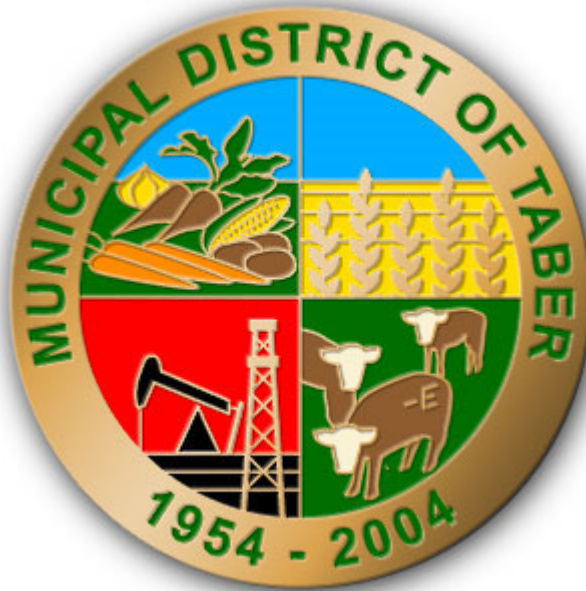


# **LAND USE BYLAW NO. 1722**



**January 2004**  
**Consolidated to Bylaw No. 1944, March 2019**



## MUNICIPAL DISTRICT OF TABER

### BYLAW NO. 1722

**BEING a bylaw of the Municipal District of Taber in the Province of Alberta, for the purpose of adopting Bylaw No. 1722 being the municipal Land Use Bylaw.**

WHEREAS the Council of the Municipal District of Taber has reviewed its current land use bylaw due to its age and amendments to the Municipal Government Act, RSA 2000, Chapter M-26 and the Agricultural Operations Practices Act regarding confined feeding operations;

AND WHEREAS the purpose of proposed Bylaw No. 1722 is to establish standards, procedures and policies regarding the use and development of land within the municipality;

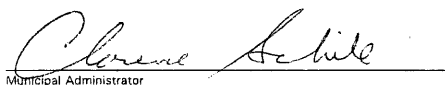
AND WHEREAS the municipality wishes to provide for orderly growth and development to occur while minimizing land use conflicts;

AND WHEREAS the municipality must adopt a land use bylaw pursuant to section 639 of the Municipal Government Act, RSA 2000, Chapter M-26 and provide for its consideration at a public hearing;

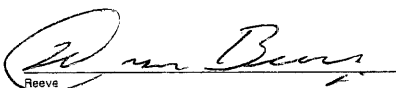
NOW THEREFORE under the authority and subject to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26, the Council of the Municipal District of Taber duly assembled does hereby adopt Bylaw No. 1722 being the municipal Land Use Bylaw. (Land Use Bylaw No. 1650 is hereby repealed upon the passage of the third and final reading of Bylaw No. 1722.)

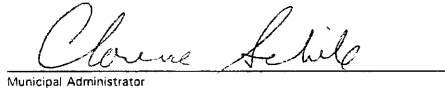
Read a **first time** this 10<sup>th</sup> day of June, 2003.

  
Reeve

  
Municipal Administrator

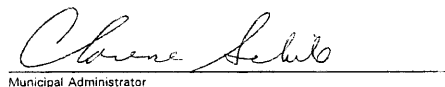
Read a **second time** this 12<sup>th</sup> day of August, 2003.

  
Reeve

  
Municipal Administrator

Read a **third time** and finally PASSED as amended this 13<sup>th</sup> day of January, 2004.

