PART 1: INTERPRETATION OF THIS BYLAW

1.1 TITLE

1.1.1. This Bylaw is the Strathcona County Land Use Bylaw.

1.2 REPEAL OF EXISTING BYLAW

1.2.1. Land Use Bylaw 8-2001 and the Land Use District Maps, and any amendments thereto, are hereby repealed and shall cease to have effect on the day that this Bylaw comes into force.

1.2.2. The effective date that this Bylaw shall come into force is May 11, 2015.

1.3 TRANSITIONAL PROVISIONS

1.3.1. An application for subdivision or development permit which is deemed complete on or after the effective date of this Bylaw shall be evaluated under the provisions of this Bylaw.

1.3.2. An application for subdivision or development permit which is deemed complete prior to the coming into force of this Bylaw shall be evaluated under the provisions of Strathcona County Land Use Bylaw 8-2001, as amended; or under this Bylaw at the discretion of the applicant, the Development Authority or the Subdivision Authority.

1.3.3. An application to amend the Land Use Bylaw that has not been given third reading by Council prior to the coming into force of this Bylaw shall be considered by Council pursuant to this Bylaw and any other relevant planning consideration.

1.4 REFERENCES TO OTHER LEGISLATION AND DOCUMENTS

1.4.1. Any reference in this Bylaw to other legislation or documents shall be a reference to the bylaw or legislation then in effect and shall include all amendments and any successor legislation.

1.5 PURPOSE

1.5.1. The purpose of this Bylaw is to regulate the use and development of land and buildings within the County and to achieve the orderly and economic development of land, and for that purpose, amongst other things:

a) to implement the policies of the County's Municipal Development Plan and Statutory Plans;

b) to divide the County into Zoning Districts;

c) to prescribe and regulate for each Zoning District the purpose for which land and buildings may be used;

d) to establish supplementary regulations governing certain specific land uses;

e) to establish a Development Authority;

f) to establish a method of making decisions on applications for development permits including the issuing of development permits and dealing with appeals;

g) to prescribe a procedure to notify owners of land who may be affected by the issuing of a development permit; and,

h) to prescribe a procedure for making amendments to this Bylaw.

1.5.2. This Bylaw shall be applied in a manner that implements Statutory Plans which have been adopted by the County and, that is consistent with the Municipal Government Act.

1.6 COMPLIANCE WITH OTHER LEGISLATION

1.6.1. Compliance with this Bylaw does not exempt a person from complying with the requirements of any federal, provincial or municipal legislation and any easement, covenant, agreement or contract affecting a development.

1.7 LANGUAGE

1.7.1. In this Bylaw:

a) words in singular include the plural and words in the plural include the singular, where the context requires;

b) words used in the present tense include the other tenses and derivative forms;

c) words using masculine gender include feminine gender and, words using feminine gender include masculine gender;

d) words in either gender include corporations;

e) “shall”, “must”, and “required” are to be construed as a compulsory obligation; subject to the variance provisions of this Bylaw pursuant to the Municipal Government Act;

f) “may” is to be interpreted as meaning that a choice is available, with no particular direction or guidance intended;

g) "should" is an operative word which means that, in order to achieve municipal goals and objectives, it is strongly advised that the action be taken. Exceptions may be made only under extenuating circumstances;

h) words, phrases, and terms not defined in this Section of the Bylaw may be given their definition in the Municipal Government Act or Municipal Development Plan. Other words shall be given their usual and customary meaning;

i) a “person” includes an individual, partnership, association, corporation, firm, trustee, executor, administrator and legal representative of a person; and

j) an “individual” does not include a corporation or other types of persons who are not human beings.

1.8 ILLUSTRATIONS

1.8.1. Drawings and graphic depictions are provided to assist in interpreting and understanding the Bylaw. Where any conflict or inconsistency arises between a drawing and the text of the Bylaw, the text shall prevail. Refer to Appendix ‘A’ for a list of illustrations which are attached to, but do not form part of, this Bylaw.

1.9 TWO OR MORE ZONING DISTRICTS ON A LOT

1.9.1. Where a lot contains more than one Zoning District, each zoned area shall be treated as a separate entity for the purpose of determining compliance with the provisions of the Zoning District. Where zoning does not follow a property line, the applicant shall provide the dimensions of each zoned area on a site plan.

1.10 PURPOSE STATEMENTS

1.10.1. The purpose statements in each Zoning District are included to describe the intent of the Zoning District. The use and development activity within each Zoning District should reflect its purpose.

1.11 SEVERABILITY

1.11.1. If any portion of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision does not affect the validity of the remaining portions of this Bylaw.

1.12 NON-CONFORMING USES AND BUILDINGS

1.12.1. If a development permit has been issued on or before the day on which this Bylaw or a land use amendment bylaw comes into force in Strathcona County and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of this Bylaw.

1.12.2. A non-conforming use of land or a non-conforming use of 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.

1.12.3. 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, shall not be enlarged or added to and no structural alterations shall be made to or in it.

1.12.4. A non-conforming use of part of a lot shall not be extended or transferred in whole, or in part to any other part of the lot and no additional buildings shall be erected on the lot while the non-conforming use continues.

1.12.5. A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt or structurally altered, except:

a) to make it a conforming building;

b) for the routine maintenance of the building if the Development Authority considers it necessary.

1.12.6. Despite Section 1.12.5, the Development Officer may consider a variance in any Zoning District, an enlargement, alteration, or addition to a legal non-conforming building if the non-conforming building complies with the uses listed for that Zoning District in this Bylaw and the proposed development would not, in the opinion of the Development Officer:

a) unduly interfere with the amenities of the neighbourhood; and

b) materially interfere with or affect the use, enjoyment or value of neighbouring properties.

1.12.7. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.

1.12.8. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

1.13 ROUNDING OF MEASUREMENT

1.13.1. Where a measurement or an amount is calculated on the basis of a rate or ratio, the required measurement or amount may be rounded to the nearest whole number. Where a requirement states a specific measurement with a decimal place, the requirement found in this Bylaw stands and shall not be rounded.

1.14 REFERENCE TOOLS

1.14.1. In this Bylaw, for ease of reference:

a) uses that have an asterisk (*) are those that have additional provisions listed within Part 6 – Specific Use Provisions.

b) uses that have a carat (^) are those which may be affected by Section 7.19, IHO – Heavy Industrial Overlay.

1.15 HEADINGS IN THIS BYLAW

1.15.1. Headings and subheadings in this Bylaw are for ease of reference and do not affect the meaning of the provisions to which they relate.

1.16 ZONING DISTRICTS AND MAPS

1.16.1. The provisions of this Bylaw apply to all lands within the limits of Strathcona County. All lands subject to this Bylaw are contained within one of the following Zoning Districts or Overlay Districts:

ZONING DISTRICT	SYMBOL
Urban Service Area Zoning Districts	
Agriculture: Future Development	AD
Single Detached Residential 'A'	R1A
Single Detached Residential 'B'	R1B
Single Detached Residential 'C'	R1C
Semi-Detached Residential	R2A
Low Density Site Residential	R2B
Lane Specific Residential	R2C
Low to Medium Density Multiple Residential	R3
Medium Density Multiple Residential	R4
High Density Multiple Residential	R5
Estate Residential	RE
Manufactured Home Residential	RM
Community Commercial	C1
Arterial Commercial	C2
Highway Commercial	C3
Major Commercial	C4
Service Commercial	C5
Light Industrial	ILT
Medium Industrial	IM
Heavy Industrial	IH
Heavy Industrial Transition Overlay	IHO

Major Institutional	MI
Sustainable Urban Village	UV

Rural Area Zoning Districts	
Agriculture: Future Development	AD
Airport	A
Airport Protection Overlay	AO
Agriculture: General	AG
Agri-Industrial	AG-HI
Agriculture: River Valley	AR
Recreation Commercial	C6
Local Commercial	C7
Rural Residential/Agriculture	RA
Hamlet	RH
Low Density Country Residential	RCL
Medium Density Country Residential	RCM
High Density Country Residential	RCH
Country Residential Community Services	RCS
Small Holdings	RS
Heavy Industrial (Heartland)	IHH
Medium Industrial (Heartland)	IMH
Environment and Open Space Zoning Districts	
Conservation	PC
Golf Course	PG
Recreation	PR
Services	PS
Utilities	PU
Other Zoning Districts	
Direct Control	DC

1.16.2. Some Zoning Districts exist within both the Urban Service Area and the Rural Area; however, regulations for each Zoning District shall only be listed within the Part where the Zoning District is predominant.

1.16.3. The boundaries of the Zoning Districts are shown on the Zoning Maps in Schedule "B".

1.16.4. Where a Zoning District boundary is uncertain, it shall be located based on the following:

a) the municipal boundaries; or

b) the edge of a property line or parcel boundary; or

c) the edge, shoreline, or high water mark of a river, lake, or other water body, or a topographic contour line, or a top of bank line. In the event of change in a line, the Zoning District boundary shall continue to align with the edge or shoreline; or

d) the center line of a road, lane, railway, pipeline, power line, utility right-of-way, or easement.

1.16.5. Where a Zoning District boundary is shown to be generally parallel to or, as an extension to any of the features listed above, it shall be considered as such.

1.16.6. Where the Zoning District boundary is in dispute, its location shall be determined by the Development Authority on the basis of the scale of the Land Use Maps.

1.16.7. Where the Development Authority is unable to determine a Zoning District boundary or overlay boundary by applying the above provisions, they shall fix the boundary in doubt or dispute in a manner otherwise consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require. The decision of the Development Authority may be appealed to the Subdivision and Development Appeal Board.

1.16.8. Where a road or lane is closed, it shall have the same Zoning District as the abutting property. When different Zoning Districts govern abutting lands, the center line of the road or lane shall be the boundary unless it is shown clearly following the edge of the road or lane. If the road or lane is consolidated with an adjacent lot, the designation of that lot shall apply to affected portions of the closed lane or road.

1.16.9. For each of the Zoning Districts provided for in Parts 7 to 11 there shall be a set of uses comprised of one (1), some or all of the following:

a) permitted uses;

b) discretionary uses;

c) site specific uses; or

d) fundamental uses.

1.17 DEFINITIONS

1.17.1. Where a specific use applied for generally conforms to the wording of two (2) or more uses, the Development Officer shall determine the use that fits closest to the development's character and purpose.

1.17.2. For Direct Control Districts included in Schedule "A" that were approved under the provisions of a previous Land Use Bylaw, as amended, terms shall be interpreted using the definitions and context of the Bylaw that was in force and effect at time of passage of the Direct Control District.

1.17.3. Words, terms, and phrases specifically relating to signs are listed within Part 5 of this Bylaw.

1.17.4. The following words, terms, and phrases, wherever they occur in this Bylaw have the meaning assigned to them as follows:

A

ABATTOIR means a building where livestock is slaughtered and the meat may be cut, cured, smoked, aged, wrapped, or frozen for distribution to retail stores.

