

MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

BYLAW NO. 03-2009

A BYLAW of the Municipal District of Spirit River No. 133, in the Province of Alberta, for the purpose of establishing a Land Use Bylaw.

WHEREAS Section 639 of the Municipal Government Act, Statutes of Alberta 1994, Chapter M-26.1 and amendments thereto, requires that every municipality must pass a Land Use Bylaw; and

WHEREAS The Council of the Municipal District of Spirit River No. 133 deems it advisable to adopt a new updated Land Use Bylaw;

NOW THEREFORE The Council of the Municipal District of Spirit River No. 133, in the Province of Alberta, duly assembled, hereby enacts as follows:

- a. That this bylaw shall be known as the Municipal District of Spirit River No. 133 Land Use Bylaw No. 03-2009.
- b. That Bylaw No. 03-2001 with all attachments and amendments be repealed.
- c. This Bylaw shall be effective on the date of its final passing.

READ A FIRST TIME THIS 6th DAY OF AUGUST, 2009.

READ A SECOND TIME THIS 26th DAY OF AUGUST, 2009.

READ A THIRD TIME AND PASSED THIS 26th DAY OF AUGUST, 2009.

ORIGINAL
Signed By

KELLY HUDSON
REEVE



TOM MATUS,
CHIEF ADMINISTRATIVE OFFICER

SECTION 1 GENERAL CONDITIONS

1.1 TITLE

This Bylaw may be cited as the "Municipal District of Spirit River No. 133 Land Use Bylaw".

1.2 PURPOSE

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Municipality, and to achieve the orderly, economic and beneficial 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 purpose 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 prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit, and
- (e) to establish the number of dwelling units permitted on a lot.

1.3 APPLICATION

The Provisions of this Land Use Bylaw applies to all lands and buildings within the corporate boundaries of the Municipal District of Spirit River No. 133.

1.4 CONFORMITY WITH BYLAW

No person shall commence any development unless it is in accordance with the terms and conditions of a Development Permit issued pursuant to this Bylaw, where such a permit is required. See Section 6 for more information.

1.5 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

In addition to the requirements of this Bylaw, an applicant must comply with all federal, provincial and municipal legislation.

1.6 TRANSITIONAL PROVISIONS

An application for a development permit which is received in its complete and final form prior to the effective date of this Bylaw shall be processed, and any permit issued shall be in accordance with Bylaw #03-2001 and the amendments thereto.

1.7 ESTABLISHMENT OF DEVELOPMENT REGULATIONS

General development conditions shall be set forth in Section 9 of "Development Regulations", and the same may be amended in the similar manner as any other part of section of this Bylaw.

1.8 INTERPRETATION

- (a) notwithstanding the Definitions listed in Section 2, the Municipal Government Act takes precedence in a case of dispute on the meanings of all words or clauses.
- (b) where used in this Bylaw, the words "shall" and "must" require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.
- (c) in the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw (including Schedule C, District Maps and Schedule D, Overlay Map) the text shall govern.
- (d) in the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.
- (e) in the case of any conflict between information expressed in metric units and in imperial units, the metric shall govern.
- (f) any Direct Control Districts that were in effect immediately prior to the effective date are hereby deemed to continue in full force and effect.
- (g) unless there is an explicit statement to the contrary in a Direct Control District any reference in a Direct Control District to a land use bylaw shall be deemed to be a reference to the land use bylaw that was in effect at the time of the creation of the Direct Control District.

SECTION 2 DEFINITIONS

ACCESSORY BUILDING OR USE means a building or use which, in the opinion of the Development Authority, is subordinate to, exclusively devoted to, and located on the same site as the principle building or use, but does not include a farm building or residence.

ACT means, unless otherwise described, the Municipal Government Act and amendments thereto, and the regulations passed pursuant thereto.

ADJACENT means land or a portion of land that is contiguous to another parcel of land, or would be contiguous if not for a river, stream, railway, road or utility right of way or reserve land.

AGRICULTURAL INDUSTRY means any industrial use related to agriculture involving the production, initial processing or storage of farm products. Without restricting the generality of the above it may include a grain elevator, seed cleaning plant, abattoir, pelletizing plant, bulk oil and gas sales and storage, auction market, livestock holding station, fertilizer sales and storage, or a use similar to those listed.

AGRICULTURAL OPERATIONS PRACTICES means the legislation established with enhanced ability to deal with nuisance complaints and provision for province-wide regulation, overseen by a regulatory body – the NRCB (Natural Resources Conservation Board).

AGRICULTURAL SALES AND SERVICE means a facility for the sales and mechanical repair of agricultural vehicles, or servicing of related accessories and parts; and servicing of small engines and equipment; but does not include auto body repair, paint shops, wrecking yards

AIRPORT means (a) the Spirit River Airport within the boundaries of the Town of Spirit River; (b) 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 and servicing of aircraft, and (c) includes any building, installation or equipment operated by the Department of National Defence or for which an airport licence has been issued by the Ministry of Transport.

APARTMENT means a residential building consisting of at least three dwelling units each with an entrance either directly from the outside or through a common entrance hall.

APIARY means all permanent structures related to the commercial raising and keeping of bees.

APPROVING AUTHORITY means the Subdivision Approving Authority for the Municipality.

AUCTIONEERING ESTABLISHMENT means a development intended for the auctioning of goods and equipment, including Temporary Storage of such goods and equipment.

AUTO BODY AND PAINT SHOP means an establishment for the repair and/or painting of motor vehicle bodies but does not include facilities for the sale of fuels, lubricants, or automotive accessories, or for mechanical or electrical repairs.

AVERAGE FINISHED GRADE means for the purposes of measuring building height, the arithmetic mean of the elevations of the finished grade at two outermost corners of a wall on the respective side of a building.

BASEMENT means the portion of a building between two floors which is below or partly below the finished grade level of the lot where it abuts the building and having a ceiling height of at least 2m (6.6ft).

BATTERY means a system or arrangement of tanks or other surface equipment receiving the effluents of one or more wells prior to delivery to market or other disposition, and may include equipment or devices for separating the effluents into oil, gas or water and for measurement.

BED AND BREAKFAST means any establishment that is operated from a private residence that has two or more rooms for rent to the general public on a daily basis. The rent charge may or may not include meals for the registered guests. Not to limit the generality of the above, the main use of the house is for a private residence for the host and their immediate family.

BOARD means the Subdivision and Development Appeal Board.

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

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

BULK FUEL, CHEMICAL STORAGE AND DISTRIBUTION means a development where refined or crude oil, fuel, or liquid or solid chemical is stored outdoors, and includes the storage of dangerous/hazardous substances, as defined by the Dangerous Goods Transportation and Handling Act and the Major Industrial Accidents Council of Canada (MIACC). The development may include facilities for cleaning, blending or packaging of bulk oil, fuel or chemicals, but does not include manufacture of any of these products.

BUS STATION means a development using a building, structure or land for the purposes of loading and unloading passengers and passengers related items, onto and off buses.

CAMPGROUND means an area for the seasonal short term use (30 days) of holiday trailers, tents, tent trailers, motor homes, fifth wheels, truck campers, and similar recreational vehicles, and is not used as a year round storage, or accommodation for residential use. Typical uses include, but are not limited to, tourist trailer parks, campsites and tenting grounds and related recreational activities such as trail riding, picnic grounds, boating facilities, and playgrounds. This may also include facilities for eating and assembly purposes as well as a camp store.

CARETAKER'S RESIDENCE means a residence that is secondary or accessory to the principal industrial or commercial use on the same lot, and is used for the purposes of providing living accommodation for the owner, operator or caretaker of the principal use.

CEMETERY means development of a parcel of land primarily as landscaped open space for the entombment of deceased persons, and may include the following accessory developments: crematoria, columbaria, and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance.

COMMENCE means to initiate a development pursuant to an approved development permit. For the purpose of this Bylaw, this refers to the excavation of a site and/or the construction of the foundation of a building or structure.

CONFINED FEEDING OPERATION means a confined feeding operation as defined in the Agricultural Operation Practices Act.

CONSUMER PRODUCT WHOLESALE ESTABLISHMENT means a development allowing the wholesale or retail sales of: plumbing or heating equipment and supplies; home improvement or building supplies; electrical equipment and supplies; general machinery; and manufactured homes or trailers.

CONTRACTOR, GENERAL means a development used for commercial and industrial service support and construction. Typical uses include oilfield support services, laboratories, cleaning and maintenance contractors, building construction, surveying, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer, or similar services of a construction nature which require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use.

CONTRACTOR, LIMITED means a development used for the provision of electrical, plumbing, heating, painting, catering and other contractor services, and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and no fleet storage of more than four vehicles or pieces of mobile equipment.

COUNCIL means the Council of the Municipal District of Spirit River No. 133.

COUNTRY RESIDENTIAL PARCEL means the subdivision of an undeveloped parcel of land from an unsubdivided quarter section for the purpose of accommodating a residence.

DANGEROUS OR HAZARDOUS GOODS means a product, substance or organism listed in the Dangerous Goods Transportation and Handling Act or by the Major Industrial Accidents Council of Canada (MIACC).

DEALERSHIP means premises for the display and/or sale of new or used motor vehicles including farm equipment, heavy equipment designed for specialized purposes and purpose-built recreational vehicles.

DENSITY means the average number of persons, families or dwelling units per unit of area.

DEHYDRATOR means an apparatus designed and used to remove water from raw natural gas.

DEVELOPMENT means any of the following:

- (a) an excavation or stockpile and the creation of either of them,
- (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,
- (c) a change in 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 land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

DEVELOPMENT AUTHORITY means the Development Officer or Municipal Planning Commission of the Municipality.

DEVELOPMENT OFFICER means the person appointed by Council to serve as the Development Officer pursuant to Section 3.1 of this Bylaw.

DEVELOPMENT PERMIT means a document authorizing a development issued pursuant to this Bylaw.

DISCRETIONARY USE means those uses of land, buildings or structures for which Permits may be issued only at the discretion of the Municipal Planning Commission.

DISTRICT means a specific group of listed Use Classes and Development Regulations which regulate the use and development of land within specific geographic areas of the Municipal District. The Use Classes and Development Regulations are contained in Section 10 of this Bylaw, and may be subject to the regulations contained in Section 1-9 of this Bylaw, while the geographic areas to which they apply are shown on the Land Use Map, comprising Schedule C of the Bylaw.

DRIVE-THROUGH BUSINESS means an establishment, which services customers traveling in motor vehicles driven onto the site where such business is carried on, where the customer normally remains in the vehicle for service.

DUPLEX DWELLING means a residential building used or intended to be used for two dwelling units, located one above the other.

DUGOUT means a borrow pit that is used as a water source for domestic or farm purposes.

DWELLING UNIT means one or more rooms used as or designed to be used as a residence and containing sleeping, cooking and sanitary facilities and with an independent entrance either directly from outside the building or through a common hallway inside the building. For the purpose of this Bylaw, this includes a stick-built dwelling, modular home, or manufactured home.

ENVIRONMENTALLY SENSITIVE AREA means those areas that are generally unsuitable for development due to the presence of excessive or unstable slopes, the potential for erosion or flooding, or contain sensitive ecological habitat.

EQUIPMENT SALES, RENTAL AND REPAIR means a development used for the sales, rental and repair of tools, appliances, recreational craft, office machines, furniture, home appliances, light construction equipment, or similar items, but does not include the rental or repair of motor vehicles or industrial equipment.

EXTENSIVE AGRICULTURE means the raising or production of any cultivated crops, livestock or dairy products that utilize relatively large areas of land and in which the use of buildings and confinement areas is auxiliary to the use of the land itself. This constitutes an "agricultural operation" pursuant to the requirements of the Farming Practices Protection Statutes Amendment Act.

FARM BUILDING means improvements used in connection with the raising or production of crops, livestock, or poultry and situated on land used in connection with such farming operations, but does not include a dwelling unit.

FARMSTEAD means the first parcel out of an unsubdivided quarter section containing an existing, habitable dwelling unit and associated buildings and related improvements.

FENCE means a physical barrier constructed for the purposes of limiting intrusion, sound abatement, and to prevent unauthorized access or containment of livestock, and fences may or may not be visually obstructive.

FLEET SERVICE means a development using a fleet of vehicles for the delivery of people, goods, or services, where such vehicles are not available for sale or long-term lease. This includes, taxi services, bus lines, messenger and courier services, but does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg.

GARAGE means a building used to store automobiles and yard related items.

GAS PROCESSING PLANT means a plant for the extraction from gas of hydrogen sulfide, helium, ethane, natural gas liquids or other substances, including a dehydrator, but does not include a battery, pipeline, separator, treater, or well.

GEODESY means the branch of applied mathematics that deals with the measurement of the shape and area of large tracts of country, the exact position of geographical points, and the curvature, shape, and dimensions of the earth.

HIGHWAY means a road designated by the Province as a highway.

INDUSTRIAL CAMP means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time.

INDUSTRIAL SUPPORT means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or shipping of such materials, goods and equipment, including petrochemical products and supplies. This definition applies to oil and gas and forestry industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations.

INTENSIVE AGRICULTURE means a commercial agricultural operation other than confined feeding operation that, due to the nature of the operation requires smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, market gardens, sod farms, and tree farms.

INTERNAL SUBDIVISION ROAD means a road that is intended to serve one or more lots and is not located within a government road allowance, the management of which is the responsibility of the Municipality.

LAND FARM means a site used for the treatment of soils contaminated by hydrocarbons and non-hazardous organic oilfield waste, whereby the soil in question is remediated through aeration or cultivation into agricultural or other suitable lands.

LANDFILL (INDUSTRIAL) means a site used for the disposal of non-domestic or industrial solid wastes which may not be disposed of at a sanitary landfill and is not intended for use of the public at large.

LANDFILL (SANITARY) means a site used for the disposal of domestic solid wastes which can be utilized by the public at large.

LANDSCAPING means the modification and enhancement of a site through the use of any or all of the following elements: (a) soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass and ground cover; and (b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile, and wood, excluding monolithic concrete and asphalt.

LOT means:

- (a) a quarter section
- (b) a river lot shown on an official plan, as defined in the Surveys Act, which is filed or lodged in a Land Titles Office.
- (c) a settlement lot shown on an official plan, as defined in the Surveys Act, which 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 a Certificate of Title by reference to a Plan of Subdivision.

LOT, CORNER means a lot having a frontage on two or more roads at their intersection or junction.

LOT LINE means a legally defined limit of any lot.

LOT LINE, FRONT means the boundary dividing a lot from an abutting road. In the case of a corner lot the owner of the site may select one of the road boundaries as the front, subject to approval of the Municipal District's Council.

MAJOR HOME BASED BUSINESS means the use of a building and/or site that is incidental to the principal residential use of the building and/or site. For the purposes of clarification this includes such uses as the storage of equipment, trucks and related vehicles, trucking operations, construction equipment storage, and other similar uses. Major home based businesses shall be limited to up to four (4) on-site employees other than the resident and the resident's family who permanently reside in the dwelling.

MANUFACTURED HOME means a transportable detached dwelling unit suitable for long term occupancy, designed to be transported by being towed or carried, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports, and connection of utilities, is suitable for human habitation. For the purpose of this Bylaw, this includes both single-section and multiple-section units, but does not include a recreational vehicle or a modular home.

MANUFACTURED HOME PARK means a development on a lot under single ownership and managed by a park operator that is designed to accommodate numerous manufactured homes on leased sites in a community setting.

MINOR AGRICULTURAL PURSUIT means the non-commercial rearing of a small number of livestock on a residential parcel.

MINOR HOME BASED BUSINESS means the use of a residential building to conduct a business or commercial enterprise. The business portion shall be incidental or subordinate to the primary residential function and shall be limited to the confines of the residence. Minor home based businesses shall not have any employees other than the resident and the resident's family who permanently reside in the dwelling, and shall not include any outside storage or commercial vehicles associated with the business.

MODULAR HOME means a factory-fabricated dwelling unit, designed to be transported on a truck and assembled on site, but does not include a manufactured home. means a prefabricated or factory built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular unit represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be connected side-by-side or vertically, and completed to form one or more complete dwelling units for year-round occupancy. A modular home herein defined does not include, as defined elsewhere in this Bylaw, single-wide manufactured home, double-wide manufactured home, a holiday trailer or recreational vehicle.

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

MUNICIPAL DEVELOPMENT PLAN means the Municipal District of Spirit River No. 133 Municipal Development Plan and any amendments thereto.

MUNICIPAL PLANNING COMMISSION means a Municipal Planning Commission established by separate bylaw.

MUNICIPAL ROAD means a road that is constructed within the limits of a government road allowance or registered road plan, the management of which is the responsibility of the Municipality, but does not include an internal subdivision road.

MUNICIPALITY means the Municipal District of Spirit River No. 133.

NATURAL RESOURCE EXTRACTION INDUSTRY means an industry engaged in the on-site removal, extraction and primary processing of raw materials such as timber, clay, sand, gravel, limestone, shale, coal, natural gas and oil and which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form.

PARCEL means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

PARK means land developed for public recreational activities that do not require major buildings or facilities, and typically includes, but is not limited to, picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

PERMANENT FOUNDATION means a structure consisting of concrete, treated wood, or masonry that serves as support for a building that, during construction, involves an excavation. This may include but not be limited to a basement, crawl space, concrete slab, or pilings.

PERMITTED USE means those uses of land, buildings or structures for which Permits may be issued by the Development Officer.

PERSONAL SERVICES SHOPS means development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This Use includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats

PIPELINE means any pipe or any system or arrangement of pipes whereby oil, gas or synthetic crude oil or water incidental to the drilling for or production of oil, gas or synthetic crude oil is conveyed, and includes all property of any kind used for the purpose of, or in connection with, or incidental to, the operation of a pipeline in the gathering, transporting, handling and delivery of oil, gas, synthetic crude oil or water, but does not include any pipe or any system or arrangement of pipes that constitutes a distribution system for the distribution within a community of gas to ultimate consumers.

PIPE AND EQUIPMENT STORAGE means the storage of materials, goods and equipment normally associated with the oil and gas industry and may include the shipping of such materials, goods and equipment, including petrochemical products and supplies. This definition applies to oil and gas and forestry industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations.

PRINCIPAL BUILDING OR USE means a building or use which, in the opinion of the Development Authority, (a) occupies the major or central portion of a site; (b) is the main building or use among one or more buildings or uses on the site; or (c) constitutes by reason of its use the primary purpose for which the site is used. There shall be no more than one principal building on each site unless specifically permitted in this Bylaw.

PROFESSIONAL AND MEDICAL OFFICES means development primarily used for the provision of professional and medical services. Typical uses include the following and similar uses: offices of lawyers, accountants, engineers, planners, doctors and architects; and offices for real estate and insurance firms.

PUBLIC BUILDING OR USE means a building, structure, or site used for public administration and services by a Municipality, by any board or agency of the Municipality, by any department or agency of the federal or provincial government, or by a community organization and may include a arenas, art galleries, cemetery, church, community hall, curling rink, hospitals, libraries, museums, park, school, swimming pools, tennis courts and other indoor and outdoor recreational activities or similar use.

PUBLIC UTILITY means a public utility as defined in the Act.

PUBLIC UTILITY LOT means a lot or parcel of land used in the distribution, maintenance and housing of a Public Utility.

RECREATIONAL USE means any recreational activity that tends to concentrate many people at a specific site, on proportionally smaller areas of land, and generally involves usage of some developed facilities. For the purpose of this Bylaw this includes golf courses, campgrounds, resorts, shooting range, ski hill, hunting, trail riding, snowmobiling, summer camps, hiking or other similar activities and similar uses.

RECREATION RESORT means a commercial development which offers a combination of fixed roof guest accommodation and recreational opportunities. The resort may be located to benefit from specific natural or built amenities and typically includes the following uses, but is not limited to, dining and beverage facilities, concessions, pro shops and picnic areas.

RECREATIONAL VEHICLE means a unit designed to be transported on its own wheels or by other means (including units mounted permanently or otherwise on trucks), designed or constructed or reconstructed or added to by means of accessories in such a manner as will permit its use for sleeping or living purposes for one or more persons and is used on a generally short term basis.