  
Reeve

  
Municipal Administrator



## Municipal District of Taber Land Use Bylaw No. 1722 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
1733	"Rural/Urban Fringe – R/UF" to "Grouped Country Residential – GCR"	Portion of SW 36-9-17-W4M	12-Oct-2004
1750	"Rural Agricultural – RA" to "Grouped Country Residential – GCR"	Parcel A, Plan 2698JK and a portion of NE 3-10-16-W4M	8-Jan-2008
1751	"Rural Agricultural – RA" to Grouped Country Residential – GCR"	Portion of NW 21-9-16-W4M	11-Jul-2006
1756	Text changes to Schedule 2 and Schedule 8		10-Oct-2006
1759	"Rural Agricultural – RA" to "Private Commercial Recreation – PCR"	Portion of NE 30-10-16-W4M	13-Feb-2007
Council Motion	Amend Appendix 1 as follows: The Rate of Appeal for SDA be changed from \$100.00 to \$400.00 with \$300.00 being refundable upon a successful appeal and the Special Meeting Fee be set at \$750.00		13-Mar-2007
1761	"Rural Agriculture – RA" to "Grouped Country Residential – GCR"	Portion of NW 21-9-16-W4M	10-Apr-2007
1762	"Rural Agriculture – RA" to "Grouped Country Residential – GCR"	Extra Road "B", Plan 011 2961 within NW 21-9-17-W4M	8-May-2007 ANNEXED
1763			DEFEATED
1764	"Hamlet Commercial - HC" to "Hamlet Residential - HR"	Lots 1 to 4, Block 1, Plan 4388BD within SE 17-14-18-W4M (Enchant)	13-Mar-2007
1768	"Rural Agriculture – RA" to "Grouped Country Residential – GCR"	Portion of SE 28-9-16-W4M	12-Jun-2007
1769	"Designated Hamlet Public & Institutional – HP/I" to "Designated Hamlet Commercial – HC"	E½ of Lot 1, Block 4, Plan 3876R within NE 36-9-17-W4M	10-Jul-2007
1772	"Rural Agricultural – RA" to "Grouped Country Residential – GCR"	Portion of LSD 5 and 6 in SW 21-9-16-W4M west of Horseshoe Lake Reservoir	9-Oct-2007
1773	"Designated Hamlet Transitional/Agricultural – HT/A" to "Designated Hamlet Residential – HR"	Lots 23-30, Block 17, Plan 0810492; Lot 22, Block 17, Plan 0512808; Lots 42-59, Block 16, Plan 0810493; Lots 7-10, 13-16, 19, Block 16, Plan 4072GX; and Park 19A, Block 16, Plan 4072GX	26-Feb-2008
1781	"Rural Agricultural – RA" to "Grouped Country Residential – GCR"	Lot 1, Block 1, Plan 9612656 within SW 18-11-14-W4M	12-Aug-2008
1783	"Rural/Urban Fringe – R/UF" to "Rural Highway Commercial – RHC"	Lot 3, Block 2, Plan 0211517 within SW 11-13-16-W4M	12-Aug-2008
1784	"Rural Agricultural – RA" to "Grouped Country Residential – GCR"	Lot 1, Block 1, Plan 0715186 within SW 36-10-16-W4M	DEFEATED
1789	"Rural Agricultural – RA" to "Grouped Country Residential – GCR"	N½ of the SW 29-9-16-W4M	DEFEATED
1792	"Rural Agricultural – RA" to "Grouped Country Residential – GCR"	Lot 1, Block 1, Plan 0711243 within SE 17-9-16-W4M	14-Apr-2009
1794	Establish regulations for ancillary residential structures in the "Grouped Country Residential – GCR" and Designated Hamlet Residential – HR" land use districts		9-Jun-2009

Bylaw No.	Amendment Description	Legal Description	Passed
1796	"Designated Hamlet Transitional/Agricultural – HT/A" to "Designated Hamlet Commercial – HC"	Block 20, Plan 4466AA within NW 15-10-13-W4M and public lane	11-Aug-2009
1797	"Board and rooming houses" to be included as a discretionary use in the "Designated Hamlet Commercial – HC" district and definition of "Boarding house" amended to state "Board and rooming houses"		14-Apr-2009
1803	"Designated Hamlet Public and Institutional – HP/I" to "Designated Hamlet Residential – HR"	Lots 19-22, Block 3, Plan 4072GX within SW 24-13-14-W4M	11-Aug-2009
1807	"Designated Hamlet Transitional/Agricultural – HT/A" to "Designated Hamlet Residential – HR"  "Designated Hamlet Residential – HR"	Lots 26-30, Block 23, Plan 4466AA; Lots 21-38, Block 24, Plan 4466AA; Lots 1-30, Block 29, Plan 7346AU and Lots 1-24, Block 30, Plan 7346AU all within NW 15-10-13-W4M  Portions of closed lane with Blocks 23 and 24, Plan 4466AA and Blocks 29 and 30, Plan 7346AU within NW 15-10-13-W4M	9-Feb-2010  9-Feb-2010
1809	Remove forms and notices from Schedule 4, and place them in an Appendix so they can be updated by resolution of Council		9-Feb-2010
1811	"Designated Hamlet Public and Institutional – HP/I" to "Designated Hamlet Commercial – HC"	Lot 37, Block 46, Plan 4556S within NE 16-10-13-W4M	9-Mar-2010
1812	Add shipping containers as permitted, discretionary or prohibited in Schedule 2; add Schedule 12, Shipping Container Standards; Renumber Definitions to Schedule 13 and add a shipping container definition		13-Apr-2010
1819	Closed lane designated to "Designated Hamlet Residential – HR"	The portion of closed lane within Block 16, Plan 7359GX adjacent to Lots 28 and 29, Block 16, Plan 7359GX in SW 24-13-14-W4M	13-Sep-2011
1822	Add "Section 13, Servicing Standards" to Schedule 5, General Standards of Development		12-Apr-2011
1826	"Rural Agricultural – RA" to "Grouped Rural Industrial – GRI"	Lot 1, Block 1, Plan 0710605	12-Jul-2011
1830	"Grouped Country Residential – GCR" to "Rural Agricultural – RA"	Lots 1 and 2, Block 2, Plan 0613903	12-Jul-2011
1831	Amend Schedule 2, Section 1(c) Prohibited Land Uses in the "Rural Agricultural – RA" and "Designated Hamlet Residential – HR" districts		12-Jul-2011
1835	Amend certain land use districts to include the uses "sectional or modular dwelling", "moved-in dwelling" and "manufactured home" and update the application requirements and minimum standards for previously occupied dwellings		8-Nov-2011
1836	"Grouped Rural Industrial – GRI" to "Rural Agricultural – RA"	Portion of SW 30-9-18-W4M	8-Nov-2011
1838	"Designated Hamlet Industrial – HI" to "Designated Hamlet Commercial – HC"	Lots 1 - 3, Block 23, Plan 4466AA; Lots 13 - 30, Block 24, Plan 4466AA; Lot 45, Block 24, Plan 1013680; Lots 46-47, Block 24, Plan 1014862; All within NW 15-10-13-W4M	13-Mar-2012
1843	"Designated Hamlet Public and Institutional – HP/I" to "Designated Hamlet Residential – HR"	Lots 1 and 2, Block 4, Plan 4072GX within SW 24-13-14-W4M	27-Nov-2012

