully by the development authority prior to considering any approval. Such developments may be refused by the

development authority, or may be approved subject to conditions designed to ensure that the development would not negatively impact the operations of the airport.

7.17 HISTORICAL AND ARCHAEOLOGICAL SITES

- 7.17.1 Historical or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with the guidelines established by Alberta Culture.
- 7.17.2 Development permit applications for discretionary development proposals within the Athabasca Landing Trail Corridor, as identified in the Municipal Development Plan shall be referred to Alberta Culture prior to consideration of the issuance of a development permit.

7.18 WILDLIFE AREA

- 7.18.1 Development within or adjacent to a wildlife area, as identified in the Municipal Development Plan, will not be allowed if it jeopardizes the maintenance of the species or habitat involved.
- 7.18.2 A site plan detailing the protection of existing vegetation and site topography shall be required with an application for a development permit within or adjacent to a wildlife area.

7.19 NATURAL USE AREA

- 7.19.1 Development within a natural use area, as identified in the Municipal Development Plan, will not be allowed if it jeopardizes the preservation and maintenance of the natural environment.
- 7.19.2 A site plan detailing the protection of existing vegetation and site topography shall be required with an application for a development permit within a natural use area.
- 7.19.3 All development shall be designed to retain buffer strips between roads and waterbodies, ravines, watercourses and wetland areas so as to prevent soil erosion and siltation of rivers, streams and creeks and the degradation of groundwater.
- 7.19.4 Subdivision and development for agricultural, industrial and commercial uses shall not be permitted in a natural use area.

7.20 SERVICE STATIONS

- 7.20.1 Service, or gas stations shall be located in such a manner that:
 - (a) no entrance or exit thereto for motor vehicles shall be within 60.95 metres (200 feet) of an entrance to or exit from a firehall, public or private school, playground,

library, church, hospital, children's or senior citizens' home or other similar public or quasi-public institutions;

- (b) no part of a service station or gas station building or of any pump or other accessory shall be within 6.096 metres (20 feet) of a side or rear line;
- (c) service stations shall have a front yard of not less than 12.192 metres (40 feet) and no fuel pump shall be located closer than 6.096 metres (20 feet) to the front line;
- (d) underground storage tanks shall be set back from adjacent buildings in accordance with Provincial regulations.

7.20.2 Site Area and Coverage

- (a) The minimum site area shall be 743.2 square metres (8000 square feet) and the maximum building coverage shall be 25% of the site area. For service stations including a car wash, the minimum site area shall be 1114.8 square metres (12,000 square feet).
- (b) Where a service station forms part of a shopping centre or auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Municipal Planning Commission.

7.20.3 Site and Building Requirements

- (a) All parts of the site to which vehicles may have access shall be hard-surfaced and drained to the satisfaction of the development authority.
- (b) No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
- (c) The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

7.21 MOTELS

7.21.1 A person applying to develop a site as a motel, where permitted under this bylaw, shall comply with the following special provisions:

(a) Site Requirements

i) Minimum Site Size

One Storey - 139.35 sq. m (1500 sq. ft.) per unit

Two Storey - 92.9 sq. m (1000 sq. ft.) per unit

ii) Minimum Required Yards

Front - 7.62 m (25 ft.)
Side - 3.04 m (10 ft.)
Rear - 3.04 m (10 ft.)

- iii) Required Parking - one per rentable unit
- iv) Minimum Floor area of a Rentable Unit - 264.476 sq. m (285 sq. ft.)
- (c) Space Between Buildings
Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.66 metres (12 feet) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.
- (d) Driveways
Each rentable unit shall face onto or about a driveway not less than 6.096 metres (20 feet) in width and shall have unobstructed access thereto.
- (e) Entrances and Exits
Not more than one motor vehicle entrance and one motor vehicle exit to a road or highway, each of a minimum width of 7.62 metres (25 feet) measured at its minimum dimension shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.14 metres (30 feet) in width.
- (f) Maintenance of Site and Buildings and Business
The owner, tenant, operator or person in charge of a motel shall at all times:
 - i) maintain the site and the buildings, structures and improvements thereon in a clean, tidy and attractive condition and free from all rubbish and debris
 - ii) maintain garbage facilities to the satisfaction of the development authority;
 - iii) maintain an appropriate fence where required, not less than 0.75 metres (30 inches) in height around the boundaries of the site and shall landscape and keep the site landscaped.

7.22 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES

7.22.1 Confined feeding operations and manure storage facilities for which an approval or a registration is required pursuant to the Agricultural Operations Practices Act are not regulated by this Bylaw but by that Act.

7.23 COMMERCIAL DEVELOPMENT

7.23.1 Commercial development may be permitted within the hamlets.

7.23.2 No development permit shall be issued for proposed commercial uses in the Agricultural (A1) District unless it:

- (a) is located on lower capability agricultural land; or
- (b) directly serves the agricultural community; or
- (c) is adjacent to a primary or secondary highway; or, notwithstanding the above
 - i) is operated as a secondary use to a farming operation; or
 - ii) has site specific requirements that cannot be met elsewhere in the Agricultural (A2) District.