ABUT or **ABUTTING** means immediately contiguous to, or physically touching, and when used with respect to lots or sites, means to share a common property line.

ACCESS or **APPROACH** means any material within the road right-of-way used for the purpose of entering or exiting any road under the County's or the Province of Alberta's jurisdiction.

ACCESSORY BUILDING means a detached building naturally or normally incidental, subordinate, and exclusively devoted to the principal building and which is located on the same lot or site as the principal building. Accessory buildings are not intended to support any occupancy. Typical accessory buildings include, but are not limited to, detached garages, sheds, gazebos, storage buildings and farm shops.

ACCESSORY STRUCTURE means a detached structure naturally or normally incidental, subordinate, and exclusively devoted to the principal building and which is located on the same lot or site as the principal building. Typical accessory structures include, but are not limited to, flagpoles, swimming pools, hot tubs, satellite dishes, play structures, and solar collectors.

ACCESSORY USE means a–use naturally or normally incidental, subordinate, and exclusively devoted to the principal use and located on the same lot or site. Parking may be an accessory use, provided it serves the principal use and does not serve uses on other sites.

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

ADULT ENTERTAINMENT means a premises where:

- live performances are held, the central feature of which is the nudity or partial nudity of any person;
- motion pictures, videos, or other electronic or photographic reproductions are shown or displayed, the central feature of which is the nudity or partial nudity of any person;
- a live performance by a nude or partially nude person, for any consideration, the main feature of which is the performance of simulated performance of sexual acts with another person or the touching of self or another person in any way during such a performance; or
- the main feature of more than 50% of the inventory of the premises is used to display for sale or rent any items the central feature of which is the nudity or partial nudity of any person or the simulation or reproduction of the naked human body or parts thereof.

For the purposes of this definition, partial nudity shall mean less than completely and

opaquely covering the human genitals or human pubic regions, human buttocks, or female breasts below a point immediately above the top of the areola.

AGGREGATE EXTRACTION/PROCESSING* means the quarrying, primary processing (crushing, washing, separating), removal and off-site sale of raw materials including sand, gravel, clay, marl, earth or mineralized rock found on or under the site. Typical uses include but are not limited to quarries, borrow areas, and gravel pits (site preparation and reclamation). This does not include the processing of raw materials transported to the site.

AGRICULTURAL HOUSING (ACCESSORY) means a temporary development that may include a maximum of four buildings, grouped together on a site. The occupants shall be persons that are an integral part of a major agricultural operation, an intensive horticultural use or an equestrian centre, which is located on the same site. Each building may contain a maximum of eight sleeping units, a common kitchen or dining area and common bathroom facilities. This does not include an agricultural dwelling or a secondary dwelling.

AGRICULTURAL PRODUCT STAND means a use, accessory to the principal agricultural use, where agricultural products are sold on the same site as where the product is produced. This does not include agriculture intensive horticulture, greenhouse, agriculture product processing, or an abattoir.

AGRICULTURAL SUPPORT SERVICE means the use of land, buildings and structures for the purposes of supply of goods, materials or services directly and primarily to the agricultural industry. This may include, but is not limited to, the sale, cleaning, and storage of seed, feed, fertilizer and chemical products and the repair of agricultural equipment.

AGRICULTURE, GENERAL means the raising of crops or rearing of livestock, either separately or in conjunction with one another. This may include apiculture, aquaculture and vermiculture. This does not include an equestrian centre as defined in this Bylaw, minor intensive livestock agriculture or intensive horticulture agriculture. This does not include a cannabis production facility. *(Bylaw 68-2017 – Jan 26, 2018)*

AGRICULTURE, INTENSIVE HORTICULTURE means the primary and basic production and processing (i.e. cleaning, sorting, separating, grading or packing) of horticultural products such as vegetables, herbs and orchards, for sale on or off site. Typical uses include berry farms, tree farms, sod farms, plant nurseries and market garden operations. This does not include minor or intensive livestock agriculture, an agricultural product stand, a greenhouse or a cannabis production facility.
(Bylaw 68-2017 – Jan 26, 2018)

AGRICULTURE, MINOR INTENSIVE LIVESTOCK means the confinement of livestock that because of size, density, length of confinement, or product may have an adverse impact on nearby uses. This use either does not exceed the minimum size for an intensive livestock operation as defined in the Manure Characteristics and Land Based Code or is an indoor facility that exceeds the size limits but (through special management and technology) will reduce the level of impact to less than the minimum size for an intensive livestock operation.

AGRICULTURE, PRODUCT PROCESSING means a premise for the purpose of processing agricultural products including:

- mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments and biological treatments of plant matter; or
- cutting, curing, smoking, aging, wrapping or freezing of meat.

This may include accessory uses, including but not limited to office, sales, technical, administrative support, storage or warehousing. This does not include a cannabis production facility. *(Bylaw 68-2017 – Jan 26, 2018)*

AIRCRAFT SALE/RENTAL means a premise used for the sale, charter, or rental of aircraft together with incidental maintenance services, and the sale of parts and accessories.

AIRPORT, PRIVATE means a runway for the landing of private, non-commercial aircraft only and includes the necessary building and structure to store the aircraft owned by the property owner(s) of the site. This does not include the landing of helicopters.

AIRPORT, PUBLIC means any area designed, prepared, equipped or set aside for the arrival, departure, movement or servicing of commercial and private aircraft; it includes any associated buildings, installations, open space, and equipment. This also includes aircraft and airport-related manufacturing and services.

ALTER OR ALTERATION means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this Bylaw. This includes a structural change to a sign or to discontinue or change the principal use of the site or building with a use distinct from the discontinued use.

AMENITY SPACE, PRIVATE means a space in the form of a deck, patio or balcony which is located within or adjacent to a dwelling unit and that is provided for the exclusive use of that dwelling unit.

AMENITY SPACE, COMMON means an indoor or outdoor space designed for active or passive recreational uses provided for the use of all of the occupants of a development.

AMUSEMENT CENTRE means a premises where amusement-oriented activities occur outdoors or, in an enclosed structure and which includes, but is not limited to, indoor laser tag and paintball arenas, billiard halls, mini-golf, go-karts, playgrounds, or coin or token-operated, video, computer, or electronic games. This use shall not include video lottery terminals.

ANCILLARY means subordinate and in the case of a building, would include essential structural components necessary to the building function such as mechanical penthouses, elevator housing, mechanical rooms, communication structures, or chimneys.

ANIMAL BOARDING FACILITY* means a premises used for the grooming, overnight housing, exercising or training of domestic animals not generally owned by the occupant of the premises.

ANIMAL BREEDING FACILITY* means a premises where domestic animals are kept, bred, bought or sold.

ANIMAL GROOMING AND CARE means a facility which provides for the appearance or daycare of domestic animals or both, within an enclosed building. This does not include an animal breeding facility or an animal boarding facility.

ANIMAL HOSPITAL AND SHELTER means a facility used for the temporary accommodation and care or impoundment of small animals and livestock. This does not include an animal breeding facility, animal boarding facility or animal grooming and care.

ANTENNA means a structure designed for the purpose of receiving and transmitting communication signals.

ANTENNA, AMATEUR RADIO* means an accessory use where an installation consisting of an antenna or antenna array, mounted on a tower or support structure, designed for the purpose of the reception and transmission of radio signals is utilized by licensed amateur radio operators. An amateur radio antenna shall be considered a discretionary use in the agricultural and residential Zoning Districts.

APICULTURE means the keeping and management of bees.

APPROACH (see access)

AQUACULTURE means the raising and management of fish. Typical uses include fingerling production and table food market production.

ASPHALT PLANT, MAJOR means a permanent plant or facility that is used for the processing, manufacturing, recycling and sale of asphalt, and includes facilities for the administration or management of the building, the stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment. *(Bylaw 1-2016 – Jan 19, 2016)*

ASPHALT PLANT, MINOR means a portable unit that is used for the processing, manufacturing, recycling and sale of asphalt, and includes facilities for the administration or management of the building, limited stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment. *(Bylaw 1-2016 – Jan 19, 2016)*

ASSISTED LIVING FACILITY means a premise where accommodation is provided:

- for persons who require a wide range of support services where accommodation for at least one staff member is provided on-site;

- where one or more communal kitchens, dining rooms, or common social areas are provided;
- where administrative offices may be located on-site; or
- where organized recreation activities may occur.

ATTIC means the space between the roof and the ceiling of the top storey.

AUCTIONEERING ESTABLISHMENT means buildings, land or both for the auctioning of goods and equipment including the temporary storage of such goods and equipment. This does not include flea markets, pawnshops, retail secondhand stores or livestock auctions.

AUTOBODY REPAIR AND PAINT SHOP means a premise where automobiles, trucks, and other vehicles undergo body repair and painting.

B

BALCONY means a platform above the first storey of a building that is attached to and projecting from the face of a building, with or without a supporting structure, and normally surrounded by a balustrade or railing, and that is used as amenity space with access only from within the building. A balcony shall not include a deck.

BASEMENT means a storey or storeys of a building located below the first storey.

BASEMENT, WALKOUT means a storey of a building located below the first storey and having at least one wall wholly or partially above grade.

BAY WINDOW means a glazed window that extends from the wall to which it is attached and may be structurally supported other than by a foundation wall.

BED AND BREAKFAST* means the accessory use of a dwelling, where accommodation in a sleeping unit for remuneration is provided to overnight guests by the permanent residents of the dwelling. This also includes the provision for limited meals to be provided in the dwelling to the overnight guests.

BED AND SHORE means land covered so long by water as to wrest it from vegetation or as to mark a distinct character on the vegetation where it extends into the water or on the soil itself, as referenced by the Surveys Act.

BEDROOM means a room containing a window, located in a dwelling unit, which due to its design or location in the dwelling unit, may be used primarily for sleeping.

BINGO HALL means a premise that is customarily or regularly used for bingo pursuant to a license issued by or under the authority of the Province of Alberta. This does not include an amusement centre.

BIOPHYSICAL ASSESSMENT means an assessment of the biological and physical elements of an ecosystem, including geology, topography, hydrology and soils.

BOARDER means a non-family member who is a lodger, roomer, or person who pays for and takes regular lodging, with or without meals within the household.

BOARDING OR LODGING HOUSE means a building in which the owner lives and supplies sleeping unit accommodation for remuneration, for not more than ten residents and, which may include meal service. This does not include hotels, motels, hostels, temporary shelter services, congregate housing, or bed and breakfasts.

BORROW AREA means an excavated area from which soil and unconsolidated materials (excluding sand and gravel), are removed for use without further processing or handling as fill for activities such as landscaping, building construction, levees or, highway construction and/or maintenance, either on-site or off-site**.**

BREEZEWAY means a roofed open passageway connecting two or more buildings.