Bylaw No.	Amendment Description	Legal Description	Passed
1844	Text amendments to increase the maximum square footage for ancillary residential structures and establish a maximum square footage for the combined total of all ancillary residential structures in the “Grouped Country Residential – GCR” district, and clearly stipulate when a development permit is not required for the installation of public utilities.		29-Jan-2013
1850	“Rural Agricultural – RA” to “Private Commercial Recreation – PCR”	Portion of SE 35-10-17-W4M	11-Jun-2013
1855	Add a new “Rural Industrial Class C” district, clarify the definition for home occupation, and categorize abattoirs, animal processing plants and Rural Industrial Class C as discretionary uses in the Rural Urban Fringe – R/UF” district.		10-Sep-2013
1863	Renumber Schedule 13, “Definitions of Bylaw Terminology” to “Schedule 14” and add a new “Schedule 13, “Telecommunication, Radiocommunication and Broadcasting Antenna Systems Siting Protocol” and other various text amendments.		8-Nov-2013
1866	“Designated Hamlet Transitional/Agricultural – HT/A” to “Designated Hamlet Residential – HR”  “Designated Hamlet Transitional/Agricultural – HT/A” to “Designated Hamlet Commercial – HC”	Lots 35-40, Block 41, Plan 4556S; Lots 1-6 and 33-40, Block 43, Plan 4556S; Lots 1-40, Block 44, Plan 4556S; Lots 1-20, Block 47, Plan 4556S; and Lots 1-8, Block 48, Plan 4556S within NE 16-10-13-W4M  Lots 21-40, Block 47, Plan 4556S; and Lots 31-40, Block 48, Plan 4556S within NE 16-10-13-W4M	11-Mar-2014
1871	“Rural Agricultural – RA” to “Grouped Rural Industrial – GRI”	Block 1, Plan 9411865 and Portion of SW 23-10-13-W4M	RESCINDED
1872	“Rural Agricultural – RA” to “Grouped Rural Industrial – GRI”	Lot 1, Block 1, Plan 9410025	13-Jan-2015
1876	Add a new “Direct Control – DC” land use district		9-Jun-2015
1877	“Hamlet Commercial – HC” to “Direct Control – DC”	Lots 1-3, Block 23, Plan 4466AA Lots 13-16, Block 24, Plan 4466AA Lots 17-20, Block 24, Plan 4466AA within NW 15-10-13-W4M	9-Jun-2015
1883	“Rural Agricultural – RA” to “Grouped Country Residential – GCR”	Lot 1, Block 3, Plan 0713841 & Portion of SE 36-9-17-W4M	11-Aug-2015
1885	“Rural/Urban Fringe – R-UF” to “Rural Agricultural – RA”	Portion of SE 13-10-17-W4M	8-Sep-2015
1886	Section 3 of Bylaw No. 1876 and Section 4 of Bylaw No. 1877 are amended to change “Schedule 14” to read “Schedule 15”		11-Aug-2015
1887	“Designated Hamlet Commercial – HC” to “Designated Hamlet Public/Institutional – “HP/I”	Lots 32-33 and 34-40, Block 22, Plan 4466AA	13-Oct-2015
1892	Various text amendments regarding “Solar energy systems”		28-Jun-2016
1896	Amend Section 15(f), Suitability of Sites		23-Aug-2016

Bylaw No.	Amendment Description	Legal Description	Passed
1899	"Rural Agricultural – RA" to "Grouped Country Residential – GCR"	All of LSD 5 and a portion of LSD 6 in the SW 21-9-16-W4M	25-Oct-2016
1902	"Hamlet Transitional/Agricultural – HT/A" to "Direct Control – DC"; Add Bylaw 1902 to the Direct Control district	Block 37, Plan 8210320	11-Apr-2017
1907	Text amendments to classify non-temporary shipping containers as a discretionary use in the "Private Commercial Recreation – PCR" district		11-Jul-2017
1914	"Designated Hamlet Residential – HR" to "Designated Hamlet Industrial – HI"	Lot 6, Block 8, Plan 7910775 and Lot 7, Block 8, Plan 7910775	DEFEATED
1920	"Designated Hamlet Residential – HR" to "Direct Control – DC"	Lot 6, Block 8, Plan 7910775 and Lot 7, Block 8, Plan 7910775	24-Apr-2018
1936	Various text amendments to clarify the role of approval authorities, update administrative processes and timelines for determining complete applications and issuing notification for development and subdivision, update appeal timelines, clarify development agreement standards, etc.		14-Aug-2018
1941	Various text amendments to include a retail cannabis store and a cannabis production facility as discretionary uses in specified land use districts, establish accompanying use specific requirements and locational criteria, and add and amend applicable definitions		11-Dec-2018
1943	Correction to Bylaw 1941 whereby the section classifying a "Retail cannabis store" as a discretionary use in the "Designated Hamlet Commercial – HC" district was inadvertently omitted		26-Feb-2019