RECREATIONAL VEHICLE PARK means any parcel of land on which three or more recreational vehicles are harboured, without regard to whether a fee or charge is paid or made and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such recreational vehicle park in compliance with relevant Government Regulations.

REGULATION means the Subdivision and Development Regulation AR 43/2002 of the Municipal Government Act.

RESIDENTIAL GROUP CARE FACILITY means the use of a residential building as a facility which is recognized, authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for 4 residents or more, excluding staff, for foster children or disabled persons, or for persons or families with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance, counselling, and supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This use does not include facilities such as detoxification centres, halfway houses, or detention centres.

RESTAURANT means a commercial establishment where food and drink are offered for sale, and intended to be consumed within the confines of the establishment, and includes the following such similar uses as, restaurants, fast food outlets, and coffee shops.

RETAIL STORE means commercial premises in which the retail sale of consumer goods takes place.

ROAD means land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a Highway.

RURAL INDUSTRY means any industry not directly related to agriculture involving, but not limited to the following:

- (a) warehousing or storage of materials, goods or equipment, and/or,
- (b) manufacturing or processing of a finished product from raw materials and/or
- (c) provision of large scale transportation facilities for freight or passengers and/or,
- (d) industrial operations which due to noise, safety hazards, noxious or toxic emissions requires tracts of land situated away from any concentration of people, and/or
- (e) bulk fuel sites, and/or

- (f) storage of steel materials, including but not limited to the following: pipes, culverts and steel beams.

SALVAGE ESTABLISHMENT means development used for the collection and temporary storage of materials. These developments operate out of doors within a fenced compound.

SAWMILL means a portable machine used to cut logs into boards and other wood products.

SCREENING means, without restricting the generality of the following, a row of trees, shrubs, earth berm or fencing that provides visual screening and separation and/or noise attenuation between Districts, lots, roadways, and sites, or between them.

SECRETARY means the Secretary to the Subdivision and Development Appeal Board.

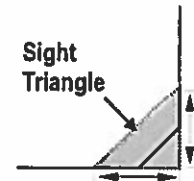
SEPARATOR means an unfired apparatus specifically designed and used for separating fluids produced from a well into 2 or more streams, but does not include a dehydrator.

SERVICE STATION means a facility for the service and repair of motor vehicles and for the retail sale of gasoline, lubricants, automotive accessories and associated petroleum products. This Use may include truck stops.

SETBACK means the distance that a development or a specified portion of it must be set back from a property line. The setback shall be measured perpendicularly from the applicable front, rear or side property line to any portion of the building foundation.

SIGN means any structure or device that conveys information or advertising.

SIGHT TRIANGLE means that triangle formed by a straight line drawn between two points on the lot lines of a lot from the point where the lot lines intersect, and where visual obstructions, such as buildings, fences, signs, trees, and haystacks are prohibited.



SINGLE FAMILY DWELLING means a stick-built or modular residential building containing only one dwelling unit, but does not include a manufactured home.

SOUR GAS FACILITY means any facility that produces, processes, or transports sour gas including a pipeline, battery or gas processing plant.

STATUTORY PLAN means a municipal development plan, Intermunicipal Development Plan, or area structure plan prepared and adopted in accordance with the Municipal Government Act.

SUBDIVISION means the division of a parcel of land by an instrument.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means a body established under Act to conduct hearings and make decisions on development appeals or subdivision appeals that are made to it.

TEMPORARY refers to a development that has been approved for a period of less than a year.

TOP SOIL means the depth of soil containing the major portion of organic matter or the first 6 inches of soil on a lot that is used for agricultural purposes.

TREATER means a fired apparatus specifically designed and used for separating gas and water from crude oil.

UNSUBDIVIDED QUARTER SECTION means a quarter section, lake lot, river lot or settlement lot that has not been subdivided except for public building or uses or fragmented parcels. In the case of lands containing fragmented parcels, a quarter section, lake lot, river lot or settlement lot that constitutes more than 1/2 of the area that was constituted by that quarter section, lake lot, river lot or settlement lot is considered unsubdivided.

USE means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained;

UTILITY SERVICES means development of infrastructure likely to have some impact on the environment or adjacent land Uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical Uses in this Use include vehicle, equipment and material storage yards for utilities and services; telephone exchanges; wire centres; switching centres; snow dumping sites; bus transfer facilities; surface reservoirs; storm water management facilities, including lakes, wetlands and dry ponds; water towers; water treatment plants; power terminal and distributing substations; utility services and gate stations for natural gas distribution.

VARIANCE means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Subdivision and Development Appeal Board.

VETERINARY CLINIC means a development for the purpose of treatment, boarding, training, or grooming of animals and includes retail sales of associated products. This includes such uses as veterinary clinics and grooming, boarding and breeding kennels, impounding and quarantining facilities and animal shelters, but does not include the sale of animals.

WATER BODY means any of the following:

- (a) the bed and shore of a lake, lagoon, swamp, marsh, or any other natural body of water, and /or
- (b) a reservoir or other man-made surface feature, whether it contains water continuously or intermittently.

WATER COURSE means any of the following:

- (a) the bed and shore of a river, stream, creek or other natural body of water, and/or
- (b) a canal ditch or other man-made surface feature whether or not it contains water continuously or intermittently.

WIND ENERGY CONVERSION SYSTEM (WECS) means a structure designed to convert wind energy into mechanical or electrical energy

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

WELL means an orifice in the ground completed or being drilled for the production of oil or gas, for injection to an underground formation, as an evaluation well or test hole, or to or at a depth of more than 150 metres, for any purpose, but does not include one to discover or evaluate a solid inorganic mineral and that does not or will not penetrate a stratum capable of containing a pool or oil sands deposit.

YARD, FRONT means that portion of land extending across the full width of a lot and situated between the front lot line and the nearest exterior wall of the principal building.

YARD, REAR means that portion of land extending across the full width of a lot and situated between the rear lot line and the nearest exterior wall of the principal building.

YARD, SIDE" means that portion of land extending from the front yard to the rear yard and situated between the side lot line and the nearest exterior wall of the principal building.

YARD, SIDE (EXTERIOR) means a side yard located immediately adjacent to a road.

YARD, SIDE (INTERIOR) means a side yard other than an exterior side yard.

SECTION 3 DUTIES OF THE DEVELOPMENT AUTHORITY

3.1 ESTABLISHMENT OF DEVELOPMENT AUTHORITIES

- 3.1.1 The office of Development Officer as established by separate bylaw, and filled by a person or persons to be appointed by Council, is hereby considered to act as a "Development Authority".
- 3.1.2 The Municipal Planning Commission, as established by separate Bylaw, is hereby authorized to act as a "Development Authority".

3.2 DUTIES AND RESPONSIBILITIES OF DEVELOPMENT AUTHORITY

3.2.1 The Development Officer shall:

- (a) receive, consider and decide upon applications for development permits;
- (b) keep and maintain for inspection of the public during office hours, a copy of this Bylaw and all amendments and resolutions thereto; and
- (c) keep a register of all applications for development, including the decisions thereon and the reasons therefore, for a minimum period of seven (7) years.

3.2.2 Notwithstanding 3.2.1(a), the Development Officer may:

- (a) refer any development permit application to the Municipal Planning Commission for a decision;
- (b) refer development permit applications to the Municipal Planning Commission, at his or her discretion, for those uses not listed either as "Permitted Uses" or "Discretionary Uses" in the subject land use District; and

3.2.3 (a) the Development Officer shall consider and decide on applications for development permits within forty (40) days of receipt of the application in its complete and final form. If a decision is not made within forty (40) days of the receipt of the application the application shall, at the option of the applicant, be deemed refused.

- (b) if a decision is not made within the forty (40) days specified in subsection (a), the applicant may enter into an agreement with the Development Officer to extend the forty (40) day period using the prescribed form.

3.3 DEVELOPMENT AUTHORITY'S DISCRETION

- 3.3.1 A development permit application for a use which is not listed as a "Permitted Use" or a "Discretionary Use" in the subject District may be refused.

- 3.3.2 Notwithstanding Section 3.3.1, the Development Officer may refer any application to the Municipal Planning Commission. If the Municipal Planning Commission determines that the proposed use of land or a building is similar in character and purpose to a use listed under that land use district, despite that the use is not listed as a "Permitted Use" or "Discretionary Use" in the Bylaw, the Development Authority may issue a development permit.
- 3.3.3 In making a decision on a development permit application for a "Permitted Use", the Development Authority shall:
- (a) approve with or without conditions, an application where the proposed development conforms with this Bylaw; or
 - (b) refuse an application if the proposed development does not conform to the Bylaw.
- 3.3.4 In making a decision on a development permit application for a "Discretionary Use", the Development Authority:
- (a) may approve, either permanently or for a limited period of time, an application that meets the requirements of this Bylaw, with or without conditions;
 - (b) may refuse an application even though it meets the requirements of this Bylaw; or
 - (c) shall refuse an application if the proposed development does not conform to the Bylaw.
- 3.3.5 In reviewing a development permit application for a Discretionary Use, the Development Authority shall have regard for:
- (a) the purpose and intent of the Act, as well as any statutory plans adopted by the Municipality;
 - (b) the circumstances and merits of the application, which may include such items as:
 - i. impact of such nuisance factors as smoke, airborne emissions, odours and noise on nearby properties;
 - ii. the design, character and appearance of the development shall be compatible with and complementary to the surrounding area; and
 - iii. the servicing requirements for the proposed development.
- 3.3.6 Notwithstanding Sections 3.3.3(b) and 3.3.4(c), the Development Officer may vary any or all of the District requirements by a maximum of twenty percent (20%) provided such a variance does not unduly affect the amenities, uses or enjoyment of the site or the neighbouring properties.
- 3.3.7 Notwithstanding Sections 3.3.3(b) and 3.3.4(c), the Municipal Planning Commission may vary any or all of the District requirements provided such a variance does not unduly affect the amenities, uses or enjoyment of the site or the neighbouring properties.

- 3.3.8 A variance will not be allowed if the granting of the variance results in a development which does not meet the requirements of the Subdivision and Development Regulation.
- 3.3.9 In the event that a variance is granted pursuant to Section 3.3.5, the Development Officer shall indicate in its files the type and extent of any variance granted to any development permit approval.
- 3.3.10 Notwithstanding Section 3.3.1, if a proposed use of land or a building is not listed as a "Permitted Use" or "Discretionary Use" in the Bylaw, the Development Authority may determine that such a use is similar in character and purpose to a use listed under that District and may issue a development permit.

SECTION 4 NEED FOR A DEVELOPMENT PERMIT

4.1 WHEN DEVELOPMENT PERMITS ARE REQUIRED

Except as provided in Section 4.2, no person shall undertake any development unless it is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw.

4.2 WHEN DEVELOPMENT PERMITS ARE NOT REQUIRED

4.2.1 A development permit is not required for the following developments provided they otherwise comply with the provisions of this Bylaw:

- (a) works of maintenance or repair to any structure if such work does not include structural alterations, and does not change the use or intensity of the use of the structure;
- (c) the completion of a building which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that the building is completed in accordance with their terms of any permit granted by the Municipality, subject to the conditions of that permit;
- (d) the erection, construction, or maintenance of fences, gates or other means of enclosure less than 1.8 metres (6 feet). If adjacent to a road a development permit is required and Section 9.25 shall apply. In the Agriculture (A) District, wire fences in excess of 1.8 m (6 ft) for the purposes of livestock confinement do not require a permit. If adjacent to a road a development permit is required and Section 9.25 shall apply;
- (e) a temporary building, the sole purpose of which is incidental to the erection or alteration of a permanent building, for which a development permit has been issued;
- (f) the construction and maintenance of that part of a public utility placed in or upon a public thoroughfare or public utility easement;
- (g) municipal projects undertaken by government authorities including the construction of roads, bridges, drainage ditches, public utilities, parks and the erection of signs;
- (h) the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum;
- (i) the continued agricultural use of a parcel which is assessed as farmland and used for extensive agricultural operations;
- (j) farm buildings;

- (k) dugouts; refer to Section 9 Development Regulations ss. 9.5 Dugouts.
- (l) decks, less than 0.6 m (2 ft) in height measured from finished grade to the upper surface of the structure.
- (m) one temporary, on-site sign which does not exceed 3 m² (32 ft²) in area and are intended for:
 - i. advertising the sale or lease of a dwelling unit, or property,
 - ii. identifying a construction or demolition project for which a development permit has been issued for such a project,
 - iii. identifying a political or charitable campaign. Such signs shall be removed after said campaign drive;
- (n) one permanent on-site sign which does not exceed 3 m² (32 ft²) is intended for:
 - i. commemorative plaques and cornerstones of a non-advertising nature,
 - ii. farm residence identification signs, or
 - iii. the advertising of farm produce or a home occupation;
- (n) compressors for oilfield facilities under 100 HP.

4.3 NON-CONFORMING BUILDINGS AND USES

A development that is considered as a non-conforming building or use shall be dealt with as provided for under the Act. For convenience, the following extracts are provided:

- (a) if a development permit has been issued on or before the day on which a land use bylaw or amendment comes into force, and the bylaw would make the subject development a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw;
- (b) a non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw;
- (c) a non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it;
- (d) a non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues;
- (e) a non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
 - i. to make it a conforming building, or
 - ii. for routine maintenance of the building, if the Development Authority

considers it necessary;

- (f) 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 not be repaired or rebuilt except in accordance with this Bylaw;
- (g) the land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.
- (h) a non-conforming dugout can be maintained, however the existing perimeter cannot be enlarged towards the non-conforming direction.

SECTION 5 DEVELOPMENT PERMIT APPLICATIONS

5.1 FORMS AND NOTICES

For the purpose of administering the provisions of this Bylaw, Council may authorize the preparation and use of such forms and notices as in its discretion it may deem necessary. Such forms or notices as contained in Schedule "A" are deemed to have the full force and effect of this Bylaw in execution of the purpose for which they were designed, authorized, and issued.

5.2 CONTENTS OF A DEVELOPMENT PERMIT APPLICATION

- 5.2.1 An application for a development permit shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the registered owner, applicant or his authorized agent. In the event that the registered owner is not the applicant for a development permit, then consent of the registered owner shall be required.
- 5.2.2 The Development Officer may require any or all of the following information in duplicate as part of a development permit application:
- (a) building plans showing a floor plan, elevations, and exterior finish;
 - (b) site plans with dimensions showing the legal description of the site, the relationship to property lines of all existing and proposed buildings and shelterbelts, the location of existing and proposed wells, septic tanks, and disposal fields, off street loading and vehicle parking, access;
 - (c) a statement of 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) utilities, site drainage, grade elevations, existing and finished lot grades;
 - (h) any additional information that may be required to evaluate the application, including but not limited to: water testing, soil testing, geo-technical reports, site topography and drainage patterns.
- 5.2.3 Each development permit application shall be accompanied by a non-refundable processing fee, the amount of which shall be established by resolution of Council from time to time. For convenience, a Schedule of Fees (Schedule B) is appended to this Bylaw, but does not form a part of this Bylaw.

5.2.4 When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with the application for a development permit, the Development Officer may return the application to the applicant for further details. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted to the satisfaction of the Development Officer.

SECTION 6 PROCESSING DEVELOPMENT PERMITS

6.1 PERMIT REFERRALS

- 6.1.1 The Development Officer may refer an application for a development permit to any government agency, any other regulatory agency, or utility provider for comment and advice.
- 6.1.2 For any development located in the Agriculture Restricted (AR) District, the Development Officer shall refer any application for a development permit to the adjacent urban municipality for comment.
- 6.1.3 Having received a reply on a referral, the Development Officer shall make a decision giving due consideration to the aforesaid recommendations.
- 6.1.4 After fourteen (14) days from the date of referral, the Development Officer may deal with the application whether or not comments have been received.

6.2 CONDITIONS OF A DEVELOPMENT PERMIT

- 6.2.1 The Development Authority may attach as conditions of a development permit approval, those conditions it feels are necessary to address or resolve any development concerns or issues in regards to a proposed development.
- 6.2.2 The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the Municipality to do any or all of the following:
 - (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct or pay for the construction of a pedestrian walkway system to serve the development, or pedestrian walkways that will connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;
 - (c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - (d) to construct or pay for the construction of off-street or other parking facilities, and loading and unloading areas;
 - (e) to pay an off-site levy or redevelopment levy imposed by Bylaw;
 - (f) to provide security to ensure that the terms of the agreement are carried out.

- 6.2.3 Prior to entering into a development agreement required as a condition of a development permit, the Development Officer may consult with Council in specifying the terms and content of the agreement.
- 6.2.4 The Municipality may register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development. Said caveat shall be discharged when the agreement has been complied with.
- 6.2.5 A development permit is automatically effective fourteen (14) days after its issuance unless an appeal is lodged with the Subdivision and Development Appeal Board. Where an appeal has been lodged, no development shall be commenced pursuant to the development permit until all appeals are finally determined and the issuance of the development permit has been upheld.
- 6.2.6 A development permit lapses and is automatically void if the development authorized is not commenced and diligently pursued within twelve (12) months from the effective date of the permit, or within such longer periods not exceeding three (3) months as may be approved by the Development Officer. Further, developments shall be completed to the satisfaction of the Development Officer within eighteen (18) months from the date of issuing the development permit.
- 6.2.7 When an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal, the submission of another application for a development permit on the same parcel of land and for a similar use of the land may not be accepted by the Development Officer for at least six (6) months after the date of the refusal.

6.3 NOTIFICATION OF DEVELOPMENT PERMIT DECISION

- 6.3.1 A decision of the Development Authority on an application for a development permit shall be given in writing, and a copy of the notice of decision shall be mailed to the applicant or owner.
- 6.3.2 Pursuant to the Farming Practices Protection Statutes Amendment Act, when a development permit application for a single detached dwelling or a manufactured home is approved, the Development Officer shall include in the written notice an advisory that the approved residence is located adjacent to an agricultural operation. In addition, the Municipality shall provide printed notice respecting the presence of agricultural operations to all landowners in accordance with Council policy.
- 6.3.3 When an application for a development permit is refused, the Development Officer shall mail a notice of decision to the applicant or owner stating the reasons for refusal.
- 6.3.4 When an application for a development permit for a Permitted Use requiring a variance or a Discretionary Use is approved, the Development Officer shall publish a notice in a local newspaper indicating the location and setting out the applicant's name, legal description of the property for which the application has been made, and the decision of the Development Authority.

6.3.5 For the purposes of this Bylaw, notice of the decision of the Development Authority is deemed to have been given on the day when the notice of decision has been published in a newspaper or three (3) days after the notice of decision has been mailed to the applicant.

6.4 CONTRAVENTION

6.4.1 Where the Development Authority finds that a development or use of land is not in accordance with the Act, this Bylaw, or a development permit issued hereunder, the Development Officer may, by notice in writing, order the registered owner, person in possession of the land or buildings, the person responsible for the contraventions or all or any of them to:

- (a) stop the development or use of the land or buildings in whole or in part as directed by the notice, or whole or in part as directed by the notice, or
- (b) demolish, remove or replace the development, or
- (c) carry out any other action required by the notice so that the development or use of the land or buildings is in accordance with the Act and its regulations, a development permit, subdivision approval or this Bylaw as the case may be, within the time specified by the notice.

6.4.2 If, after a Development Permit has been issued, the Development Officer becomes aware that:

- (a) the application for the development contains a misrepresentation; or
- (b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered; or
- (c) the development permit was issued in error,

the Development Officer may cancel, suspend, or modify, as considered appropriate, the Development Permit by notice to the holder of the permit.

6.4.3 A person whose development permit is cancelled, suspended or modified under this section may appeal to the Subdivision and Development Appeal Board.

SECTION 7 DEVELOPMENT PERMIT APPEALS

7.1 METHOD OF APPEAL

- 7.1.1 The Subdivision and Development Appeal Board shall perform such duties and follow such procedures as specified in the Act and the Subdivision and Development Appeal Board Bylaw.
- 7.1.2 A decision on a development permit application may be appealed by serving a written notice of appeal on the Secretary within fourteen (14) days after notice of the decision or issuance of the development permit was given.