7.23.3 No development permit shall be issued for proposed commercial uses in the Agricultural (A2) District unless it:

- (a) is located on lower capability agricultural land within the A2 District; or
- (b) is located anywhere in the Agricultural (A2) District if the proposal has site specific requirements that cannot be met in subsection 7.23.3(a).

7.23.4 All site regulations and requirements shall be based upon the type of development proposed, and shall be at the discretion of the development authority.

7.23.5 Commercial development shall be subject to a development agreement between the developer and the Municipal District.

7.23.6 No development permit shall be issued for proposed commercial uses in the Natural Use District or in the Country Residential District.

7.24 INDUSTRIAL DEVELOPMENT

7.24.1 An application for the establishment of an industry shall be considered by the development authority who may request advisory comment by various provincial and other authorities whose interest or jurisdiction may be affected.

The development authority shall request that such comments be made in writing.

7.24.2 Each application for industrial development shall be accompanied by the following information:

- Location
- Type of Industry
- Size of buildings
- Number of employees
- Estimated water demand and anticipated source
- Type of effluent and method of treatment
- Transportation routes to be used (rail and road)
- Reason for specific location
- Any accessory works required (pipeline, railway spurs, etc.)
- Anticipated residence location of employees

and/or any such other information as may be reasonably required by the development authority.

- 7.24.3 All site regulations and requirements shall be based upon the type of industrial development proposed, and shall be at the discretion of the development authority.
- 7.24.4 No development permit shall be issued for proposed heavy industrial use or industrial park in the Agricultural (A1) District unless the proposed use has site specific requirements that cannot be met elsewhere in the Agricultural (A2) District.
- 7.24.5 No development permit shall be issued for a proposed light industrial use in Agricultural (A1) District unless it:
- (a) is located on lower capability agricultural land; and
 - (b) directly serves the agricultural community; and
 - (c) is located, if possible, on the portion of the quarter section with the lowest capability for agriculture; or, notwithstanding the above
 - i) the proposed use is operated as a secondary use to the farming operation; or
 - ii) the proposed use has site specific requirements that cannot be met elsewhere in the Agricultural (A2) District.
- 7.24.6 No development permit shall be issued for a proposed industrial or industrial park use in the Agricultural (A2) District unless it complies with the following:
- (a) is located on lower capability agricultural; or
 - (b) is located anywhere in the Agricultural (A2) District if the proposal has site specific requirements that cannot be met by the preceding clause.
- 7.24.7 The proponent of a rural industrial park shall be required to provide the following information concerning the proposal before the development or subdivision authority considers approval:
- (a) environmental suitability of site, with particular reference to soils, slopes, drainage, and availability of services;
 - (b) the type and level of exhaust which may be emitted into the atmosphere;
 - (c) size and number of parcels proposed;
 - (d) phasing, if anticipated;
 - (e) servicing requirements and provisions for meeting them;
 - (f) costs associated with providing new or upgraded municipal services required by the development; and
 - (g) any other information as listed in subsection 7.24.2 of this Bylaw.
- 7.24.8 Industrial activities may be subject to a development agreement between the developer and the County.

7.24.9 No development permit shall be issued for proposed industrial uses in the Natural Use District or in the Country Residential District.

7.25 NATURAL RESOURCES EXTRACTION INDUSTRIES

7.25.1 The proponent of a natural resources extraction industries shall be required to submit a reclamation plan to Westlock County before the development authority considers issuing a development permit; except if the proposal is for sand, gravel, clay or marl extraction involving a site area of less than 2 ha (5 acres).

7.25.2 Development permits shall not be issued for natural resources extraction industries except:

- (a) in the case of higher capability agricultural lands, the land can be reclaimed to at least its former agricultural capability;
- (b) in the case of river valleys or lakeshores, the land can be reclaimed to at least its former recreation capability;
- (c) a performance bond for the purpose of ensuring reclamation will be complete or similar security is posted with the municipality.

7.25.3 All site regulations and requirements shall be based upon the type of natural resources extraction proposed, and shall be at the discretion of the development authority.

7.25.4 Natural resources extraction industries shall be subject to a development agreement between the developer and the County.

7.26 MANUFACTURED HOMES

7.26.1 Manufactured homes shall have:

- (a) Canadian Standards Association certification, and
- (b) an Alberta Labour Standards identification, and
- (c) if the manufactured home was constructed prior to 1997, certification that the manufactured home meets the requirements of regulations passed pursuant to the Alberta Safety Codes Act;

except, that if either Canadian Standards Association or Alberta Labour Standards identification cannot be provided, then certification that the manufactured home meets the requirements of regulations passed pursuant to the Alberta Safety Codes Act must be provided.

7.26.2 All accessory structures, such as patios, porches, additions and skirtings, shall be:

- (a) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes; and
- (b) considered as part of the main building; and
- (c) erected only after obtaining a development permit.

7.26.3 A manufactured home shall be skirted from the floor level to the ground level. Such skirting shall match the existing external finish of the manufactured home.