BROADCASTING STUDIO means a premise used for the production and/or broadcasting of audio and visual programming typically associated with radio, television and motion picture studios.

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

BUILDING, ACCESSORY (see accessory building)

BUILDING, NON-CONFORMING means a building:

- that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw affecting the building or the land on which the building is situated becomes effective; and
- that on the date the Land Use Bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

BUILDING, PRINCIPAL means a building that accommodates the principal use of a site.

BUILDING, SECONDARY means a building that accommodates a secondary use of a site. A secondary building is one that cannot exist independently and exclusively from a principal building.

BUILDING FACE means that portion of any exterior elevation of a building exposed to public view extending from the grade to the eaves or the top of the parapet wall and the entire length of the building elevation, including all areas divided by firewalls.

BUILDING FRONTAGE means the length of a building that directly faces a road.

BULK FUEL DEPOT means lands, buildings, and structures for the bulk storage and distribution of petroleum products and may include key lock retail sales. This does not

include a service station, minor or a service station, major.

BUSINESS means an establishment for carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for gain or profit. This does not include a home office or a home business.

BUSINESS SUPPORT SERVICE means a premises used to provide support services to other businesses. This may include one or more of the following:

- the use of minor mechanical equipment for printing, duplicating, binding or photographic processing;
- the provision of office maintenance or custodial services;
- the provision of office security;
- the sale, rental, repair, or servicing of office equipment, furniture and machines; and
- the sale, rental, repair or servicing of computers, cellular phones and fax machines.

BYLAW ENFORCEMENT OFFICER means an officer or employee of Strathcona County authorized by County Council to enforce the bylaws of the County.

C

CABIN means a building with a maximum gross floor area of 28 m^2 where the maximum occupancy duration shall not exceed 240 days in one year. This does not include a hotel, a motel, a manufactured home, manufactured home (singlewide), a recreational vehicle, or a boarding or a lodging house.

CALIPER means the diameter of a tree trunk measured at a point (0.3 m) above the top of the root ball.

CAMPGROUND* means an area which has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall not exceed 240 days in one year), for campers locating tents, recreational vehicles or both, within a defined area.

CAMPGROUND, MAJOR* means a campground which shall contain a total number of campsites or cabins greater than sixty (60). Related facilities that are accessory to and support the campground may be included on-site, such as an administrative office, a laundromat, picnic grounds, playgrounds and boating facilities. This does not include manufactured home and manufactured home (singlewide).

CAMPGROUND, MINOR* means a campground which shall contain a total number of campsites or cabins totaling sixty (60) or less. Related facilities that are accessory to and support the campground may be included on-site, such as an administrative office, a laundromat, picnic grounds, playgrounds and boating facilities. This does not include manufactured homes and manufactured home (singlewide).

CAMPSITE means a specified area or site within a campground or other recreation area intended for occupancy by tents and recreational vehicles on a limited short-term basis. This does not include sites or parcels for a manufactured home, manufactured home (singlewide), park model trailer, cabin, motel, hotel, boarding or lodging house, or recreational vehicle storage.

CANNABIS PRODUCTION FACILITY means a facility, comprised of one or more buildings or structures, used for the purpose of growing, producing, cultivating, testing, processing, researching, destroying, storing, packaging or shipping of cannabis by a federal government licensed commercial producer in accordance with federal legislation. This does not include the growing or processing of plants that are considered by federal legislation to be industrial hemp. *(Bylaw 68-2017 – Jan 26, 2018)*

CANOPY means an architectural feature or structural protective element affixed to the exterior wall of a building over a door, entrance, outdoor service area or similar type of entrance way.

CANTILEVER means the portion of a building which projects in order to provide additional livable interior space, and which has no foundation or supports below. This does not include a balcony.

CARE CENTRE, MINOR means an accessory use intended to provide care or supervision and may include educational services for less than 7 persons during the day or evening. This includes day care, out-of-school care, nursery or play schools, and drop-in centres. A care centre minor is a permitted use in any residential or agricultural Zoning District.

CARE CENTRE, INTERMEDIATE means a use intended to provide care or supervision and may include educational services for 7 to 20 persons during the day or evening which is authorized by the Province of Alberta. This includes group day care centres, out-of-school care centres, nursery or play schools and drop-in centres.

CARE CENTRE, MAJOR means a use intended to provide care or supervision and may include educational services for more than 20 persons during the day or evening which is authorized by the Province of Alberta. This includes group day care centres, out-of-school care centres, nursery or play schools and drop-in centres.

CARPORT means a roofed structure either free standing or attached to a building, which is not enclosed on the front and at least one side, to shelter parked vehicles.

CEMETERY means land that is set apart or land that is used for the burial or internment of human remains. This includes a memorial park, a burial ground, a columbarium, a mausoleum, or a crematorium.

CERTIFICATE OF TITLE means a certificate issued by the Land Titles Office identifying the owner of a particular parcel of land.

COMMERCIAL LOGGING means the cutting, storage, sorting, and grading of primary forest materials for commercial use of the logs or fibre. This does not include tree clearing or the removal of any landscaping required by this Bylaw.

COMMERCIAL SCHOOL means a premise for the training, instruction, and certification in a specific trade, skill, or service for the financial gain of the person owning the school. This includes a secretarial school, a hairstyling school, a beauty culture school, a dance school, or a music school.

COMMERCIAL STORAGE means a building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature. This does not include outdoor storage.

COMMERCIAL UNIT means a separate or self-contained area or areas of one building which contains one commercial use.

COMMERCIAL USE means an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

CONCRETE PLANT, MAJOR means a permanent plant or facility that is used for the processing, manufacturing, recycling and sale of concrete, and includes facilities for the administration or management of the building, the stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment. *(Bylaw 1-2016 – Jan 19, 2016)*

CONCRETE PLANT, MINOR means a portable unit that is used for the processing, manufacturing, recycling and sale of concrete, and includes facilities for the administration or management of the building, limited stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment. *(Bylaw 1-2016 – Jan 19, 2016)*

CONDOMINIUM, BARE LAND means a condominium development containing condominium units that assign ownership to units of land, created specifically through subdivision and registered as a condominium plan in accordance with the Condominium Property Act.

CONDOMINIUM UNIT means:

- a space that is situated within a building and described as a unit in a condominium plan by reference to floors, walls and ceilings within the building; and
- land that is situated within a parcel and described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provisions of the Surveys Act respecting subdivision surveys.

CONFINED FEEDING OPERATION* (as defined by the Agricultural Operations and Practices Act) means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, race tracks or exhibition grounds.

CONGREGATE HOUSING means housing in multiple unit form for semi-independent persons and may provide living and sleeping facilities, meal preparation, laundry services, transportation, counselling and room cleaning. This does not include a major

group home, or a minor group home.

CONSERVATION means the planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment against degradation, as defined within the Environmental Enhancement and Protection Act.

CONSERVATION EASEMENT means an agreement registered against title whereby a landowner grants to the County (or other government, government agency, or non-profit society with conservation objectives satisfactory to the County) provisions for the protection, conservation and enhancement of the environment including the protection, conservation and enhancement of biological diversity and natural scenic or aesthetic values. A conservation agreement may provide for recreational use; open space use, environmental education use, and research and scientific studies of natural ecosystems.

CONTAINER means a land and sea container used to carry cargo goods or materials or both that may be considered on a lot as an accessory use for storage purposes.

CONTRACTOR SERVICE, GENERAL means a premises used for the provision of building and road construction services including landscaping, concrete, electrical, excavation, drilling, heating and plumbing or similar services of a construction nature which require on-site storage and warehouse space. Any sales, display, office or technical support service areas shall be accessory to the principal use only.

CONTRACTOR SERVICE, LIMITED means a premises used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles.

CONVENIENCE VEHICLE RENTAL means a premise providing the rental of automobiles, and light trucks, and utility vehicles.

CORRECTIONAL SERVICE means a facility for the purpose of holding or confining, and treating or rehabilitating persons. This includes but is not limited to prisons, jails, remand centres, and correctional facilities.

COUNTY means Strathcona County.

COUNTY ENGINEER means a County employee who is a member of the Association of Professional Engineers and Geoscientists of Alberta (APEGA), and designated as a Responsible Member within the County's Professional Practice Management Plan.

CROPS means grains, oilseeds, pulses, hay, pasture, vegetables, orchards and other field crops.

CULTURAL/ENTERTAINMENT FACILITY means a premises within an enclosed building that is designed specifically for the presentation of live artistic performances or

the showing of motion pictures. This includes, but is not limited to auditoriums, cinemas, amphitheaters, theatres and concert halls. This does not include a nightclub.

CUSTOM INDOOR MAUFACTURING means a premises used for on-site manufacturing, production, assembling of semi-finished or finished goods, products and equipment normally associated with building or household use. This includes but is not limited to toy and musical instrument manufacturing, cabinet and furniture manufacturing, and computer components. This does not include repair shops or those uses identified under custom workshops.

CUSTOM WORKSHOPS means a premise used for the production by a trade, craft or guild for the manufacture or processing of clothing, articles or craft objects. Typical uses may include a photography studio, pottery and sculpture studio, and art studio. This may include the provision of classes; however, this shall be accessory to the principal use. This does not include cabinet or furniture manufacturing, household repair services or large scale manufacturing identified under custom indoor manufacturing.

D

DANGEROUS GOODS has the meaning in the Alberta Fire Code, as amended from time to time.

DATING OR ESCORT SERVICE means any business activity which involves the face to face (in person) act of introducing a person or persons with another person or persons for a period or periods of companionship of short duration, for which service or introduction a fee is charged or imposed for each occasion of companionship or introduction.

DECK means a structure where the top of the floor is 0.6 m or greater in height above finished grade, without a roof or walls (except for railings), and which is designed and intended for use as a private amenity space.

DENSITY means the ratio of the number of dwelling units to the lot area or, the maximum number of dwelling units per developable hectare.

DESIGNATED OFFICER means a Development Officer, Development Officer (Enforcement), or any other official appointed by the Chief Commissioner to enforce the provisions of the Municipal Government Act and its regulations, the conditions of a development permit or subdivision approval, and this Bylaw.

DEVELOPMENT means:

- an excavation or stockpile and the creation of either of them,
- a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in over or under land,
- a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or

- a change in the intensity of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

DEVELOPMENT AUTHORITY has the same meaning as listed within Part 17 of the Municipal Government Act.

DEVELOPMENT OFFICER means a designated officer who is appointed according to the procedure authorized by County Council and who exercises powers and performs duties on behalf of the County.

DEVELOPMENT, TEMPORARY means development for which a development permit has been issued for a limited time only.

DIRECTOR means a County employee holding the position of Director of Planning and Development Services, or their delegate.