7.2 THE APPEAL PROCESS

- 7.2.1 The Secretary shall ensure that a notice of appeal is given to all persons required to be notified under the provisions of the Subdivision and Development Appeal Board Bylaw.
- 7.2.2 When a notice of appeal has been served on the Secretary with respect to a decision of the Development Authority to approve a development permit application, the development permit shall not be effective before:
 - (a) the decision of the Development Authority has been sustained by the Subdivision and Development Board, or
 - (b) the Secretary has received written notification from the appellant that the appeal has been abandoned.
- 7.2.3 If the decision of the Development Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the development permit shall be null and void.
- 7.2.4 If the decision of the Development Authority to refuse a development permit application is reversed by the Subdivision and Development Appeal Board, the Development Officer shall forthwith issue the development permit in accordance with the decision of the Board.
- 7.2.5 If an approved development permit application is varied by the Subdivision and Development Appeal Board, the Development Officer shall forthwith issue the development permit in accordance with the terms of the decision of the Board.

SECTION 8 APPLICATIONS TO AMEND THIS BYLAW

8.1 CONTENTS OF AN AMENDMENT APPLICATION

8.1.1 An application to amend this Bylaw shall be made to the Development Officer on the prescribed form and accompanied by the following:

- (a) if the amendment involves the redesignation of land to a different land use District
 - i. a certificate of title of the land affected by the proposed development that has been issued by Land Titles within the last thirty days or other documents satisfactory to the Development Officer,
 - ii. the applicant's name address and interest in the subject property, and
 - iii. an accurate and fully dimensioned graphic representation of the subject lands affected by the proposed amendment;
- (b) a brief written statement by the applicant providing reasons and support for the application;
- (c) permission for right-of-entry by the Development Officer and/or other persons authorized by the Municipality; and
- (d) such additional information as the Development Officer may require.

8.1.2 Each amendment application shall be accompanied by a non-refundable application fee, as determined by resolution of Council from time to time.

8.1.3 Council may at any time, commence an amendment to this Bylaw by directing the Development Officer to initiate an application to amend the Land Use Bylaw.

8.2 THE AMENDMENT PROCESS

8.2.1 Upon receipt of a complete application, it shall be referred to:

- (a) administration for the drafting of a proposed Land Use Bylaw amendment; and
- (b) Council for introduction and to establish a Public Hearing date.

8.2.2 A notice of the application shall be published in two (2) issues of the local newspaper. The notice shall also be mailed to each owner of land that is the subject of the proposed amendment, as well as all adjacent landowners. The notice shall contain:

- (a) if the amendment involves the redesignation of land to a different land use District, the legal description of the land and a map illustrating the lands in question;
- (b) the purpose of the proposed amendment;

- (c) the one or more places where a copy of the proposed amendment may be inspected by the public;
- (d) the one or more dates, places and time that Council will hold a public hearing on the proposed amending Bylaw;
- (e) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and
- (f) an outline of the procedures by which the public hearing will be conducted.

8.2.3 The application may be referred to any agency as deemed necessary for comment and advice.

8.2.4 Council, after considering

- (a) any representations made at the public hearing; and
- (b) any municipal development plan, area structure plan or area redevelopment plan affecting the application and the provisions of this Bylaw may
 - i. make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
 - ii. defeat the proposed amendment.

8.2.5 Where an application for an amendment has been refused by Council, the Development Officer shall refuse to accept another application on the same land for the same or similar purpose until six (6) months have passed from the date of such refusal.

8.3 ADDITIONAL REQUIREMENTS

8.3.1 The Municipal District may require that an area structure plan or outline plan be prepared for a proposed land use bylaw amendment, subdivision or development of six or more lots within a proposed development site. These plans shall address the following issues to the satisfaction of the Municipal District:

- (a) conformity with this Plan, other statutory and non-statutory plans, if any, and the Land Use Bylaw;
- (b) impacts on adjacent uses, environmentally sensitive areas, and recreational uses, including provision for buffers;
- (c) detailed site plans indicating proposed land uses, setbacks from top of bank or shoreline as applicable, existing and proposed vegetation patterns, and proposed access points to shore line areas;
- (d) proposed methods of water supply, sewage disposal, and storm drainage;
- (e) access, internal circulation, and impacts on the transportation network;
- (f) allocation of municipal and environmental reserve, if required; and
- (g) fire safety and emergency planning.

SECTION 9 DEVELOPMENT REGULATIONS

9.1 ACCESSORY BUILDINGS

- 9.1.1 For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, when an accessory building is attached to the principal 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 principal building and not as an accessory building.
- 9.1.2 Any accessory building shall be located at least two metres (6.5 feet) from any principal building.
- 9.1.3 Unless otherwise permitted in this Bylaw, any accessory building or use erected on a site in any District shall not be used as a dwelling.
- 9.1.4 For accessory buildings, the minimum side and rear yard setback shall be 1 m (3.3 ft).
- 9.1.5 Notwithstanding Section 9.1.4, an accessory building may be constructed to a lot line provided that it shares a common wall with an accessory building on the adjacent lot or if a fire rated wall meeting the requirements of the Alberta Building Code is provided.
- 9.1.6 In any Country Residential District, an accessory building shall not exceed 7.6 m (25 ft) in height.

9.2 ASSESSMENT OF RISK FOR COMMERCIAL AND INDUSTRIAL ACTIVITIES

- 9.2.1 When an application for a Development Permit is for an activity that involves the use or storage of hazardous substances, the Development Officer may require the application to contain an Assessment of Risk prepared by an environmental professional such as an engineer, biologist, planner, geologist or hydrogeologist.
- 9.2.2 The Development Officer may impose any conditions necessary to mitigate the risks associated with the use or storage of hazard substances identified in the assessment. The Assessment of Risk shall:
- (a) identify hazardous substances and their quantities;
 - (b) estimate the expected frequency of the occurrence of a hazardous event;
 - (c) assess the possible consequences of such an event;
 - (d) determine annual individual risk and compare to Major Industrial Accidents Council of Canada risk acceptability criteria;
 - (e) demonstrate how the proposed facility and operations shall contribute to the following risk management objectives:
 - (f) risk reduction at source (siting of facilities, modifications to processes, conformity to legislation e.g. The Safety Codes Act, the Dangerous Goods Act, monitoring, technical changes, training, etc.);
 - (g) risk reduction through land use planning around industrial Sites and pipeline and dangerous goods corridors;
 - (h) emergency preparedness;

- (i) emergency response;
- (j) risk communication and public participation, and
- (k) identify and recommend risk-based separation distances and other mitigative measures to reduce risk.

9.2.3 At the discretion of the Development Authority, the applicant applying for a use pursuant to this Section shall provide an approved site plan from the appropriate Provincial agencies prior to a development permit being issued.

9.2.4 Notwithstanding the District Regulations, industrial and commercial uses which manufacture, store, handle, distribute or dispose of explosives and chemical materials or products shall not be located on sites, which in the opinion of the Development Authority, would be considered unsafe or may unduly interfere with, or affect the use, enjoyment or value of neighbouring properties, by reason of the storage or containment of the product, or the potential release of the product.

9.3 CORNER SITE RESTRICTIONS

9.3.1 On any corner site no finished grade within the area defined as a sight triangle shall exceed the general elevation of the road by more than 0.6 m (2 ft).

9.3.2 Notwithstanding any other provision contained in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub, or tree within a sight triangle if, in the opinion of the Development Officer, such objects or structures interfere with traffic safety.

9.3.3 On a lot located at the intersection of two roads or a road and a highway, no permanent development shall be permitted within a site triangle.

9.4 CONFINED FEEDING OPERATIONS

All operations previously defined as Agricultural (Intensive) and consider intensive livestock operations are now termed Confined Feeding Operations (CFO's), as indicated in the Agricultural Operations Practices Act. CFO and manure storage facilities for which an approval or a registration is required pursuant to this Act are no longer regulated by the Municipality but by the Natural Resources Conservation Board (NRCB) through the Agricultural Operations and Practices Act (AOPA) and associated regulations.

9.5 DUGOUTS

9.5.1 A minimum of 2 weeks prior to the construction of a dugout all Landowners/Developers/Applicants shall provide a detailed written notification for the proposed dugout to the Development Officer. The notification shall contain such information as:

- a) Applicants name and address
- b) Landowners name and address
- c) Legal description
- d) site plan with location, size of the dugout, distances to property boundaries, buildings, sewage and water courses.

- 9.5.2 Dugouts shall be set back a minimum of 15.2 m (50 ft) from any lot line, unless adjacent to a road right-of-way.
- 9.5.3 If the dugout is within 800 m (2,625 ft) of the boundary of the right-of-way of the intersection of a municipal road with a Highway, or within 305 m (1000 ft) of a Highway the application shall be referred to Alberta Transportation.
- 9.5.4 The applicant must comply with all provisions of the Municipal District of Spirit River No. 133 Land Use Bylaw in effect at the time of notification. Compliance with the provisions of the Municipal District of Spirit River Land Use Bylaw does not exempt the applicant from compliance with any Provincial, Federal or other Municipal Legislation.

9.6 DWELLING UNITS PER LOT

- 9.6.1 No person in the Municipality shall construct or cause to be constructed more than one dwelling unit per lot.
- 9.6.2 Section 9.6.1 does not apply to:
 - (a) a second or additional dwelling located on a lot that has an area of at least 32.4 ha (80 ac); or
 - (b) a second dwelling unit if it is required for the purpose of providing accommodations for aged or disabled family members, and if the lot can accommodate the additional services (water/sewer) required for the additional dwelling unit.

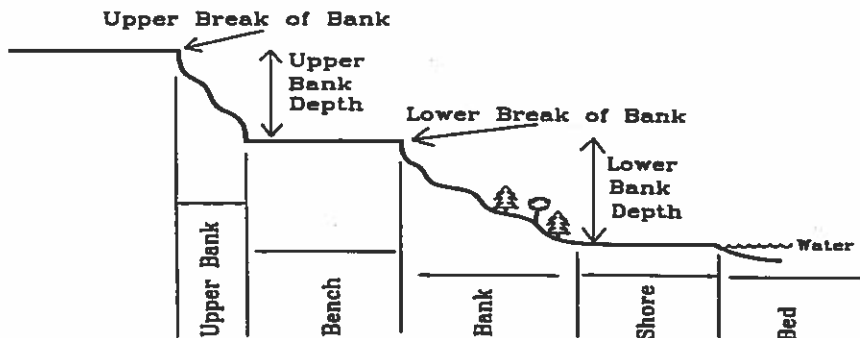
9.7 ENVIRONMENTAL STANDARDS

- 9.7.1 Notwithstanding that a development conforms in all respects to this Bylaw, development on land that may be subject to flooding or subsidence shall be discouraged unless the applicant can demonstrate that preventative engineering and construction measures can be instituted to make the site suitable for the proposed development.
- 9.7.2 The Development Officer may require that the application contain information regarding the Grade elevation of the proposed building Site, the building and all openings, to be referenced to Geodetic Elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level surface of datum.
- 9.7.3 The Development Officer may use the following building or structure setbacks where a parcel of land borders on or contains a coulee, ravine or valley, with or without a watercourse, from the upper break of the coulee, ravine or valley:

Valley Depth	Minor or No Erosion and/or Slope Steepness (<15°)	Major Erosion and/or Slope Steepness (>15°)
Less than 7.6 m (25 ft):	7.6 m (25 ft)	15.2 m (50 ft)

Valley Depth	Minor or No Erosion and/or Slope Steepness (<15°)	Major Erosion and/or Slope Steepness (>15°)
Greater than 7.6 m (25 ft) and less than 15.2 m (50 ft):	22.9 m (75 ft)	At the discretion of the Development Authority
Greater than 15.2 m (50 ft) and less than 30.5 m (100 ft):	45.7 m (150 ft)	At the discretion of the Development Authority
Greater than 30.5 m (100 ft.):	61 m (200 ft)	At the discretion of the Development Authority

- 9.7.4 In cases where the valley in question has an uninterrupted grade, the valley depth identified in Section 9.7.3 is the vertical distance from the water surface to the top of the bank.
- 9.7.5 In cases where the valley in question is composed of one or more benches as illustrated below, the valley depth identified in Section 9.7.3 is the vertical distance from the water surface to the top of the subject bench.



- 9.7.6 Where a parcel of land borders on or contains a water body, the area of which is 8.1 ha (20 ac) or more, the building or structure setback from the water body shall be determined by the Development Officer but shall not be less than 30.5 m (100 ft).
- 9.7.7 The Development Authority may vary the setbacks in 9.7.3, upon being satisfied by the submission of a detailed geotechnical engineering study prepared at the Developer's expense by a registered professional engineer, that a lesser setback is warranted and will not unduly affect the safety of a proposed development.
- 9.7.8 In making a decision on setbacks from a water body or watercourse, the Development Officer may submit the application for a development permit to Alberta Environment for comments prior to the issuance of a permit.

9.7.9 Prior to the issuance of a Development Permit for the construction of any development adjacent to water body or watercourse, the Development Officer may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been considered in the design of the building:

- (a) Canada Mortgage and Housing Corporation guidelines for building in flood-susceptible areas;
- (b) the flood-proofing of Habitable Rooms, electrical panel and heating units, and openable windows;
- (c) basement drainage; and
- (d) site drainage.

9.7.10 Section 9.10.3 shall not apply to the construction of gates, fences, walls, or other means of enclosure less than 2.7 m (9 ft) in height.

9.7.11 Developments must adhere to the following practices to the satisfaction of the Development Authority:

- (a) toxic or noxious materials or dust or ash shall not be released or permitted to escape to the atmosphere at such a rate as to interfere with the use and enjoyment of property or to endanger the health and safety of the public;
- (b) no industrial operation shall be carried out which would result in the projection of glare, heat, or excessive noise onto adjacent properties;
- (c) waste products shall not be discharged into any sewer or private sewage disposal system if the nature of such waste products, or the manner of their discharge, would exceed the design standards of the sewer or sewage disposal system currently in place;
- (d) no development shall be approved that will, in the opinion of the Development Authority, cause damage to environmentally sensitive lands. Developments must follow land management practices that include:
 - i. stripping of vegetation, grading or other soil disturbance shall be done in a manner which will minimize soil erosion,
 - ii. wherever feasible, as determined by the Development Authority, natural vegetation shall be retained and protected,
 - iii. the extent of the disturbed area and the duration of its exposure shall be minimized,
 - iv. all grading work should be designed to blend in with the natural contours of the land,
 - v. natural drainage patterns should not be disturbed and changes to watercourses shall be avoided except where controlled improvements are warranted.

9.8 FRAGMENTED PARCELS

9.8.1 A fragmented parcel may be subdivided from a quarter section if the fragmented parcel has legal access or physical access to the satisfaction of the Approving Authority.

9.8.2 A single lot may be subdivided out of a fragmented parcel without an amendment to this Bylaw.

9.9 HOME BASED BUSINESSES

9.9.1 A Home Based Business shall be limited to those uses that are approved by the Development Authority. Those uses shall not interfere with the rights of other residents to the quiet enjoyment of their properties, or create a nuisance by way of dust, noise, smell, smoke, or traffic generation.

9.9.2 A Minor Home Based Business shall be an incidental and subordinate use to the principal residential use and shall be restricted to the dwelling unit. In addition, such home based businesses shall:

- (a) not require alterations to the principal building unless the alterations are approved by the Development Authority as part of a development permit application;
- (b) not have outside storage of material, goods, or equipment; or
- (c) limit on-site advertising to one (1) unlighted sign not to exceed 3 m² (32 ft²) in size.
- (d) not have any employees other than the resident and members of the resident's family who permanently reside in the dwelling;
- (e) not have any commercial vehicles associated with the business (other than a pickup or cargo van) on site; or
- (f) not have any on-site client visits associated with the home based business.

9.9.3 A Major Home Based Business shall be incidental and subordinate to the residential use and shall be restricted to the residential yard site. In addition such home based businesses shall:

- (a) not store or maintain any goods, materials, or equipment not directly related to the operation;
- (b) not exceed 1.5 ha (5 ac) in area or as otherwise determined by the Development Authority;
- (c) limit on-site advertising to one (1) unlighted sign not to exceed 3 m² (32 ft²);
- (d) limit on-site employees to four (4) other than the resident and members of the resident's family who permanently reside in the dwelling;
- (f) not create a nuisance by way of dust, noise, smell, smoke or traffic generation; and
- (e) limit on-site commercial vehicles to no more than three (3).

- 9.9.4 A Home Based Business is required to conform to the standards administered by the local Regional Health Authority and to obtain all necessary licenses required under the applicable legislation (i.e., personal service establishments, food preparation including bottling of water, child care facilities, and bed and breakfast establishments).

9.10 ILLUMINATION

Lighting fixtures, for those other than a Public Building or Use and which are designed for exterior illumination, shall be installed with the light directed and deflected away from public roads.

9.11 INDUSTRIAL CAMPS

- 9.11.1 If a proposed industrial camp is to be established for a period in excess of six (6) months, a development permit shall be required.
- 9.11.2 All industrial camps shall be required to conform to standards as established by Alberta Labour and the local Regional Health Authority.
- 9.11.3 All development permit applications for industrial camps shall be accompanied by a dimensioned site diagram indicating proposed building locations, and specify the provisions being made for water supply, sewage and garbage disposal, and reclamation measures once the camp is no longer needed. In addition, a statement specifying the need for the establishment of such a camp shall be required.
- 9.11.4 A development permit for a industrial camp shall only be valid for a period of one (1) year from its date of issuance, at which time an application may be made for a continuance of the use.
- 9.11.5 Any Industrial Camp required for the Municipal District of Sprit River No. 133 shall be exempt from development permit requirements. The Camp location shall be approved at the discretion of the Development Officer

9.12 LAND FARMS

- 9.12.1 Subject to the provisions of this Bylaw, land farming is supported for the remediation of non-hazardous oilfield waste and soils contaminated by biodegradable petroleum hydrocarbons. They shall not be utilized for the disposal of materials classified as hazardous waste, and shall only be permitted on agricultural lands on a temporary basis.
- 9.12.2 Land farms are required to locate in areas that:
- (a) have soils that are clay-based or of a fine-grain;
 - (b) are slightly sloped to ease site drainage, and are bermed to prevent runoff to adjacent lands;
 - © have a minimum separation of 1.0 m (3.3 ft) between the base materials and the highest point of the seasonally high water table.

9.12.3 Land farm operations are encouraged to locate at existing landfill sites wherever possible.

9.12.4 Land farm operations are required to comply with the applicable standards of the Alberta Energy and Utilities Board, Alberta Environmental Protection, and the local Regional Health Authority.

9.13 MANUFACTURED HOMES

9.13.1 Manufactured homes must conform to Canadian Standards Association (CSA) standards and the Alberta Building Code. Porches, additions and accessory structures shall be of sound construction and appearance to the satisfaction of the Development Officer.

9.13.2 Axles, wheels, running gear and towing tongue shall be removed before the owner attaches the manufactured home to a permanent foundation conforming to the requirements of the Alberta Building Code.

9.14 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

9.14.1 No effluent discharge to the ground surface shall be located within 90.5 m (300 ft) of a property line or road unless otherwise permitted in the Alberta Private System Standard of Practice 1999 or successor documents.

9.14.2 One (1) recreational vehicle may be parked on a lot in a residential District for living and sleeping accommodation by a bona fide tourist for a period not to exceed thirty (30) days within any given six (6) month period.

9.14.3 Not more than two (2) recreational vehicles shall be stored or parked on a lot, except where approved by the Development Authority.

9.15 OILFIELD FACILITIES

9.15.1 Residential subdivisions or developments with a density of eight (8) or less units per quarter section shall be set back the following distances from:

- (a) sweet or sour gas well: 100 m (328 ft).
- (b) sweet or Level 1 sour gas pipeline: Width of pipeline right-of-way.
- © level 2, 3 or 4 sour gas facility: 100 m (328 ft).

