

Section 9: Specific Use Regulations

9.1 General Provisions

- 9.1.1 The specific use regulations of this Section apply in all districts. Where there appears to be a conflict with the regulations in other Sections, these regulations apply unless those Sections specifically exclude or modify these specific use regulations.

9.2 Secondary and Agricultural Dwellings

- 9.2.1 Except for an approved family care dwelling, semi-detached housing, fourplexes, town housing, manufactured home park, congregate care, collective communal dwelling, apartment housing, or secondary suite and a dwelling permitted by this Section, no person shall construct or locate more than one dwelling on a parcel. **(Bylaw 16-2008)**
- 9.2.2 A Development Officer may issue a development permit for one secondary dwelling on a parcel greater than 32 ha, provided the secondary dwelling is in a location that would be suitable for future subdivision, taking potential future access into account.
- 9.2.3 A Development Officer may issue a development permit for more than 1 dwelling on a parcel if it is an agricultural dwelling to be occupied by a person who is engaged on a full-time basis for at least 6 months of each year in an agricultural operation and the additional dwelling is located on a parcel greater than 32 ha.
- 9.2.4 A Development Officer may issue a development permit for no more than 1 additional dwelling on a parcel less than 32 ha, but greater than 16.2 ha, providing it is an agricultural dwelling to be occupied by a person who is engaged on a full-time basis for at least 6 months of each year in an intensive livestock agricultural use or a greenhouse with a minimum building area of 1000 m² or a major equestrian centre and such a dwelling, in the opinion of a Development Officer: **(Bylaw 20-2008)**
- would not materially interfere with or affect the use and enjoyment of adjacent properties;
 - would not adversely affect significant environmental areas;
 - would not result in excessive demand on municipal services, utilities and public roadway access;
 - would not cause a building to become a duplex, a semi-detached dwelling, town housing or an apartment; and
 - would comply with all regulations of this Bylaw, including all regulations in the applicable district, unless provided otherwise under this Section.
- 9.2.5 Strathcona County has a policy of one access per residential lot. No additional access will be granted, unless otherwise approved by the County Engineer having regard for existing and future traffic patterns and public safety.
- 9.2.6 Within the lands encompassed by the Strathcona County Heartland Area Structure Plan boundary:
- no new secondary dwellings, agricultural dwellings, family care dwellings, secondary suites, or accessory agricultural housing, shall be permitted:
 - on previously undeveloped land;
 - except to replace an existing dwelling.
 - those secondary and agricultural dwellings which existed prior to the adoption of this bylaw, may be maintained or rebuilt if destroyed; and
 - the replacement of an existing dwelling shall be deemed to be a discretionary use. **(Bylaw 20-2008)**

- 9.2.7 A Development Officer may issue a temporary development permit for accessory agricultural housing on a parcel that is greater than 32 ha providing it is an integral part of approved major agricultural or intensive horticultural use or, a major equestrian centre and, where in the opinion of the Development Officer, such housing would:
- not materially interfere with or affect the use and enjoyment of adjacent properties;
 - not adversely affect significant environmental areas;
 - not result in excessive demand on municipal services, utilities and public roadway access;
 - comply with the regulations of this Bylaw, including all regulations in the applicable district, unless otherwise provided in this section; and
 - comply with the regulations of the Alberta Building Code or any other Municipal, Provincial, Federal Regulations. **(Bylaw 20-2008)**

9.3 Family Care Dwellings

- 9.3.1 In a district in which it is a discretionary use, a Development Officer may permit one family care dwelling on a parcel as a temporary development and shall require compliance with the temporary use provisions of Section 3.5 of this *Bylaw*.
- 9.3.2 A Development Officer may permit a family care dwelling only if such a dwelling, in the opinion of the Development Officer:
- would not materially interfere with or affect the use and enjoyment of adjacent properties;
 - would not adversely affect significant environmental areas;
 - would not result in excessive demand on municipal services, utilities and public roadway access;
 - would not cause a building to become a duplex, a semi-detached dwelling, town housing or an apartment; and
 - would comply with all regulations of this *Bylaw*, including all regulations in the applicable district, unless provided otherwise under this Section.
- 9.3.3 Where a family care dwelling is contained in a building other than the principal single detached dwelling on a parcel in an RC Country Residential District, the building shall not exceed 4.5 m in height and 60 m² in gross floor area. **(Bylaw 4-2002)**
- 9.3.4 A family care dwelling in an urban residential district shall not be permitted in any building other than the principal dwelling on a parcel.
- 9.3.5 All family care dwellings shall be considered temporary uses and will have a fixed expiry date specified in a development permit.

9.4 Bed and Breakfasts

- 9.4.1 A bed and breakfast is an accessory use to a principal residential use. **(Bylaw 4-2002)**
- 9.4.2 A Development Officer may permit a bed and breakfast only if it, in the opinion of the Development Officer, complies with the following regulations:
- Other Uses:** a bed and breakfast shall be operated as a secondary use only within the principal building. Bed and breakfasts are not permitted where there are other uses such as a care centre, group home or boarding and lodging house. A bed and breakfast is not permitted in an additional agricultural dwelling or family care dwelling. **(Bylaw 14-2008)**
 - Nuisance:** the privacy and enjoyment of adjacent residences shall be preserved and the

amenities of the neighborhood maintained at all times.

- c) **Alterations:** interior or exterior alterations, additions or renovations to accommodate a bed and breakfast may be allowed provided such alterations, additions or renovations maintain the principal residential appearance or character of the dwelling and comply with this *Bylaw*, the *Safety Codes Act*, and any other Strathcona County bylaw.
- d) **Area:** no accessory structure is permitted to accommodate a bed and breakfast.
- e) **Owner/Number of Employees:** a bed and breakfast shall be operated only by the permanent resident(s) of the principal dwelling and 1 non-resident employee on site.
- f) **Parking:** a bed and breakfast shall meet the parking requirements of Section 8.
- g) **Signage:** a bed and breakfast shall meet the signage requirements of Section 10.

9.5 Residential Sales Centres

- 9.5.1 In a district in which it is a discretionary use, a Development Officer may permit a residential sales centre as a temporary development and shall require compliance with the temporary use provisions of Section 3.5 of this Bylaw.
- 9.5.2 A Development Officer may permit a residential sales centre only if it, in the opinion of the Development Officer, complies with the following regulations:
- a) **Temporary:** all residential sales centres shall be considered temporary uses and will have a fixed expiry date specified in a development permit.
 - b) **Nuisance:** the privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighborhood maintained at all times. Sites to be used for residential sales centres shall be developed to minimize any adverse effect on public roadways and adjacent dwellings.
 - c) **Parking:** sufficient on and off-site parking must be available on or adjacent to the site so that parking congestion will not develop on that portion of public roadways serving nearby dwellings.
 - d) **Appearance:** Where a residential sales centre is located within a residential district or is visible from adjacent dwellings, the colour and material of the exterior finish of a residential sales centre, including hoardings or false fronts, shall be compatible with those commonly found in residential districts.
 - e) **Lighting:** Lighting shall be designed and maintained not to shine onto adjacent residential properties. Lighting, except for motion activated security lighting, shall not be used when the residential sales centre is closed.
- 9.5.3 In deciding upon an application, a Development Officer shall take into consideration the scale of the residential sales centre, the number of such centres in an area, proximity to arterial or collector public roadways, effect on other dwellings, the length of time the centre has been operating, and the location and proximity of properties being marketed.
- 9.5.4 A development permit for the temporary development of a residential sales centre shall be valid for such period of time as specified by a Development Officer, but in no case shall the time period exceed 15 months, at which time, upon application, a new development permit may be issued at the discretion of a Development Officer.

9.6 Retail, Alcohol

- 9.6.1 A retail alcohol use should not be located in close proximity to any site being used for community recreation, parks, public or private education, or religious assembly. In exercising discretion, a Development Officer will have regard for the orientation and access.

9.7 Vehicular Oriented Uses

9.7.1 Vehicular-oriented uses shall not adversely affect the functioning of adjacent streets or negatively affect any adjacent residential uses.