DOMESTIC ANIMALS means small animals which are normally kept as companions or as household pets such as cats and dogs. This does not include livestock, fowl or controlled animals and wildlife (medium and large) as defined in the County's Animal Control Bylaw.

DRIVE AISLE means an area used for access to and from on-site parking spaces, but does not include an access driveway.

DRIVE-THROUGH VEHICLE SERVICE means rapid cleaning, lubrication, maintenance or repair services to motor vehicles or other services where the customer typically remains within the vehicle or waits in the premises. This includes automatic or coin operated car washes, rapid lubrication shops, bank drive-through kiosks, or specialty repair establishments.

DRIVEWAY means the connection from an on-site parking area to an access and does not include the area used as a walkway.

DRUG PARAPHERNALIA* means any goods, products, equipment, or materials of any kind designed or primarily intended to be used to produce, process, manufacture, package, store, conceal, as well as, inject, ingest, inhale or otherwise introduce into the human body, a controlled substance as defined in the Controlled Drugs and Substances Act, S.C. 1996, c. 19, as may be amended from time to time, but does not include a controlled substance that is permitted under that Act.

DRY CLEANING OUTLET means a premise where dry cleaning, dyeing, cleaning or pressing of articles or fabric is carried on and in which only non-flammable solvents are or can be used which emit no odours or fumes. This shall be considered a personal service establishment. This does not include a laundromat.

DUGOUT means an accessory development consisting of an excavation of earth, rock, concrete or other material designed to retain water for household, landscaping or general agriculture purposes. This does not include a lagoon for the purpose of

processing wastewater.

DWELLING or DWELLING UNIT means a self-contained living accommodation comprised of a kitchen, washroom and sleeping facilities with a separate private entrance from the exterior or interior of a building. This does not include a recreational vehicle, a park model trailer or a room in a hotel or a motel. A dwelling unit does not include more than one room which, due to its design, plumbing, equipment, and furnishings, may be used as a kitchen.

DWELLING, AGRICULTURAL* means a temporary dwelling which is accessory to an intensive agricultural activity, such as but not limited to; agriculture intensive horticulture, a greenhouse with a minimum floor area of 1,000 m^2 or an equestrian centre.

DWELLING, APARTMENT means a building containing three or more dwelling units that share a common external access and a common corridor system.

DWELLING, DUPLEX means a building containing two dwelling units above or below each other, each with a separate external entrance. A duplex dwelling cannot accommodate a secondary suite. This does not include a semi-detached dwelling.

DWELLING, FAMILY CARE* means a temporary dwelling unit used to accommodate family members of the residents of another dwelling unit on the same lot, and who provide personal care to or require personal care from those residents where:

- such personal care is necessary due to elderly age, physical disability or mental disability or both;
- the need for such personal care is verified by a medical certificate; and
- such family relationship is proven.

A family care dwelling is not considered to be accessory development.

DWELLING, MULTIPLE means a building containing three or more dwelling units, each of which has an independent external entrance and does not include a dwelling-type otherwise defined within this Bylaw. A multiple dwelling cannot accommodate a secondary suite.

DWELLING, PRINCIPAL means a dwelling unit that occupies the entirety of a building or a larger gross floor area than another dwelling unit within the same building or on the same lot.

DWELLING, SECONDARY* means a second single dwelling, manufactured home (singlewide) or manufactured home on an agricultural lot approximately 32 ha or greater. This does not include agricultural housing (accessory).

DWELLING, SEMI-DETACHED means a building containing two dwelling units, each with a separate exterior entrance at grade that shares a party wall with the adjacent dwelling unit. A semi-detached dwelling cannot accommodate a secondary suite. This does not include a duplex dwelling.

DWELLING, SINGLE means a permanent, detached building containing one dwelling unit, except where a secondary suite may be considered in accordance with this Bylaw. This includes modular homes that conform to the Alberta Building Code, but not a manufactured home or a manufactured home (singlewide) or a park model trailer.

DWELLING, TEMPORARY (CONSTRUCTION)* means a residence on a lot which may considered on a temporary basis while a new dwelling is being constructed on the lot. This use is a discretionary use in the Rural Area (excluding hamlets).

DWELLING, STACKED TOWNHOUSE means a building containing three or more dwelling units, each with a separate external entrance and separated from the other dwelling units vertically, horizontally or both. This does not include a multiple dwelling.

DWELLING, TOWNHOUSE means a building containing three or more dwelling units each with a separate external entrance that shares no more than two party walls with adjacent dwelling units. No part of any dwelling unit is placed over another in part or whole. This does not include a multiple dwelling.

DWELLING UNIT, STUDIO means a dwelling unit in which the sleeping and living areas are combined.

E

EASEMENT means the right to use public or private land owned by another, generally for use by the public, a corporation or another person or entity.

EDUCATION, PRIVATE means a premise for instruction and education not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction. This may include a dormitory, an accessory building, or school bus parking. This does not include a commercial school.

EDUCATION, PUBLIC means a premise that is publicly supported and involves public assembly for education, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This includes but is not limited to a public school, a separate school, a community college, a university, a technical and vocational school, their administrative offices or school bus parking. This does not include private education or a commercial school.

EMERGENCY SERVICE means a public facility used by fire protection, police, ambulance, or other such services as a base of operations.

ENCLOSED PARKING means an area provided for on-site parking screened from view from the surrounding roads and buildings, within a structure.

ENVIROMENTALLY SENSITIVE LANDS mean areas that:

- provide an important linking function and permit the movement of wildlife over considerable distances, including migration corridors and migratory stopover points;

- provide a vital environmental, ecological or hydrological function such as a aquifer recharge;
- contain rare or unique geological or physiographic features;
- contain significant, rare or endangered plant or animal species; are unique habitats with limited representation in the region or are a small remnant of once large habitats;
- contain an unusual diversity of plant or animal communities or both due to a variety of geomorphological features and microclimatic effects;
- contain large and relatively undisturbed habitats and provide sheltered habitat for species which are intolerant of human disturbance;
- are excellent representatives of one or more ecosystems or landscapes that characterize a natural region;
- have intrinsic appeal due to widespread community interest or the presence of highly valued features or species such as a game species or sport fish; or
- have lengthy histories of scientific research.

EQUESTRIAN CENTRE* means a facility on a lot equal to or greater than 8.0 hectares used for the training of riders or horses or for the boarding of horses, not owned by the property owner.

EQUIPMENT, MAJOR means a premise used for the sale, rental, service, or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations, and agricultural production. This does not include truck and manufactured home sales/rentals.

EQUIPMENT, MINOR means a premise used for the sale or rental of tools, appliances, recreational craft, office machines, furniture, light construction equipment, or similar items. This does not include vehicle sale/rental.

EXHIBITION AND CONVENTION FACILITY means a building or site intended to provide permanent facilities for meetings, seminars, conventions, product and trade fairs and similar exhibitions.

F

FENCE means a constructed or installed structure or barrier used to enclose or screen all or part of a lot or site.

FINANCIAL SERVICE means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker or related business, which may also include provision of drive-through access to an automated teller machine.

FIXTURE means the assembly that houses the lamp(s) and can include all or some of the following parts: housings, mounting brackets and pole sockets.

FIXTURE, CUT-OFF means a fixture allowing no more than 2.5% of all light emitted above the horizontal plane.

FIXTURE, FULL CUT-OFF means a light fixture that does not allow any light dispersion above the horizontal plan, and whose lamp (bulb) is recessed fully within the housing of the fixture itself.

FLEA MARKET means a premise used for the sale of new or used goods by more than three (3) vendors renting tables or space. Vendors may vary from day to day, although the general layout of space to be rented remains the same. Goods that are typically sold include but are not limited to: clothing, electronic equipment, food products or concessions, handicrafts, or household items. This does not include an auctioneering establishment or retail, secondhand.

FLEET SERVICE means a premise 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, but is not limited to ambulance services, taxi services, bus lines (including school buses), and messenger and courier services. This does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg.

FLOOD FRINGE means the land along the edges of the flood hazard area that has relatively shallow water (less than 1.0 m deep) with lower velocities (less than 1.0 m per second).

FLOODPLAIN or FLOOD HAZARD LANDS means an area that consists of the low-lying land next to a watercourse that is subject to periodic inundation. The floodplain can be divided into two zones, the floodway and flood fringe**.**

FLOODWAY means the area within which the entire design flood can be conveyed while meeting certain water elevation rise, water velocity and water depth criteria. This includes the river channel and some adjacent overbank areas.

FLOOR AREA means the total area of all floors in a building, measured between the interior faces of the exterior walls of the building at each floor level.

FLOOR AREA, GROSS (GFA) means the total floor area of a building within the exterior and basement walls. This does not include basement areas used exclusively for storage or service to the building, parking areas below grade, and areas devoted exclusively to mechanical or electrical equipment servicing the development.

FLOOR AREA, GROSS LEASABLE (GLA) means the floor area contained within the exterior and basement walls and which is designed exclusively for tenant occupancy.

FLOOR AREA, GROUND means the area of a lot occupied by a building.

FLOOR AREA, NET (NFA) means the gross floor area of a building, less the area of stairways, elevators, mechanical areas, vertical service shafts, common corridors, lobbies, public washrooms, internal garbage storage and internal vehicular areas.

FLOOR AREA RATIO means the numerical value of the gross floor area on all levels of all buildings on a lot, divided by the area of the lot.

FOOD AND BEVERAGE PRODUCTS means a commercial facility in which food or beverage products or both are manufactured, produced or otherwise prepared for human consumption but not consumed on the premises. This may include a retail component; however, this retail component shall be accessory to the principal use. Typical uses may include a bakery, pre-packaged foods, water bottling and catering facilities. This does not include food service, mobile catering. The impact of this use shall not extend beyond the boundaries of the building.

FOOD SERVICE, DRIVE-IN means a premise where the primary purpose is the sale of prepared foods and beverages to the public for consumption on or off the site. This use typically has a more limited menu than a restaurant and includes one or more of car attendant services, drive through food pickup services, or parking primarily intended for the on-site consumption of food within a vehicle.

FOOD SERVICE, MOBILE CATERING means the delivery and sale of food to the public using a fleet of vehicles.

FOOD SERVICE, RESTAURANT means a premise where the primary purpose is the sale of prepared foods and beverages to the public for consumption on or off the site. This use typically has a varied menu, with a fully equipped kitchen and preparation area.

FOOD SERVICE, SPECIALTY means a premise where limited types of prepared foods and beverages are offered for sale to the public for consumption on or off the site. This use relies primarily on walk-in clientele. Typical uses are coffee, donut, bagel, sandwich or dessert shops.

FUNERAL SERVICE means a use for the preparation of the deceased for burial or cremation, and the holding of memorial services. This includes funeral homes and undertaking establishments.

G

GARAGE means an accessory structure, or part of a principal building, designed and used primarily for the storage of motor vehicles.