9.15.2 Residential subdivisions or developments with a density of more than eight (8) units per quarter section shall be set back the following distances from:

- (a) sweet or Level 1 or 2 sour gas well: 100 m (328 ft).
- (b) sweet or Level 1 sour gas pipeline: Width of pipeline right-of-way.
- © level 2 sour gas facility: 100 m (328 ft).

(d) level 3 or 4 sour gas well or facility: 500 m (1,640 ft).

9.15.3 Subdivisions or developments for public uses, recreational uses, or commercial uses containing overnight accommodation shall be set back the following distances from:

(a) sweet or Level 1 sour gas well: 100 m (328 ft).

(b) sweet or Level 1 sour gas pipeline: Width of pipeline right-of-way.

© level 2 sour gas well or facility: 500 m (1,640 ft).

(d) level 3 or 4 sour gas well or facility: 1.5 km (0.9 miles).

9.15.3 The Development Officer shall refer the following subdivision or development applications to the Alberta Energy Resources Conservation Board for review:

(a) residential developments with a density of eight (8) or less units per quarter section if located within 100 m (328 ft) of the centre line of a pipeline, the head of a well, a battery or a gas processing plant of unknown level of sourness;

(b) residential developments with a density of more than eight (8) units per quarter section if located within 500 m (1,640 ft) of the centre line of a pipeline, the head of a well, a battery or a gas processing plant of unknown level of sourness;

© public uses, recreational uses, or commercial uses containing overnight accommodation if located within 1.5 km (0.9 miles) of the centre line of a pipeline, the head of a well, a battery or a gas processing plant of unknown level of sourness.

No decisions shall be made on these applications until such time as comments are received from the Alberta Energy Resources Conservation Board.

9.16 PARKING AND LOADING FACILITIES

9.16.1 All developments located in an Industrial or Commercial land use District shall be required to provide adequate on-site parking to the satisfaction of the Development Authority.

9.16.2 Parking spaces shall be designed, located and constructed such that they are reasonably accessible to the vehicles intended to be accommodated, can be properly maintained, and they are satisfactory to the Development Authority in size, shape, location and construction.

9.16.3 All off-street parking shall be provided in the manner shown on an approved site plan with the entire area to be graded so as to ensure that drainage will be disposed of in a manner satisfactory to the Development Authority.

9.16.4 Notwithstanding the above, where allowed by the Development Authority, on-street parking may be utilized to meet the parking needs of that development.

9.16.5 For all commercial, public and recreational uses, a portion of the parking area nearest the principal building shall be designated for use by the handicapped to the satisfaction of the Development Authority.

9.17 PROJECTIONS OVER SETBACKS AND YARDS

The portions of and attachments to a main building or accessory building which may project over or on a minimum yard are:

- (a) on a site in a residential district, a cornice, sill, a canopy or eaves which project for a distance not exceeding one-half of the minimum side yard required for the site.
- (b) a chimney which projects 0.6 m (2 ft) or less provided that in each case it is not less than 0.9 m (3 ft) from the side boundary of the site.
- © unenclosed steps with or without a landing and above the surface to the yard if they do not project more than 2.4 m (8 ft) over or on a minimum front or rear yard.

9.18 RELOCATION OF BUILDINGS

9.18.1 With the exception of manufactured homes, where a development permit for a use has been granted for the relocation of a building on the same site or from another site, the Development Officer may require the applicant to:

- (a) provide photographs of the building showing each elevation and the general condition of the building;
- (b) state the present location and use of the building;
- © provide security of such amount to ensure completion of any renovations set out as a condition of approval of a development permit; and
- (d) provide an engineer's certificate to confirm that the building is structurally sound.

9.18.2 Renovations shall be completed within one year of the issuance of a development permit.

9.19 REMOVAL OF TOPSOIL

9.19.1 A permit for the removal of topsoil shall only be granted where it is shown to the satisfaction of the Development Officer that the land will not be derelict by removal. The Development Officer may refer any application for removal of topsoil to the Soil Conservation Officer acting under the Soil Conservation Act for approval.

9.19.2 Where in the process of development areas require leveling, filling or grading, the topsoil shall be removed before work commences, stockpiled, and replaced and seeded following the completion of work.

9.20 RESIDENTIAL GROUP CARE FACILITIES

9.20.1 A residential group care facility shall not generate pedestrian or vehicular traffic in excess of that which is characteristic of the Land Use District in which it is located.

9.20.2 All applications for residential group care facilities shall be reviewed on the individual merits of each application. In reviewing the proposed location for a residential group care facility, the Development Authority shall consider:

- (a) the compatibility of the facility with development on adjacent properties,
- (b) the proposed separation distance from neighbouring developments,
- (c) proposed servicing,
- (d) potential traffic generation, and
- (e) accessibility.

9.21 SCREENING AND LANDSCAPING

The Development Authority may require screening to be provided in order to visually separate areas that detract from the surrounding properties. Special attention shall be given to proposals that are visible from public roads. The construction and materials of the screen and landscaping shall be of a quality to the satisfaction of the Development Authority.

9.22 SERVICING

The Development Authority may require studies for sewer, stormwater and water servicing to supplement the development of Country Residential Districts.

9.23 SEWAGE DISPOSAL SYSTEMS

All developments serviced by a private sewage disposal system are required to meet Provincial requirements.

9.24 SIGNS

9.24.1 Except where provided for in Section 4.2, no sign of any advertising, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure, including the alteration or relocation of an existing sign, unless an application for this purpose has been approved by the Development Authority.

9.24.2 No signs or advertising structures shall be erected on or affixed to public or private property without the prior consent of the appropriate public authority in the former case

and the property owner or tenant in the latter case. A copy of the consent shall be submitted with the development permit application.

9.24.3 In applying for a development permit for a sign, the applicant shall provide complete sign details (i.e. size, colour, layout, construction materials, location, etc.)

9.24.4 Any sign, notice or advertising device erected within

- (a) the limits of the right-of-way of any Primary or Secondary Highway;
- (b) 305 m (1,000 ft) from any right-of-way limit of a Primary or Secondary Highway; or
- (c) 800 m (2,625 ft) of the center point of the intersection of a Primary or Secondary Highway with another Primary or Secondary Highway, or a municipal road;

shall require approval from Alberta Transportation.

9.24.5 An application for one or more signs shall not be approved if, in the opinion of the Development Authority, the sign would:

- (a) unduly interfere with the amenities of the area;
- (b) materially interfere with or affect the use, enjoyment or values of neighbouring properties;
- (c) create a safety hazard; or
- (d) display lighting of an intensity and colour which may interfere with or be confused with an authorized traffic sign or traffic control device.

9.24.6 The following types of signs shall not be permitted:

- (a) any sign that displays an intermittent, flashing or rotating light or lights;
- (b) any sign which is lighted in such a manner as to cause interference to the motoring public;
- (c) any sign that has mechanically moving or rotating parts;
- (d) any sign that bears a legend giving a command such as "stop, stop ahead, turn, caution" etc, or any legend that in any way imitates a standard or commonly used traffic control device or sign;
- (e) any sign using a background of red, yellow, orange or other colours that conflict with commonly used traffic control devices or signs;

9.24.7 All signs shall be kept in good repair and maintained in a manner satisfactory to the Development Authority.

9.25 TRANSPORTATION

9.25.1 No development permit shall be issued for development within 800 m (2,625 ft) of the boundary of the right-of-way of the intersection of a municipal road with Highway, or within 305 m (1000 ft) of a Highway until a permit has been issued by Alberta Transportation.

9.25.2 No person shall erect any building, structure or development in any District unless such building, structure or development conforms to the following setback requirements:

- (a) Highway:
(Major Two-Lane Highway) 40 m (131 ft) from the property line, or 70m (230 ft) from the centre line, whichever is greater, or as required by Alberta Transportation.
- (b) Highway:
(Minor Two-Lane Highway) 30 m (98 ft) from the property line, or 50 m (164ft) from the centre line, whichever is greater, or as required by Alberta Transportation.
- (c) Internal Subdivision Road: 7.6 m (25 ft) from the property line.
- (d) Municipal Road or Undeveloped Road Allowance: 30 m (98 ft) from the property line.

9.25.3 Prior to approving a front yard or exterior side yard variance to any development permit application on a municipal road, the Development Officer may first request comments from the Supervisor of Public Works regarding the suitability of the variance.

9.25.4 No buildings, fences, signs, trees, haystacks, or other similar obstructions to visibility which are more than 1.0 m (3.3 ft) above road grade shall be permitted within 40 m (131 ft) of the intersection of two municipal roads.

9.26 WIND ENERGY CONVERSION SYSTEMS (WECS)

9.26.1 The following definitions apply to this part:

- (a) **Blade** means an element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.
- (b) **Blade Clearance** means a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.
- (c) **Horizontal Axis Rotor** means a wind energy conversion system, typical of conventional or traditional windmills.
- (d) **Rotor's Arc** means the largest circumferential path traveled by a WECS' blade.
- (e) **Total Height** means the height from grade to the highest vertical extension of a WECS. In the case of a WECS with a horizontal axis rotor, total height includes

the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

- (f) **Towers** mean the structure which supports the rotor above grade.
- (g) **Vertical Axis Rotor** means a wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.

9.26.2 Submission Requirements

- (a) an accurate site plan showing and labeling the information including the location of overhead utilities on or abutting the subject lot or parcel, and contours of the land and access roads.
- (b) a visual representation including scale elevations, photographs and/or digital information of the proposed WECS showing total height, tower height, rotor diameter, colour and the landscape.
- (c) the manufacturer's specifications indicating: the WECS rated output in kilowatts; safety features and sound characteristics; type of material used in tower, blade, and/or rotor construction.
- (d) an analysis of the potential for noise at: the site of the installation, the boundary of the parcel containing development, at any habitable residence within a 2 km (1.2 miles) distance.
- (e) a report regarding any public information meetings or other process conducted by the developer.
- (f) any impacts to the local road system including required approaches from public roads having regard to Municipal District of Spirit River No. 133 standard.
- (g) preliminary reclamation/decommissioning plans.

9.26.3 Referrals

- (a) prior to making a decision on a development application for a WECS, the developer shall provide the appropriate reports and/or approvals from the following: Alberta Energy and Utilities Board, Transport Canada, Navigation Canada, Alberta Community Development, Alberta Environment.
- (b) prior to making a decision on a development application for a WECS, the Municipal Planning Commission shall refer and consider the input from the following: an adjacent jurisdiction if its boundaries are located within 2 km (1.2 miles) of the proposed WECS, municipal district landowners within a 2-km (1.2-mile) radius.

9.26.4 Discontinuation

Should a WECS discontinue producing power for a minimum of two years, the WECS operator shall be required to provide a status report. A review of the status report by the

Municipal Planning Commission may result in a request for the WECS to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the designated officer in accordance with the provisions of the Municipal Government Act.

9.26.5 Setbacks

- (a) a WECS shall comply with all the setbacks related to roadways that govern the principal use in the district in which it is located.
- (b) where, in the opinion of the Municipal Planning Commission, the setbacks referred to in Section 9.26.5 (a) are not sufficient to reduce the impact of a WECS from a public roadway or a Highway, the Development Authority may increase the required setback.
- (c) a WECS shall be located not less than four times the height of the WECS, as measured from the ground to the highest point of the rotor's arc, from a dwelling unit not belonging to the owner of the land on which the WECS is to be situated.
- (d) a WECS shall be located so that the horizontal distance measured at grade from the outside of the rotor arc to any property boundary, other than roadways, is at least 7.5 m (24.6 ft.).
- (e) in the case of WECS, setbacks may be amended from the minimum setback requirements in the land use district depending upon the number of WECS in a group and the proximity to an existing residence.

9.26.6 Minimum Blade Clearance

The minimum vertical blade clearance from grade shall be 7.5 m (24.6 ft.) for a WECS employing a horizontal axis rotor unless otherwise required by the Development Authority.

9.26.7 Tower Access and Safety

To ensure public safety, the approval authority may require that:

- (a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 m (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
- (b) no ladder or permanent tower access device shall be located less than 3.7 m(12.1 ft.) from grade;
- (c) a locked device shall be installed on the tower to preclude access to the top of the tower.
- (d) all of the above be provided or such additional safety mechanisms or procedures be provided as the Municipal Planning Commission considers reasonable and appropriate;

- (e) the use of tubular towers, with locked door access, will preclude the above requirements.

9.26.8 Distribution Lines

All power lines on the site of the approved WECS to the substation or grid will be underground except where the Municipal Planning Commission approves overhead installations.

9.26.9 Colour and Finish

- (a) unless otherwise required by the Municipal Planning Commission, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Municipal Planning Commission.
- (b) no lettering or advertising shall appear on the towers or blades. In other parts of the WECS, the only lettering will be the manufacturer's and/or owner's identification or municipal symbol upon approval by the Municipal Planning Commission.

9.26.10 WECS Applications

The Municipal Planning Commission may approve WECS on a case-by-case basis having regard for:

- (a) information provided in the application;
- (b) proximity to other land uses in the immediate area;
- (c) consideration of the cumulative effect of all WECS approved or proposed in the immediate area;
- (d) underlying utilities;
- (e) information received from the circulation of the application and the public; and
- (f) prior to a decision being made, the Municipal Planning Commission shall hold a public meeting in order to solicit the views of the public in regard to the application.

9.26.11 Small Scale Wind Energy Conversion Systems

Notwithstanding the above requirements, all applications for Small Scale Wind Energy Conversion Systems shall be accompanied by:

- (a) manufacturer's information on power generation and the tower;
- (b) appropriate letter of approval from Navigation Canada;
- (c) in land use districts where the use is discretionary, noise data indicating noise levels at the property line should not exceed 30 dB;

- (d) provide an analysis for noise to any residences that may be located on adjacent properties within a 200 m radius;
- (e) provide evidence that the strobe/shadow effect will not affect the enjoyment of the adjoining residences;
- (f) other information that may be required by the Development Authority.

9.26.12 Setbacks for a Small Scale Wind Energy Conversion System

The base of the Small Scale Wind Energy Conversion System shall be located four times the height of the tower from the property line.

9.26.13 Density for a Small Scale Wind Energy Conversion System

Only one Small Scale Wind Energy Conversion System unit will be allowed on a titled area.

SECTION 10 ESTABLISHMENT OF DISTRICTS

10.1 DISTRICT CLASSIFICATION

For the purpose of this Bylaw, all lands within the boundaries of the Municipality shall be divided into the following:

District	Symbol
Agriculture	A
Agriculture Restricted	AR
Country Residential - 1	CR1
Country Residential - 2	CR2
Crown Land District	CL
Direct Control	DC
Highway Development	HD
Recreation	R
Rural Commercial	RC
Rural Heavy Industrial	RH
Rural Industrial	RI
Airport Vicinity Overlay	AVO

10.2 DISTRICT SYMBOLS

Throughout this Bylaw and any amendments thereto, a District may be referred to either by its full name or by its symbol as set out in Section 10.1.

10.3 LAND USE MAP

10.3.1 The Land Use Map, as may be amended or replaced by Bylaw from time to time, is that map attached to and forming part of this Bylaw as Schedule C.

10.3.2 In the event that a dispute arises over the boundary of any District or Overlay as shown on the Map, the Development Authority shall decide upon the location of the boundary.

SECTION 11 DISTRICTS

11.1 AGRICULTURE (A) DISTRICT

11.1.1 Purpose

The purpose of this District is to provide for the development of a wide variety of uses that are compatible with the agricultural community.

Permitted Uses	Discretionary Uses
Accessory Building or Use	Auctioneering Establishment
Dwelling Unit	Agricultural Industry
Extensive Agriculture	Agriculture Sales and Service
Minor Home Based Business	Airport
Park	Bed and Breakfast
	Contractor, General
	Contractor, Limited
	Gas Processing Plant
	Intensive Agriculture
	Major Home Based Business
	Rural Industry
	Natural Resource Extraction Industry
	Pipe and Equipment Storage
	Public Building or Use
	Recreational Use
	Sawmill
	Second dwelling unit, as per Section 9.6
	Sign
	Utility Services
	Veterinary Clinic
	WECS
	WECS, Small Scale

11.1.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

(a) Lot Area:

i. Farmstead:

Minimum: 1.2 ha (3 ac)
 Maximum: 4.0 ha (10 ac), or at the discretion of the Approving Authority, based on the need to accommodate related farm buildings, improvements (including shelterbelts), and servicing.

- ii. Country Residential Parcel: Minimum: 1.2 ha (3.0 ac)
Maximum: 4.0 ha (10.0 ac), or at the discretion of the Approving Authority, if any of the conditions as listed for a farmstead are met.
- iii. Agriculture (Extensive): Minimum: 32 ha (80 ac) more or less
- iv. Fragmented Parcel: See Section 9.8
- v. All Other Uses: At the discretion of the Approving Authority.
- (b) Front Yard (minimum): See Section 9.25
- (c) Side Yard (minimum): 15.2 m (50 ft) unless a corner parcel where the minimum side yard shall be the same as the front yard.
- (d) Rear Yard (minimum): 15.2 m (50 ft)
- (e) Lot Density: One (1), excluding public uses lot plus the balance per unsubdivided quarter section (not including fragmented parcels).

11.2 AGRICULTURE RESTRICTED (AR) DISTRICT

11.2.1 Purpose

The purpose of this District is to accommodate rural development in close proximity to urban centres and airports.

Permitted Uses	Discretionary Uses
Accessory Building or Use	Auctioneering Establishment
Dwelling Unit	Agricultural Industry
Extensive Agriculture	Agriculture Sales and Service
Minor Home Based Business	Airport
Park	Bed and Breakfast
	Contractor, General
	Contractor, Limited
	Gas Processing Plant
	Major Home Based Business
	Rural Industry
	Natural Resource Extraction Industry
	Public Building or Use
	Recreational Use
	Second dwelling unit, as per Section 9.6
	Sign
	Utility Services
	Veterinary Clinic
	WECS
	WECS, Small Scale

11.2.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

(a) Lot Area:

- i. Farmstead:

Minimum:	0.8 ha (3 ac)
Maximum:	4.0 ha (10 ac), or at the discretion of the Approving Authority, based on the need to accommodate related farm buildings, improvements (including shelterbelts), and servicing.

- ii. Country Residential Parcel:

Minimum:	1.2 ha (4.0 ac)
Maximum:	4.0 ha (10.0 ac), or at the discretion of the Approving Authority, if any of the conditions as listed for a farmstead are met.

- iii. Agriculture (Extensive): Minimum: 32 ha (80 ac) more or less
- iv. Fragmented Parcel: See Section 9.8
- v. All Other Uses: At the discretion of the Approving Authority.
- (b) Front Yard (minimum): See Section 9.25
- (c) Side Yard (minimum): 15.2 m (50 ft) unless a corner parcel where the minimum side yard shall be the same as the front yard.
- (d) Rear Yard (minimum): 15.2 m (50 ft)
- (e) Lot Density: One (1) lot plus the balance per unsubdivided quarter section (not including fragmented parcels).

11.2.3 The Development Authority may decide on such other requirements as are necessary, having due regard to the nature of a proposed development and the purpose of this District.

11.3 COUNTRY RESIDENTIAL 1 (CR1) DISTRICT

11.3.1 Purpose

The purpose of this District is to accommodate multi-parcel country residential development with provision for minor agricultural pursuits.

Permitted Uses	Discretionary Uses
Accessory Building or Use	Bed and Breakfast
Dwelling Unit	Major Home Based Business
Minor Home Based Business	Minor Agricultural Pursuit
Park	Public Building or Use
	Sign
	Utility Services
	WECS, Small Scale

11.3.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- (a) Lot Area:
 - Minimum: 1.2 ha (3.0 ac)
 - Maximum: 4 ha (10 ac), or at the discretion of the Approving Authority, based on the need to accommodate related farm buildings, improvements (including shelterbelts), and servicing.
- (b) Front Yard (minimum): See Section 9.25
- (c) Side Yard (minimum): 15.2 m (50 ft). If adjacent to a road, Section 9.25 shall apply.
- (d) Rear Yard (minimum): 15.2 m (50 ft)
- (e) Lot Density (maximum): At the discretion of the Approving Authority.