Site Criteria

9.7.2 The minimum site area shall be 930 m², except that:

- a) for a drive-through vehicle service, it is 140 m² of site area not covered by buildings for each service bay;
- b) a car wash is determined on the basis of 370 m² of space not covered by buildings for each car wash bay;
- c) a service station shall be 1,200 m²; and
- d) where two or more of these uses are part of a development on the same site, the total site area requirement is the sum of the requirements of the uses computed separately, unless there is a complementary use of space, which in the opinion of a Development Officer, which would warrant a reduction in site area requirement.

9.7.3 The maximum site coverage is 20%.

9.7.4 The minimum site width for a vehicular-oriented use is 30.0 m.

Queuing Criteria

9.7.5 Queuing space shall be provided as follows:

- a) for drive-in food services facilities, a minimum of eight queuing spaces shall be provided per service lane (including a minimum of five such spaces in advance of any menu order-board), plus a minimum of two queuing spaces located downstream of the service window;
- b) for financial services drive-through facilities, a minimum of six queuing spaces shall be provided per service lane, plus a minimum of one queuing space located downstream of the service window;
- c) for car washing establishments, a minimum of five queuing spaces shall be provided per service lane or washing bay, plus a minimum of two queuing spaces located downstream of each service lane or washing bay; and
- d) for other drive-through vehicle services not specified above, a minimum of three in-bound and two out-bound queuing spaces shall be provided for each service lane or bay.
- e) Each queuing space shall be a minimum of 6.0 m long and 3.0 m wide. Queuing lanes shall provide sufficient space for turning and manoeuvring.

Additional Criteria for Service Stations

9.7.6 Service stations shall adhere to the following:

- a) all pump islands shall be located at least 6.0 m from any property line or parking area on the site, or lanes intended to control traffic circulation on the site;
- b) a canopy over a pump island shall not extend to within 3.0 m of the property line of the site; and
- c) the canopy area for a service station shall not constitute part of the site coverage.

9.8 Aggregate Extraction

Application Requirements

- 9.8.1 In addition to the information requirements of Section 3, an applicant proposing an aggregate extraction use, or an expansion to an existing operation, shall submit plans and a narrative explaining:
- a) existing site conditions (including topography, vegetation, water courses, soil and water table profiles, etc.)
 - b) proposed extraction, operation, and staging;
 - c) proposed access and hauling activities;
 - d) reclamation plan and post-extraction conditions including proposed end use; and
 - e) the costs required to reclaim the site for post-extraction use.

Discretion

- 9.8.2 In considering whether to approve aggregate extraction as a discretionary use as described in Section 3, the Development Officer may have additional due regard for:
- a) the purpose of this *Bylaw* and the general purpose of the District in which is located and the future use of the site as proposed in a reclamation plan;
 - b) the provisions of the *Municipal Development Plan* and any relevant statutory plan;
 - c) relevant guidelines prepared by Alberta Environment and their comments on applications made for provincial approval;
 - d) the desirability to utilize the aggregate resource as a regional benefit to development;
 - e) conservation of topsoil for future agricultural use on this or another site;
 - f) conservation of designated historical resources;
 - g) conservation of trees and maintenance of habitat;
 - h) conservation of environmentally significant and sensitive areas, including Elk Island National Park;
 - i) conservation of watercourses; and
 - j) the safety and the potential nuisance effect on adjacent properties.

Reclamation Security

- 9.8.3 A Development Officer may require, as a condition of a development permit that the owner provide a guaranteed security to ensure that reclamation is completed. The security may take the following forms:
- a) cash to a value equal to 110% of the established reclamation costs; or
 - b) an irrevocable letter of credit having the value equivalent to 110% of the established reclamation costs.
- 9.8.4 If an aggregate extraction has already received approval from Alberta Environment and security for reclamation has been submitted to the satisfaction of the Province, the security required by Section 9.8.3 is not required.
- 9.8.5 Reclamation security requirements can be staged with development, provided that security must be in place for reclamation of any area disturbed before that stage commences.
- 9.8.6 The owner or the owner's representative, based on the information provided in the reclamation plan shall calculate the reclamation costs. If a Development Officer does not

accept the costs identified by the owner or the owner's representative, a Development Officer may establish a higher reclamation cost figure for the purpose of determining the value of the reclamation security.

- 9.8.7 If cash is offered as the reclamation security, interest may be payable, and it shall be held by Strathcona County, until the reclamation has been completed and a Development Officer is satisfied through site inspection that this has occurred. **(Bylaw 13-2003)**
- 9.8.8 If a letter of credit is offered as the reclamation security, it shall be in a form satisfactory to Strathcona County. The initial term of the letter of credit shall be three years. The letter of credit shall be renewed for a further term by the owner 30 days prior to expiry. This process shall be repeated as many times as is necessary so that the letter of credit is maintained until the reclamation plan has been completed to the satisfaction of a Development Officer.
- 9.8.9 The owner shall notify Strathcona County 30 days prior to the expiry date of the letter of credit, in order to provide sufficient time for a Development Officer to inspect the site and to determine if the reclamation is in accordance with the requirements of the approved reclamation plan. If reclamation conditions are satisfactory to a Development Officer, the letter of credit may be released. If inspection cannot be made within this 30 day item period due to weather conditions or other extenuating circumstances, a Development Officer may require renewal of the letter of credit until a satisfactory inspection can be made.
- 9.8.10 In the event the owner does not complete the required reclamation in the time specified in the approved reclamation plan and the cash or the proceeds from the letter of credit are insufficient for Strathcona County to complete the required work, should it elect to do so, then the owner shall pay such deficiency to Strathcona County immediately upon being invoiced. Strathcona County shall provide an accounting to the owner indicating how the proceeds of the letter of credit were applied, within 60 days of completing the reclamation.

Other Limitations and Requirements

- 9.8.11 Aggregate extraction shall not be allowed within 0.8 km of Trappers Lake.
- 9.8.12 Future development of aggregate extraction areas located within Sections 1, 2, 11, 12, 13, and 14-54-23-W4 shall be in accordance with the *North Saskatchewan River Valley Consolidated Reclamation Plan*.
- 9.8.13 A road use agreement, between Strathcona County (Public Works Operations Department) and the landowner/developer of aggregate extraction, incorporating haul routes, maintenance, signage, and other related clauses is required as a condition of a development permit.

9.9 Commercial Logging and Tree Clearing

- 9.9.1 Although not listed in the districts, commercial logging is a discretionary use in all districts and requires a development permit unless it is exempted by Section 3.1.
- 9.9.2 Although not listed in the districts, tree clearing is a permitted use when intended to allow general agriculture and intensive horticultural agricultural uses in districts where they are permitted uses except it is a discretionary use in the AD District.
- 9.9.3 Tree clearing is a discretionary use in all other districts and requires a development permit unless it is exempted by Section 3.1.
- 9.9.4 An applicant for commercial logging or tree clearing shall submit plans and commentary in addition to the information requirements of Section 3, as follows:
- a) proposed schedule for tree clearing;
 - b) proposed access and hauling activities;

- c) the location and dimensions of the proposed disturbed area;
 - d) a description of the existing land use and vegetation;
 - e) a description of proposed site restoration; and
 - f) proposals for preventing nuisance from dust and erosion.
- 9.9.5 In considering whether to approve commercial logging or tree clearing as a discretionary use as described in Section 3, a Development Officer shall have additional due regard for:
- a) the general purpose of the district in which the site is located;
 - b) the potential for the trees to be incorporated into future development to meet the landscaping provisions of this *Bylaw*;
 - c) the provisions of the *Municipal Development Plan* and any relevant statutory plan, including any applicable policies regarding tree retention and future land use in those plans;
 - d) maintenance of habitat during critical wildlife nesting and rearing periods;
 - e) conservation of watercourses and environmentally significant and sensitive areas;
 - f) the health, size, fragmentation, biodiversity and feasibility of incorporating the native trees in an urban development;
 - g) possibility of designation as environmental reserve; and
 - h) the safety and the potential nuisance effect on adjacent properties.

9.10 Intensive Livestock Agriculture

Limitations

- 9.10.1 Intensive livestock agriculture is not allowed in areas designated by the *Municipal Development Plan* for hamlet, development expansion area, future urban study areas, or the Sherwood Park Urban Service Area.
- 9.10.2 New intensive livestock agriculture is not allowed in areas designated by the *Municipal Development Plan* as country residential policy area or the *Lakeland Policy Area*.
- 9.10.3 New intensive livestock agriculture is not permitted within 1.6 km from hamlets, the Sherwood Park Urban Service Area, and neighbouring urban municipalities.