GARDEN SUITE* means an accessory use on the same lot as the principal dwelling, which is either a separate one (1) storey building having no garage component, or a suite above an accessory building or to the rear of an accessory building (at grade), or a suite within an accessory building. A garden suite has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the principal dwelling. The ground floor area of a garden suite is applicable to the total accessory ground floor area allowed in the Zoning District. This does not include a manufactured home, manufactured home (singlewide), secondary suite or additional dwelling.

GAS BAR means a premises for the sale of motor fuel, lubricating oils, automotive fluids, and associated convenience store products. This may be a self-service, full service, key lock, card lock, or other similar operation. This does not include minor service stations, major service stations and vehicle-washing facilities.

GLARE means light emitting from a fixture with intensity that may reduce visibility.

GOLF COURSE means an outdoor facility designated primarily for the game of golf. Accessory uses may include a pro shop, golf driving range or practice facility or both, food service, and other commercial uses typically associated with a clubhouse facility.

GOLF DRIVING RANGE* means an indoor or outdoor facility dedicated to the driving of golf balls from fixed golf tees, or practice areas for pitching or putting.

GOVERNMENT SERVICE means a premise providing for a crown corporation, municipal, provincial or federal government services directly to the public. This does not include protective and emergency services, detention and correction services, minor utility services, major utility services, and public education.

GRADE means the ground elevation established for the purpose of regulating the number of stories and the height of a building or structure.

GRADE, BUILDING means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except for areas such as vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

GREENHOUSE means a premises used primarily for the raising, storage and sale of produce, bedding, household, ornamental plants and related materials such as tools, soil, and fertilizers. The main part of the building must be plant-related and any aggregate sales must be a minor accessory component only. This does not include a cannabis production facility. *(Bylaw 68-2017 – Jan 26, 2018)*

GROUP HOME, MAJOR means a care facility licensed by the Province of Alberta to provide room and board for more than six (6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This does not include boarding and lodging houses, congregate care, or temporary shelter services.

GROUP HOME, MINOR means the use of one dwelling unit as a care facility licensed by the Province of Alberta to provide room and board for not more than six (6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. A minor group home may include, to a maximum of six (6), any combination of staff, residents requiring care, and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This does not include boarding and lodging houses, congregate care, or temporary shelter services.

H

HARDSURFACE means a durable ground surface constructed of cast-in-place concrete, brick, concrete unit pavers, turfstone, stone, asphalt, or similar materials. This does not include gravel or clay.

HEALTH SERVICE, MAJOR means a facility for surgical or other medical treatment for the sick, injured or infirmed including outpatient services and accessory staff residences. This includes but is not limited to hospitals or nursing homes with health care for dependent residents, mental care asylums, sanatoria, and detoxification centres.

HEALTH SERVICE, MINOR means the provision of physical and mental health services on an outpatient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. This includes medical and dental offices, health clinics, acupuncture clinics, physiotherapy, massage therapy and counselling services.

HEIGHT means the vertical distance between building grade and the highest point of the building with a non-sloping roof or a roof that slopes less than 20 degrees. On a roof sloping more than 20 degrees, it is measured to the mid-point between the eave line and ridge of a sloping roof provided that the ridge shall be not more than 2.0 m above the maximum building height in the Zoning District.

HELIPAD means a designated area, usually with a prepared surface, used for the takeoff, landing or parking of helicopters. This does not include private or public airports.

HIGHWAY means a highway as defined under the Highways Development and Protection Act.

HOME BUSINESS* means the use of part of a dwelling unit or (where applicable, accessory building or site or combinations thereof) by at least one resident of the dwelling unit for a business activity that results in a product or service. This does not include adult entertainment, bed and breakfast, care centre, dating or escort service, recreational vehicle storage, veterinary service or fleet service uses.

HOME BUSINESS, MINOR* means a home business which shall:

- occupy a maximum of 30 percent of the dwelling unit's gross floor area;
- have a maximum of four (4) client or customer visits per day; and
- not employ a non-resident on-site employee.

HOME BUSINESS, INTERMEDIATE* means a home business which shall:

- occupy a maximum of 30 percent of the dwelling unit's gross floor area plus a maximum of 30 percent of the gross floor area of all accessory buildings; and
- not exceed two (2) non-resident, on-site employees.

HOME BUSINESS, MAJOR* means a home business which shall:

- not be considered on a lot less than 2.02 ha;
- occupy a maximum of 30 percent of the dwelling unit's gross floor area plus a maximum of 30 percent of the gross floor area of all accessory buildings; and
- not exceed six (6) non-resident, on-site employees.

HOME BUSINESS VEHICLE means any vehicle less than 5,500 kg or any trailer that is used in the operation of the home business that is normally maintained, parked, or stored on the lot of the home business. Items or equipment transported to and from the site of the home business in the box of a truck or on a trailer are not considered to be a home business vehicle.

HOME BUSINESS VEHICLE, HEAVY means any vehicle 5,500 kg or heavier that is used in the operation of the home business that is normally maintained, parked, or stored on the lot of the home business. Items or equipment transported to and from the site of the home business in the box of a truck or on a trailer are not considered to be a heavy home business vehicle.

HOME OFFICE is a permitted use in any residential or agricultural Zoning District and means the accessory use of a room in a dwelling unit or suite by at least one resident of the dwelling unit for a business office and shall not include:

- client visits to the site;
- parking of a home business vehicle or heavy home business vehicle on site;
- changes to the outside appearance of the dwelling;
- on-site signage;
- nuisance; or
- any other visible evidence that a home office is located in the dwelling or suite.

HOTEL means the provision of rooms or suites in a commercial development for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. This may include accessory food services, neighbourhood pubs, nightclubs, meeting rooms, and personal service establishments.

HOUSEHOLD means:

- a person; or two or more persons related by blood, marriage;
- a group of not more than five (5) persons, including boarders, who are not related by blood, marriage, or adoption; or
- a combination of the above if the combined total does not include more than three (3) persons unrelated by blood, marriage, or adoption;

all living together in one dwelling unit as a single household using the same cooking facilities. In addition, a household may also include a housekeeper or nanny.

HOUSEHOLD REPAIR SERVICE means development used for the provision of repair to goods, equipment and small appliances normally found within the home. This includes but is not limited to electronic repair, appliance repair, furniture refinishing, and upholstery shops.

HOUSING, COLLECTIVE COMMUNAL means an arrangement of dwellings units as an integral part of an agricultural operation which is operated by an organized and recognized communal group such as a Hutterite Colony.

I

INDUSTRIAL, GENERAL means development used principally for one or more of the following:

- the processing of raw materials;
- the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products;
- the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, building or household use;
- terminals for the storage or trans-shipping of materials, goods and equipment;
- the distribution and sale of materials, bulk goods and equipment to institutions, industrial or commercial businesses for their direct use or to general retail stores or other use classes for resale to individual customers; or
- the training of personnel in general industrial operations.

Any indoor display, office, technical, administrative support, or retail sale operations shall be accessory to the general industrial uses listed above.

This does not include other uses that are defined separately.

This includes only those developments where activities and uses may be carried on indoor and/or outdoors and where no significant nuisance factor is created or apparent beyond the boundaries of the site.

Any development, where, in the opinion of the Development Officer, there is significant risk of interfering with the safety and amenity of adjacent sites because of the nature of the site, materials, or process, cannot be successfully mitigated, shall not be considered a general industrial use.

INDUSTRIAL, HEAVY means development used principally for one or more of the following:

- processing of raw materials;
- the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products;
- the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, building or household use;
- terminals for the storage or trans-shipping of materials, goods and equipment;
- the distribution and sale of materials, bulk goods and equipment to institutions, industrial or commercial businesses for their direct use or to general retail stores or other use classes for resale to individual customers; or
- the training of personnel in general industrial operations.

Any indoor display, office, technical, administrative support, or retail sale operations shall be accessory to the general industrial uses listed above. The floor area devoted to such accessory activities shall not exceed 25% of the gross floor area of the building (s) devoted to the heavy industrial use.

This does not include other uses that are defined separately.

This includes only those developments which may have a significant detrimental effect on the safety, use, amenity, enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods.

INFORMATION CENTRE means a building where the primary activity of the site involves informing the public about the services and programs provided by the centre and educating individuals or groups on the natural, historical, and cultural features of the area. It may include meeting rooms, office areas and staff rooms.

INTERSECTION means the area within the connection of two or more roads intended for use by vehicles.

K

KITCHEN means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, plumbing, or wiring which taken together, may be intended or used for the preparation or cooking of food.

L

LAMP means the component of a luminaire that produces the specific form of radiant energy that is observed as light.

LAND means tenements, or any estate or interest in them and includes growing timber but not mineral resources.

LANDSCAPING means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of:

- soft landscaping elements (i.e. trees, shrubs, plants, lawns, ornamental plantings); and
- hard landscaping elements (i.e. bricks, pavers, shale, crushed rock).

This does not include monolithic concrete and asphalt (i.e. patios, walkways, and paths), and architectural elements (i.e. decorative fencing, walls, sculpture).

LANDSCAPING SALES AND SERVICE means the use of lands, buildings or structures, or part thereof, for the purpose of selling soft landscaping materials such as plants, trees and shrubs, as well as hard landscaping materials such as bricks, pavers, shale, crushed rock or, other similar materials associated with landscaping. This does not include a greenhouse, plant nursery, or a business engaged in the sale of lawn and garden equipment.

LANE means a narrow highway intended to give access to the rear of buildings and parcels of land. For the purposes of determining setbacks, a lane is not a road.

LAUNDROMAT means a premise where coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of cleaning clothing. This does not include a dry cleaning outlet.

LIBRARY AND EXHIBIT means a premise for:

- the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or
- the collection, preservation and public exhibition of works or objects of historical, scientific, natural, or artistic value.

This includes public libraries, museums, art galleries, botanical gardens, arboreta, and archaeological and cultural exhibits.

LIGHT TRESPASS means the shining of light beyond the boundaries of the property on which it is located.

LIVESTOCK means horses, cattle, swine, donkeys, mules, oxen, poultry, birds, sheep, goats, fur bearing animals raised in captivity for pelts, and other animals and wildlife.

LIVE-WORK UNIT means a building containing a dwelling unit in combination with a commercial unit which is utilized by the resident(s) and up to one non-resident employee. This includes separate entrances for the commercial and residential portion of the building with an internal passage between. The dwelling unit shall be considered above, to the side or rear of a commercial component. The commercial use shall not detract from the residential character or appearance of the unit and shall not create a nuisance. This may include but is not limited to photography, art, pottery studios, personal service establishments (excluding a dry cleaning outlet), office, incidental sale of items such as antiques or jewellery, or a studio providing instruction such as music or tutoring, to a maximum of four students at one time. This does not include health service, pawnshop, restaurant food service, or specialty food service.