11.3.3 Additional Requirements: Minor Agricultural Pursuits

- (a) The keeping of livestock shall be limited to no more than one (1) animal unit per acre or part thereof to be calculated in accordance with the following chart:

Type of Livestock	Number of Animals Equivalent to One Animal Unit
Cow (plus calf under 6 months)	1
Horse (plus foal under 6 months)	1
Sheep/Goats (plus lambs/kids under 6 months)	2
Pigs (plus offspring under 2 months)	2
Fowl	50
Rabbits	30

- (b) Adequate fencing and/or buffering shall be constructed to the satisfaction of the Development Authority to ensure the on-site confinement of animals and to reduce the impact of noise or visual presence on surrounding properties.

11.4 COUNTRY RESIDENTIAL 2 (CR2) DISTRICT

11.4.1 Purpose

The purpose of this District is to accommodate multi-parcel country residential development in the form of single detached dwellings, manufactured homes, and complementary uses.

Permitted Uses	Discretionary Uses
Accessory Building or Use	Bed and Breakfast
Dwelling Unit	Major Home Based Business
Minor Home Based Business	Public Building or Use
Park	Sign
	Utility Services
	WECS, Small Scale

11.4.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- | | |
|----------------------------|--|
| (a) Lot Area: | Minimum: 1.2 ha (3 ac)
Maximum: 4 ha (10 ac), or at the discretion of the Approving Authority, based on the need to accommodate related farm buildings, improvements (including shelterbelts), and servicing. |
| (b) Front Yard (minimum): | See Section 9.25 |
| (c) Side Yard (minimum): | 15.2 m (50 ft). If adjacent to a road, Section 9.25 shall apply. |
| (d) Rear Yard (minimum): | 15.2 m (50 ft) |
| (e) Lot Density (maximum): | At the discretion of the Approving Authority |

11.5 CROWN LAND (CL) DISTRICT

11.5.1 Purpose

The purpose of this District is to provide for a variety of land uses on Crown Lands.

Permitted Uses	Discretionary Uses
Accessory Building or Use	Agricultural Industry
Airport	Agriculture Sales and Service
Extensive Agriculture	Campground
Intensive Agriculture	Contractor, General
Park	Contractor, Limited
	Dwelling Unit
	Major Home Based Business
	Minor Home Based Business
	Natural Resource Extraction Industry
	Pipe and Equipment Storage
	Public Building or Use
	Public Utility
	Recreational Use
	Rural Industry
	Sign
	Utility Services
	Wind Energy Conversion System

11.5.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- (a) Lot Area: At the discretion of the Development Authority.
- (b) Front Yard (minimum): See Section 9.25
- (c) Side Yard (minimum): 15.2 m (50 ft). If adjacent to a road, Section 9.25 shall apply.
- (d) Rear Yard (minimum): 15.2 m (50 ft)

11.5.3 Additional Provisions

- (a) the Development Authority may issue a development permit for proposed development on Crown Land subject to the appropriate disposition (lease, license, disposition leading to a patent, etc) being first obtained from the Provincial Government.
- (b) in cases where privately owned parcels are shown on the District Map as being located in the Crown Land District (CL), they shall be considered as part of the Agriculture (A) District.

11.6 DIRECT CONTROL (DC) DISTRICT

11.6.1 Purpose

The purpose of this district is to provide for land uses under individually unique circumstances where there is a need to provide site-specific controls.

(a) Permitted Uses

None

(b) Discretionary Uses

Those uses specifically listed by Council by resolution to be allowed on the subject lands.

11.6.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- (a)** District requirements will be established by resolution of Council and may include, but not be limited to, such items as building height, density, minimum and maximum lot size, setback requirements, servicing standards, building size, landscaping, accessory buildings and uses, lot grading, and any other matter Council deems appropriate under the circumstances.
- (b)** When deciding on an application, Council shall consider the application having regard to:
- i.** the conformity of the proposed development to any statutory plan that may be in effect in the area;
 - ii.** the existing use of adjacent lands; and
 - iii.** the results of any geotechnical or engineering studies that are required to determine soil suitability, slope stability, flood risk, or other related matters.

11.7 HIGHWAY DEVELOPMENT (HD) DISTRICT

11.7.1 Purpose

The purpose of this District is to regulate commercial and industrial development adjacent to highways that cater to the travelling public.

Permitted Uses	Discretionary Uses
Accessory Building or Use	Auctioneering Establishment
Agriculture Sales and Service	Agriculture Sales and Service
Recreation (Extensive)	Airport
Restaurant	Bulk Fuel, Chemical Storage, Distribution
Retail Store	Campground
Park	Caretaker's Residence
	Contractor, General
	Contractor, Limited
	Equipment Sales, Rental and Repair
	Fleet Service
	Industrial Camp
	Motel
	Recreational Vehicle Park
	Service Station
	Pipe and Equipment Storage
	Public Building or Use
	Public Utility
	Recreational Use
	Rural Industry
	Sign
	Utility Services
	Veterinary Clinic
	WECS
	WECS, Small Scale

11.7.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- | | | |
|-----|-----------------------|---|
| (a) | Lot Area (minimum): | As required by the Development Authority. |
| (b) | Front Yard (minimum): | See Section 9.25. |
| (c) | Side Yard (minimum): | 15 m (50 ft). |
| (d) | Rear Yard (minimum): | 15 m (50 ft). |

11.7.3 Additional Provisions

- (a) the developer shall clearly outline the source and availability of water and the method of distribution on the site for domestic and industrial purposes, as well as firefighting capabilities. An estimate of the amount of water required for all purposes shall be provided.
- (b) the developer shall clearly indicate the amount of sewage effluent to method of sewage disposal, the estimated demand, and the location on the site of the proposed system(s).
- (c) the developer shall provide information on the proposed methods to be used to eliminate potential for groundwater contamination.
- (d) the developer shall clearly identify the nature of waste material associated with the proposed use, the method of storage on site, and the method of removal from the site.
- (e) all storage, freight yards or trucking yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences or a combination thereof to the satisfaction of the Development Authority.
- (b) any rural industrial use located adjacent to a Primary or Secondary Highway shall be screened, landscaped and buffered to the satisfaction of the Development Authority.
- (c) the Development Authority may decide on such other requirements as are necessary having due regard to the nature of a proposed development of this District.

11.8 RECREATION (R) DISTRICT

11.8.1 Purpose

The purpose of this District is to provide for the development of recreational facilities and uses while recognizing the need to preserve environmentally sensitive lands and natural areas.

Permitted Uses	Discretionary Uses
Accessory Building or Use	Caretaker's Residence
Campground	Equipment Sales, Rental and Repair
Restaurant	Recreational Resort
Park	Recreational Use
Public Building or Use	WECS
Public Utility	WECS, Small Scale
Recreational Vehicle Park	
Sign	
Utility Services	

11.8.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- (a) Lot Area (minimum):
 - i. Recreational Vehicle Park: 130 m² (1,400 ft²) per recreational vehicle to accommodate sufficient on-site vehicle parking, manoeuvring space, and amenity area.
 - ii. All Other Uses: As required by the Development Authority.
- (b) Front Yard (minimum): See Section 9.25.
- (c) Side Yard (minimum): 15 m (50 ft). If adjacent to a road, Section 9.25 shall apply.
- (d) Rear Yard (minimum): 15 m (50 ft).

11.8.3 Additional Provisions

- (a) a recreational development proposal may be allowed in an Environmentally Sensitive Area when the resulting activity is not liable to:
 - i. impair surface water and groundwater quality or quantity;
 - ii. disrupt natural drainage patterns and flows;
 - iii. create erosion or siltation problems;
 - iv. remove significant wildlife habitat; and
 - v. negatively impact a recreational setting.

- (b) The management of woodlands in their natural state is intended to preserve not only trees, but the entire woodland ecology. Where developments are allowed, they shall be planned, constructed and maintained so that the existing healthy trees and native vegetation are preserved to the maximum extent feasible and are protected by adequate means during construction.
- (c) Applications to develop campgrounds and recreational resorts must be accompanied by the following information:
 - i. a detailed site plan indicating campsite and/or cabin locations, topographic references, vegetation, proposed play areas, and proposed washroom facilities and food concessions;
 - ii. the proposed method of water supply, sewage disposal and garbage collection (cottages and other developments located within 50 m (165 ft) of a lake or other watercourse are required to provide a sealed holding tank for sewage disposal);
 - iii. the proposed road access, internal circulation pattern, and parking areas; and
 - iv. any other information deemed necessary by the Development Authority.

11.9 RURAL COMMERCIAL (RC) DISTRICT

11.9.1 Purpose

The purpose of this District is to provide for the development of commercial uses in the rural area.

Permitted Uses	Discretionary Uses
	Accessory Building or Use
	Agricultural Industry
	Agriculture Sales and Service
	Auctioneering Establishment
	Airport
	Bulk Fuel, Chemical Storage, Distribution
	Caretaker's Residence
	Consumer Product Wholesale Establishment
	Contractor, General
	Contractor, Limited
	Dealership
	Personal Service Shops
	Motel
	Public Building or Use
	Recreational Use
	Residential Group Care Facility
	Restaurant
	Retail Store
	Service Station
	Sign
	Utility Services
	Veterinary Clinic
	WECS
	WECS, Small Scale

11.9.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- (a) Lot Area (minimum): 0.2 ha (0.5 ac)
- (b) Front Yard (minimum): See Section 9.23
- (c) Side Yard (minimum): 7.6 m (25 ft.). If adjacent to a road, Section 9.25 shall apply.
- (d) Rear Yard (minimum): 15.2 m (50 ft)

11.9.3 Additional Provisions

- (a) the developer shall clearly outline the source and availability of water and the method of distribution on the site for domestic and industrial purposes, as well as firefighting capabilities. An estimate of the amount of water required for all purposes shall be provided.
- (b) the developer shall clearly indicate the amount of sewage effluent to method of sewage disposal, the estimated demand, and the location on the site of the proposed system(s).
- (c) the developer shall provide information on the proposed methods to be used to eliminate potential for groundwater contamination.
- (d) the developer shall clearly identify the nature of waste material associated with the proposed use, the method of storage on site, and the method of removal from the site.
- (e) all storage, freight yards or trucking yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences or a combination thereof to the satisfaction of the Development Authority.
- (b) any rural industrial use located adjacent to a Primary or Secondary Highway shall be screened, landscaped and buffered to the satisfaction of the Development Authority.
- (c) the Development Authority may decide on such other requirements as are necessary having due regard to the nature of a proposed development of this District.

11.10 RURAL HEAVY INDUSTRIAL (RH) DISTRICT

11.10.1 Purpose

The general purpose of this District is to permit development of site specific large manufacturing and resource extraction industries.

Permitted Uses	Discretionary Uses
	Accessory Building or Use
	Bulk Fuel, Chemical Storage, Distribution
	Caretaker's Residence
	Contractor, General
	Contractor, Limited
	Gas Processing Plant
	Industrial Camp
	Industrial Support
	Landfill (Industrial)
	Landfill (Sanitary)
	Land Farm
	Natural Resource Extraction Industry
	Pipe and Equipment Storage
	Public Building or Use
	Public Utility
	Rural Industry
	Salvage Establishment
	Sign
	Utility Services
	WECS
	WECS, Small Scale

11.10.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- (a) Lot Area (minimum): 4.0 ha (10 ac).
- (b) Front Yard (minimum): See Section 9.25.
- (c) Side Yard (minimum): 30.5 m (100 ft) increasing to 41 m (134 ft) if adjacent to road.
- (d) Rear Yard (minimum): 30.5 m (100 ft) increasing to 41 m (134 ft) if adjacent to road.

11.10.3 Additional Provisions

- (a) the developer shall clearly outline the source and availability of water and the method of distribution on the site for domestic and industrial purposes, as well as firefighting capabilities. An estimate of the amount of water required for all purposes shall be provided.
- (b) the developer shall clearly indicate the amount of sewage effluent to method of sewage disposal, the estimated demand, and the location on the site of the proposed system(s).
- (c) the developer shall provide information on the proposed methods to be used to eliminate potential for groundwater contamination.
- (d) the developer shall clearly identify the nature of waste material associated with the proposed use, the method of storage on site, and the method of removal from the site.

11.11 RURAL INDUSTRIAL (RI) DISTRICT

11.11.1 Purpose

The purpose of this District is to provide for the development of industrial uses in the rural area.

Permitted Uses	Discretionary Uses
	Accessory Building or Use
	Agricultural Industry
	Bulk Fuel, Chemical Storage, Distribution
	Caretaker's Residence
	Contractor, General
	Contractor, Limited
	Equipment Sales, Service and Repair
	Industrial Camp
	Industrial Support
	Natural Resource Extraction Industry
	Pipe and Equipment Storage
	Public Building or Use
	Public Utility
	Rural Industry
	Salvage Establishment
	Service Station
	Sign
	Utility Services
	Veterinary Clinic
	WECS
	WECS, Small Scale

11.11.2 Site Provisions

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- (a) Lot Area (minimum): 0.5 ha (2 ac)
- (b) Front Yard (minimum): See Section 9.25
- (c) Side Yard (minimum): 15.2 m (50 ft). If adjacent to a road, Section 9.25 shall apply.
- (d) Rear Yard (minimum): 15.2 m (50 ft)

11.11.3 Additional Provisions

- (a) the developer shall clearly outline the source and availability of water and the method of distribution on the site for domestic and industrial purposes, as well as

firefighting capabilities. An estimate of the amount of water required for all purposes shall be provided.

- (b) the developer shall clearly indicate the amount of sewage effluent to method of sewage disposal, the estimated demand, and the location on the site of the proposed system(s).
- (c) the developer shall provide information on the proposed methods to be used to eliminate potential for groundwater contamination.
- (d) the developer shall clearly identify the nature of waste material associated with the proposed use, the method of storage on site, and the method of removal from the site.
- (e) all storage, freight yards or trucking yards shall be enclosed or completely screened by buildings, trees, landscaped features or fences or a combination thereof to the satisfaction of the Development Authority.
- (f) any rural industrial use located adjacent to a Primary or Secondary Highway shall be screened, landscaped and buffered to the satisfaction of the Development Authority.
- (g) the Development Authority may decide on such other requirements as are necessary having due regard to the nature of a proposed development of this District.

11.12 AIRPORT VICINTY OVERLAY (AVO)

1.12.1 Purpose

The Purpose of this Overlay is to regulate land uses surrounding an airport to ensure that they are conducive to the safe operation of an airport facility.

11.12.2 Application

This Overlay applies to all lands situated within Schedule C.

11.12.3 Permitted Uses and Discretionary Uses

Those uses outlined in the land use district applying to the subject lands.

11.12.4 Development Regulations

- (a) unless otherwise specified by the Development Regulations of this Overlay, Development Regulations shall be those outlined in the specific land use district applying to the subject lands.
- (b) the General Regulations contained in Section 9 of this Bylaw shall apply.
- (c) the height of any development shall not exceed the height of any of the airport surfaces, as specified by Airport Height Limitations (see Table 2), and shown on the Land Use Bylaw map which forms a part of this Bylaw.
- (d) the Development Authority may, at their discretion, refer any application to Transport Canada for review and comment. The Development Officer shall render his decision or establish appropriate conditions, based upon individual analysis of the application, having regard to Transport Canada's comments.
- (e) the Development Authority shall review development permits to maintain the safety of airport operations, and any development within the Airport Vicinity Overlay shall not, in the opinion of the Development Officer with due regard to Transport Canada's comments, cause excessive discharge of toxic, noxious or other particulate matter into the atmosphere:
 - i. a plant for primary metal production, metal processing, the processing of wood or wood products, the processing of coal, the processing of natural gas or its derivatives, the manufacture of asphalt, ready-mixed concrete, or gravel crushing, or meat packing;
 - ii. a hay or forage drier, seed cleaning plant or feed mill plant; and
 - iii. a plant for the manufacture of products from petroleum, natural gas or hydrocarbons derived from oil sands, chemical or allied products, pulp or paper products, stone, clay or glass products, cement or lime products, fertilizers or animal by-products;
 - iv. radiation or interference through the use of electric or electronic equipment such as diathermy equipment; industrial x-ray equipment; and equipment used for commercial purposes that employ an electric arc;
 - v. fire and explosive hazards; and

- vi. accumulation of any material or waste edible by, or attractive to birds, as in the case of the following: garbage disposal sites; feedlots; poorly drained roofs; and drive-in restaurants.
- (f) The height of any development shall not exceed the height of any of the airport surfaces, as specified by Airport Height Limitations (see Table 2), and shown on the Land Use Bylaw map which forms a part of this Bylaw.
- (g) Approval of development shall be at the discretion of the Development Authority. The impact of the proposed development on the operations of the airport, and the impact of the airport operations on the proposed development shall be the primary considerations of the Development Authority.
- (h) All construction in this Overlay shall conform to the exterior acoustic insulation requirements of Part II of the Alberta Building Code, (Alta.Reg.186/85).
- (i) All lighting within this Overlay shall be directed at structures or low mast. They shall not be high intensity, high mast or upwardly reflective, and shall be subject to review by the Development Authority.
- (j) No development permit or subdivision approval shall be issued for a development located in proximity to the Spirit River Airport until comments and recommendations are received from the Town of Spirit River concerning height restrictions, land use and electronic facilities. Comments and recommendations received from the Town of Spirit River shall be implemented on development and subdivisions in the area.

Table 2: Airport Height Limitations

Basic Strip	The basic strip is a rectangular area measured 30 metres on each side of the centre line of the runway and 60 metres (200 feet) at each end of the runway.
Take off/Approach Surfaces	<p>There are take-off/approach surfaces abutting and extending out from each end of the basic strip and in each case the surface is an imaginary surface consisting of an inclined plane.</p> <ul style="list-style-type: none"> a) the commencement of which coincides with the end of the basic strip; b) that rises at a slope ratio of 1:25 (4%) measured from the end of the basic strip; c) that diverges outward on each side as it rises, at a rate of 10% measured from the respective projected sides of the basic strip; and, d) that ends at its intersection with the outer surface.

Transitional Surfaces	<p>There is a transitional surface associated with each side of the basic strip, and in each case the transitional surface is an imaginary surface consisting of an inclined plane that:</p> <ul style="list-style-type: none"> a) commences at and abuts the sides of the basic strip; b) rises at a slope ratio of 1:5 (20%) from an elevation at the centre point of the runway opposite the proposed development, and measured from the sides of the basic strip; and, c) ends at its intersection with the outer surface and the take-off/approach surfaces.
Airport Zoning Reference Point Elevation	<p>The airport zoning reference point elevation is the elevation used to establish the height of the outer surface and for the purpose of this Overlay is deemed to be 624 metres (2047.24 feet) above sea level.</p>
Outer Surface	<p>The outer surface of the protection area is an imaginary common plane established at a constant elevation of 45 metres (147.6 ft) above the airport zoning reference point elevation and extending to the boundary of the protection area.</p>

11.12.5 Submission Requirements

In addition to the general submission requirements of this Bylaw, where required by the Development Officer, an application for a Development Permit to those lands within Schedule C, must provide the following information:

- (a) Unless otherwise specified by the Development Regulations of this Overlay, Development Regulations shall be those outlined in the specific land use district applying to the subject lands.
- (b) the Grade elevation of the highest point of the proposed building Site, to be referenced to geodetic elevations. Geodetic elevation is the elevation of a point and its vertical distance, determined by employing the principles of geodesy above or below an assumed level surface or datum; and
- (c) the proposed building Height, in metric measurement, including clearance lights, mechanical penthouses, antennas, building cranes during construction, receiving or transmitting structures, masts, flagpoles, clearance markers or any other erection beyond the Height of the principal building structure.