7.26.4 The floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the development authority.

7.26.5 With the exception of driveways, no accessory building or use shall be located in the front yard of a manufactured home in a manufactured home park or a hamlet.

7.26.6 Any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally. Such storage facilities shall conform to the local building, fire, electrical and plumbing standards.

7.26.7 All proposed manufactured homes shall be in good condition to the satisfaction of the Development Authority. In order to assess the condition of the manufactured home, the Development Authority may require that the applicant, upon application for a development permit, in addition to the requirements of Section 2.1.1 of this Bylaw, provide photographs or accurate drawings of the proposed manufactured home.

7.26.8 The following regulations apply to manufactured homes located in residential subdivisions:

- (a) the hitch and wheels are to be removed from the manufactured home;
- (b) all manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base;
- (c) the property is to be grassed and landscaped within one year from the date of issue of the development permit;
- (d) minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Municipal Planning Commission.

7.26.9 The following regulations apply to manufactured home parks:

- (a) The stalls shall be located a minimum of 7.62 metres (25 feet) from a boundary of a road and 4.57 metres (15 feet) from adjacent parcels. The setback strip shall be landscaped and/or fenced to the satisfaction of the development authority.

- (b) All roads shall be constructed and maintained to the satisfaction of the development authority. Minimum right-of-way width shall be 15.24 metres (50 feet).
- (c) There shall be safe, convenient, all-season pedestrian access of at least 0.91 metres (3 feet) in width for intended use between individual manufactured homes, the park streets and all community facilities provided for park residents.
- (d) Visitor parking space shall be provided at a ratio of at least one space for every two manufactured homes, be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (e) The design of manufactured home parks shall be to the satisfaction of the development officer.
- (f) All utilities shall be provided underground to stalls.
- (g) A minimum of 5% of the gross site area shall be devoted to recreational use or recreational space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips, and shall be clearly defined.
- (h) All areas not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the development authority. Screen fences or walls shall be erected where deemed necessary by the development authority around laundry yards, refuse collection points and playgrounds.
- (i) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park.
- (j) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective may be partially achieved by variations in street pattern, block shapes and location of manufactured home stalls.
- (k) Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (l) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- (m) i) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the development authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the park in relation to the surrounding

areas. The sign or signs shall be of a size, type and construction acceptable to the development authority.

- ii) Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- (n) Manufactured homes shall be separated from each other by at least 6.096 metres (20 feet) side-to-side and at least 3.048 metres (10 feet) from either front or rear stall line, provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirements shall be 3.048 metres (10 feet).
- (o) The minimum site area for a manufactured home park shall be 2.02 ha (5.0 acres).
- (p) The maximum permissible density for a manufactured home park shall be 20 manufactured home spaces per gross developable hectare (8.09/acre) of the area actually being developed at each stage of the development.
- (q) The minimum size for a manufactured home stall shall be 371.6 square metres (4000 square feet).

7.27 COUNTRY RESIDENTIAL DEVELOPMENT (INCLUDING FARMSTEADS WHEN SUBDIVIDED)

7.27.1 Development for country residential purposes shall be prohibited:

- (a) on lands currently under agricultural production that are classified in the farmland assessment as either arable or improved pasture, and assessed as having a 30% agricultural productivity capability or higher or at least 80% of its land rated C.L.I. Class 4 or better;
- (b) on sites where adequate year-round access is not available by either a paved or gravelled all-weather road in good condition;
- (c) on sites where necessary services are not provided at the sole expense of the developer;
- (d) on sites where water quality and/or quantity is marginal or substandard.

7.27.2 Subdivision of Farmsteads and Country Residential Parcels

The subdivision of land for farmstead separation or country residential development in the Agricultural (A1) District, Agricultural (A2) District, Controlled Urban Development (CU) District, and the Natural Use (N) District may be permitted if both the appropriate general and specific conditions are met:

(a) General Conditions

The subdivision of land for farmstead separation or country residential development in the Agricultural (A1) District, Agricultural (A2) District and the Natural Use (N) District may be permitted only if the following conditions are met.

- (i) the parcel, where possible, is located on that portion of the quarter section with the lowest capability for agriculture;
- (ii) the parcel is located on that portion of the quarter section so as to have minimal impact on the existing and future use of the quarter section and adjacent quarter sections for agricultural purposes, considering such factors as the proximity to confined feeding operations, whether or not they come under the purview of the Regulations made under the Agricultural Operation Practices Act;
- (iii) the parcel is located as to generate minimal immediate and future demands on existing municipal services such as the existing municipal road network, municipal road construction and maintenance schedules, municipal emergency services and school bus routes;
- (iv) the parcel is located with legal and physical access to a developed all-weather municipal road;
- (v) the parcel's location would satisfy the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.

(b) Specific Conditions

(i) Agricultural (A1) District

Notwithstanding subsection 7.27.1, the subdivision of only one single lot (including farmstead separation and fragmented parcel) shall be allowed on each unsubdivided quarter section located in the Agricultural (A1) District, provided that the parcel's location would satisfy the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.