Applications

- 9.10.4 In addition to the information requirements of Section 3, an applicant proposing minor or major intensive livestock agriculture, or an expansion to an existing operation, shall submit the proposed number of livestock by type, density, and length of confinement.
- 9.10.5 If the proposal exceeds the minimum size for an intensive livestock operation as defined in the *Code of Practice for Responsible Livestock Development and Manure Management, 2000*, the following information is also required:
- a) the calculation of the minimum distance separation according to the formula in the *Code of Practice for Responsible Livestock Development and Manure Management, 2000*;
 - b) any special circumstances that would vary the minimum distance siting method;
 - c) the distance to the nearest residential, commercial, recreational, or institutional land development; and
 - d) details of the proposed manure handling and disposal of waste and waste water prepared by a qualified professional engineer, the relationship to watercourses, water wells, and groundwater, and the physical suitability of the site for such manure handling.
- 9.10.6 If the proposal exceeds the minimum size for an intensive livestock operation as defined in the *Code of Practice for Responsible Livestock Development and Manure Management*,

2000 and the applicant wishes to have it considered minor intensive livestock agriculture, the applicant must provide any special management or technology that would reduce its effect to that of minor intensive livestock agriculture:

- 9.10.7 A Development Officer shall forward a development permit application for an intensive livestock agricultural use to the Regional Health Authority for review and comment.
- 9.10.8 Where a Development Officer determines that a proposed intensive livestock agricultural use may have potential nuisance, health, or environmental problems, the application shall be submitted for review by Agriculture, Food, and Rural Development which may require an additional referral to Alberta Environment for a possible environmental approval.
- 9.10.9 In considering whether to approve intensive agriculture as a discretionary use as described in Section 3, the Development Officer shall consider:
- a) the general purpose of the district in which is located;
 - b) compliance with the *Code of Practice for Responsible Livestock Development and Manure Management, 2000*;
 - c) any comments, technical authorization, or permits of Alberta Agriculture, Food, and Rural Development;
 - d) the conservation of environmentally significant and sensitive areas, including Elk Island National Park; and
 - e) the potential nuisance effect on adjacent or nearby properties.

9.11 Setbacks from Major Intensive Livestock Agriculture

- 9.11.1 In addition to the information requirements of Section 3, an applicant proposing a residential use, not to be occupied by an operator of the major intensive livestock agricultural use, in proximity to a major intensive livestock agricultural use shall submit the calculation of the minimum distance separation according to the formula in the *Code of Practice for Responsible Livestock Development and Manure Management, 2000*, including any special circumstances that would vary the minimum distance siting method;
- 9.11.2 Notwithstanding a residential use may be a permitted use in the district, it is a discretionary use if it is within the minimum distance separation of an existing major intensive livestock agricultural use.
- 9.11.3 A Development Officer shall forward a development permit application for a residential use in proximity to a major intensive livestock agricultural use to the Regional Health Authority for review and comment.
- 9.11.4 Where a Development Officer determines that a proposed major intensive livestock agricultural use may have potential nuisance, health, or environmental problems, the application shall be submitted for review by Alberta Agriculture, Food, and Rural Development.
- 9.11.5 In exercising discretion on a development permit for a residential use in proximity to a major intensive livestock agricultural use, a Development Officer shall determine compliance with the *Code of Practice for Responsible Livestock Development and Manure Management, 2000* and will consider any comments of Alberta Agriculture, Food, and Rural Development.

9.12 Manufactured Homes

- 9.12.1 The undercarriage of a manufactured home shall be completely screened from view by a foundation or skirting, weather permitting, within 60 days of placement of the manufactured home.

- 9.12.2 All accessory development such as steps, patios, porches, additions, skirting, and storage facilities shall be factory pre-fabricated units, or equivalent quality, so that design and construction will complement the manufactured home. Additions to a manufactured home shall have a foundation and skirting equivalent to that of the manufactured home.

9.13 Home Businesses

General

- 9.13.1 A minor home business requires a development permit and must meet all the criteria in Sections 9.13.3 and 9.13.4.
- 9.13.2 A major home business requires a development permit and must meet all the criteria in Sections 9.13.3 and any additional requirements, depending on site size, in Sections 9.13.5, 9.13.6, 9.13.7, 9.13.8, and 9.13.9.
- 9.13.3 All home businesses shall comply with the following general regulations:
- a) **Temporary:** all home businesses shall be considered temporary uses and will have a fixed expiry date specified in a development permit.
 - b) **Location:** a home business is not to be located in a family care dwelling, a secondary suite or group home. **(Bylaw 16-2008)**
 - c) **Nuisance:** noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance detectable beyond the property boundary shall not be produced by the home business. At all times, the privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained.
 - d) **Alterations, Additions or Renovations:** any interior or exterior alterations, additions or renovations to accommodate a home business, or to accommodate some other residential function in the principal dwelling so that some of the existing space may be used for the home business, may be allowed as long as such alterations, additions, or renovations comply with the *Land Use Bylaw*, the *Safety Codes Act*, and any applicable bylaws of Strathcona County.
 - e) **Traffic:** except for emergency situations, all home business vehicle trips shall be restricted to:

Monday to Saturday between the hours of 7:00 AM and 10:00 PM; and
Sundays and Statutory Holidays between the hours of 10:00 AM to 6:00 PM;
 - f) **Parking and Loading:** The home business shall provide parking in accordance with *Table 8.1* in addition to the required residential parking spaces. There shall also be adequate on-site parking or storage space provided for all home business vehicles. Any permitted heavy vehicles shall be parked indoors or outdoors in a location that is not generally visible from a public road or adjacent property. Parking of heavy vehicles shall also conform to the requirements of the *Parking Bylaw*. Except for on a permitted driveway, no parking shall be permitted in a front yard.
 - g) **Signage:** a home business may have one sign in conformance with Section 10.

Minor Home Business

- 9.13.4 Minor home businesses shall meet all the requirements of Section 9.13.3 above and shall comply with the following regulations:
- a) **Gross Floor Area:** the home business shall not occupy more than 30% of the gross floor area of the principal dwelling.
 - b) **Storage:** any storage of materials or goods related to the minor home business must be

located within the principal dwelling and/or accessory structure and no exterior storage is permitted.

- c) **Traffic:** there shall be no more than 4 home business clients or customers on site during any period of 24 hours for a minor home business.
- d) **Owner/Number of Employees:** the minor home business shall be operated by the permanent resident(s) of the principal dwelling and shall employ no non-resident, on-site employees.
- e) **Vehicles:** the minor home business shall have no more than 2 home business vehicles used in conjunction with the home business, parked and maintained on the site. There shall be no heavy vehicles used in conjunction with a minor home business.

Major Home Businesses (on a site less than 0.8 ha)

9.13.5 In addition to Sections 9.13.3 above, a major home business on a site less than 0.8 ha shall comply with the following regulations:

- a) **Gross Floor Area:** the home business shall not occupy more than 30% of the gross floor area of the principal dwelling plus the area of accessory structures.
- b) **Storage:** any storage of materials or goods related to the major home business must be located within the principal dwelling and/or accessory structure and no exterior storage is permitted.
- c) **Owner/Number of Employees:** the home business shall be operated by the permanent resident(s) of the principal dwelling, and may employ no more than 1 non resident on-site employee.
- d) **Traffic:** there shall be no more than 1 home business client or customer on site during any 60 consecutive minutes. Motor vehicle traffic generated by clients or customers of a home business shall be prohibited from visiting the premises between the hours 10:00 PM and 8:00 AM. Motor vehicle traffic associated with clients or coming to or going from the premises shall be limited to a total of no more than 2 vehicles during any 60 consecutive minutes. The requirements of this Section shall not be construed to prohibit occasional exceptions for such events as meetings, conferences, demonstrations, or other similar gatherings. **(Bylaw 13-2003)**
- e) **Vehicles:** the major home business shall have no more than 2 home business vehicles used in conjunction with the home business, parked and maintained on the site. There shall be no heavy vehicles used in conjunction with the home business.