SCHEDULE A - LAND USE BYLAW FORMS

FORM A	DEVELOPMENT PERMIT APPLICATION
FORM A-1	SIGN DEVELOPMENT PERMIT APPLICATION
FORM A-2	RIGHT OF ENTRY
FORM B	DEVELOPMENT PERMIT
FORM C	APPLICATION FOR TIME EXTENSION FOR DEVELOPMENT APPROVAL
FORM D	DEVELOPMENT APPEAL APPLICATION
FORM E	NOTIFICATION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING
FORM F	DECISION OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FORM G	APPLICATION FOR LAND USE BYLAW AMENDMENT



DEVELOPMENT PERMIT APPLICATION

MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

FOR ADMINISTRATIVE USE

APPLICATION NO.
DATE RECEIVED

Form A

MUNICIPAL DISTRICT OF Spirit River NO.133, 4202 – 50 Street, Box 389, Spirit River, Alberta, T0H 3G0

I / We hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and form part of this application.

I / We understand that this application will not be accepted without the following:

- (a) application fee;
- (b) site plan sketch that includes all relevant detail to the proposed development (e.g.: proposed and existing structures, property lines, creeks/ravines, parking and vehicle access, building plans, etc.)

APPLICANT INFORMATION *COMPLETE IF DIFFERENT FROM APPLICANT*

NAME OF APPLICANT			NAME OF REGISTERED LANDOWNER or LEASEHOLDER		
ADDRESS			ADDRESS		
POSTAL CODE	TELEPHONE (Res.)	(Bus.)	POSTAL CODE	TELEPHONE (Res.)	(Bus.)

LAND INFORMATION

Legal description of proposed development site:

QTR./L.S./R.L./S.L.	SEC.	TWP.	RG.	M.	MLL/MSL/PIL NO.	or	REGISTERED PLAN	BLK	LOT
---------------------	------	------	-----	----	-----------------	----	-----------------	-----	-----

Size of the proposed development:

LENGTH <input type="checkbox"/> m	WIDTH <input type="checkbox"/> m	Number of:	ACRES OR HECTARES
<input type="checkbox"/> ft	<input type="checkbox"/> ft		

Description of the existing use of the land: _____

DEVELOPMENT INFORMATION

Describe the proposed use of the land _____

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

<input type="checkbox"/> Signs	<input type="checkbox"/> Culvert(s)/Road access point(s)	<input type="checkbox"/> Public Use(s)
<input type="checkbox"/> Dwelling unit(s)	<input type="checkbox"/> Accessory structure(s) / use(s)	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Home occupation(s)	<input type="checkbox"/> Commercial or industrial structure(s)/ use(s)	

Indicate the proposed setback from the property line:

FRONT YARD <input type="checkbox"/> ft	REAR YARD <input type="checkbox"/> ft	SIDE YARD (1) <input type="checkbox"/> ft	SIDE YARD (2) <input type="checkbox"/> ft
<input type="checkbox"/> m	<input type="checkbox"/> m	<input type="checkbox"/> m	<input type="checkbox"/> m

The land is adjacent to: A Primary Highway A Secondary Highway A District Road LOC # _____

Estimate the project:

A. COMMENCEMENT DATE	B. COMPLETION DATE	C. COMPLETED PROJECT COST \$
----------------------	--------------------	------------------------------

Attached is: (a) SITE PLAN: Yes No (b) FLOOR PLAN: Yes No (c) CROWN LAND ACCESS MAP: Yes No

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500.



**DEVELOPMENT PERMIT
APPLICATION**
MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

FOR ADMINISTRATIVE USE

APPLICATION NO.
DATE RECEIVED

Form A

DECLARATION

I/WE HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT							
NOTE: Signature of Registered Land Owner required if different from Applicant	<table><tr><td>Date</td><td>_____</td><td>SIGNATURE OF APPLICANT</td></tr><tr><td>Date</td><td>_____</td><td>SIGNATURE OF REGISTERED LAND OWNER / LEASEHOLDER</td></tr></table>	Date	_____	SIGNATURE OF APPLICANT	Date	_____	SIGNATURE OF REGISTERED LAND OWNER / LEASEHOLDER
Date	_____	SIGNATURE OF APPLICANT					
Date	_____	SIGNATURE OF REGISTERED LAND OWNER / LEASEHOLDER					

LAND USE CLASSIFICATION:	FOR ADMINISTRATIVE USE		
FEE ENCLOSED:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	AMOUNT: \$ _____ RECEIPT NO. _____

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500.



**SIGN DEVELOPMENT
PERMIT APPLICATION**
MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

FOR ADMINISTRATIVE USE

APPLICATION NO.
DATE RECEIVED

*(To be attached to Development
Permit Application - Form A)*

Form A-1

MUNICIPAL DISTRICT OF Spirit River NO. 133, 4202 - 50 Street, Box 389, Spirit River, Alberta, T0H 3G0

TYPE OF SIGN (check each applicable box)

- THIS SIGN WILL BE A:
- | | | |
|--|---|--|
| <input type="checkbox"/> Freestanding/Pylon Sign | <input type="checkbox"/> Permanent Sign | <input type="checkbox"/> Temporary/Portable Sign |
| <input type="checkbox"/> Rotating | <input type="checkbox"/> Fascia | <input type="checkbox"/> Roof |
| | <input type="checkbox"/> Wall Sign | <input type="checkbox"/> Billboard Sign |

- THIS SIGN WILL BE:
- | | |
|--------------------------------------|--|
| <input type="checkbox"/> Illuminated | <input type="checkbox"/> Non-Illuminated |
|--------------------------------------|--|
- CONSTRUCTION OF SIGN:
- | | |
|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> Single Pole | <input type="checkbox"/> Double Pole |
|--------------------------------------|--------------------------------------|

CONSTRUCTION MATERIALS (Desc.): _____

DIMENSIONS OF SIGN:

Horizontal: _____ Vertical: _____ Depth: _____

Total Height Above Ground: _____

Wording on Sign: _____

WHAT YOU NEED TO APPLY:

- Sign Development Permit Application (Form A and Form A-1)
- Site Plan (showing where sign will be located)
- Sign Drawing (showing lettering and colors)
- Sign Development Permit Fee

Any personal information that the MD of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500



RIGHT OF ENTRY

MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

Form A-2

FOR ADMINISTRATIVE USE

APPLICATION NO.

DATE RECEIVED

*(To be attached to Development
Permit Application - Form A)*

MUNICIPAL DISTRICT OF Spirit River NO.133, 4202 – 50 Street, Box 389, Spirit River, Alberta, T0H 3G0

RIGHT OF ENTRY FOR AN AUTHORIZED PERSON OF MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133 FOR THE PURPOSES OF A SITE INSPECTION OF THE LAND AFFECTED BY A PROPOSED DEVELOPMENT APPLICATION.

I hereby give consent for an authorized person of Municipal District of Spirit River No. 133 to enter upon the land that is subject to a development application for the purposes of making a site inspection in order to evaluate the proposed development.

If you wish to be present at the time of site inspection, please check the following box

LEGAL DESCRIPTION OF LAND: _____

OWNER'S NAME (IN BLOCK CAPITALS): _____

OWNER'S SIGNATURE: _____

DATE: _____

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500.



MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

P.O. BOX 389
4202 - 50 Street
Spirit River, Alberta
T0H 3G0

PHONE: (780) 864-3500 FAX: (780) 864-4303

1. Complete & sign the "Application for Development" Form A. (attached).
2. Non-Refundable Application Fee – \$50.00 for the first \$50,000 of the estimated cost of project or portion thereof and \$20.00 for the additional \$50,000 of the project or portion thereof, as follows:

Cost of Completed Project	Fees
up to \$50,000	\$50.00
\$50,001 to \$100,000	\$70.00
\$100,001 to \$150,000	\$90.00
\$150,001 to \$200,000	\$110.00
\$200,001 to \$250,000	\$130.00
\$250,001 to \$300,000	\$150.00
\$300,001 to \$350,000	\$170.00
\$350,001 to \$400,000	\$190.00
\$400,001 to \$450,000	\$210.00

NOTE: this application fee shall include the total completed project cost of the development (This must include all equipment and site preparation costs.)

Make Cheque / Money Order payable to:
"Municipal District of Spirit River No. 133"

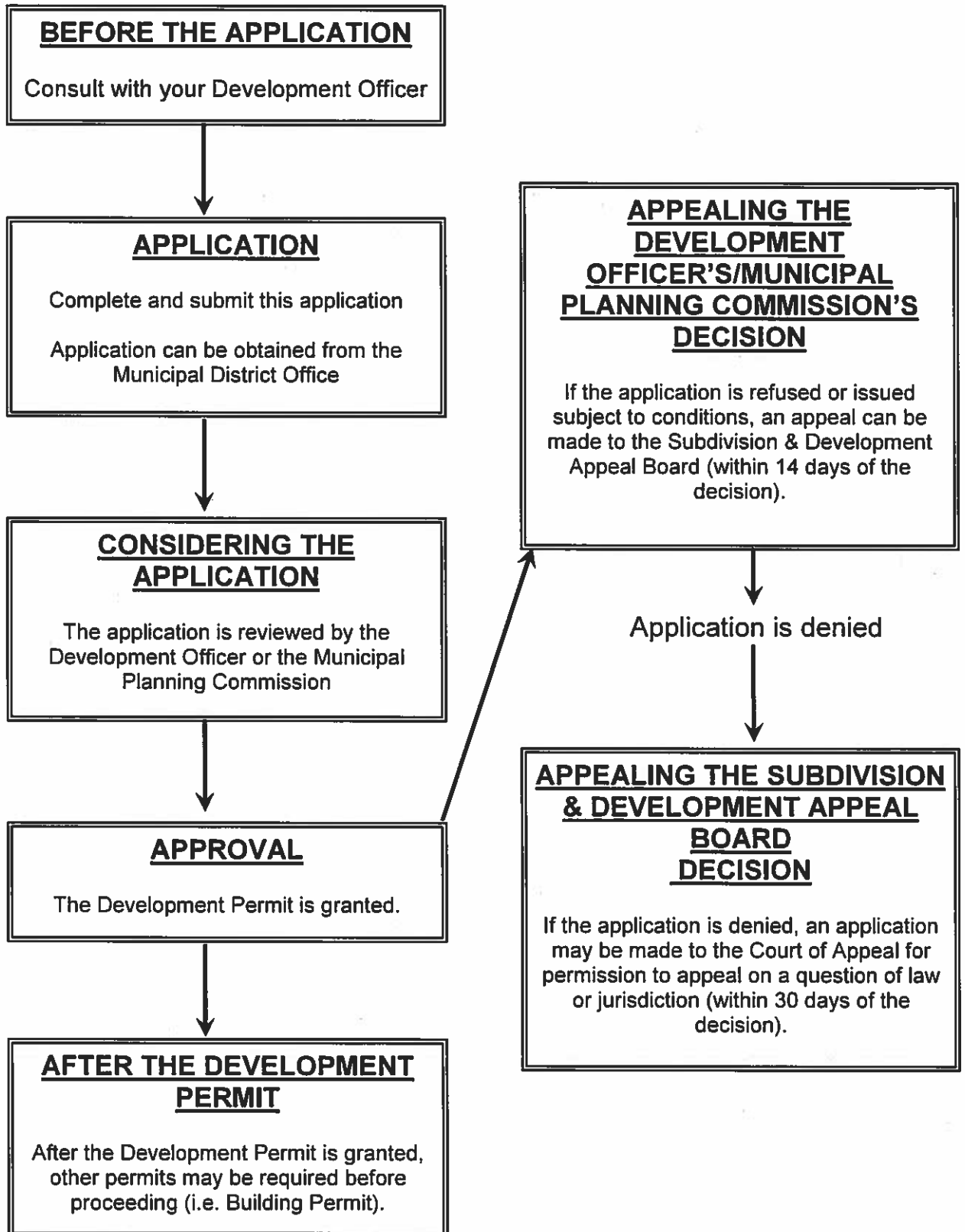
3. Supply an up-to-date copy of the Certificate of Title. The copy must be obtained not more than two months prior to the subdivision application date.
4. A floor plan of the development (if applicable).
5. Refer to site diagram instruction sheet and use graph paper provided or include the engineer drawing (commercial or industrial).
6. Complete right of entry form (attached).

Please mail or bring all the information to the above address

FOR ADDITIONAL INFORMATION PLEASE CONTACT:
Municipal District of Spirit River No. 133 at (780) 864-3500

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500

Development Permit Process





MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

P.O. BOX 389
4202 - 50 Street
Spirit River, Alberta
T0H 3G0

PHONE: (780) 864-3500 FAX: (780) 864-4303

Directions for completing a site diagram for a Development Permit application are shown below. Please use the graph paper attached to this application form and show as much detail as possible while following the directions given.

1. Please draw a scale diagram for your development area. A convenient scale might be 1 square equals 10 feet or 1 square equals 3 metres. Feel free to use a scale which meets your needs. Please indicate the scale you use at the bottom of the page.
2. Please show the approximate locations of the following features:
 - a. Legal Description of Site (including adjacent roadways)
 - b. North Directional Arrow.
 - c. Parcel Boundaries / Property Lines surrounding the Site.
 - d. Dimensions of the Site.
 - e. Existing and Proposed Buildings and Structures.
 - f. Existing and Proposed Vehicle Accesses.
 - g. Existing and Proposed Water and Sewage Locations.
 - h. Distance from Residence to Water Supply.
 - i. Distance from Residence to Sewage System (where the effluent is going)
 - j. Distance from Residence to Boundary Lines.
 - k. Distance from Sewage (where the effluent is going) to Water Supply.
 - l. Distance from Sewage (where the effluent is going) to Boundary Lines.
 - m. Shelterbelts, Creeks, Rivers, Drainage Ditches, Railways, etc.
 - n. Building plans showing floor plans, elevations, and exterior finish.
 - o. Utilities, site drainage, grade elevations, existing and finished lot grades.

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500.

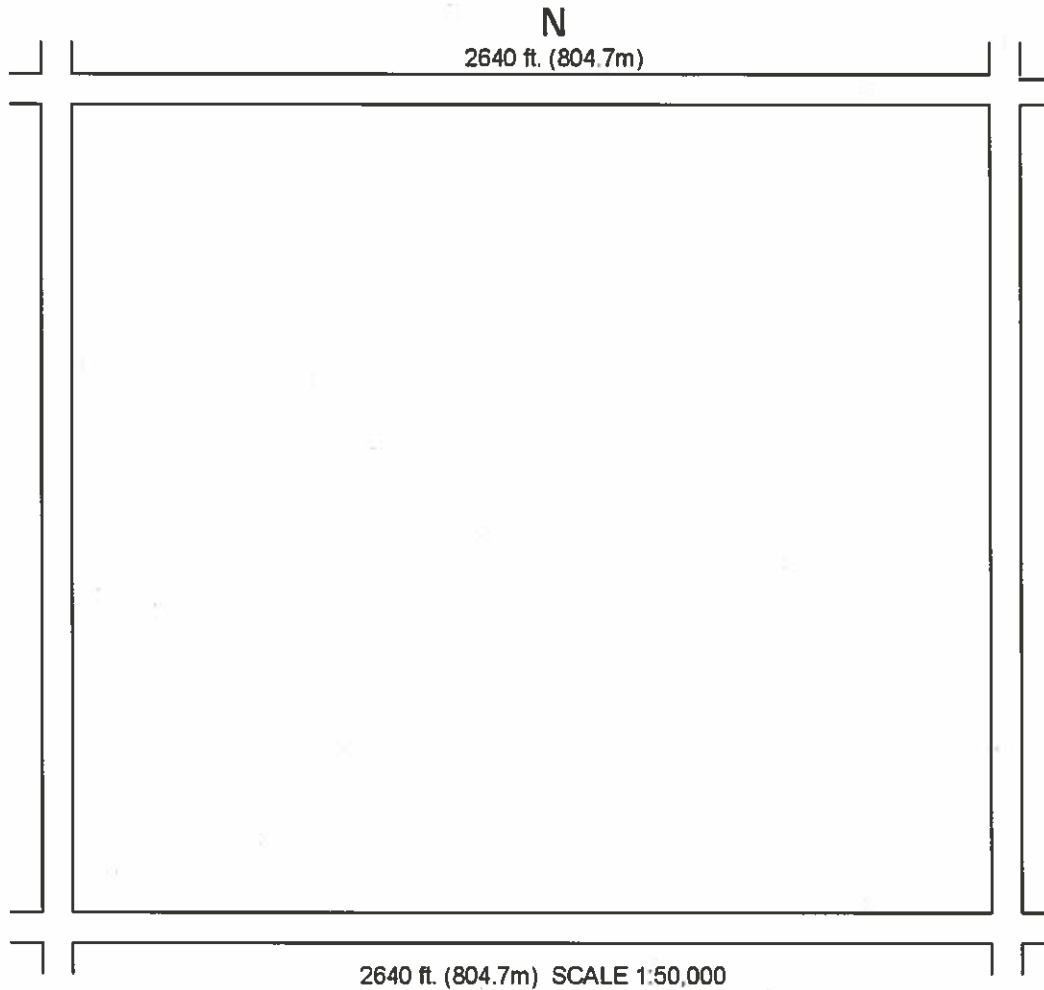


PROPOSED DEVELOPMENT SKETCH

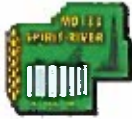
MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

FOR ADMINISTRATIVE USE

APPLICATION NO.
DATE RECEIVED



Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500



DEVELOPMENT PERMIT
MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

Permit No. _____

Form B

Development involving:

As further described in Application No. _____ for the applied development _____
has been:

APPROVED, subject to the following conditions;

REFUSED, for the following reasons;

Note: It is the responsibility of the Applicant to meet the conditions of approval and to obtain any other necessary permits or approvals required from other regulatory agencies having jurisdiction.

You are hereby authorized to proceed with the development specified provided; that any stated conditions are complied with; that the development is in accordance with any approved plans and application. Should an appeal be made against this decision to the Subdivision and Development Appeal Board, the development permit shall be null and void pending the outcome of the appeal.

Date of Decision _____

Signature of Development Officer _____

NOTE:

- 1) The Land Use By-Law provides that any person claiming to be affected by a decision of the Development Officer may appeal to the secretary of the Subdivision & Development Appeal Board within 14 days after the Notice of Decision is published in the local newspaper.
- 2) The issuance of a Development Permit in accordance with the Notice of Decision is subject to the condition that it does not become effective until 14 days after the date the order, decision or development permit is published in the local newspaper.
- 3) See the Development Officer or the Secretary of the Subdivision and Development Appeal Board for a Subdivision Development Appeal Application Form.
- 4) A development permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months from the date of issuing a permit, or within such longer periods not exceeding three (3) months as may be approved by the Development Officer.



APPLICATION FOR TIME EXTENSION FOR DEVELOPMENT APPROVAL

MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

Form C

PERMIT NO: _____

LEGAL: _____

APPLICANT: _____

The Municipal Government Act, SA 1994, Section 684 states: "An application for a development permit is, at the option of the applicant, deemed to be refused if the decision of a development authority is not made within 40 days of receipt of the application unless the applicant has entered into an agreement with the development authority to extend the 40 day period."

In accordance with Section 684 of the Municipal Government Act, SA 1994 as amended, please complete the following consent form agreeing to extend the 40 day period within which the Development Authority of the Municipal District of Spirit River No. 133 has to make a decision.

I, the applicant, agree to extend the period of time within which the Development Authority of the Municipal District of Spirit River No. 133 has to make a decision

TIME EXTENDED TO: _____ _____ _____
 DAY MONTH YEAR

APPLICANT'S SIGNATURE: _____ DATE SIGNED: _____

DEVELOPMENT OFFICER: _____ DATE SIGNED: _____

ADDITIONAL TIME EXTENSION AGREEMENT
TIME EXTENDED TO: _____ _____ _____
 DAY MONTH YEAR

APPLICANT'S SIGNATURE: _____ DATE SIGNED: _____

DEVELOPMENT OFFICER: _____ DATE SIGNED: _____

Any personal information that the MD of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the MD's Freedom of Information and Protection of Privacy Coordinator at 664-3500



**DEVELOPMENT APPEAL
APPLICATION**
MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

Form D

OFFICE USE ONLY:

Date Received: _____

Development Appeal No: _____

Development Permit No: _____

Date of Appeal Hearing: _____

I hereby give notice of appeal to the decision of the Development Authority dated _____
on Development Permit No. _____ for the following reasons (attach a separate sheet if
necessary):

Name(s) of Applicant(s) for appeal: _____

Address: _____

Telephone: _____

Legal Description: _____

I hereby declare that all information provided by me is to the best of my knowledge true and correct in all respects.