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**APPENDIX 1 – FEES, FORMS AND NOTICES**

FORM A	Development Permit Application
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FORM C	Notice of Decision
FORM D	Development Permit
FORM E	Application for a Land Use Bylaw Amendment

**APPENDIX 2 – Excerpt from: CODE OF PRACTICE - MINIMUM DISTANCE SEPARATION**



# **MUNICIPAL DISTRICT OF TABER**

## **LAND USE BYLAW NO. 1722**

**Whereas** the Council of the Municipal District of Taber intends to foster orderly growth and development in the municipal district; and

**Whereas** the Council of the Municipal District of Taber has established a rationale for sound land use decisions in the municipal district through the Municipal District of Taber Municipal Development Plan; and

**Whereas** the Council of the Municipal District of Taber recognizes that municipal development plans and other statutory plans of the municipal district may be implemented through a land use bylaw; and

**Whereas** section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, authorizes the Council of the Municipal District of Taber to pass a land use bylaw;

**Now therefore** the Council of the Municipal District of Taber hereby enacts the following:

### **TITLE**

1. This bylaw may be cited as the Municipal District of Taber Land Use Bylaw No. 1722.

### **DATE OF COMMENCEMENT**

2. This bylaw shall come into effect upon third and final reading thereof.

### **REPEAL OF FORMER LAND USE BYLAW**

3. Bylaw No. 1650, being the current Land Use Bylaw of the Municipal District of Taber is repealed upon third and final reading of this bylaw.

### **AMENDMENTS TO THE BYLAW**

4. The Council may amend this bylaw at any time in accordance with the procedures detailed in section 692 of the Act.

### **COMPLIANCE WITH AND CONTRAVENTION OF THE LAND USE BYLAW**

5. A person who develops land or a building in the municipality shall conform with:
  - (a) the use or uses prescribed in Schedule 2;
  - (b) the applicable standards and requirements of development specified in Schedules contained in this bylaw;
  - (c) any conditions attached to a development permit if one is required.
6. Every person who contravenes any provision of this bylaw is guilty of an offense under section 566 of the Act and is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.

#### **DESIGNATED OFFICER**

7. (a) Pursuant to section 210 of the Municipal Government Act, Council establishes the position of designated officer to implement this bylaw.  
(b) The Council shall, by resolution, appoint one or more persons to the office of designated officer.
8. (a) The designated officer may exercise only such powers and duties as are specified:
  - (i) in this bylaw; or
  - (ii) by resolution of Council.  
(b) The designated officer is responsible for:
  - (i) receiving, determining whether a development permit application is complete, processing, deciding upon and, as appropriate, referring all applications for a development permit in accordance with this bylaw;
  - (ii) maintaining a register of all applications together with their disposition and other relevant details.

#### **DEVELOPMENT AUTHORITY**

9. The Development Authority, pursuant to the Development Authority Bylaw, may exercise only such powers and duties as are specified:
  - (a) in the Municipal District of Taber Development Authority Bylaw;
  - (b) in this bylaw; or
  - (c) by resolution of Council.

#### **SUBDIVISION AUTHORITY**

- 9.1 The Subdivision Authority, pursuant to the Subdivision Authority Bylaw, may exercise only such powers and duties as are specified:
  - (a) in the Municipal District of Taber Subdivision Authority Bylaw;
  - (b) in this bylaw; or
  - (c) by resolution of Council.
- 9.2 The Subdivision Authority may delegate, through any of the methods described in section 9.1, to any person(s), municipal staff, or regional services commission, any of its functions and duties in the processing of subdivision applications. In respect of this:
  - (a) The delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application.
  - (b) The Subdivision Authority delegate is authorized to carry out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including sending all required notifications to applicants.

#### **LAND USE DISTRICTS AND SCHEDULES**

10. The Municipal District of Taber is divided into those land use districts specified in Schedule 1 as illustrated on the Land Use District Maps.
11. Schedule 2 specifies the one or more uses of land or buildings that are:
  - (a) permitted in each land use district with or without conditions; and/or

- (b) discretionary in each land use district with or without conditions; and/or
- (c) prohibited in each land use district.

#### **DEVELOPMENT PERMIT APPLICATIONS**

- 12. (a) Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the development.
- (b) An application for a development permit must be made to the designated officer by sending to him:
  - (i) a completed development permit application (see Schedule 4 and Appendix 1); and
  - (ii) the fee prescribed in Schedule 4; and
  - (iii) such other information as may be required by the Development Authority.
- (c) An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other person.