Major Home Businesses (on a site 0.8 ha or greater but less 4.0 ha)

9.13.6 In addition to Section 9.13.3, a major home business on a site 0.8 ha or greater but less than 4.0 ha shall comply with the following regulations:

- a) **Gross Floor Area:** the home business shall not occupy more than 30% of the gross floor area of the principal dwelling plus the area of accessory structures.
- b) **Storage:** any storage of materials or goods related to the major home business must be located within the principal dwelling and/or accessory structure and no exterior storage is permitted.
- c) **Owner/Number of Employees:** the home business shall be operated by the permanent resident(s) of the principal dwelling, and may employ no more than 1 non resident on-site employee.
- d) **Traffic:** there shall be no more than one home business client or customer on site during any 60 consecutive minutes. Motor vehicle traffic generated by clients or customers of a home business shall be prohibited from visiting the premises between the hours 10:00 PM and 8:00 AM. Motor vehicle traffic associated with clients or coming to or going from the premises

shall be limited to a total of no more than 2 vehicles during any 60 consecutive minutes. The requirements of this Section shall not be construed to prohibit occasional exceptions for such events as meetings, conferences, demonstrations, or other similar gatherings. (Bylaw 13-2003)

- e) **Vehicles:** the major home business shall have no more than 2 home business vehicles used in conjunction with the home business, parked and maintained on the site.

Major Home Businesses (on a site 4.0 ha or greater but less than 7.7 ha)

9.13.7 In addition to Section 9.13.3, a major home business on a site greater than 4.0 ha but less than 7.7 ha shall comply with the following regulations:

- a) **Gross Floor Area:** the home business shall not occupy more than 30% of the gross floor area of the principal dwelling plus the area of accessory structures.
- b) **Storage:** any storage of materials or goods related to the home business must be located within the principal dwelling and/or accessory structures. At the discretion of a Development Officer, outdoor storage may be allowed as a condition of a development permit provided that the storage area shall be completely screened from adjacent lands, meet the minimum setback requirements for buildings in the district, and does not exceed 400 m².
- c) **Owner/Number of Employees:** the home business shall be operated by the permanent resident(s) of the principal dwelling, and may employ no more than 2 non resident on-site employees.
- d) **Traffic:** there shall be no more than 2 home business clients or customers on site during any 60 consecutive minutes. Motor vehicle traffic generated by clients or customers of a home business shall be prohibited from visiting the premises between the hours 10:00 PM and 8:00 AM. Motor vehicle traffic associated with clients or coming to or going from the premises shall be limited to a total of no more than 3 vehicles during any 60 consecutive minutes. The requirements of this Section shall not be construed to prohibit occasional exceptions for such events as meetings, conferences, demonstrations, or other similar gatherings. (Bylaw 13-2003)
- e) **Vehicles:** the major home business shall have no more than 3 home business vehicles used in conjunction with the home business, parked and maintained on the site.

Major Home Businesses (on a site 7.7 ha or greater but less than 32.0 ha)

9.13.8 In addition to Section 9.13.3, a major home business on a site 7.7 ha or greater but less than 32.0 ha shall comply with the following regulations:

- a) **Gross Floor Area:** the home business shall not occupy more than 30% of the gross floor area of the principal dwelling plus the area of accessory structures.
- b) **Storage:** any storage of materials or goods related to the home business must be located within the principal dwelling and/or accessory structure. At the discretion of a Development Officer; outdoor storage may be allowed as a condition of a development permit provided that the storage area shall be completely screened from adjacent lands, meet the minimum setback requirements for buildings in the district, and does not exceed 1% of the parcel size.
- c) **Owner/Number of Employees:** the home business shall be operated by the permanent resident(s) of the principal dwelling, and may employ no more than 3 non resident on-site employees.
- d) **Traffic:** there shall be no more than 3 home business clients or customers on site during any 60 consecutive minutes. Motor vehicle traffic generated by clients or customers of a home business shall be prohibited from visiting the premises between the hours 10:00 PM and 8:00 AM. Motor vehicle traffic associated with clients or coming to or going from the premises shall be limited to a total of no more than 4 vehicles during any 60 consecutive minutes. The requirements of this Section shall not be construed to prohibit occasional exceptions for such events as meetings, conferences, demonstrations, or other similar gatherings. (Bylaw 13-2003)

- e) **Vehicles:** the major home business shall have no more than 3 home business vehicles used in conjunction with the home business, parked and maintained on the site.

Major Home Businesses (on a site 32.0 ha or greater)

9.13.9 In addition to Section 9.13.3, a major home business on a site greater than 32 ha shall comply with the following regulations:

- a) **Gross Floor Area:** the home business shall not occupy more than 30% of the gross floor area of the principal dwelling plus the area of accessory structures.
- b) **Storage:** any storage of materials or goods related to the home business must be located within the principal dwelling and/or accessory structure. At the discretion of a Development Officer, outdoor storage may be allowed as a condition of a development permit provided that the storage area shall be completely screened from adjacent lands, meet the minimum setback requirements for buildings in the district, and does not exceed 1% of the parcel size.
- c) **Owner/Number of Employees:** the home business shall be operated by the permanent resident(s) of the principal dwelling, and may employ no more than 4 non resident on-site employees.
- d) **Traffic:** there shall be no more than 3 home business clients or customers on site during any 60 consecutive minutes. Motor vehicle traffic generated by clients or customers of a home business shall be prohibited from visiting the premises between the hours 10:00 PM and 8:00 AM. Motor vehicle traffic associated with clients or coming to or going from the premises shall be limited to a total of no more than 4 vehicles during any period of 60 consecutive minutes. The requirements of this Section shall not be construed to prohibit occasional exceptions for such events as meetings, conferences, demonstrations, or other similar gatherings. (Bylaw 13-2003)
- e) **Vehicles:** the major home business shall have no more than 4 home business vehicles used in conjunction with the home business, parked and maintained on the site.

9.14 Amateur Radio Antennas

9.14.1 An amateur radio antenna is a discretionary use in the agricultural, rural residential, and low density residential districts.

9.14.2 An amateur radio antenna is an accessory use only.

9.14.3 An amateur radio antenna shall:

- a) be a free standing, ground-mounted unit installed to the manufacturer's specifications;
- b) be located only in a rear yard;
- c) be no higher than 18.0 m from the ground;
- d) not be illuminated nor have any signs; and
- e) be landscaped if required by a Development Officer to reduce the negative visual impact on adjacent properties;

9.14.4 Notwithstanding the above, where a ground mounted unit would prohibit adequate transmission and reception as demonstrated to a Development Officer, a Development Officer may allow an amateur radio antenna to be installed on the roof of a building to a maximum combined height of 19 m, except that it may be 46 m in the AG, RA, and RC districts.

9.15 Satellite Dish Regulations (Bylaw 83-2001)

- 9.15.1 Satellite dishes 1.0 m or less in diameter that are attached to a building are exempt from regulations in this section. Satellite dishes are considered accessory structures for the purposes of this section. In addition to the requirements of Section 6.11 Accessory Development, the following shall apply to satellite dishes:
- a) The area around a satellite dish may require screening and landscaping where in the Development Officers opinion, this would reduce the potential negative visual impact of the dish on adjacent properties.
 - b) Roof and side mounted satellite dishes shall be located as determined by the Development Officer, so that they do not adversely affect neighbouring properties and are placed in an aesthetically desirable location.
 - c) A ground mounted satellite dish shall be included in the calculations of total site coverage for accessory structures and the area of dish circumference shall be used for such calculation.