Appellant(s) Signature(s) _____

Date _____

(If the appeal is being lodged by a Company, the President or other authorized officer shall sign this form.)

Mail or deliver to:
The Secretary, Subdivision and Development Appeal Board
Municipal District of Spirit River No. 133
Box 389, Spirit River, Alberta T0H 3G0
(780) 864-3500

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500



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

Appeal NO. _____

MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133

Form F

This is to notify you that an appeal against Development Permit No. _____ affecting the (Legal Description) _____ was considered by the Subdivision and Development Appeal Board on _____, 20____, and the decision of the Board with regard to the appeal is as follows and for the following reasons:

Chairman, Subdivision and Development Appeal Board

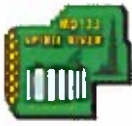
Date

NOTE:

A decision of the Subdivision and Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of law or jurisdiction pursuant to Section 688 of the Municipal Government Act, SA 1994 as amended. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:

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

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500.



**APPLICATION FOR LAND USE BYLAW
AMENDMENT
MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133**

FOR ADMINISTRATIVE USE

APPLICATION NO.
DATE RECEIVED

Form G

NAME OF APPLICANT: _____ TELEPHONE: _____

ADDRESS OF APPLICANT: _____

NAME OF REGISTERED LANDOWNER (if different from applicant): _____

ADDRESS: _____ TELEPHONE: _____

LEGAL DESCRIPTION OF PROPERTY AFFECTED BY AMENDMENT:

Quarter _____ Section _____ Township _____ Range _____ Meridian _____

or

Lot _____ Block _____ Plan _____

DETAILS OF PROPOSED AMENDMENT:

From: _____ To: _____

If not reclassifying land, please specify the nature of the amendment:

REASONS SUPPORTING THE PROPOSED AMENDMENT:

I/We enclose the required application fee of \$ _____

Signature of Applicant

Date

Signature of Registered Landowner
(If different from above)

Date

Any personal information that the M.D. of Spirit River may collect on this form is in compliance with Section 32 of the Freedom of Information and Protection of Privacy Act. The information collected is required for the purpose of processing the Development Permit Application. If you have any questions about the collection please contact the M.D.'s Freedom of Information and Protection of Privacy Coordinator at 864-3500.

SCHEDULE B – FEES

**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
POLICY AND PROCEDURES MANUAL**

SCHEDULE OF PLANNING FEES

**Function:
Policy No.
Effective Date:
Supercedes:
Amends:**

**Planning/Development
PD.03
April 20, 2001**

Policy Statement:

Pursuant to the Municipal District of Spirit River No. 133 Land Use Bylaw, Subdivision Authority Bylaw and Subdivision and Development Appeal Board Bylaw, council by resolution shall establish the schedule of Planning Fees.

Schedule of Planning Fees are as follows:

All Fees are Non-Refundable

Development Permit Application Fee	\$50.00 for the first \$50,000 of the project or portion thereof and \$20.00 for the additional \$50,000 of the project or portion thereof.
Intensive Livestock Operation Development Permit Application Fee	\$500.00 for each permit application
Subdivision Application Fee	\$100.00 Application Fee \$100.00 Per Lot Created (including the balance of the land)
Subdivision Endorsement Fee	\$55.00 per Lot Created (including the balance of the land)
Subdivision & Development Appeal Fee	\$100.00
Intensive Livestock Operation Appeal Fee	\$500.00
Amending the Land Use By-Law Fee	\$150.00
Time Extension Fee for Developments & Subdivisions	\$25.00 for a 1 year extension

SCHEDULE C - LAND USE MAP



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #01-AM-09

**BEING A BYLAW TO AMEND BYLAW 03-2001 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2001; now


THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, HEREBY ENACTS AS FOLLOWS:

1. That the land use district classification for the Part of the South East 1/4 of Section Thirty Six (36), Township Seventy Nine (79), Range Five (5) West of the Sixth Meridian (W6M) Lot 1 Block 1 Plan 084-0182 be amended from Agriculture General (A) District to Rural Industrial (RI) District as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 4th day of June A.D., 2009

Read for a Second time this 2nd day of July A.D., 2009

Read for a Third and Final time this 2nd day of July A.D., 2009



Chief Elected Official

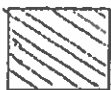
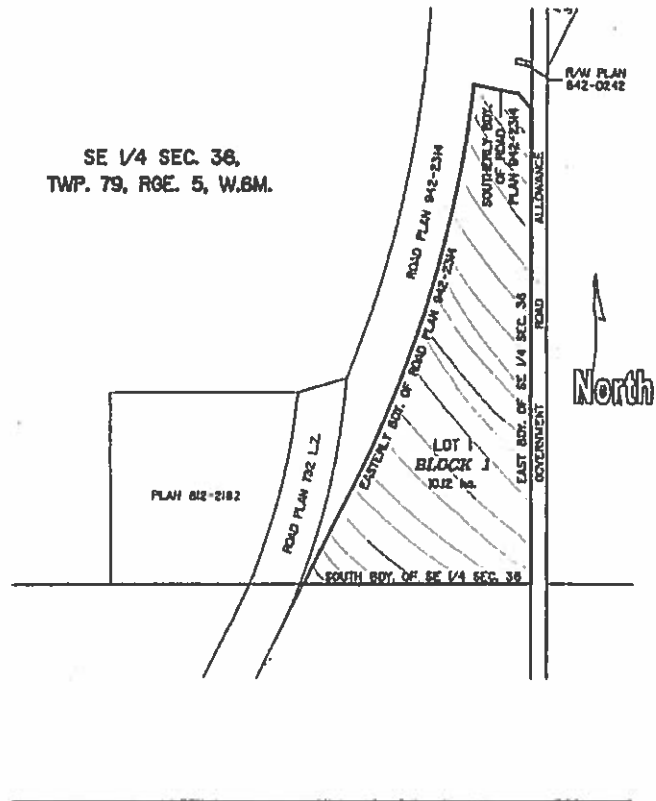


Chief Administrative Officer

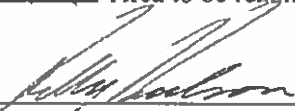
SCHEDULE "A"

**LAND USE BYLAW AMENDMENT APPLICATION #01-AM-09
SE 36-79-5-W6TH LOT 1 BLOCK 1 PLAN 084-0182 PAISH, VICTOR**


**REZONE FROM AGRICULTURAL (A) DISTRICT
TO RURAL INDUSTRIAL (RI) DISTRICT**



Area to be rezoned shown thus



Chief Elected Official



Chief Administrative Officer



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #05-AM-09

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the Part of the North West 1/4 of Section Nineteen (19), Township Seventy-Eight (78), Range Five (5) West of the Sixth Meridian (W6M) be amended from Agriculture General (A) District to Country Residential 1 (CR1) District as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 12th day of November A.D., 2009

Read for a Second time this 7th day of December A.D., 2009

Read for a Third and Final time this 7th day of December A.D., 2009



Chief Elected Official

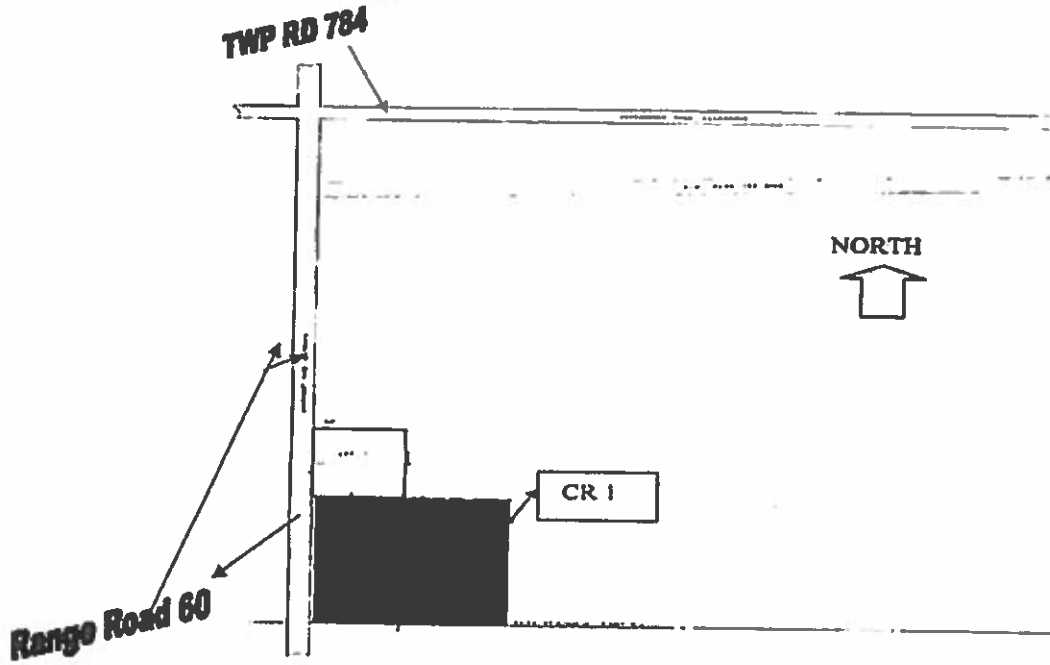


Chief Administrative Officer

SCHEDULE "A"

MUNICIPAL DISTRICT OF SPIRIT RIVER #133

N.W. 1/4 SEC 19-78-5-W6th

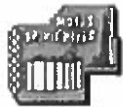


 → Area to be rezoned

Stan Bryson
Chief Elected Official

[Signature]
Chief Administrative Officer

**AGRICULTURE GENERAL [A] DISTRICT
TO: COUNTRY RESIDENTIAL 1 (CR1) DISTRICT**



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #01-AM-10

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 Revisions and Consolidation of Bylaws, Revision authorized, Section 63-2(h) with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

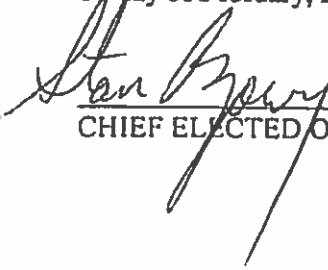
1. **THAT** the Municipal District of Spirit River #133 Land Use Bylaw 03-2009 SECTION 11.9 RURAL COMMERCIAL (RC) DISTRICT ss 11.9.3 ADDITIONAL PROVISIONS contains a typographical error. A copy of the correct sequential format for the provisions is illustrated on Schedule "A" and is attached hereto.
2. **THAT** this bylaw shall come into force and take effect upon the Third and Final Reading thereof

READ A FIRST TIME this 8th day of February, A.D., 2010

READ A SECOND TIME this 8th day of February, A.D., 2010

READ FOR A THIRD AND FINAL TIME this 8th day of February, A.D., 2010

SIGNED by the REEVE and the CHIEF ADMINISTRATIVE OFFICER this
8th day of February, 2010



CHIEF ELECTED OFFICIAL



CHIEF ADMINISITRAIVE OFFICER

SCHEDULE "A"

MUNICIPAL DISTRICT OF SPIRIT RIVER #133

MUNICIPAL DISTRICT OF SPIRIT RIVER LAND USE BYLAW 03-2009

SECTION 11.9.3 Additional Provisions

The following sections are deleted:

- (b) any rural industrial use located adjacent to a Primary or Secondary Highway shall be screened, landscaped and buffered to the satisfaction of the Development Authority.**
- (c) the Development Authority may decide on such other requirements as are necessary having due regard to the nature of a proposed development of this District;**

And replaced with:

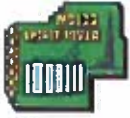
- (f) any rural industrial use located adjacent to a Primary or Secondary Highway shall be screened, landscaped and buffered to the satisfaction of the Development Authority.**
- (g) the Development Authority may decide on such other requirements as are necessary having due regard to the nature of a proposed development of this District.**



CHIEF ELECTED OFFICIAL



CHIEF ADMINISTRATIVE OFFICER



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #04-AM-10

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the **West Half (South West and North West) Section Twenty One (21), Township Seventy Seven (77), Range Six (6) West of the Sixth Meridian (W6M)** be amended from **Agriculture (A) District** to **Country Residential 1 (CR1) District** as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the **Third and Final Reading** thereof

Read for a First time this 22nd day of March, A.D., 2010.

Read for a Second time this 25th day May A.D., 2010.

Read for a Third and Final time this 25th day of May A.D., 2010.



Chief Elected Official

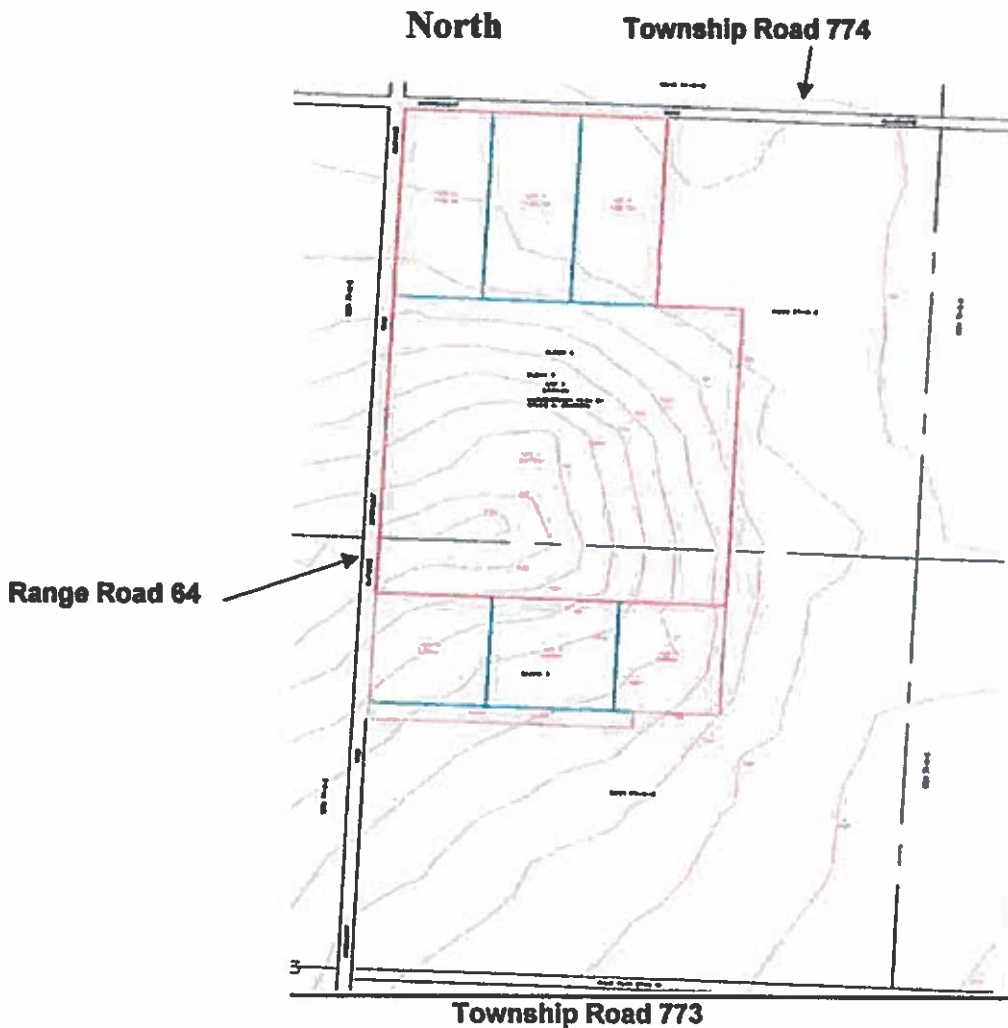


Chief Administrative Officer

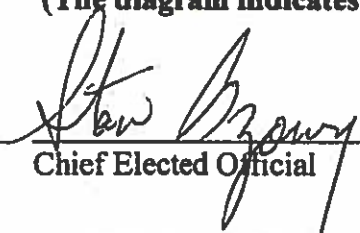
SCHEDULE "A"

**LAND USE BYLAW AMENDMENT APPLICATION #04-AM-10
SW 21-77-6-W6TH & NW 21-77-6-W6TH
MICHAEL DIKA**


**REZONE FROM AGRICULTURAL (A) DISTRICT
TO COUNTRY RESIDENTIAL 1 (CR1) DISTRICT**



**Rezoning 2 Quarter Sections to Country Residential 1 District (CR1)
(The diagram indicates future proposed Country Residential 1 (CR1) lots)**



Chief Elected Official



Chief Administrative Officer



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #06-AM-10

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the Pt. South West Quarter of Section Twenty-Two (22), Township Seventy Eight (78), Range Six (6) West of the Sixth Meridian (W6M) be amended from Agriculture (A) District to Country Residential 1 (CR1) District as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 7th day of June, A.D., 2010

Read for a Second time this 19th day of July, A.D., 2010

Read for a Third and Final time this 19th day of July, A.D., 2010



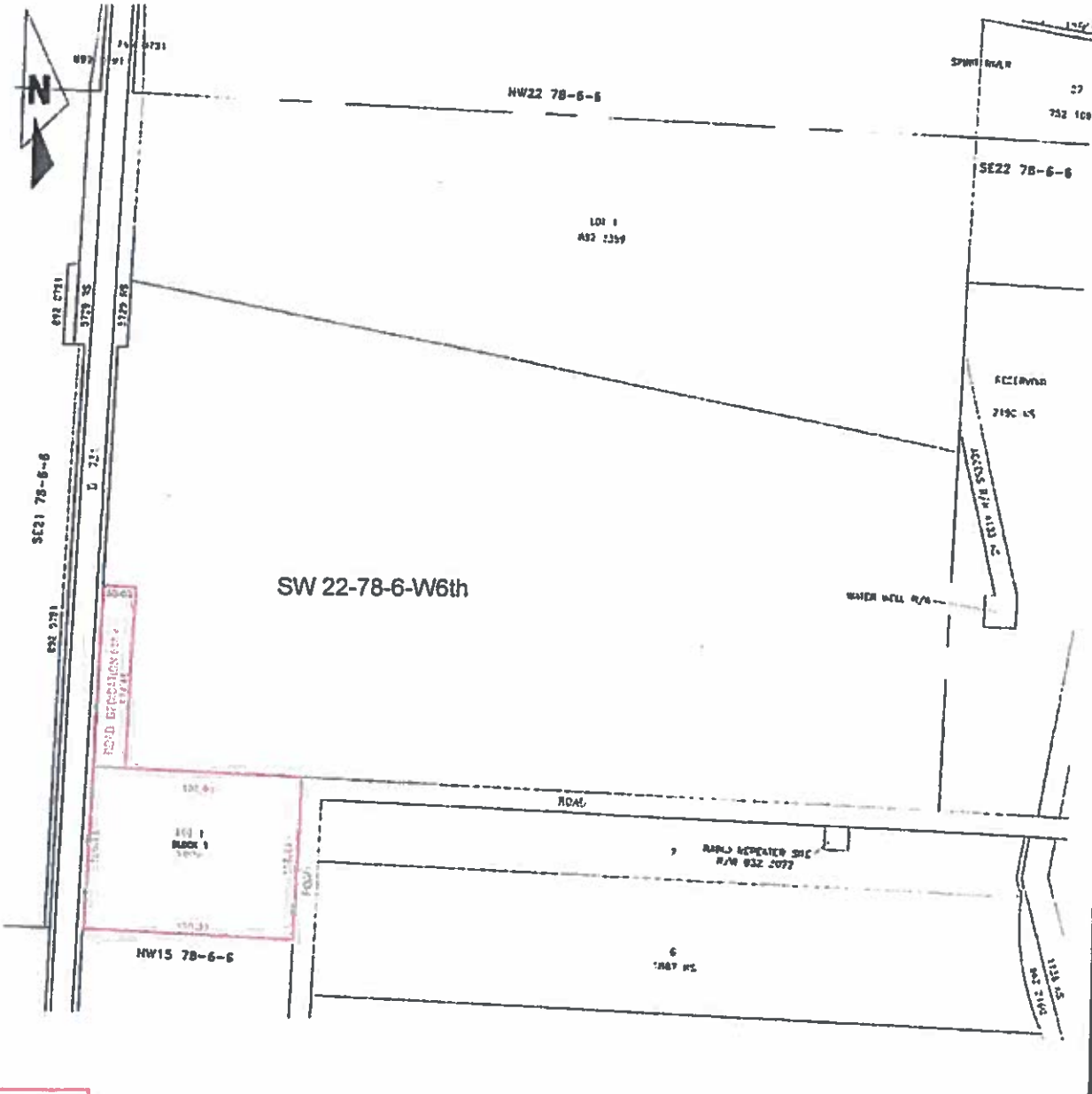
Chief Elected Official



Chief Administrative Officer

SCHEDULE "A"

MUNICIPAL DISTRICT OF SPIRIT RIVER #133



Area to be rezoned includes a 30 m wide road dedication

Chief Elected Official
AGRICULTURE [A] DISTRICT

Chief Administrative Officer

TO: COUNTRY RESIDENTIAL 1 (CR1) DISTRICT



Notice of Public Hearing

A Public Hearing on the following proposed Land Use Bylaw Amendment will be held on **Monday, July 19, 2010 at 10:00 a.m.** at the Municipal District of Spirit River #133 Council Chambers in Spirit River.