#### **DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION**

- 12.1 (a) The designated officer shall, within 20 days after receipt of an application for a development permit submitted under section 12, determine whether the application is complete.
- (b) An application is complete, if in the opinion of the designated officer, the application contains the documents and other information necessary to review the application and is of an acceptable quality.
- (c) The time period referred to in subsection (a) may be extended by an agreement in writing between the applicant and the designated officer.
- (d) If the designated officer does not make a determination referred to in subsection (a) within the time required under subsection (a) or (c), the application is deemed to be complete.
- (e) If the designated officer determines that the application is complete, the designated officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail, or electronic means.
- (f) If the designated officer determines the application is incomplete, the designated officer shall issue to the applicant a written notice indicating the application is incomplete and specifying the outstanding documents and information to be provided. A submittal deadline for the outstanding documents and information shall be set out in the notice for the application to be considered complete. A later date may be agreed on between the applicant and the designated officer in writing to extend the submittal deadline.
- (g) If the designated officer determines that the documents and information submitted under subsection (f) are complete, the designated officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail, or electronic means.
- (h) If the required documents and information under subsection (f) have not been submitted to the designated officer within the timeframe prescribed in the notice issued under subsection (f), the designated officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused, the reason(s) for refusal, and the required information on filing an appeal.
- (i) Despite issuance of a Notice of Completeness under subsection (e) or (g), the Development Authority, in the course of reviewing the application, may request additional

information or documentation from the applicant that the Development Authority considers necessary to review the application.

#### **PROCESSING PERMITTED USE APPLICATIONS**

13. Upon receipt of a completed application for a development permit for a permitted use, the Development Authority shall, if the application conforms with this bylaw including the requirements of Section 15, issue a development permit with or without conditions pursuant to Section 17, which may include the provision of a development agreement pursuant to the Act.

#### **PROCESSING DISCRETIONARY USE APPLICATIONS**

14. (a) Upon receipt of a completed application for a development permit for a discretionary use, the designated officer shall send the application to the Development Authority.
- (b) Upon receipt of an application under subsection (a), the Development Authority may, at its discretion, hold a development hearing and notify or cause to be notified the owners of the land likely to be affected by the issue of a development permit in accordance with Section 18.
- (c) After considering any response to the notifications to owners likely to be affected by the development and, as applicable, any comment received at a development hearing, the Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

#### **SUITABILITY OF SITES**

15. Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Subdivision Authority may refuse to approve the subdivision of a lot and the Development Authority may refuse to issue a development permit if, in the Authority's opinion, the site of the proposed building or use is not safe or suitable based on the following:
  - (a) does not have safe legal and physical access to a maintained road in accordance with municipal requirements or those of Alberta Transportation if within 1000 feet of a provincial highway or 2625 feet from the centre point of an intersection of a provincial highway and a public road;
  - (b) has a high water table which makes the site unsuitable for foundations and/or sewage disposal systems in accordance with provincial regulations;
  - (c) is situated on an unstable slope;
  - (d) consists of unconsolidated material unsuitable for building;
  - (e) is situated in an area which may be prone to flooding, subsidence or erosion;
  - (f) does not comply with the requirements of the applicable Regional Plan; Subdivision and Development Regulation; applicable Intermunicipal Development Plan; Municipal Development Plan; or applicable area structure plan or other statutory plan;
  - (g) is situated over an active or abandoned coal mine or oil or gas well or pipeline;
  - (h) would expose the structure itself and/or people living and working there to risk from the operations of a nearby airstrip;
  - (i) is unsafe due to contamination by previous land uses;
  - (j) has an inadequate or unsafe water supply;



- (k) is incompatible with all existing and approved use of surrounding land;
- (l) is situated closer to a confined feeding operation than the minimum distance separation recommended by the Natural Resources Conservation Board (NRCB);
- (m) does not meet the lot size and/or setback requirements of this bylaw;
- (n) would prevent or interfere with the natural and economic extension of a nearby developed area, a coal mine, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline or a road system; or
- (o) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

Nothing in this section shall prevent the Subdivision Authority from approving a lot or prevent the Development Authority from issuing a development permit if the Authority is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures.

#### **PROCESSING NON-COMPLYING APPLICATIONS**

16. (a) Upon receipt of a completed application for a development permit for a development that does not comply with this bylaw, but in respect of which the Development Authority is requested by the applicant to exercise discretion under subsection (c), the designated officer shall send the application to the Development Authority.
- (b) Upon receipt of an application under subsection (a), and if the Development Authority is prepared to exercise its discretion under subsection (c), it may, at its discretion, hold a development hearing and notify or cause to be notified the owners of land likely to be affected by the issue of a development permit in accordance with Section 18.
- (c) The Development Authority is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Development Authority:
  - (i) the proposed development would not:
    - unduly interfere with the amenities of the neighbourhood; or
    - materially interfere with or affect the use or enjoyment or value of neighbouring properties; and
  - (ii) the proposed development conforms with the use prescribed for that land or building in Schedule 2.
- (d) After considering any response to the notifications to owners likely to be affected by the development and, as applicable, any comment received at a development hearing, the Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

#### **CONDITIONS OF APPROVAL**

##### **17. (a) Permitted Uses**

Notwithstanding that a use of land may be permitted in a land use district, the Development Authority may place any of the following conditions in addition to a development agreement on the development permit to ensure any concerns over the suitability of the development are satisfied:

- (i) geotechnical investigation to ensure the site is suitable in terms of topography, soil characteristics, flooding subsidence, erosion and sanitary sewerage servicing;
- (ii) will be legally and physically accessible to a municipal road or if within 1000 feet of a provincial highway or 2625 feet from the centre point of an intersection of a

provincial highway and a public road will meet the requirements of Alberta Transportation;

- (iii) alteration of structure or building size or location to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
- (iv) any measures to ensure any other requirements of this land use bylaw are complied with;
- (v) any measures to ensure applicable provincial legislation such as the Safety Codes Act, federal legislation, and/or other municipal legislation and approvals are complied with;
- (vi) easements and/or encroachment agreements;
- (vii) building floor plans;
- (viii) provision of public utilities and vehicular and pedestrian access;
- (ix) provision of security to ensure the terms of the permit approval are carried out; and
- (x) time periods stipulating completion of development.