9.16 Breeding Facility (Bylaw 132-2002)

- 9.16.1 A Breeding Facility:
- a) is an accessory use to a principal residential use;
 - b) shall be considered as a temporary use and shall have a fixed expiry date specified in a development permit;
 - c) shall include buildings, cages and/or exercise areas (runs) to the satisfaction of the Development Officer;
 - d) shall be sited behind a principal building on site, where applicable;
 - e) shall be screened from existing dwellings on adjoining properties;
 - f) shall be a minimum distance of:
 - (i) 25 m from any property line or 85 m from any dwelling or an adjoining property, in an RC Country Residential district;
 - (ii) 75 m from any property line or 150 m from any dwelling on an adjoining property in an AD Agriculture: Future Development district, AG Agriculture: General district or RA Rural Residential/Agriculture district; and (Bylaw 14-2004)
 - g) shall be cleaned on a daily basis with all feces stored in an enclosed container and disposed of in a sanitary manner.
- 9.16.2 In addition to Section 9.16.1, a Breeding Facility for dogs;
- a) includes a maximum of six (6) dogs on-site at any one time in an AD Agriculture: Future Development district or RC Country Residential district. In an AG Agriculture: General district or RA Rural Residential/Agriculture district, the maximum number of dogs to be kept on-site shall be at the discretion of the Development Officer; (Bylaw 14-2004)

- b) will be required to provide authenticity from the Canadian Kennel Club that those dogs being bred and/or sold as purebred are registered or, are a breed recognized by the Canadian Kennel Club;
 - c) will be required to obtain appropriate dog tags for those dogs over the age of four (4) months. Where a Development Permit has been approved, dog tags will be issued free of charge by Strathcona County Constable Bylaw Services;
 - d) shall provide exercise areas (runs) that include:
 - (i) at least 4.6 m² per dog for breeds weighing 18.14 kgs or less and, are enclosed with an acceptable secure fence (ie. chain link or similar fence, to the satisfaction of the Development Officer), with a minimum height of 1.2 m; or
 - (ii) at least 9.3 m² per dog for breeds weighing more than 18.14 kgs and, are enclosed with an acceptable secure fence (ie. chain link or similar fence, to the satisfaction of the Development Officer), with a minimum height of 1.8 m.
- 9.16.3 A Development Officer has the authority to regulate the hours that the animals are allowed in the exterior exercise areas. These hours shall be determined based on uses adjacent to, or surrounding the site, as well as the particular type of animal on-site.
- 9.16.4 A Development Officer may grant a variance to the regulations for a Breeding Facility use provided that the Development Officer determines that any adverse effects can be adequately mitigated by the applicant. Where a variance to the regulations is requested, a letter of support shall be provided from adjacent landowners.
- 9.16.5 A Development Officer may permit a Breeding Facility where, in the opinion of the Development Officer, it:
- (i) would not materially interfere with or affect the use and enjoyment of adjacent properties; and
 - (ii) would comply with all regulations of this Bylaw, including regulations in the applicable district, unless provided otherwise under this Section.

9.17 Boarding Facility (Bylaw 132-2002)

- 9.17.1 A Boarding Facility shall:
- a) include kennel buildings, cages and/or exterior exercise areas (runs) to the satisfaction of the Development Officer;
 - b) be a minimum distance of 75 m from any property line, or 150 m from any dwelling on an adjacent lot;
 - c) be sited behind a principal building on site, where applicable;
 - d) be screened from existing dwellings on adjoining properties; and
 - e) be cleaned on a daily basis with all feces stored in an enclosed container and disposed of in a sanitary manner.

- 9.17.2 In addition to Section 9.17.1, a Boarding Facility for dogs shall provide exercise areas that include:
- (i) at least 4.6 m² per dog for breeds weighing 18.14 kgs or less and are enclosed with an acceptable secure fence (ie. chain link or similar fence, to the satisfaction of the Development Officer), with a minimum height of 1.2 m; and/or
 - (ii) at least 9.3 m² per dog for breeds weighing more than 18.14 kgs and are enclosed with an acceptable secure fence (ie. chain link or similar fence, to the satisfaction of the Development Officer), with a minimum height of 1.8 m.
- 9.17.3 A Development Officer has the authority to regulate the hours that the animals are allowed in the exterior exercise areas. These hours shall be determined based on uses adjacent to, or surrounding the site, as well as the particular type of animal on-site.
- 9.17.4 A Development Officer may grant a variance to the regulations for a Boarding Facility use provided that the Development Officer determines that any adverse effects can be adequately mitigated by the applicant. Where a variance to the regulations is requested, a letter of support shall be provided from adjacent landowners.
- 9.17.5 A Development Officer may permit a Boarding Facility where in the opinion of the Development Officer, it:
- a) would not materially interfere with or affect the use and enjoyment of adjacent properties; and
 - b) would comply with all the regulations of this Bylaw, including regulations in the applicable district, unless provided otherwise under this Section.

9.18 Residential Development (Bylaw 91-2003)

- 9.18.1 The following regulations shall apply to residential subdivision and/or development within Alberta's Industrial Heartland area of Strathcona County.
- a) existing residences will be allowed to be rebuilt if destroyed, except in areas prone to extensive erosion, subsidence or flooding particularly within the 1:100 year flood plain; the replacement of an existing dwelling shall be deemed to be a discretionary use;
 - b) existing residences and their ancillary structures will be permitted to remain and to be maintained as conforming uses to allow maintenance; any modifications or additions shall be deemed to be a discretionary use;
 - c) a new residence in replacement of an existing older residence; any such new residence shall be deemed to be a discretionary use;
 - d) no new residential subdivisions or new residences on previously undeveloped land will be permitted. The minimization of residential subdivisions will reduce potential conflict in the future between industry and residential activities.
 - e) a Development Officer may impose a condition to the approval of any modification or replacement or addition to an existing development requiring the applicant and the registered owners to enter into a Waiver & Indemnity Agreement with the County on terms satisfactory to Strathcona County, regarding the potential conflict between industry and residential uses. The County may register a caveat under the Land Titles Act in respect of the agreement, and subsequently discharge the agreement once all dwellings have been removed from the parcel of land.

9.19 Campground Development (Bylaw 16-2004)

9.19.1 Campground Regulations (Major and Minor Campgrounds)

- a) Where a campground proposal will ultimately exceed 60 campsites and/or cabins, is located on a parcel greater than 8 ha, a master plan or conceptual plan for the development of the entire tract of land shall be submitted and approved by the Development Approving Authority prior to submitting a development permit application for any site specific development. The master plan or conceptual plan shall include detailed plans and specifications (i.e. servicing, traffic, environmental considerations, etc.) for the initial stage, as well as any subsequent stages of development.
- b) A minimum of 10% of the gross lot area of campground shall be set aside for common recreation area and shall be developed and maintained as a park, playground or other useable open space. No portion of any other use and/or facility shall be included in this area.
- c) Visitor parking shall be provided in common areas within a campground area, to the satisfaction of a Development Officer.
- d) All campgrounds shall be provided with safe and convenient vehicular access and all roadways within a campground shall be of a surface and standard acceptable to a Development Officer for the purposes of accommodating emergency, fire and maintenance vehicles.
- e) Within a campground development, the roadway system will be sensitive to the topography and site characteristics of the site and shall be "signed" to avoid confusion.
- f) All campsites shall be accessible by means of an access at least 3.0 m in width where the access is for one-way traffic, or at least 6.0 m in width where the access is for two-way traffic.
- g) Trees and natural vegetative cover shall not be removed without an approved development permit, master plan or conceptual plan. The Development Authority may prevent the removal of trees or shrubs adjacent to environmentally sensitive areas.
- h) Any adjoining residential area(s) shall be screened by a solid fence or year-round vegetation with a minimum height of 2 m, to the satisfaction of the Development Officer.
- i) Fires are permitted only in facilities which have been provided for such purpose or where open fires are allowed by Strathcona County Emergency Services. Fireplaces, fire pits, charcoal and or other barbecue equipment, woodburning stoves, or any other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighbouring properties.
- j) Fire extinguishers capable of dealing with electrical and wood fires shall be kept in all service buildings. A suitable ingress and egress shall be provided so that every campground may be readily serviced in emergency situations. 24-hour emergency communications service (e.g. telephones) shall be provided.
- k) Pedestrian walkways having a width of not less than 1.2 m shall be provided from the recreational vehicle spaces to all service buildings and facilities, refuse collection area, and recreation areas. The walkways shall be well drained, well lighted, and the surface shall be constructed of a standard to the satisfaction of a Development Officer.