(ii) Agricultural (A2) District

Notwithstanding subsection 7.27.1, the subdivision of one single lot (including farmstead separation and fragmented parcel) shall be allowed

on each unsubdivided quarter section located in the Agricultural (A2) District, provided that the parcel's location would satisfy the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.

(iii) Agricultural (A2) District

The subdivision of a maximum of two single lots may be allowed on each quarter section located in the Agricultural (A2) District, provided that the parcels' locations would satisfy the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act. Where possible, the single lot separations shall be located so as not to preclude the subdivision of the remaining portion of the quarter section for extensive agriculture use as per subsection 7.29.3.

(iv) Agricultural (A2) District

The subdivision of only one single lot shall be allowed on each parcel less than 60 ha (150 acres) in area but equalling or exceeding 30 ha (75 acres) in areas located in the Agricultural (A2) District, provided that the parcel's location would satisfy the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.

(v) Natural Use District

Notwithstanding subsection 7.27.1, the subdivision of only one single lot (including farmstead separation and fragmented parcel) shall be allowed on each unsubdivided quarter section located in the Natural Use District if the single parcel to be created is to accommodate an existing residence and other related improvements, provided that the parcel's location would satisfy the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.

(vi) Controlled Urban Development (CU) District

Notwithstanding subsection 7.27.1, the subdivision of only one single lot (including farmstead separation and fragmented parcel) shall be allowed on each unsubdivided quarter section located in the Controlled Urban

Development (CU) District, provided that the parcel's location would satisfy the minimum distance separations between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.

7.27.3 Where parcels have been registered for use as country residences prior to passage of this bylaw, and are non-conforming in terms of size, the Municipal Planning Commission may consider a development permit application.

7.27.4 Site requirements

- (a) Country residential sites shall be not less than 0.40 ha (1 acre) and not more than 1.21 ha (3 acres) in site area.
- (b) Existing farmsteads, to be separated from a quarter section, shall not be less than 0.40 ha (1 acre) and not more than 1.21 ha (3 acres) in site area.
- (c) Notwithstanding subsection 7.27.4(b) above, in the case of farmsteads, where shelter belts, driveways, fences or other natural or physical features are considered part of the parcel, the size of the parcel may exceed three (3) acres at the discretion of the Municipal Planning Commission following an inspection of the site.
- (d) The maximum parcel size for a fragmented parcel shall be determined by the limits of fragmentation.
- (e) A quarter section which has been subdivided for a public or quasi-public use shall be considered as unsubdivided.

7.27.5 Where an existing farmstead has been separated from a quarter section, it shall be regarded as a country residential site for the purposes of this bylaw.

7.27.6 Except in the case of an internal road system, no building shall be located closer than 40.84 metres (134 feet) to the property line of any adjoining road, unless the regulations of the district in which the building is located are more restrictive, in which case the latter will apply.

7.27.7 Country residences, where allowed, shall be developed in accordance with the provisions of this section.

7.27.8 Development permits for multi-lot country residential uses shall not be issued unless:

- (a) a plan of subdivision has been registered at Land Titles;
- (b) the proposal has access to an all-weather loose surface road within 1.6 km (1 mile) and/or a paved road within 8 km (5 miles) of the proposal;

- (c) the site has an adequate supply of on-site potable water;
- (d) the slope, soil drainage, and water table conditions are suitable for on-site disposal;
- (e) a suitable building site for a dwelling on a permanent foundation exists;
- (f) the proposal is located on lower capability agricultural land; and
- (g) the proposal is located in the Country Residential (CR) District.

7.27.9 Multi-lot country residential uses shall not be permitted:

- (a) within the 1 to 100 year flood plain;
- (b) within the 30 NEF contour or higher of a licensed and paved existing airport;
- (c) within 1.6 km (1 mile) from the boundary of a parcel of land containing resource extraction operation, industry, a sewage lagoon, nuisance ground, or other activities potentially detrimental to a residential development;
- (d) within 0.8 km (0.5 miles) of a rail line unless a physical barrier, natural or manmade, occurs between the proposed residential site and rail line.

7.27.10 New multi-lot country residential subdivisions shall not be permitted unless 40% of existing country residential lots within 6.4 km (4 mile) radius of the site have permanent residential dwellings constructed. Satisfactory evidence of this may be required prior to approval. This provision may be relaxed if the County is satisfied that the proposed lots are expected to be developed within a reasonable period of time.

7.27.11 Unless otherwise specified by an Area Structure Plan, country residential development within 1.6 km (1 mile) of a lake shall comply with the following requirements:

- (a) residential development shall not be allowed within 30 metres (100 feet) of the shoreline;
- (b) the clearing of vegetation shall be minimized;
- (c) the developer shall clear and post walkways, construct satisfactory boat launching facilities, and provide public wells as required;
- (d) pit toilets shall not be allowed.

7.27.12 Development permits for country residential developments shall not be issued except conditionally upon the applicant receiving approval from appropriate authorities indicating that the proposed sewage disposal system is satisfactory.

7.27.13 Development agreements shall be required as a condition of approval for all country residential subdivisions.

7.27.14 Except as noted in subsection 7.27.15, development of country residential proposals shall not be permitted within that distance as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act.