(b) **Discretionary Uses**

The Development Authority may place any of the above conditions on a development permit for a discretionary use in any land use district in addition to any other reasonable conditions to ensure the quality of a development and its compatibility with other existing and approved uses in the area.

**DEVELOPMENT HEARING NOTIFICATION PROCEDURES**

18. (a) Upon receipt of an application under Sections 14 or 16, the Development Authority may, at its discretion, hold a development hearing and notify or cause to be notified any persons likely to be affected by the proposed development by immediately:
- (i) mailing a notice in writing to any person who, in the opinion of the Development Authority may be affected; or
  - (ii) posting a notice conspicuously on the property for which the application has been made; or
  - (iii) placing a notice in a newspaper circulating in the Municipal District of Taber stating:
    - the nature and location of the application;
    - the place and time the Development Authority will meet to consider the application; and
    - the manner in which affected persons may present their concerns;
  - (iv) posting a notice prominently on the Municipal District of Taber official website or official social media site(s);
  - (v) or any combination of the above.
- (b) Notice shall be given under subsection (a) at least 21 days before the development hearing for notice provided by mail under subsection (a)(i) and at least 14 days before the development hearing for notice provided by other means under subsections (a)(ii), (iii) and (iv).
- (c) Any person notified in accordance with subsection (a) and who wishes to comment on the application should notify the Development Authority of this intention in advance of the development hearing. The Development Authority may, at its discretion, accept comment from persons at the development hearing who did not provide notification of their intention to comment.

#### **DEVELOPMENT PERMIT NOTICE OF DECISION**

19. (a) A decision of the Development Authority on an application for a development permit must be issued:
- (i) in writing to the applicant in accordance with subsection (b); and
  - (ii) to any persons likely to be affected by or appeal the decision of the Development Authority by:
    - (1) mailing a notice (postal service or electronic mail), or
    - (2) posting a notice conspicuously on the property for which the application has been made, or
    - (3) placing a notice in a newspaper circulating in the Municipal District of Taber, or
    - (4) posting a notice prominently on the Municipal District of Taber official website or official social media site(s),
    - (5) or any combination thereof.
- (b) The designated officer will give (hand delivery) or send a copy (postal service or electronic mail) of the written decision, which specifies the date on which the decision was given, to the applicant on the same day the decision is given.
- (c) For the purposes of subsection (c), the “date on which the decision was given” means:
- (i) the date the decision is posted on the property for which the application has been made, or
  - (ii) the date the decision is posted in the newspaper circulating in the Municipal District of Taber, or
  - (iii) the date the decision is posted on the MD of Taber official website or official social media site(s),
- whichever occurs later.

#### **DEVELOPMENT DEEMED REFUSED**

20. (a) In accordance with section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused and may be appealed when the decision of the Development Authority as the case may be, is not made within 40 days after the acknowledgement of a complete application under section 12.1(e) or (g).
- (b) The 40 day time period referred to in subsection (a) may be extended by an agreement in writing between the applicant and the Development Authority.
- (c) Subsection (a) does not apply in the case of a development application deemed to be refused under section 12.1(h).

#### **DEVELOPMENT COMMENCEMENT**

21. Notwithstanding the issue of a development permit, no development authorized by the issue of a permit shall commence:
- (a) until at least 21 days after notice of the issuance of the permit, in accordance with section 19; or
  - (b) if an appeal is made, until the appeal is decided upon.
  - (c) Any development occurring prior to the dates determined under (a) and (b) is entirely at the risk of the applicant, developer or land owner.

#### **DEVELOPMENT APPEALS**

22. (a) Any person applying for a development permit or any other person affected by any order, decision, or development permit made or issued by the Development Authority may appeal to the Municipal District of Taber Subdivision and Development Appeal Board in accordance with the procedures detailed in the Act.
- (b) An appeal shall be commenced by serving a written notice of the appeal with reasons to the Municipal District of Taber Subdivision and Development Appeal Board and shall be accompanied by the applicable fees within:
- (i) 21 days after the date on which the written decision was given in accordance with section 19 (see section 19(c) for definition of “date on which the decision was given”), or
  - (ii) 21 days after expiry of the 40 day period under section 20(a) or the extension period granted under section 20(b) if no decision was made on the application, or
  - (iii) 21 days after the date of which a stop order is made under section 645 of the Act.