- l) The storage, collection and disposal of solid waste in campgrounds shall be so conducted as to create no health hazards, rodent harbourage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of a Development Officer.
- m) Campgrounds with less than 60 campsites and no permanent cabins shall be required to provide sewage disposal and water service facilities to the satisfaction of a Development Officer.
- n) Campgrounds with more than 60 campsites and with permanent cabins shall provide on site services as follows:

- i) A water supply system shall be provided for each campsite designed to accommodate the campground user occupying a self-contained recreational vehicle or a cabin and shall be connected to a community water supply system. The water system for a campground shall be constructed to the satisfaction of the County Engineer and the Development Officer in accordance with all applicable Provincial and County regulations.
 - ii) Alternatively, a campground may provide one or more easily accessible water supply outlets for filling potable water storage tanks. The water supply outlets shall be located within 100 m of the campsites. The water supply outlets shall be constructed to the satisfaction of the County Engineer and the Development Officer in accordance with all applicable Provincial and County regulations.
 - iii) An adequate and safe sewage disposal system shall be provided in a campground for each campsite designed to accommodate the campground user occupying a self-contained vehicle or cabin and shall be connected to a community sewage system and/or sanitary dumping station, to the satisfaction of the Development Officer. The sewage disposal system in a campground shall be constructed to the satisfaction of the County Engineer and the Development Officer and shall comply with all applicable Provincial and County regulations, and shall be maintained to the standards of the regulatory approvals.
 - iv) A campground shall be provided with sanitary dumping stations in the ratio of one for every one hundred recreational vehicle spaces or fractional part thereof. The sanitary dumping stations shall be designed and maintained to County regulations and standards to the satisfaction of the County Engineer and the Development Officer. Each station shall provide a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic wash down of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that this water is for flushing and cleaning purposes only. Sanitary stations shall be separated from any campsite or cabin by a distance of not less than 20 m.
 - v) In no case shall less than one toilet and lavatory be provided for each sex for every ten campsites.
- o) Campgrounds, containing campsites, cabins, hotels and or motels are considered temporary occupancies, and subsequently, the maximum occupancy is two hundred and forty (240) days per calendar year.

9.19.2 Campsite Regulations:

- a) The minimum size for a campsite is:
 - i) 10 m in width;
 - ii) 25 m in depth; and
 - iii) 325 m² in area.
- b) A recreation vehicle/travel trailer on a campsite, shall be separated a minimum of 3.0 m from:
 - i) another recreation vehicle/travel trailer on an adjacent site;
 - ii) other structures; and
 - iii) an interior roadway
- c) Each campsite shall provide two parking spaces on the campsite.
- d) All campsites shall be required to provide an acceptable form of ground cover to prevent erosion. Natural vegetation shall not be removed from

campsites without an approved development permit. The Development Authority may prevent the removal of trees or shrubs adjacent to environmentally sensitive areas.

- e) Each campsite shall be numbered in a conspicuous location and a site/location map shall be posted at the entrance to each campground area clearly identifying streets, campsite numbers and parking areas.
- f) Each recreational vehicle/travel trailer on a campsite shall display a current license plate.
- g) No recreational vehicle or tent in a campground shall be occupied for more than a total of two hundred and forty (240) days in any one calendar year.

9.20 Religious Assembly (Bylaw 40-2004)

9.20.1 All religious assembly uses shall comply with the following general regulations:

- a) A site for a religious assembly use shall:
 - i) be located on a corner lot or lots or in such a way that it would minimize the impact on adjacent development. In no instance shall a site for a religious assembly use be approved in the interior of the block unless at least one of the adjacent developments is other than residential;
 - ii) be of such a size that would provide adequate parking and landscaping in accordance with the regulations of this bylaw;
 - iii) have a minimum frontage of 30 m; and
 - iv) have a combined site area of not less than 1400 m² where a manse, rectory or other building is used for a residence related to a church on the same site.
- b) Where a religious assembly use is proposed to be developed adjacent to a residential district, the following regulations shall apply:
 - i) the maximum total site coverage shall not exceed 40%;
 - ii) the maximum height shall not exceed 10 m or the maximum allowable height of the applicable district, whichever is greater;
 - iii) the building setback shall be a minimum of 6 m along the side yards flanking and/or abutting residential development;
 - iv) the building setback shall be a minimum of 7.5 m along the front and rear yards;
- c) A minimum of 6 m of the required yard setbacks shall be landscaped in accordance with Section 7 and to the satisfaction of the Development Officer.

9.20.2 Notwithstanding the regulations of Section 9.20.1, a religious assembly, major use shall:

- a) be located on a site not less than 1.6 hectares in size;
- b) not exceed 20 m in height or the maximum allowable height of the applicable district, whichever is greater;

- c) have a minimum side and rear yard of 10 m;
 - d) have a minimum front yard of 7.5 m;
- 9.20.3 To minimize impact on adjacent uses, a Development Officer may require that the development be designed to reduce the perceived massing of the structure through techniques including, but not limited to increased setbacks and landscaping; articulation of elevations and rooflines; finishing materials and colours.
- 9.20.4 Where the height regulations of the district are exceeded, front, side and rear yard requirements shall be at the discretion of the Development Officer.

9.21 Outdoor Recreation Motorized Vehicle Facility (Bylaw 32-2005)

- 9.21.1 Only those lands specifically designated shall be used as an outdoor recreation motorized vehicle facility and shall be subject to the following regulations.
- a) The use of a site or any portion of a site for the purpose of racing or holding an organized event utilizing motorized recreation vehicles shall:
 - i) be limited to specific times, dates and events as approved by the Development Officer, to a maximum of three (3) events per year excluding rain-outs;
 - ii) not be permitted where it or would reasonably be injurious to the neighbourhood residents or which would interfere with the reasonable use and enjoyment of their property by reason of the emission of dust, smoke, odour, glare, noise, vibration, garbage, junk, water spray, traffic to the site or by any other reason or condition which would amount to a public nuisance.
 - b) Activities on site are limited to:
 - May to October inclusive
 - 9:30 am – 7:00 pm
 - c) A minimum of 6 m of the required yard setback shall include landscaping or screening using natural vegetation on-site, berms or fencing to the satisfaction of the Development Officer.
 - d) A minimum of 30 m setback from any property line shall be provided to any portion of the track or trail area used by any outdoor recreation motorized vehicle.
 - e) Vehicle entrances, exits and on-site vehicle roadways shall be designed in a manner that provides a safe and clearly defined circulation pattern.
 - f) All on-site roadways and parking areas shall have a durable hardsurface of asphalt, gravel or similar material and the same shall be drained, developed and maintained to the satisfaction of the Development Officer and the County Engineer.
 - g) There shall be no storage of vehicles or unauthorized equipment or materials on-site.
 - h)
 - i) Overnight camping in a self-contained recreational vehicle camper may be considered in a designated area on-site and in conjunction with a specific event or activity. Where specific events or activities are approved on-site, sewage disposal and water service facilities shall be provided to the satisfaction of the Development Officer and local health authority.

- j) Where specific events or activities are approved on-site, sewage disposal and water service facilities shall be provided to the satisfaction of the Development Officer and local health authority.
- j) Notwithstanding any provision in this bylaw to the contrary, a boat house, pump house or docking facilities may be erected and used in a required yard of a lot or site abutting a navigable waterway provided such accessory building, or structures are located no closer than 3 m to the side lot line.

9.22 Recreation Vehicle Storage (Bylaw 32-2005)

9.22.1 The keeping of four (4) or more recreational camper vehicles shall comply with the following regulations.

- a) Any storage of recreational camper vehicles shall be located in the side or rear yard and shall be screened to the satisfaction of the Development Officer.
- b) A minimum of 6 m of the required yard setback shall be landscaped or screened.
- c) A detailed landscape plan shall be provided to the satisfaction of the Development Officer and shall include berms, fencing, vegetation or other screening provisions. Where possible vegetation existing on-site shall be preserved and used for landscaping and screening.
- d) Vehicle entrances and exits, as well as vehicle routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
- e) All on-site roadways, parking, loading and storage areas:
 - i) in the Urban Service Area, shall have a durable hardsurface of asphalt, gravel or similar material and the same shall be drained, developed and maintained to the satisfaction of the Development Officer and the Manager, Engineering & Environmental Planning.
 - ii) outside the Urban Service Area, shall be developed in a manner that does not alter the natural drainage pattern or interfere with the grading or drainage onto any public roadway or other neighbouring property. An access to a public roadway shall be designed and maintained to prevent mud tracking onto public roadways.(Bylaw 62-2009)
- f) Where on-site parking or storage is illuminated, all lighting shall be positioned in such a manner that lighting falling onto abutting properties is minimized.
- g) Any undeveloped portion of the site must be graded, contoured and seeded and shall provide for a satisfactory disposal of surface water by grading and drainage in such a manner that no surface water shall drain onto any public roadway or other neighbouring property.
- h) No all weather fabric covered prefabricated buildings shall be considered for use on-site.
- i) There shall be no storage of hazardous materials or goods on-site.
- j) No over-night or long term camping shall be allowed on-site.
- k) The storage of recreational camper vehicles shall not include storage for the salvage or, for derelict vehicles and equipment, used building or domestic products and similar discarded or