LOADING SPACE means an on-site parking space reserved for temporary parking for the purpose of loading or unloading goods and materials.

LODGE means a building where sleeping accommodations are provided. It may include on-site kitchen facilities, dining areas, meeting rooms, on-site storage facilities, and mechanical rooms. This definition does not include motel, hotel, or boarding and lodging house.

LOT means a:

- quarter section;
- river lot shown on an official plan, as defined in the Survey's Act, that is filed or lodged in a Land Titles Office;
- settlement lot shown on an official plan, as defined in the Survey's Act, that is filed or lodged in a Land Titles Office;
- 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
- part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title by reference to a Plan of Subdivision.

LOT, CORNER means a lot located at the intersection of two (2) roads, other than a lane.

LOT, DOUBLE FRONTING means a lot which abuts two (2) roads which are parallel or nearly parallel and do not intersect at the boundaries of the lot.

LOT, INTERIOR means a lot other than a corner lot.

LOT, PIE means a lot which is generally configured such that its width at the rear lot line is greater than at its front lot line.

LOT, REVERSE PIE means a lot which is generally configured such that its width at the rear lot line is less than at its front lot line.

LOT AREA means the total area within the lot lines.

LOT DEPTH means the horizontal distance between the midpoints of the front and rear lot lines.

LOT LINE means the legally defined boundary of any lot.

LOT LINE, FRONT means:

- in the case of an interior lot, a lot line separating the lot from the road;
- in the case of a corner lot, a lot line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut;
- in the case of a double fronting lot, the front lot line shall be determined by the Development Officer based on the location of permitted access and the orientation of other development in the block; or
- in the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road.

LOT LINE, REAR means:

- the lot line opposite to, and most distant from, the front lot line; or
- where there is no such property line, the point of intersection of any property lines other than a front lot line which is furthest from and opposite the front lot line.

LOT LINE, SIDE means any lot boundary that is not a front or rear lot line.

LOT WIDTH means the distance between the midpoints of the side lot lines.

In the case of:

- an irregularly shaped lot such as a pie lot, the width shall be the distance between the side lot lines at 9.0 m from the front lot line; or
- a reverse pie lot is the distance between the side lot lines 22.0 m from the front lot line.

Where lot width cannot be reasonably calculated by these methods, the Development Officer shall determine the lot width having regard to the access, shape and buildable area of the lot, and adjacent lots.

LUMEN means a unit of luminous flux equal to the light emitted in a unit solid angle by a uniform point source of light.

LUX means the measurement of lumens per square metre of area.

M

MANUFACTURED HOME means a prefabricated dwelling unit that meets Canadian Standards Association (CSA) standards where the lesser dimension is equal to or greater than 6.096 m in width. A manufactured home is transportable and may be towed in one or two sections to be joined together into one dwelling unit on site. Where there is an undercarriage, it shall be skirted. This does not include a manufactured home (singlewide), a modular home, a park model trailer, a recreational vehicle or an industrial camp trailer.

MANUFACTURED HOME (SINGLEWIDE) means a single storey prefabricated dwelling unit that meets Canadian Standards Association (CSA) standards and has a width less than 6.096 m. A manufactured home uses steel lateral beams as both part of the transportation and floor system. The undercarriage shall be skirted. This does not include a, a modular home, a park model trailer, a recreational vehicle or an industrial camp trailer.

MANUFACTURED HOME PARK means a development for manufactured homes or manufactured homes (singlewide) not having a registered plan of subdivision of individual lots. Spaces, or spaces with individual manufactured homes already sited on them, may be rented. Ownership and responsibility for the maintenance of internal roadways, underground services, communal areas and buildings, snow clearance, and garbage collection, together with general park operations, rests with the management.

MANUFACTURED HOME SPACE means an area set aside and designated within a manufactured home park for the installation and placement of a manufactured home, including space for the exclusive accessory use by the owner or occupant of that manufactured home. It may also mean a lot in a subdivision designed for manufactured homes.

MARINA means a facility that extends into or over a water body and provides service to the public or members for docking, loading or other servicing of recreational watercraft.

MASSAGE SERVICE (non-therapeutic) means a service providing the application of physical external manipulation of the soft tissues of the human body by another person. It does not include massages administered as part of a skin care treatment by an aesthetician (where the massage is for the purpose of product application and is a minor or incidental part of the treatment) or massages administered by medical or therapeutic professionals registered or entitled to practice under provincial legislation.

MASSAGE THERAPY means a service where massages are administered as part of a skin care treatment by an aesthetician (where the massage is for the purpose of product application and is a minor or incidental part of the treatment) or massages

administered by medical or therapeutic professionals registered or entitled to practice under provincial legislation.

MEDIAN means any part of a roadway between vehicle travelling lanes, which is not intended for vehicle traffic.

MODEL AIRCRAFT means a scale-size aircraft used for recreational purposes with a weight not exceeding a total of 35 kg that may be mechanically driven, propelled or launched into flight and, that is not designed for, or capable of carrying persons or other living creatures.

MODEL AIRCRAFT FACILITY* means an area on land or water that is used or intended to be used for flying model aircraft.

MODULAR HOME means a finished section(s) of a complete dwelling unit built in an off-site manufacturing facility for transport to a lot for installation on a permanent foundation, and which conforms to the Alberta Building Code. "Finished" means fully enclosed on the exterior and interior but may not include interior painting, taping, installation of cabinets, floor covering, fixtures, heating system, and exterior finishes. A modular home has no chassis, running gear or wheels. This does not include a manufactured home, manufactured home (singlewide) or recreational vehicle.

MOTEL means a building divided into self-contained sleeping or dwelling units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include food services and personal service establishments.

MUNICIPAL GOVERNMENT ACT (the "Act") means the Municipal Government Act, R.S.A. 2000, Chapter M-26 as amended and its associated Regulations.

N

NATURAL AREA means natural, sensitive or scenic lands owned by the County that are identified for conservation or nature appreciation or both.

NEIGHBOURHOOD PUB means a premise where the primary purpose is the sale of alcoholic beverages and food for consumption on the site. This includes bars, and cocktail lounges.

NIGHTCLUB means a premise where the primary purpose is the sale of alcoholic beverages and food for consumption on site. A nightclub contains a portion of the floor area for entertainment. This includes but is not limited to dance clubs, cabarets, theatre restaurants, and banquet facilities.

NON-RESIDENT ON-SITE EMPLOYEE means any person employed by the resident operator of a home business who normally works on the site of the home business more than a total of 4 hours in a consecutive 7-day period as part of their employment. Employees who work off-site or occasionally attend the site for less than this period of time in any 7-day period shall not be considered a non-resident on-site employee.

NUISANCE means anything that in the opinion of the Development Authority may cause adverse effects to the amenities of the neighbourhood or interfere with the normal enjoyment of adjacent land or building. This could include that which creates or is liable to create:

- noise, vibration, smoke, dust, odour, heat, electrical interference, glare, light, fumes, fire, explosion, or any other hazard to health or safety; and
- unsightly or unsafe storage of goods, salvage, junk, waste or other materials.

O

OFFICE means a premise primarily for the provision of professional, management, administrative, consulting, or financial services in a non-residential setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, photographers and clerical agencies. This does not include government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacture or handling of a product.

OPEN SPACE means public lands that provide social and environmental benefit and may include outdoor infrastructure that provides an identity or sense of place for the community. Open space may include, but is not limited to, landscaped areas, natural areas, active and passive recreational areas and outdoor community gathering spaces.

OUTDOOR STORAGE means the storage of equipment, goods, and materials in the open air. This includes but is not limited to pipe yards, vehicle or heavy equipment storage compounds, storage of construction material, or storage unrelated to the principal use of the lot or site. This does not include storage that is accessory to the principal use or recreational vehicle storage.

OVERLAY means additional regulations or restrictions placed on specific areas of the Zoning District Map, which supersede or add to the regulations of the underlying Zoning District.

OWNER means the Crown or the registered owner(s) of an estate in fee simple, any other person(s) having a legal interest in the lot or site, or an authorized agent designated in writing.

P

PARAPET or PARAPET WALL means that portion of a perimeter building wall that rises above the roof.

PARCEL OF LAND (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 a use where public land is specifically designed or reserved for the general public for active or passive recreation, or for educational, cultural or aesthetic purposes, and includes all natural areas and landscaped areas. This includes but is not limited to: playing fields, playgrounds, picnic grounds, trails, amphitheaters, bike parks, skateboard parks, dog off-leash areas, natural areas, water features, and related accessory buildings. A park is a permitted use in any zoning district.

PARK MODEL TRAILER means a recreational unit that conforms to the appropriate standards for park model trailers at the time of manufacture.

PARKING SPACE means an on-site space of the size and dimensions to park one vehicle in conformance with Part 4 of this Bylaw exclusive of driveways, aisles, ramps, or obstructions.

PARKING, NON-ACCESSORY means vehicular parking that is not primarily intended for the use of residents, employees, or clients of a particular development. This includes surface parking lots and parking structures above or below grade.

PARTY WALL means a wall jointly owned and jointly used under an easement agreement or by right in law, and erected at or upon a line separating two parcels of land, each of which is, or is capable of being, a separate lot.

PATIO means a structure less than 0.6 m in height above finished grade and without a roof or walls. A patio is designed and intended for use as an outdoor amenity area.

PAWNSHOP means a premise involved in the loaning of money on the security of personal property deposited. This does not include a secondhand retail store.

PENTHOUSE, MECHANICAL means a structure projecting above a building roof or parapet housing an elevator shaft or stairwell, or forming a wall or screen around equipment mounted on the roof.

PERSONAL SERVICE ESTABLISHMENT means a premise that provides personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. This includes but is not limited to an aesthetician, hairstylist, barber shop, nail salon, massage therapy, dry cleaning outlet, laundromat, shoe repair, seamstress or tailor. This does not include health services, minor or health services, major.

PIPELINE as defined under the Alberta Pipeline Act means a pipe used to convey a substance or combination of substances, including installations associated with the pipe, but does not include:

- a pipe used to convey water other than water used in connection with

  -a facility, scheme or other matter authorized under the Oil and Gas Conservation Act or the Oil Sands Conservation Act, or

  -a coal processing plant or other matter authorized under the Coal Conservation Act,
- a pipe used to convey gas, if the pipe is operated at a maximum pressure of 700 kilopascals or less, and is not used to convey gas in connection with a facility,

scheme or other matter authorized under the Oil and Gas Conservation Act or the Oil Sands Conservation Act, or

- a pipe used to convey sewage.

PREMISE means an area of a building occupied or used by a business or an enterprise. In a multiple tenancy building occupied by more than one business, each business area shall be considered a separate premise. Each individual unit registered in a condominium shall also be considered an individual premise.