7.27.15 Notwithstanding subsection 7.27.14 or any other provision of this Bylaw to the contrary, dwellings may be allowed within 457.2 m (1500 feet) of a confined feeding operation in the following quarter sections:

- (a) SE 11-60-25-W4,
- (b) SE 11-61-27-W4,
- (c) NE 27-59-1-W5,
- (d) SW 1-61-26-W4,
- (e) SE 27-59-25-W4,
- (f) SW 15-62-1-W5
- (g) NW 13-59-25-W4,
- (h) SW 20-58-24-W4,
- (i) SE 25-58-25-W4.

7.27.16 The minimum floor area for dwelling units shall be:

- (a) one family dwelling - 75 square metres (800 square feet) per dwelling
- (b) all other uses as required by the development authority.

7.28 RECREATION AND OPEN SPACE

7.28.1 River shoreland with a C.L.I. recreation rating of Class 4 or higher, and lake shoreland with a C.L.I. recreation rating of Class 3 or higher shall be used only for intensive recreational purposes; shoreland not meeting this criteria may be used for extensive recreation.

7.28.2 Development applications in intensive recreation areas shall be accompanied by a report outlining the compatibility of the site.

7.28.3 Approved on-site water and sewage systems shall be installed for intensive recreational development as required by the development authority.

7.28.4 Requirements for lake access, municipal reserve design, buffering, signage, or organization of picnic, camping, day use space, etc., shall be determined by the development authority.

7.28.5 Notwithstanding the requirements of subsections 7.28.2 and 7.28.3, setback requirements for valley breaks, ravines and watercourses shall be at the discretion of the development authority.

7.29 EXTENSIVE AGRICULTURE

7.29.1 The subdivision of land located within the Agricultural (A1) District and Agricultural (A2) District may be permitted if both the appropriate general and specific conditions are met.

7.29.2 General Conditions

The subdivision of land located within the Agricultural (A1) District and Agricultural (A2) District may be permitted if the following conditions are met:

- (a) the quarter section equals or exceeds 60 ha (148.3 acres) in area, and
- (b) if the quarter section is fragmented by a natural or physical barrier, the proposed subdivision creates two unfragmented parcels that are each equal or greater than 28 ha (69.2 acres) in area, and
- (c) all parcels created have legal and physical access to a developed all-weather municipal road.

7.29.3 Specific Conditions

- (a) The subdivision of each previously unsubdivided quarter section located within the Agricultural (A2) District may be permitted if the following condition is met:
 - i) the proposed subdivision of the quarter section will create only two parcels of equal area.
- (b) Where a quarter section has been previously subdivided to create only one country residential parcel, the subdivision of the quarter section for agricultural use may be permitted on such quarter sections located within the Agricultural (A2) District if the following condition is met:
 - i) the proposed subdivision of the quarter section will create only two parcels, one of which is a minimum of 32 ha (79.1 acres) in area and which does not border the existing country residential parcel on more than one side.
- (c) Where a quarter section has been previously subdivided to create only two country residential parcels, the subdivision of the quarter section for agricultural use may be permitted on such quarter sections located within the Agricultural (A2) District if the following conditions are met:
 - i) the proposed subdivision of the quarter section will create only two parcels of equal area (if the subdivided parcels were to be included in the calculation), and

- ii) if the existing country residential parcels are not adjacent to each other, the boundary between the two parcels being created will separate the existing country residential parcels, and
- iii) if the existing country residential parcels are adjacent to each other, each parcel being created will not border more than one of the existing country residential parcels.

7.30 HOME OCCUPATIONS

7.30.1 All development permits issued for home occupations shall be revocable at any time by the development authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.

7.30.2 A home occupation - major shall comply with the following regulations:

- (a) A home occupation - major shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% of the dwelling unit for business usage. Except as noted in subsection 7.30.4(c) herein, there shall be no exterior signage, display or advertisement, but there may be a limited volume of on-premises sales.
- (b) The home occupation - major shall not, in the opinion of the development authority, generate pedestrian or vehicular traffic or parking, in excess of that which is characteristic of the district in which it is located.
- (c) The number of non-resident employees or business partners working on-site shall not exceed one (1) at any time.
- (d) Except in the Agricultural (A1) District, the Agricultural (A2) District, the Controlled Urban Development (CU) District, and the Natural Use (N) District, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage related to the business activity shall be allowed in either the dwelling or accessory buildings.
- (e) The home occupation - major shall not be allowed if, in the opinion of the development authority, such use would be more appropriately located in a Commercial or an Industrial District having regard for the overall compatibility of the use with the residential character of the area.

7.30.3 A home occupation - minor shall comply with the following regulations:

- (a) A home occupation - minor shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% of the dwelling unit for business usage. Except as noted in subsection 7.30.4(c) herein, there shall be no exterior signage, display or advertisement, and all sales relating to the home occupation shall occur off the premises.