Bylaw Application #06-AM-10

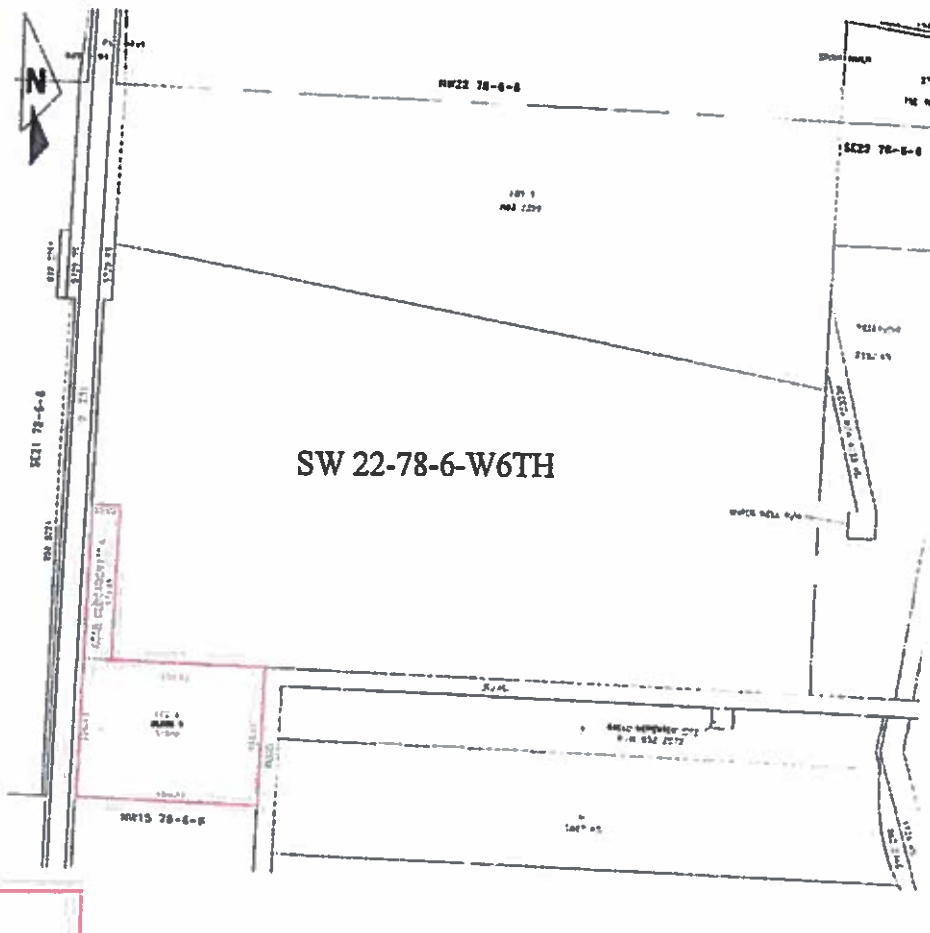
Legal Land Description: SW 22-78-6-W6TH

Rezone From Agricultural (A) to Country Residential 1 (CR1)

Area: Approximately 3.61 ha (8.92 acres)

Anyone affected by this proposed amendment is welcome to attend the Public Hearing. Written submissions should be submitted by 4:30 p.m. on **Wednesday, June 30, 2010**

For further information please contact the Development Officer at 864-3500.



Area to be rezoned includes a 30 m wide road dedication



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #07-AM-10

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the Pt. North West Quarter of Section Nine (9), Township Seventy Eight (78), Range Five (5) West of the Sixth Meridian (W6M) be amended from Agriculture Restricted (AR) District to Rural Commercial (RC) District as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 7th day of June, A.D., 2010

Read for a Second time this 19th day of July, A.D., 2010

Read for a Third and Final time this 19th day of July, A.D., 2010



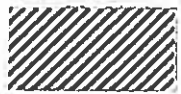
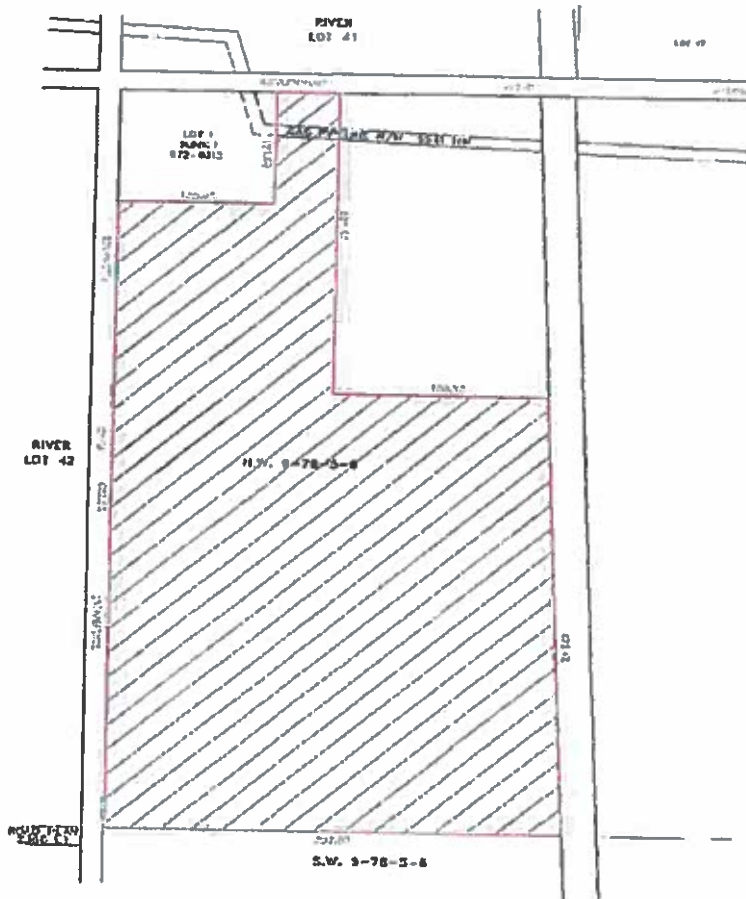
Chief Elected Official



Chief Administrative Officer

SCHEDULE "A"

MUNICIPAL DISTRICT OF SPIRIT RIVER #133



Area to be rezoned

Chief Elected Official

Chief Administrative Officer

**AGRICULTURAL RESTRICTED [AR] DISTRICT
TO: RURAL COMMERCIAL (RC) DISTRICT**



Notice of Public Hearing

A Public Hearing on the following proposed Land Use Bylaw Amendment will be held on **Monday, July 19th, 2010** at **11 a.m.** at the Municipal District of Spirit River #133 Council Chambers in Spirit River.

Bylaw Application #07-AM-10

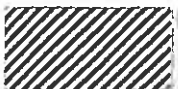
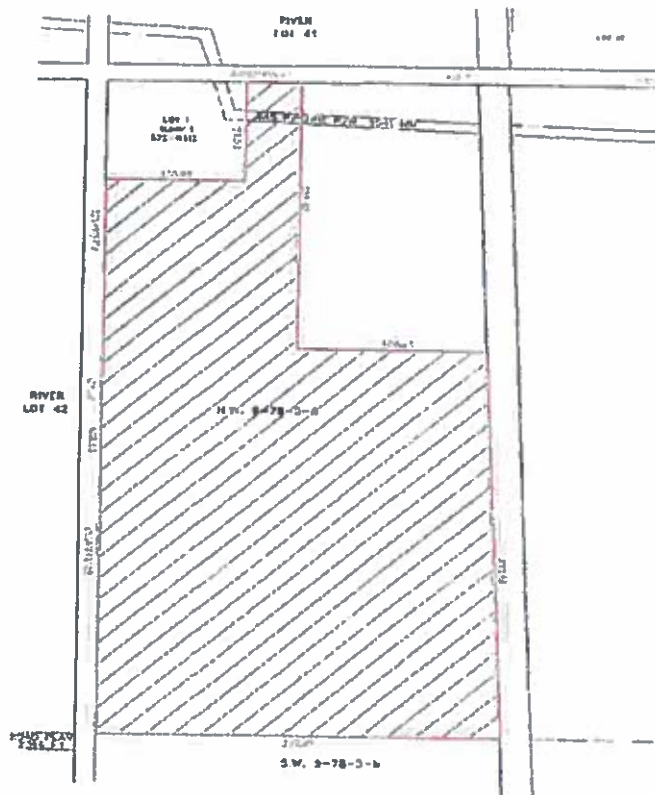
Legal Land Description: Pt. NW-9-78-5-W6th

Rezone from Agriculture Restricted (AR) to Rural Commercial (RC)

Area: Approximately 23.14 ha. (57.18 Ac)

Anyone affected by this proposed amendment is welcome to attend the Public Hearing. Written submissions should be submitted by 4:30 p.m. on **Wednesday, June 30, 2010**.

For further information please contact the Development Officer at 864-3500.



Area to be rezoned



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #09-AM-10

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the Northwest Section Twenty One (21), Township Seventy Eight (78), Range Five (5) West of the Sixth Meridian (W6M) be amended from Agriculture (A) District to Country Residential 1 (CR1) District as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 24th day of September, A.D., 2010.

Read for a Second time this 4th day November A.D., 2010.

Read for a Third and Final time this 4th day of November A.D., 2010.



Chief Elected Official

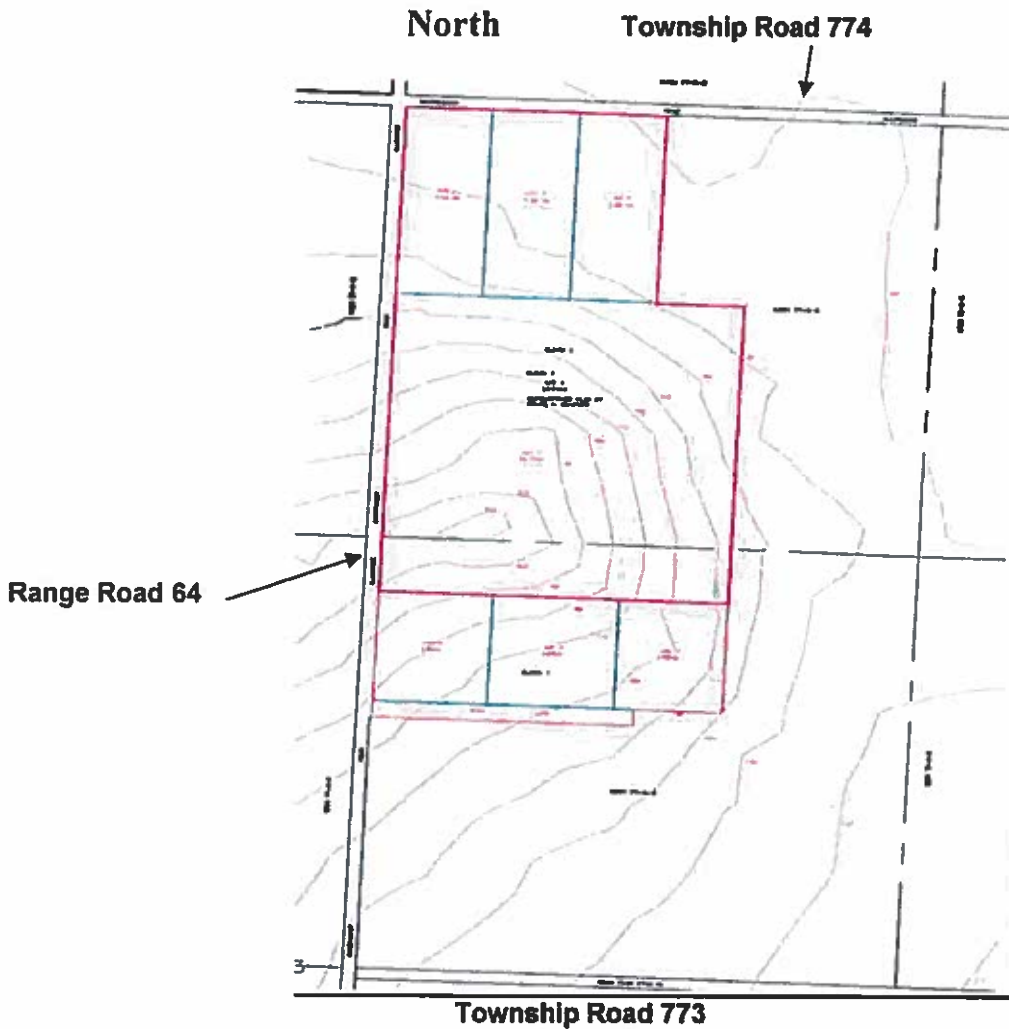


Chief Administrative Officer

SCHEDULE "A"

**LAND USE BYLAW AMENDMENT APPLICATION #04-AM-10
SW 21-77-6-W6TH & NW 21-77-6-W6TH
MICHAEL DIKA**

**REZONE FROM AGRICULTURAL (A) DISTRICT
TO COUNTRY RESIDENTIAL 1 (CR1) DISTRICT**



**Rezoning 2 Quarter Sections to Country Residential 1 District (CR1)
(The diagram indicates future proposed Country Residential 1 (CR1) lots)**

Chief Elected Official

Chief Administrative Officer



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #01-AM-11

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

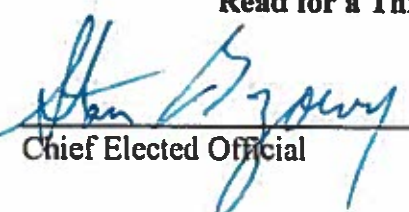
THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the River Lot 50 Spirit River Settlement, Township Seventy Eight (78), Range Six (6) West of the Sixth Meridian (W6M) be amended from Agriculture (A) District to Direct Control (DC) District as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 6th day of January, A.D., 2011.

Read for a Second time this 10th day of February A.D., 2011.

Read for a Third and Final time this 17th day of February A.D., 2010.



Chief Elected Official



Chief Administrative Officer



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #02-AM-11

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the **Southeast Thirty Three (33) Township Seventy Nine (79), Range Four (4) West of the Sixth Meridian (W6M)** be amended from **Agriculture (A) Country Residential 1 (CR1) District** as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof


Read for a First time this 17 day of March, A.D., 2011.

Read for a Second time this 7th day of April A.D., 2011.

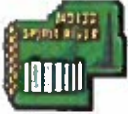
Read for a Third and Final time this 7th day of April A.D., 2011.



Chief Elected Official



Chief Administrative Officer



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #04-AM-11

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the **Part Southeast Twenty-two(22) Township Seventy Eight (78), Range Six (6) West of the Sixth Meridian (W6M)** be amended from **Agriculture (A) Country Residential 1 (CR1) District** as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 4 day of August, A.D., 2011.

Read for a Second time this 18th day of August A.D., 2011.

Read for a Third and Final time this 18th day of August A.D., 2011.



Chief Elected Official



Chief Administrative Officer



LOCATION PLAN WITH PHOTO
SCALE 1:2500



M.D. OF SPIRIT RIVER NO.133
TENTATIVE PLAN SHOWING
PROPOSED SUBDIVISION
WITHIN
S.E. 1/4 Sec. 22, Twp. 78, Rge. 6, W6M.

BRUCE A. BEARSTO, ALS 2011

**BEARSTO LEHNERS KETCH
ENGINEERING LIMITED**
101, 10940 - 82nd AVE.
GRANDE PRAIRIE,
PHONE 532-4919, FAX 532-41
ALBERTA T8V 6B5



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #05-AM-11

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the **Land Use Bylaw No. 03-2009**; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the **Part Northwest Twenty(20) Township Seventy Nine (79), Range Four (4) West of the Sixth Meridian (W6M)** be amended from **Agriculture (A) Country Residential 1 (CR1) District** as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 12 day of August, A.D., 2011.

Read for a Second time this 1st day of September A.D., 2011.

Read for a Third and Final time this 1st day of September A.D., 2011.

Chief Elected Official



Chief Administrative Officer

Volin Road (Twp. Rd. 794)

213m x 441m

Area of Application
for Rezoning
(from A to CR1)
9.4ha (23.3ac)

A

NW-20-79-4-W6M

C. of T. = 032 387 606

Range Road 45

1
1
032 5159

C. of T. = 032 387 605

Pipeline R/W (972 4200)

Power Line R/W (358 KS)

PROPOSED LAND USE BYLAW AMENDMENT

AGRICULTURE (A) DISTRICT to COUNTRY RESIDENTIAL 1 (CR1) DISTRICT

MUNICIPAL DISTRICT OF SPIRIT RIVER No. 133

LEGAL: NW Sec. 20, Twp. 79, Rg. 4, W6M

BYLAW No. 04-11

'Schedule A'

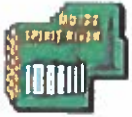


A	Agriculture
CR1	Country Residential 1

Scale 1 : 7500

NOTE : Distances and area calculations are approximate (±). Improvements located as per data supplied by owner.

July 12, 2011



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #01-AM-13

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the **Land Use Bylaw No. 03-2009**; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the **Northeast One(1) Township Seventy Eight (78), Range Six (6) West of the Sixth Meridian (W6M)** be amended from **Agriculture (A) Country Residential 1 (CR1) District** as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 7th day of March, A.D., 2013.

Read for a Second time this 4th day of April A.D., 2013.

Read for a Third and Final time this 4th day of April A.D., 2013.



Chief Elected Official



Chief Administrative Officer



**MUNICIPAL DISTRICT OF SPIRIT RIVER NO. 133
IN THE PROVINCE OF ALBERTA**

BYLAW #02-AM-13

**BEING A BYLAW TO AMEND BYLAW 03-2009 THE LAND USE BYLAW OF THE
MUNICIPAL DISTRICT OF SPIRIT RIVER #133**

WHEREAS the Council of the Municipal District of Spirit River #133, in the Province of Alberta has adopted a Land Use Bylaw; and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 with amendments thereto, to make amendments to its Land Use Bylaw; and

WHEREAS the Council of the Municipal District of Spirit River #133 deems it desirable to amend the Land Use Bylaw No. 03-2009; now

THEREFORE the Council of the Municipal District of Spirit River #133, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. That the land use district classification for the Southeast and Southwest Seven(7) Township Seventy Eight (78), Range Four (4) West of the Sixth Meridian (W6M) be amended from Agriculture (A) to Rural Industrial (RI) District as illustrated on Schedule "A" attached hereto.
2. That this bylaw shall come into force and take effect upon the Third and Final Reading thereof

Read for a First time this 2nd day of May, A.D., 2013.

Read for a Second time this 6th day of June A.D., 2013.

Read for a Third and Final time this 6th day of June A.D., 2013.



Chief Elected Official



Chief Administrative Officer