PRIVATE CAMP means a premise or land for the social or recreational activities of members of a non-profit, religious, philanthropic, athletic, or business organization generally with an outdoor emphasis. A private camp may include rooms for sleeping, eating, drinking and assembly purposes.

PRIVATE CLUB means a premise or land used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organization. Private clubs may include rooms for eating, drinking, and general assembly.

PROJECTION means any portion of a building or structure as outlined in Section 3.14 which extends into a required setback.

PROVINCE OF ALBERTA means the provincial body having the relevant authority.

PUBLIC UTILITY means a system or works used to provide water or steam, sewage disposal, public transportation operated by or on behalf of the municipality, irrigation, drainage, fuel, electric power, heat, waste management, telecommunications, and includes the thing that is provided for public consumption, benefit, convenience or use.

R

RECLAMATION PLAN is a description of the procedures used to return the site to equivalent land capability (this may involve returning the site to conditions and land uses that are similar to the pre-development setting or, in some instances, to an approved alternate land use different than before). It is based on pre-disturbance site assessments of soil, landscape, vegetation, and land use.

RECREATION, COMMUNITY means facilities for recreation, social or multi-purpose uses primarily intended for local community purposes. This includes but is not limited to community halls, non-profit social, service and outdoor recreation clubs, and centres operated by a local community association.

RECREATION, INDOOR means facilities within an enclosed building for sports, active recreation, performing and cultural arts where patrons are predominantly participants. This includes but is not limited to arenas, athletic clubs, health and fitness clubs, gymnasiums, swimming pools, rifle and pistol ranges, bowling alleys, and racquet clubs. This does not include minor or major gaming facilities.

RECREATION, OUTDOOR means facilities used for recreational activities, which utilize tracts of land and may require accessory facilities or structures. This includes but is not limited to cross-country ski trails, golf driving ranges, ice rinks, playgrounds, ski hills, sports fields and paintball (and similar activities).

RECREATION, OUTDOOR MOTORIZED VEHICLE FACILITY means a facility for vehicular or motorized sports activities or both conducted outdoors. This includes but is not limited to sport recreation vehicle facilities such as motor bikes, snowmobiles, motor vehicle race courses and boating facilities.

RECREATIONAL VEHICLE means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel or vacation purposes, or a vehicle used for recreation purposes and includes, but is not limited to, motor homes, slide-in campers, chassis mounted campers (whether located on a truck or other vehicle or not), travel trailers, tent trailers, boats, all-terrain vehicles, snowmobiles and the trailer used to transport any of the aforementioned. This does not include a manufactured home or manufactured home (singlewide).

RECREATIONAL VEHICLE STORAGE, MAJOR* means a principal or accessory use where recreational vehicles are stored on a site when they are not in use. This does not include camping, the storage of equipment, containers or abandoned vehicles, those uses identified under outdoor storage or a campground.

RECREATIONAL VEHICLE STORAGE, MINOR* means a use where recreational vehicles are stored on a site when they are not in use, and the number of vehicles stored is limited based on the size of the parcel. This does not include the storage of equipment, containers or abandoned vehicles, those uses identified under outdoor storage or a campground.

RECYCLING DEPOT means a premise used for the buying, collection, sorting, and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. This does not include recycling, drop-off.

RECYCLING, DROP-OFF means a premise or site used for the collection and temporary storage of recyclable materials. Recyclable materials include, but are not limited to, cardboard, plastics, paper, metal and similar household goods. Recyclable material left at the drop-off centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling. This does not include recycling depots.

RECYCLING, OIL DEPOT means the use of a premise specifically intended for temporary storage of used automotive petroleum products and containers excluding any dangerous or hazardous materials or containers. Materials temporarily stored on-site shall be limited to residential products.

RELIGIOUS ASSEMBLY, MAJOR* means a building where people regularly assemble for worship and related religious, philanthropic or social activities that is maintained and controlled for public worship. Religious assembly is major where the seating capacity exceeds 250 seats or the maximum size of the building or structure exceeds 930 m^2 in gross floor area. This includes churches, chapels, mosques, temples, synagogues, convents, and monasteries; as well as accessory manses or rectories.

RELIGIOUS ASSEMBLY, MINOR* means a building where people regularly assemble for worship and related religious, philanthropic or social activities that is maintained and controlled for public worship. Religious assembly is minor where the seating capacity does not exceed 250 seats or the maximum size of the building or structure does not exceed 930 m^2. This includes churches, chapels, mosques, temples and synagogues. It also includes accessory manses or rectories.

RESIDENTIAL SALES CENTRE* means a building used for a limited period of time on a temporary basis for the purpose of marketing residential land or buildings.

RESIDENTIAL SECURITY/OPERATOR UNIT means an accessory use to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker or operator of a commercial establishment, or for the on-duty security personnel at a storage facility where listed in a Zoning District. No more than one residential security operator unit is permitted on a site.

RETAIL, ADULT means a premise for the offering for rent, use, viewing, or sale of an object (other than a contraceptive device), service, or entertainment which is designed or intended to be used in, or is a depiction of, a sexual act.

RETAIL, ALCOHOL* means a premise licensed to sell beer, wine, spirits, cider, and coolers to the public. This includes a liquor store or a wine or beer store.

RETAIL, CONVENIENCE means a premise used for the retail sale of goods from premises which do not exceed 235 m^2 in gross floor area. This includes but is not limited to a small food store, a drug store or variety stores selling confectionery tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, or the rental of videos. This does not include retail, drug paraphernalia.

RETAIL, DRUG PARAPHERNALIA means a premise where drug paraphernalia is offered for sale, trade or distribution. This does not include:

- a licensed pharmacy under Section 5 of the Pharmacy and Drug Act, R.S.A. 2000, c. P-13;
- a medical practice, operated by a physician, dentist or pharmacist as defined in the Health Professions Act, R.S.A. 2000, c. H-7; or
- a veterinary practice, as defined in the Veterinary Profession Act, R.S.A. 2000, c. V-2.

RETAIL, GENERAL means a premise where goods, merchandise, other materials, and personal services are offered for retail sale to the general public and includes limited on-site storage or seasonal outdoor sales to support that store's operations. Ancillary services such as but not limited to postal outlets or cleaning appliance rentals, are permitted within a general retail premises. This includes but is not limited to a grocery, hardware, pharmacy, appliance or sporting goods store. This does not include warehouse sales, a pawnshop, a retail store requiring outdoor storage, a minor or major service station, alcohol retail, secondhand retail, or drug paraphernalia retail.

RETAIL, SECONDHAND means a premise used for the retail sale, including refurbishing and repair, of secondhand or used household goods. This includes but is not limited to the resale of items such as antiques, used furniture, major appliances, and the resale of clothing, jewelry, stereos and musical instruments. This does not include a pawnshop, a flea market, an auctioneering establishment, the sale of used vehicles, recreation craft, construction and industrial equipment, or retail, drug paraphernalia.

RIGHT-OF-WAY means a legal document where land is required for an easement or a purpose incidental to the undertaking for which a right-of-way is required.

RIPARIAN AREA means transitional areas between upland and aquatic ecosystems. Riparian areas usually have soil, biological and other physical characteristics that reflect the influence of water and hydrological processes.

RISK means the measure of the probability and severity of an adverse effect due to a hazard.

RISK ASSESSMENT means the characterization of the likelihood and importance of risks. Risk assessments involve estimating:

- the likelihood or expected frequencies of undesirable events;
- consequences to people of these undesirable events; and
- the associated risk in quantitative terms based upon based upon Major Industrial Accidents Council of Canada (MIACC) principles.

RISK ASSESSMENT, QUANTITATIVE means the evaluation (in numerical terms) of the likelihood of undesired events and the likelihood of harm or damage being caused together with the significance of the results.

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. This does not include a highway.

ROAD, FLANKING means a road that abuts a side lot line.

ROAD, RURAL means a road outside of the Urban Service Area, that is not a highway, or located within a designated hamlet or a subdivision.

ROOFLINE means the horizontal line made by the intersection of the wall of the building with the roof of the building or the top of the edge of the parapet. In the case of a building with a pitched roof, the roofline shall be at the eave level.

S

SATELLITE DISH means an accessory structure designed to send or receive telecommunication signals from a satellite.

SCHOOL BUS PARKING* means the overnight parking of operational and licensed school bus or buses on a lot. This does not include recreational vehicle storage.

SEASONAL DECORATION means temporary ornaments and displays erected in conjunction with seasonal or holiday activities such as Christmas or Canada Day, where such ornaments and displays contain no local or general advertising of specific commercial services, merchandise, or entertainment.

SECONDARY SUITE* means an accessory use consisting of one additional self-contained dwelling unit located within a single dwelling. A secondary suite shall not be located in a duplex, semi-detached, multiple, townhouse, agricultural, family care, temporary or apartment dwelling. This does not include boarding/lodging houses.

SENIOR CITIZEN HOUSING means accommodation constructed and financed in accordance with provincial legislation.

SERVICE STATION, MAJOR means a premise used for the servicing, washing, or repairing of vehicles and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories. Major service stations may include restaurants or specialty food services as accessory uses. Truck stops and highway service stations are included in this use.

SERVICE STATION, MINOR means a premise used for the washing, servicing or repair of vehicles within a building containing not more than three service bays and for the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.

SETBACK means the measured distance from a lot line to a building or structure or any other feature specified by this Bylaw. A setback is not a yard or amenity space.

SHOPPING CENTRE means one or more buildings containing more than six retail stores and other businesses exceeding 2500 m^2 of gross floor area, which share common services, parking, and other facilities on one or more lots.

SITE means an area of land consisting of one (1) or more abutting lots.

SITE COVERAGE means the ratio of the ground floor area of all existing or proposed buildings to the lot area (or site area). Within this Bylaw, site coverage shall be expressed as a percentage. The calculation of site coverage shall not include steps, eaves, cornices, cantilevered balconies, and similar projections, open courtyards, decks, terraces, patios, driveways, aisles, and parking spaces (unless part of a parking garage that extends more than 1.0 m above grade).

SITE DEPTH means the average horizontal distance between the front and rear lot lines.

SITE GRADING means any work, operation or activity resulting in a disturbance of the earth. This includes the removal of topsoil or borrow, the stock piling, excavating, trenching, backfilling, filling, land levelling, re-contouring, and grading other than for

the purpose of an approved development. This does not include aggregate extraction, tree clearing, dugouts or the installation or removal of any landscaping required by this Bylaw.

SLEEPING UNIT means a habitable room, or a group of two or more habitable rooms, which are not equipped with self-contained cooking facilities, and which provide accommodation for overnight guests. In a bed and breakfast, a sleeping unit shall not be designed to accommodate more than two adults. In agricultural housing (accessory), a sleeping unit shall not be designed to accommodate more than one adult.

SOLAR COLLECTOR means a non-reflective accessory structure attached to a building used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy.