- (b) The home occupation - minor shall not employ any person on-site other than a resident of the dwelling. Nor shall the business be such that any clients come to the dwelling.
- (c) There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage related to the business activity shall be allowed in either the dwelling or accessory buildings. The home occupation - minor does not involve the display of goods in the interior of the dwelling.

7.30.4 All home occupations shall comply with the following requirements:

- (a) The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.
- (b) There shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings.
- (c) Notwithstanding any other provisions of this bylaw to the contrary, a dwelling in which a home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 0.19 sq. m (2.0 sq. ft.) in area.
- (d) In addition to a development permit application, each application for a home occupation - major or minor shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
- (e) When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
- (f) Home occupations shall not involve:
 - (i) activities that use or store hazardous material in quantities exceeding those found in a normal household; or
 - (ii) any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

7.31 PROXIMITY TO THE PEMBINA RIVER

An area within the municipality near the Pembina River has, from time to time, been flooded by the Pembina River. After the most recent flood, Alberta Municipal Affairs identified a 1:100 year flood plain. That area is shown in the Municipal Development Plan. It shall be the responsibility of any developer who develops in the proximity of the

Pembina River to ensure that the development occurs in such a manner as to be satisfactorily flood-proofed or flood-protected. The municipality and the development authority shall take no responsibility in this regard.

7.32 PROXIMITY TO PIPELINES AND ABANDONED OIL AND GAS WELLS

There are numerous pipelines and oil and gas wells within the municipality. Many of these are abandoned. The municipality cannot and does not warrant that the locations of all pipelines or abandoned oil and gas wells are known to it. As well, the municipality believes that it is the responsibility of a landowner or developer to be aware of pipelines and abandoned oil and gas wells within a development area. Therefore, it shall be the responsibility of any landowner or developer in the municipality to ensure that the development occurs in such a manner as to not impact or be impacted by pipelines (no matter what the purpose of the pipeline may be) or abandoned oil and gas wells.

7.33 ENVIRONMENTAL STANDARDS

7.33.1 Development shall not be allowed to detrimentally affect natural features such as ponds, streams, wetlands and forested areas, but shall preserve and incorporate such features into the site design. In addition:

- (a) development of, or in proximity to, wetland areas shall only be undertaken where:
 - (i) it minimizes alterations in the natural flow of water which nourishes the wetlands, and
 - (ii) it protects wetlands from adverse dredging or infilling practices, situation or the addition of pesticides, salts or toxic materials; and
- (b) the location of natural features and the site's topography shall be considered in the designing and siting of all physical improvements.

7.33.2 Developments must adhere to the following land management practices:

- (a) stripping of vegetation or grading shall be done in a manner which will minimize soil erosion by ensuring that the extent of the disturbed area and the duration of its exposure is minimized, and that all grading work should be designed to blend with the natural contours of the land;
- (b) natural vegetation shall be retained and protected whenever possible;
- (c) natural drainage patterns should not be disturbed and changes to watercourses shall be avoided except where controlled improvements are warranted subject to approval from provincial and federal agencies (where necessary); and

- (d) developments shall not adversely affect groundwater resources or increase stormwater runoff velocity in a way that water levels on other lands are substantially raised or the danger from flooding is increased.

PART 8 INTERPRETATION

In this bylaw

- 8.1 “accessory building” means a building separate and subordinate to the main building, the use of which is incidental to that of the main building, which is located on the same parcel of land;
- 8.2 “accessory use” means a use customarily incidental and subordinate to the main use or building, which is located on the same parcel of land with such main use or building;
- 8.3 “Act” means the Municipal Government Act, 1994, as amended;
- 8.4 “agricultural capability” means soil capability for agriculture as identified on the Farmland Assessment sheets filed with the Westlock County; and/or as identified on the Canada Land Inventory maps;
- 8.5 “agricultural operation” means an agricultural operation as defined in the Agricultural Operation Practices Act;
- 8.6 “airport” means:
- (a) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and
 - (b) includes any building, installation or equipment in connection therewith,

operated by the Department of National Defence or for which an airport license has been issued by the Ministry of Transport;
- 8.7 “animal unit” means an animal unit as defined in the Agricultural Operation Practices Act;
- 8.8 “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;
- 8.9 “Canada Land Inventory (C.L.I.)” means the maps created by the federal government which indicate the capability of land for various activities such as agriculture, recreation, wildlife habitat, etc.;
- 8.10 “commercial use” means an outlet through which products or services are available to consumers and does not include the manufacturing of products;
- 8.11 “confined feeding operation” means a confined feeding operation as defined in the Agricultural Operation Practices Act;