9.23 Golf Driving Range (Bylaw 32-2005)

- 9.23.1 Although not specifically listed in any district, a golf driving range is considered an outdoor recreation use. Where outdoor recreation is a listed use within the district, a proposed golf driving range may only be considered as a discretionary use. (Bylaw 14-2008)
- 9.23.2 An applicant for a golf driving range shall submit plans and associated information requirements in accordance with the following:
- a) In the rural area, a golf driving range may be allowed:
 - i) on lands considered to be of marginal quality for agricultural purposes due to such conditions as poor soil type, lack of water availability or where there may be an abundance of surrounding incompatible non-agricultural uses;
 - ii) where the use is intended, designed and sized to primarily serve the surrounding and rural area;
 - iii) as a buffer between an agricultural operation and an existing or planned residential area or other use found to be incompatible with agricultural uses; and
 - iv) where it is compatible with, and will not limit any agricultural operation.
 - b) Residential housing shall not be included as part of the use, except for a residential security operator/care unit.
 - c) Setbacks, landscaping buffers, fencing and other measures shall be provided to minimize the impacts on existing and potential uses in the area.
 - d) Facilities associated with a golf driving range shall be limited to those which serve golfers on the range (i.e. pro shop with incidental sales or golf equipment, snack bar and maintenance operations). Such facilities shall not include restaurants or other food or beverage services, other retail sales, lodging or similar uses.
 - e) This use shall not substantially alter the natural environment or be detrimental to a residential neighbourhood.

9.24 Wireless Communication Facilities (Bylaw 5-2007)

- 9.24.1 Wireless communication facilities should be located in specific areas such as:
- a) agricultural;
 - b) industrial;
 - c) institutional, if less than 35 m in height in the Urban Service Area and hamlets;
 - d) commercial, if less than 35 m in height in the Urban Service Area and hamlets;
 - e) multiple dwelling areas, provided they are located as rooftop or side-mounted antenna on buildings which are greater than 12 m in height; or
 - f) non-residential policy areas where tower height is unlikely to be an issue.
- 9.24.2 Where possible, visually unobtrusive antennas are encouraged to be located on existing infrastructure such as signs located on private property, light standards, water towers or other utility infrastructure.

- 9.24.3 Wireless communication facilities shall avoid locating in or near the following areas;
- a) up to 50 m from the top of bank of the North Saskatchewan River;
 - b) up to 30 m outside of a high priority environment management area and associated buffers;
 - c) heritage resources areas; and
 - d) gateway or town centre areas unless visually unobtrusive.
- 9.24.4 The co-location of multiple devices on wireless communication facilities is preferred. Where appropriate, new facilities should be built to a standard to accommodate multiple devices. Any exclusivity agreement which limits access to other applications is strongly discouraged.
- 9.24.5 If co-location is proven unfeasible, the clustering of wireless communication facilities is preferred.
- 9.24.6 The design or appearance of all wireless communications facilities including antennas, antenna mounts, equipment shelters and cable runs, should minimize the visibility of facilities through the use of colour, consistent architectural styles and aesthetic design.
- 9.24.7 Roof and side-mounted wireless communication facilities are encouraged to minimize the potential impact on a building's façade or silhouette, and every effort should be made to conceal the facility to limit its visibility with consistent design features, colour and materials of the structure or building.
- 9.24.8 Ground mounted wireless communication facilities (i.e. monopoles and lattice towers), should be screened by existing structures, buildings, or vegetation. The associated equipment shelters are encouraged to be consistent with the architectural styles and materials of the surrounding property, and where necessary, be screened behind a year-round buffer which includes landscaping.
- 9.24.9 Guyed facilities are encouraged to have daytime visual markers to prevent the collision of birds that are active during the day.
- 9.24.10 Where Transport Canada requires that a wireless communication facility be lighted, the following steps are encouraged to minimize the effects on migratory birds:
- a) the lighting of equipment structures and any other facilities on the site should be shielded from abutting properties;
 - b) all lighting should be a minimum number of low intensity white lights; and
 - c) the strobe interval should be the maximum allowable by Transport Canada.
- 9.24.11 The County recommends that signs only be placed on a wireless communication facility to:
- a) identify the facility
 - b) identify the owner; or
 - c) warn of any safety issues.
- 9.24.12 Wireless communication facility sites should be established with setbacks to both Alberta Infrastructure and Transportation and Strathcona County road network standards.
- 9.24.13 Strathcona County encourages the stewardship of its natural resources and as such, encourages protection of High Priority Environment Management Areas when siting wireless communication facilities.
- 9.24.14 Wireless communication facilities should avoid locating in or near sensitive habitat areas. These include:
- a) High Priority Environment Management Areas; and
 - b) Up to 30 m outside of High Priority Environment Management Areas;

If a wireless communication facility is proposed within these areas, the County would request that an environment assessment and/or geo-technical report be completed.

- 9.24.15 To protect bird flyways, an environmental assessment would also be requested for:
- a) a wireless communication facility proposed to be higher than 61 m and within 500 m of a High Priority Environment Management Area; and
 - b) any guyed wireless communication facility proposed to be within 500 m of a High Priority Management Area.
- 9.24.16 No environmental assessment would be required for non-guyed wireless communication facilities proposed to be 61 m or less in height and located a minimum of 30 m outside of High Priority Management Areas.
- 9.24.17 A Terms of Reference for *Environmental Assessment for Wireless Communication Facilities* will be provided to each carrier requested to provide an environmental assessment. The carrier will be expected to bear all costs associated with the environmental assessment.
- 9.24.18 Wireless communication facilities shall be removed within six months of cessation of use.
- 9.24.19 Strathcona County's procedure for public consultation is intended to provide an opportunity for local community concerns to be addressed when a wireless communication facility is proposed to be in close proximity to a residential area.
- 9.24.20 All carriers interested in locating a wireless communications facility within Strathcona County should first contact all other carriers providing similar services and pursue co-location before meeting with a Development Officer. These responses should be provided to the County in writing prior to a pre-consultation meeting with the Development Officer.
- 9.24.21 A pre-consultation meeting with the carrier(s), a Development Officer, neighbourhood association representatives should occur prior to submitting an application for a wireless communication facility if it is considered to be potentially controversial. This is done to initiate a full discussion of possible alternate locations before an application occurs. The Development Officer will determine at this stage whether the proposed site is in close proximity to a residential area or High Priority Environment Management Area and/or whether a public consultation process and/or environmental assessment will be requested.
- 9.24.22 Strathcona County will request public consultation for all proposed wireless communication facilities greater than 10 m in height for all adjacent landowners and/or residences within a distance of six (6x) the tower height.
- 9.24.23 If a tower located on the top of a building is proposed to exceed 25% of the height of the building or be greater than 3.5 m in height, a public consultation would also be initiated.
- 9.24.24 The carrier will be requested to pay for all costs of public consultation including mail-outs, newspaper advertisements, property signs, and public meetings.
- 9.24.25 Public consultation will not be requested for proposed towers or modifications to existing towers if, because of their distance from existing residential areas or low height, they are unlikely to have negative impacts upon area residents or the public at large. The Development Officer will have the discretion to determine probable impact and modify these criteria on a site by site basis.