SPECTATOR SPORT means indoor and outdoor facilities intended for sports and athletic events that are held primarily for public entertainment, where patrons attend on a recurring basis. This includes gymnasiums, stadiums, and arenas.

STOREY means that portion of a building which is situated between the top of any floor and the top of the floor next above it. Where there is no above floor, that portion between the top of such floor and the ceiling above it shall be considered a storey.

STOREY, FIRST means the storey having its floor level not more than 2.0 m above building grade.

STRUCTURAL ALTERATION means any change or addition to the supporting members of a structure, including the foundations, bearing walls, rafters, columns, beams, and girders.

STRUCTURE means a development of any kind whether fixed to, supported by, or sunk into land or water including but not limited to towers, flag poles, swimming pools, docks, signs, storage tanks and excludes areas of hard surfacing.

STRUCTURE, ACCESSORY (see structure, accessory)

SUBDIVISION means the division of a parcel of land by an instrument and “subdivide” has a corresponding meaning.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means a Subdivision and Development Appeal Board established under Division 3 of the Municipal Government Act.

T

TANDEM PARKING means two parking spaces, one behind the other, with a common or shared point of access to a maneuvering aisle, lane or road.

TEMPORARY SHELTER SERVICE means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time.

TOP OF BANK means the top of a water body's valley or ravine. Where a bank is not well defined (i.e. in the case of lakes and wetlands) the top of bank shall be equivalent to the 1:100 year floodplain.

TREE CLEARING means the cutting down and/or removal of trees other than for commercial logging. It does not include the removal of any landscaping required by this Bylaw. In all Zoning Districts, tree clearing shall be considered to be a discretionary use.

TRUCK AND MANUFACTURED HOME SALE/RENTAL means a premise used for the on-site sale or rental of new or used trucks, recreational vehicles, manufactured homes, manufactured home (singlewides), automobiles together with incidental maintenance services and the sale of parts and accessories. This includes but is not limited to truck dealerships, recreational vehicle sales and manufactured home dealerships.

U

UNSUBDIVIDED QUARTER SECTION means a quarter section of land that has not been subdivided, except for the creation of a public utility or a former school site, or for the purposes referred to in Section 618 of the Municipal Government Act.

URBAN SERVICE AREA means the boundaries of the hamlet of Sherwood Park as designated in Ministerial Order 700/84 as amended from time to time or as repealed and replaced from time to time.

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is, or may be, occupied and maintained.

USE, ACCESSORY (see accessory use)

USE, DISCRETIONARY means those uses of land, buildings or structures for which a development permit may be approved or refused at the discretion of the Development Officer.

USE, NON-CONFORMING means a lawful specific use:

- being made of land or a building or intended to be made of a building lawfully under construction at the date a Land Use Bylaw affecting the land or building becomes effective; and
- that on the date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.

USE, PERMITTED means those uses of land, buildings, or structures for which a development permit shall be approved by the Development Officer, if the development meets all applicable regulations of this Bylaw.

USE, PRINCIPAL means a use that, in the opinion of the Development Officer:

- occupies the major or central portion of a lot or site; or
- is the chief or main building or use among one or more buildings or uses on a site; or
- that constitutes, by reason of its use, the primary purpose for which the site is used.

There shall be no more than one principal use on each site, except as where indicated in this Bylaw.

USE, PROHIBITED means a use listed in an overlay Zoning District as a prohibited use for which the Development Officer shall not accept a development permit application for that use regardless if the use is permitted or discretionary in the underlying Zoning District.

UTILITY SERVICE, MAJOR means a facility for utility infrastructure purposes which is likely to have a major impact on adjacent uses by virtue of their potential emissions or effects, or their appearance. This includes but is not limited to sewage treatment plants, water treatment plants, major pump houses, water towers or storage tanks, sewage lagoons, snow dumping sites, sludge disposal beds, garbage transfer and compacting stations, power terminal and distributing stations, power generating stations, cooling plants, equipment and material storage yards for vehicles, utilities and services, district heating plants, incinerators, and waste recycling plants. This does not include waste management sites.

UTILITY SERVICE, MINOR means a facility for utility infrastructure purposes which is likely to have only minor impact on the environment or adjacent land uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. This includes but is not limited to telephone exchanges, switching centres, surface reservoirs or storm water lakes, minor pump houses, wireless communication facilities, transit terminals, district energy and/or heating systems, and gate stations for natural gas distribution.

V

VARIANCE means the flexibility that may be exercised by the Development Officer to vary the regulations of this Bylaw.

VEHICLE means any motor vehicle as defined in the Traffic Safety Act.

VEHICLE, HEAVY means any vehicle, with or without a load, which exceeds either a length of 12.5 m or a maximum gross vehicle weight of 5,500 kg. Heavy vehicle does not include recreational vehicles or school buses.

VEHICLE, HOME BUSINESS (see home business vehicle)

VEHICLE REPAIR, MAJOR means the servicing and mechanical repair of automobiles, light trucks and utility vehicles, motorcycles, snowmobiles, recreational vehicles, and similar vehicles or the sale, installation or servicing of related accessories and parts. This includes but is not limited to transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops but does not include autobody repair, paint shops or wrecking yards.

VEHICLE REPAIR, MINOR means the servicing and mechanical repair of automobiles, light trucks and utility vehicles, motorcycles, snowmobiles, and similar vehicles. This does not include transmission shops, muffler shops, tire shops, automotive glass shops, upholstery shops, autobody repair, paint shops, or wrecking yards.

VEHICLE SALE/RENTAL means the retail sale or rental of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles, together with incidental maintenance services, sales of parts and accessories. This includes automobile dealerships but does not include dealerships for the sale of trucks with a gross vehicle weight of more than 4,100 kg or the sale of motor homes with a gross vehicle weight rating of more than 5,500 kg or a length greater than 6.7 m. This does not include truck and manufactured home sales/rentals.

VEHICULAR-ORIENTED USE means a use that predominantly caters to automotive vehicular traffic. Vehicular-oriented uses include but are not limited to gas bars, service stations, financial institutions, drive-in and drive-through services.

VERMICULTURE means development for the raising and production of earthworms for use as bait, composting or soil aeration.

VETERINARY SERVICE, MAJOR means the care and treatment of animals including livestock, where the veterinary service primarily involves outpatient care and medical procedures involving hospitalization for fewer than four (4) days. Typical uses include veterinary clinics and veterinary offices for the care of small animals and livestock. This use may include accessory outdoor storage.

VETERINARY SERVICE, MINOR means the care and treatment of animals where the on-site veterinary service primarily involves outpatient care and minor medical procedures involving hospitalization for fewer than four (4) days for small animals. Typical uses include pet clinics but not a domestic animal boarding facility, domestic animal breeding facility, animal hospital or animal shelter.

W

WALKWAY means a right-of-way intended to carry pedestrian and non-motorized traffic only, except that a walkway may be designed for maintenance and emergency vehicle use.

WAREHOUSE SALES means a premise used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the

purchaser or consumer. This includes but is not limited to development where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials.

WAREHOUSE AND STORAGE means the use of a building that may include outdoor accessory storage primarily for the keeping of goods and merchandise. This does not include the storage of dangerous or hazardous materials, inoperable vehicles (or parts thereof), or any waste material.

WASTE MANAGEMENT, MAJOR means a site used primarily for the storage, processing, treatment and disposal of solid and/or liquid wastes, which may have adverse environmental impact on adjacent sites by virtue of potential emissions and/or appearance. This includes sanitary landfills, garbage transfer and compacting stations, recycling facilities or incinerators.

WASTE MANAGEMENT, MINOR means a site used for the storage, disposal and filling of clean clay, waste concrete and paving materials, non-noxious scrap building materials, and similar non-hazardous wastes which normally do not generate any environmental pollution to the site and surrounding lands.

WATER BODY means any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to wetlands and aquifers as defined by the Water Act.

WATERCOURSE as defined in the Environmental Protection and Enhancement Act means:

- the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water; or
- a canal, ditch, reservoir or other artificial surface feature made by humans, whether it contains or conveys water continuously or intermittently;

This does not include a municipal stormwater management facility.

WETLAND means land saturated with water long enough to promote wetland or aquatic processes.

WIND ENERGY CONVERSION SYSTEM (WECS)* means the equipment, machinery or structures utilized in connection with the conversion of the kinetic energy available in the wind into mechanical energy. This includes a tower, rotor blades and nacelle.

WECS, LARGE means a freestanding single turbine structure that has a manufacturer's maximum rated output of 300 kW or greater and is greater than 60.0 m in height.

WECS, MICRO means a turbine that has a manufacturer's maximum rated output of less than 10 kW or less and is intended for on-site purposes only. A WECS, micro is a permitted use in any zoning district.

WECS, SMALL means a freestanding single turbine structure that has manufacturer's maximum rated output of 10 kW or greater but less than 300 kW and is intended for on-site purposes only.

WECS BLADE or **BLADE** means an element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

WECS BLADE CLEARANCE or **CLEARANCE** means in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

WECS GUY WIRE or **GUY WIRE** means a cable or wire used to support a tower.

WECS HORIZONTAL AXIS ROTOR means a WECS, where the rotor is mounted on a downward 5 percent angle to the earth's surface.

WECS NACELLE or **NACELLE** means the frame and housing at the top of the tower that encloses the gearbox and generator and protects them from the weather.

WECS NAME PLATE CAPACITY means the manufacturer's maximum rated output of the electrical generator found in the nacelle of the WECS.

WECS OVER SPEED CONTROL means a device which prevents excessive rotor speed.

WECS ROTOR'S ARC means the largest circumferential path traveled by a WECS blade.

WECS 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.

WECS TOWER or **TOWER** means the structure which supports the rotor above grade.

WECS VERTICAL AXIS ROTOR means a WECS where the rotor is mounted on an axis perpendicular to the earth's surface.

WIRELESS COMMUNICATION FACILITY* means the components, either individually or in combination, needed to operate wireless transmitters or receivers, antennas, control equipment, and possible equipment shelter. A wireless communication facility is not normally staffed on a permanent basis and only requires periodic maintenance.

WRECKING YARD means any land or building used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials including scrap metal, vehicles not in operable condition or used parts of motor vehicles machinery, and other discarded materials.

Y

YARD, FRONT means the portion of a lot or site abutting the front lot line extending across the full width of the lot or site, situated between the front lot line and the nearest wall of the principal building, not including projections.

YARD, REAR means the portion of a lot or site abutting the rear lot line extending across the full width of the lot or site, situated between the rear lot line and the nearest wall of the principal building, not including projections.

YARD, SIDE means that portion of a lot or site abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between the side lot line and the nearest wall of principal building, not including projections.

Z

ZONING DISTRICT means an area of the County as defined in Parts 7 to 11 and described on the zoning district maps of Schedules “A” and “B” in this Bylaw.