- 8.12 “corner lot” or “corner site” means a parcel of land which is adjacent to two roads or highways, or a road and a highway, or a road or highway with a curve of greater than 30 degrees at the location of the corner lot;
- 8.13 “Council” means the Council of Westlock County;
- 8.14 “country residential development or use” means a dwelling located in a rural area which is situated on a parcel used solely for private residential purposes and accessory uses. The dwelling may be occupied permanently or seasonally;
- 8.15 “development” means:
- (a) an excavation or stockpile and the creation of either of them, or
 - (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of ~~the~~ use of the land or building;
- 8.16 “development agreement” is an negotiated agreement between the municipality and the owner/developer entered into at the time of subdivision or development which identifies the development responsibilities of each party;
- 8.17 “development authority” means the development authority established by the municipality’s Development Authority Bylaw;
- 8.18 “development authority officer” means the person appointed to be the development authority officer pursuant to the municipality’s Development Authority Bylaw;
- 8.19 “development permit” means a document authorizing a development issued pursuant to this Bylaw;
- 8.20 “discretionary use” means the use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made and subject to the enabling conditions for each discretionary use being satisfied;
- 8.21 “domestic pet” means an animal which is not defined as livestock and which normally lives within a dwelling;
- 8.22 “dwelling” means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes one family dwellings, duplexes, and manufactured homes;

- 8.23 “dwelling unit” means a complete dwelling building or a self-contained portion of a dwelling or a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;
- 8.24 “duplex” means a dwelling with two dwelling units sharing a common wall, and located side by side or one above the other;
- 8.25 “extensive agriculture” means the use of land or buildings, including the first dwelling, for an agricultural operation, but not including intensive agriculture or a confined feeding operation which requires either a registration or an approval pursuant to the Agricultural Operation Practices Act;
- 8.26 “extensive recreational use” means a recreation development where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide for low density non-facility oriented recreational activities. Without restricting the generality of the foregoing, this includes hunting, trail riding, snowmobiling, hiking and other similar uses;
- 8.27 “farmstead” means the habitable residence or other improvements used in connection with extensive or intensive agriculture, or a confined feeding operation, and situated on a quarter section used in connection with such operation;
- 8.28 “fragmented parcel” means a parcel that is separated from the balance of a titled area by a natural barrier such as a river or coulee, or by a physical barrier such as a road or highway or rail line, and which prohibits reasonable or normal access;
- 8.29 “front line” means the boundary line of a parcel of land adjacent to a road or highway. In the case of a corner lot, the shorter of the two property lines shall be considered the front line. In the case of a lot immediately adjacent to a lake or to a Reserve parcel adjacent to a lake, the lot line nearest the lake shall be considered the front line, and the lot line adjacent to the road or highway shall be considered the rear line;
- 8.30 “front yard” means a yard extending across the full width of a parcel of land from the front line of the parcel of land to the nearest wall of the main building situated on the parcel of land;
- 8.31 “hamlet” refers to the unincorporated communities of Busby, Dapp, Fawcett, Jarvie, Nestow, Pibroch, Pickardville, Tawatinaw, and Vimy;
- 8.32 “heavy industry” means those industrial uses that may have detrimental effects on other districts due to appearance, noise, odour, emission of toxic wastes, or fire and explosive hazards;
- 8.33 “higher capability agricultural land” means land defined as a quarter section having at least 20 ha (49.4 ac.) with a farmland assessment productivity rating of 30% or better or at least 80% of its land rated C.L.I. Class 4 or better;

- 8.34 “highway commercial development or use” means a commercial outlet intended to serve the motoring public and includes, but is not limited to, service or gas stations, and motels;
- 8.35 “home occupation” means any occupation, trade, profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the dwelling, and which does not change the character thereof. For the purposes of this bylaw, home occupations are divided into minor home occupations and major home occupations;
- 8.36 “industrial development or use” means activities relating to manufacturing, warehousing, and/or resource extraction;
- 8.37 “industrial park” means development consisting of two or more lots, designed and approved for industrial uses and which would constitute the major use of a quarter section of land;
- 8.38 “institutional use” includes but is not limited to hospitals, public offices, educational facilities, churches, libraries, and senior citizens’ housing;
- 8.39 “intensive agriculture” means an agricultural operation which raises crops on a land-intensive basis. Intensive agriculture includes greenhouses, nurseries, and truck gardens, but does not include confined feeding operations;
- 8.40 “intensive recreation” means high density recreational activities such as campgrounds, picnic grounds, fishing lodges, beach areas, marinas, riding stables, race tracks, sports fields, golf courses, arenas, swimming pools, tennis courts and other similar activities;
- 8.41 “kennel” means a development which either boards or raises domestic pets for a fee;
- 8.42 “light industrial development or use” means activities involved in the processing, fabrication, storage, transportation, distribution or wholesaling of goods and services which do not emit a significant level of noise, smoke, odour, dust, vibration, etc. and which is compatible with the surrounding land use;
- 8.43 “livestock” means livestock as defined in the Agricultural Operation Practices Act;
- 8.44 “lot” means:
- (a) a quarter section,
 - (b) a river lot shown on an official plan, as defined in the Surveys Act that is filed or lodged in a land titles office,
 - (c) a settlement lot shown on an official plan, as defined in the Surveys Act that is filed or lodged in a land titles office,
 - (d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
 - (e) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;