- 9.24.26 The Development Officer will provide the carrier with names and addresses of effected residents, landowners and community associations for areas requiring public consultation. The carrier will be requested to provide Strathcona County with a letter for a direct mail out which will give notification of the location, physical details of the structure, the time and location of the public meeting, and contact name and someone employed by the carrier.
- 9.24.27 A sign not greater than 1 square meter in size or newspaper advertisement providing information of the public may also be requested on site at the discretion of a Development Officer. The sign should be visible from any roadway abutting the subject site.
- 9.24.28 At the public meeting, the carrier will be requested to take an attendance log and record issues and concerns expressed by the public. These, as well as the responses given by the carrier and how issues will be addressed, will be forwarded to the Development Officer. The meeting should not be held less than 21 days from the date of mail out.
- 9.24.29 A letter of support will be forwarded by the Development Officer to Industry Canada indicating that the carrier has consulted adequately with the County if:
- a) the environmental assessment which was requested at the pre-consultation phase is completed and the results are satisfactory to the Development Officer; and
 - b) a public consultation was not requested.
- 9.24.30 If public consultation is initiated, a recommendation of support or non-support based on the results of the consultation process will be provided by the Development Officer to Council for final decision. This decision will be forwarded by the Development Officer to Industry Canada.
- 9.24.31 In addition to the regulations listed above, other regulations apply. These include the general development regulations of the District and of Section 6 (specifically environmental setbacks).

9.25 *Model Aircraft Facility* (Bylaw 17-2008)

- 9.25.1 No person shall use or operate a model aircraft:
- a) except on those lands specifically designated as a model aircraft facility;
 - b) within the Alberta's Industrial Heartland area;
 - c) within 1.5 km of lands designated as heavy industrial within Strathcona County or any adjacent municipality; or
 - d) where it would be reasonable injurious to the neighborhood residents or livestock or residents of an adjacent municipality or, where it would interfere with the use and enjoyment of their property by reason of emission of dust, smoke, odor, glare, noise, vibration, garbage, junk, water spray, traffic to the site or, by any other reason or condition which would amount to a public nuisance.
- 9.25.2 A model aircraft facility shall be subject to the following regulations:
- a) A development permit application shall only be considered from a model aircraft club that is a member of the Model Aeronautics Association of Canada.
 - b) All activities on-site, installations and site layout shall be in accordance with the Model Aeronautics Association of Canada (MAAC) Safety Code and shall be provided to the satisfaction of the Development Officer.
 - c) An overfly area shall:
 - i) be a minimum of 500m from any residence or building; and

- ii) not cross a road right-of-way.
 - d) Hours of operation shall be determined at the time of development permit application, by the Development Officer, in consultation with the applicant(s) and affected landowners.
 - e) Vehicle entrances, exits and on-site vehicle roadways shall be designed in a manner that provides a safe and clearly defined circulation pattern.
 - f) All on-site parking shall be provided in a designated area and, all on-site roadways and parking areas shall have a durable hardsurface of asphalt, gravel or similar material and, shall be developed, drained and maintained to the satisfaction of the Development Officer and County Engineer.
 - g) There shall be no storage of vehicles or unauthorized equipment, or materials on-site, other than maintenance equipment used specifically in the operation of the site.
 - h) No permanent buildings or structures associated with a model aircraft facility shall be permitted on-site. A non permanent structure to be used as a clubhouse may be considered by the Development Officer and, will be required to meet the regulations of the applicable land use district, the Alberta Building Code and other applicable Municipal, Provincial or Federal regulations.
- 9.25.3 In addition to Section 3.2, the following is required to be submitted with a development permit application:
- a) A site plan to scale, which clearly shows the layout of the site, including the “overfly” area and, which specifies and delineates “no-fly” areas.
 - b) A lease agreement with the landowner where the applicant is not the registered owner of the land.
 - c) Letters of consent from all landowners within the “overfly” area to allow entrance onto their lands in order to retrieve aircraft that may have landed on their lands.
- 9.25.4 As part of the development permit process and prior to a decision on a proposed model aircraft facility, an applicant shall:
- a) hold a public meeting for adjacent and affected landowners; and
 - b) provide an attendance log and record, of the issues and concerns expressed by the attendees of the public meeting.
- 9.25.5 Where a development application is submitted for a scheduled event:
- a) The applicant shall notify all adjacent landowners of each event two weeks prior to the event occurring on-site.
 - b) The use of the site or any portion of the site shall:
 - i) be limited to a maximum of six (6) events per year, including rainouts;
 - ii) provide water service and sewage disposal facilities to the satisfaction of the Development Officer and the local health authority; and
 - iii) identify a designated overnight camping area. In this regard, overnight camping in a self-contained recreational camper vehicle only, may be considered by a Development Officer. Overnight camping shall not be located within 1.5 km of lands designated as Heavy Industrial within Strathcona County or any adjacent municipalities.

9.26 Secondary Suites (Bylaw 16-2008)

- 9.26.1 The registered owner of a lot shall:
- a) be limited to one secondary suite or, one family care dwelling, unless otherwise allowed within the district; and

- b) not subdivide title for a secondary suite. The restriction of subdivision shall be fundamental to the secondary suite use.

9.26.2 A secondary suite shall:

- a) be an accessory use to the principal dwelling;
- b) create minimal structural changes to the front exterior of the principal building, which shall appear as a single dwelling unit;
- c) have a maximum floor area of:
 - i) 80m² within the Urban Service Area of Sherwood Park and other hamlets;
 - ii) 100m² outside the Urban Service area of Sherwood Park and other hamlets; or
 - iii) 40% of the gross floor area of the principal dwelling, whichever is less.
- d) have a minimum floor area of 30m²;
- e) contain at least two rooms in which a bedroom, cooking facilities and a bathroom are provided;
- f) have full utility services through service connection from the principal dwelling for those developments located within the Sherwood Park Urban Service Area;
- g) comply with the Alberta Building Code and all other Municipal and Provincial regulations;
- h) be provided with off-street parking in accordance with Table 8.1; and
- i) where applicable, not be considered in the maximum density prescribed for the neighbourhood in which it is located.

9.26.3 A secondary suite:

- a) may be located within a principal dwelling or an accessory structure, provided it meets the regulations outlined in Section 9.26.2 and, the regulations of the district in which it is located; and
- b) shall not be located within the 3km of the Heavy Industrial Transition Overlay area within Strathcona County.

9.26.4 Notwithstanding provisions elsewhere in this Bylaw, in the case of a secondary suite in an accessory structure, the following shall apply:

- a) the maximum height of the accessory structure shall be in accordance with the regulations of the district in which it is located;
- b) the roof pitch of the accessory structure shall match or compliment the roof pitch of the principal dwelling or, shall be to the satisfaction of the Development Officer; and
- c) the minimum yard requirements of the district in which the accessory structure is located, shall be applicable.

9.26.5 A secondary suite shall not be developed within the same dwelling containing a group home, care centre, family care dwelling or bed and breakfast.

9.26.6 Where there is more than one approved dwelling on a site, each approved dwelling may contain a secondary suite, except for a family care dwelling.

9.26.7 Where a secondary suite is located on a site that is outside the Sherwood Park Urban Services Area, adequate water and sewer capacity is required.

9.26.8 A single dwelling use shall exist on a parcel prior to the application for a development permit for a secondary suite.

9.27 Drug Paraphernalia (Bylaw 33-2009)

9.27.1 Where a development includes the sale of drug paraphernalia, it shall:

- a) be located within a district that includes Retail, Drug Paraphernalia as a listed use;
 - b) be located no less than 500m from the boundary of any site with an approved development permit for, or, that is being actively used for, or has been designated as a reserve for community recreation, park, private or public education, care centres or religious assembly uses; and
 - c) not display or permit to be displayed in any window or elsewhere, where it can be seen by a person outside the premises, any drug paraphernalia.
- 9.27.2 Where in the opinion of the Development Officer, it is necessary to enhance the visual appearance of a development that includes the sale of drug paraphernalia, landscaping or screening shall be provided to mitigate potential land use conflicts.
- 9.27.3 In reviewing an application for a development that includes the sale of drug paraphernalia, a Development Officer shall have regard for the orientation of the building on the site and, for the location of the access to the site, in order to ensure compatibility with adjacent land uses.
- 9.27.4 No development, or any person, shall advertise for sale, or promote the sale of any drug paraphernalia, the illicit consumption of controlled substances, or any instruments for illicit drug use as defined in Section 462.1 of the Criminal Code of Canada:
- a) except on the premises of a development that includes the sale of drug paraphernalia;
 - b) on public property; or
 - c) on any site less than 500m from the boundary of a site that is being actively used for community recreation, park, private or public education, or religious assembly use;