#### **REAPPLICATION FOR DEVELOPMENT**

23. If an application for a development permit is refused by the Development Authority or on appeal by the Subdivision and Development Appeal Board, another application for a development on the same lot, and for the same or similar use, may not be made for at least 6 months from the date of refusal.
24. If a land use bylaw amending bylaw is defeated by Council, another amending bylaw for the same or similar purpose may not be made for at least six months from the date of the bylaw defeat.

#### **PERMIT VALIDITY**

25. (a) Unless a development permit is suspended or cancelled, a development permit remains in effect for 12 months after the date of its issue.
- (b) The validity of a development permit may be extended by the Development Authority for up to 18 months from the date of its issue.

#### **PERMITS – Transferable**

26. (a) A valid development permit is transferable, excepting a development permit issued for a home occupation, where the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.
- (b) When any use has been discontinued for a period of one year or more, any development permit that may have been issued is no longer valid and said use may not be re-established until a new application for a development permit has been made and a new development permit issued.

#### **PERMIT SUSPENSION**

27. If, after a development permit has been issued, the Development Authority becomes aware that:
- (a) the application for the development permit contained a serious misrepresentation; or

- (b) facts concerning the application or the development that were not disclosed, and which should have been disclosed at the time the application was considered, have subsequently become known;

the Development Authority may suspend the development permit by notice in writing to the holder of it.

28. If a development is suspended, the Development Authority shall forthwith hold a hearing and may:
- (a) reinstate the development permit; or
  - (b) if the Development Authority would not have issued the development permit if the facts subsequently disclosed had been known by him or it during his or its consideration of the application, cancel the development permit.

#### **DEVELOPMENT STOP ORDER**

29. The Development Authority is authorized to issue an order under section 645 of the Act whenever he considers it necessary to do so.

#### **SIMILAR USES**

30. Where an application is made for any use not specifically allowed in a land use district, but is reasonably similar in character and purpose to a permitted or discretionary use in that district, the Development Authority may:
- (a) rule that the proposed use may be allowed with or without conditions; and
  - (b) issue a development permit in accordance with Sections 13 or 14 as the case may be.

#### **TEMPORARY USES**

31. Where, in the opinion of the Development Authority, a proposed use is of a temporary nature:
- (a) they may issue a temporary development permit valid for a period not exceeding one year;
  - (b) it shall be a condition of every temporary development permit that the municipality shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;
  - (c) the Development Authority may require the developer(s) to post a bond guaranteeing the cessation or removal of work at the end of the period;
  - (d) the use must be a permitted or discretionary use.

#### **NUMBER OF DWELLINGS ON A LOT**

32. (a) Subject to the following subsections, no person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel or on the prescribed lot size within a hamlet.
- (b) The Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
- (i) is to be occupied by a person who is engaged on a full-time basis for at least six months each year in an agricultural pursuit;
  - (ii) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units;

- (iii) is a mobile home forming part of a park for mobile home units; or
  - (iv) is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a land titles office under that Act.
- (c) The Development Authority shall issue a development permit to a person that would permit the construction or location of a second dwelling unit on a parcel if the parcel has an area of at least 80 acres.
- (d) The Development Authority may, in a development permit, exempt any person or land from the operation of subsection (a) if:
  - (i) the dwelling is temporary in nature;
  - (ii) the permit has an expiry time;
  - (iii) the second dwelling meets the minimum distance separation calculation for livestock confinement operations;
  - (iv) the dwelling be located in such a way as not to encourage further subdivision.

#### **COMPLIANCE WITH OTHER LEGISLATION**

33. An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any federal, provincial or other municipal legislation; or the condition of any easement, covenant, building scheme or development agreement affecting the building or land.

#### **FEES, FORMS AND NOTICES**

34. (a) For the purposes of administering the provisions of this bylaw, Council may authorize by separate resolution the preparation and use of such fee schedules, forms, or notices as in its discretion it may deem necessary. Any such fee schedules, forms, or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued.
- (b) Application fees, forms and notices are included in Appendix 1.

#### **APPENDICES**

35. Appendices 1 and 2 attached hereto are for information purposes only and do not form part of the Municipal District of Taber Land Use Bylaw.

#### **DEVELOPMENT AGREEMENTS**

36. (a) The Development Authority may require, with respect to a development, that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to the section 650(1) of the Act, to do any or all of the following:
- (i) to construct or pay for the construction of a road required to give access to the development;
  - (ii) to construct or pay for the construction of a pedestrian walkway system to serve the development and/or connect the pedestrian walkway system that serves or is proposed to serve adjacent development;
  - (iii) to install or pay for the installation of a public utility that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;
  - (iv) to construct or pay for the construction of off-street or other parking facilities, and/or loading and unloading facilities;

- (v) to pay an off-site levy or redevelopment levy imposed by bylaw;
- (vi) to give security to ensure that the terms of the agreement under this section are carried out.
- (b) The Subdivision Authority may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality pursuant to section 655(1) of the Act.
- (c) An agreement referred to in this section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with section 651 of the Act.
- (d) The municipality may register a caveat under the Land Titles Act with respect to an agreement under this section against the certificate of title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.
- (e) If a municipality registers a caveat under this section, the municipality must discharge the caveat when the agreement has been complied with.