- 8.45 “lower capability agricultural land” means land defined as a quarter section having less than 20 ha (49.4 ac) with a farmland assessment productivity rating of 30% or better or less than 80% of its land area rated C.L.I. Class 4 or better;
- 8.46 “main building” means a building in which is conducted the main or principle use of the site on which it is erected;
- 8.47 “major two-lane highway” means a major two-lane highway as defined by Alberta Transportation pursuant to the Public Highway Development Act;
- 8.48 “manure storage facility” means a manure storage facility as defined in the Agricultural Operation Practices Act;
- 8.49 “may” is an operative word which means a choice is available, with no particular direction or guidance intended;
- 8.50 "manufactured home" means a dwelling that is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as dwelling. This definition shall include a dwelling that would otherwise be considered to be a one family dwelling if the roof pitch were greater than 1:4, if the depth of eaves were greater than 30.4 cm (12 in.), or if the ratio of depth vs. width (or width vs. depth) were less than 3:1. If the roof pitch is less than 1:4, if the eaves is less than 30.4 cm (12 in.), or if the ratio noted above is more than 3:1, the building shall be considered to be a manufactured home;
- 8.51 “manufactured home park” means any parcel of land on which three or more occupied manufactured homes are located or are permitted to be located without regard to whether a fee or charge is paid or made, and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park, except that manufactured home parks shall not be deemed to include industrial and construction camps of a temporary nature;
- 8.52 “minor two-lane highway” means a minor two-lane highway as defined by Alberta Transportation pursuant to the Public Highway Development Act;
- 8.53 “multi-lane highway” means a multi-lane highway as defined by Alberta Transportation pursuant to the Public Highway Development Act;
- 8.54 “Municipal Development Plan” means Westlock County Municipal Development Plan;
- 8.55 “Municipal Planning Commission” means the Municipal Planning Commission established and appointed pursuant to the municipality’s Municipal Planning Commission Bylaw;
- 8.56 “municipality” means Westlock County;
- 8.57 “natural resources extraction industry” means the surface or sub-surface mining of metallic or non-metallic minerals;

- 8.58 “non-conforming building” means a building
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- 8.59 “non-conforming use” means a lawful specific use
- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;
- 8.60 “one family dwelling” means a dwelling containing only one dwelling unit which is supported on a permanent foundation. This definition shall include a dwelling that might be considered to be a manufactured home if the roof pitch were 1:4 or greater, if the depth of eaves were 30.4 cm (12 in.) or greater, and if the ratio of depth vs. width were 3:1 or less. If all of those criteria are met, the dwelling shall be considered to be a one family dwelling. If any of those criteria are not met, the dwelling shall be considered to be a manufactured home;
- 8.61 “owner” means:
- (a) in the case of land owned by the crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
 - (b) in the case of any other land, the person or persons listed as the owner of the land in the municipality’s assessment roll prepared under the Act;
- 8.62 “parcel of land” means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;
- 8.63 “permitted use” means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon an application having been made, provided that all of the regulations of the bylaw are satisfied, and provided further, that all of the matters left to the satisfaction of the development authority or to be provided as required by the development authority are met;
- 8.63a “pit toilet” means a sanitary sewage disposal facility which is, essentially, a hole in the ground, within which treatment or dispersal of the sanitary sewage does not take place other than by simple percolation;

- 8.64 “public or quasi-public use” means a use which is for the purposes of public administration and services and shall also include uses for the purpose of assembly, instruction, culture or enlightenment or for community activities, and includes cemeteries;
- 8.65 “public utility” means a public utility as defined in the Municipal Government Act;
- 8.66 “public utility building” means a building in which the proprietor of a public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility;
- 8.67 “rear line” means the boundary line of a parcel of land which is opposite or farthest from the front line of the parcel of land;
- 8.68 “rear yard” means a yard extending across the full width of the parcel of land from the nearest rear wall of the main building situated on the parcel of land, to the rear line of the parcel of land;
- 8.69 “rentable unit” means a separate unit of a motel used or intended to be used for the temporary dwelling accommodations of one or more persons;
- 8.70 “secondary use and operation” means use and operations secondary in nature to the main use or operation but not limited to similar uses or operation. Without restricting the foregoing, secondary uses and operations does not include intensive livestock operations;
- 8.71 “shall” is an operative word which means the action is obligatory;
- 8.72 “side line” means all boundaries of parcels of land other than front lines and rear lines;
- 8.73 “side yard” means a yard extending from the wall of the main building situated on a parcel of land nearest to the front line to the wall of the main building nearest to the rear line, and lying between the side line of the parcel and the nearest wall of the main building;
- 8.74 “stall” means an area of land upon which a manufactured home is to be located, and which is reserved for the exclusive use of the residents of that particular manufactured home, located within a manufactured home park;
- 8.75 “subdivision and development appeal board” means a subdivision and development appeal board established and appointed pursuant to the municipality’s Subdivision and Development Appeal Board Bylaw;
- 8.76 “urban fringe” means a limited area around the urban municipalities of Westlock and the Village Clyde;
- 8.77 “urban municipality” refers to the Town of Westlock, the Village of Clyde, and the Summer Village of Larkspur;
- 8.78 “yard” means a part of a parcel of land upon or over which no main building is erected;

and all other words and expressions have the meanings respectively assigned to them in the Act, in other legislation, and in common law.