## **SUBDIVISION APPLICATION RULES AND PROCEDURES**

### **SUBDIVISION APPLICATIONS**

37. An applicant applying for subdivision shall provide the required fees, materials, and information as requested by the Subdivision Authority or those authorized to act on its behalf. A complete application for subdivision shall consist of:
- (a) an application, in the manner and form prescribed, clearly and legibly completed with all the required information and signatures provided as requested on the form;
  - (b) the applicable fees paid;
  - (c) a copy of the current Certificate of Title for the land that is the subject of the application;
  - (d) a tentative subdivision plan, surveyor's sketch or accurate and legible sketch drawn to scale that shows the location, dimensions and boundaries of the proposed subdivision, existing structures, location of any private sewage disposal system and water source, and all other requirements prescribed in the subdivision application package;
  - (e) provincial abandoned gas well information; and
  - (f) any such other information as may be required to accurately evaluate the application and determine compliance with the land use bylaw, other municipal bylaws, the Subdivision and Development Regulation, or other government regulations. This may include but is not limited to, the provision of geotechnical information, soils analysis, septic feasibility analysis, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, traffic impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan.

### **DETERMINATION OF COMPLETE SUBDIVISION APPLICATION**

38. (a) In accordance with the Act, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be incomplete what information is required to be submitted within a specified time period, by sending notification in the following manner:

- (i) For an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter.
  - (ii) For an application determined to be incomplete, written notification shall be given to the applicant which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority or those authorized to act on its behalf.
  - (iii) in respect of subsection (ii) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information and documents are that must be submitted by a date specified in the notice for the application to be deemed complete.
- (b) Notwithstanding subsection (a), the applicant and Subdivision Authority or those authorized to act on its behalf may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the Act to extend the 20-day time period to determine whether the subdivision application and support information submitted is complete.
- (c) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection 38(iii) or a later date agreed on in writing between the applicant and Subdivision Authority or those authorized to act on its behalf, the application is deemed to be refused. The Subdivision Authority or those authorized to act on its behalf will notify the applicant in writing that the application has been refused and state the reason for the refusal and include the required information on filing an appeal and to which appeal board the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the Act. The notification may be sent by regular mail to the applicant, or sent by electronic means, or both.
- (d) A determination made by the Subdivision Authority or those authorized to act on its behalf that an application is complete for processing does not preclude the ability for the Subdivision Authority or those authorized to act on its behalf to request other documentation, information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.



**SCHEDULE 1**

**LAND USE DISTRICTS AND MAPS**

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**SCHEDULE 1**  
**LAND USE DISTRICTS AND MAPS**

1. (a) The municipality is divided into those districts drawn on the Land Use District Maps in this schedule.
- (b) Each district shown on the maps referred to in subsection 1(a) shall be known by the following identifying names and symbols:

RURAL AGRICULTURAL	– RA
RURAL / URBAN FRINGE	– R/UF
GROUPED RURAL INDUSTRIAL	– GRI
GROUPED COUNTRY RESIDENTIAL	– GCR
RURAL HIGHWAY COMMERCIAL	– RHC
PRIVATE COMMERCIAL RECREATION	– PCR
DESIGNATED HAMLET RESIDENTIAL	– HR
DESIGNATED HAMLET COMMERCIAL	– HC
DESIGNATED HAMLET INDUSTRIAL	– HI
DESIGNATED HAMLET PUBLIC / INSTITUTIONAL	– HP/I
DESIGNATED HAMLET TRANSITIONAL / AGRICULTURAL	– HT/A
LOCALITY OF RETLAW DIRECT CONTROL	– LR-DC
LINEAR PARCEL DIRECT CONTROL	– LPDC
DIRECT CONTROL	– DC

2. **LAND USE DISTRICT MAPS** (following this page)

- Map 1 – Municipal District of Taber
- Map 2 – Designated Hamlet of Enchant
- Map 3 – Locality of Grantham
- Map 4 – Designated Hamlet of Grassy Lake
- Map 5 – Designated Hamlet of Hays
- Map 6 – Designated Hamlet of Purple Springs
- Map 7 – Locality of Retlaw
- Map 8 – Portions of S½-30-9-18-W4M
- Map 9 – Plan 9710773 in SW¼-35-8-18-W4M
- Map 10 – Portions of Plans 9510002, 9610185 & 9912766 in SW¼-8-10-17-W4M and S½-1-10-18-W4M
- Map 11 – Plan 8610831 in NW¼-9-10-17-W4M
- Map 12 – Portions of N½-36-9-17-W4M and SW¼-1-10-17-W4M
- Map 13 – Plan 0010810 in NW¼-26-9-17-W4M

- Map 14 – Plans 9012119, 9010935, 9410089 & 9912791 in portions of NE $\frac{1}{4}$ -17, NE $\frac{1}{4}$ -18, NW $\frac{1}{4}$ -20 & SW $\frac{1}{4}$ -29, Twp. 10, Rge. 16, W4M
- Map 15 – Plan 9411029 in SE $\frac{1}{4}$ -3-10-16-W4M
- Map 16 – Plan 0012493 & portion of NW $\frac{1}{4}$ -21-9-16-W4M
- Map 17 – Plan 9611496 in portion of NW $\frac{1}{4}$ -8-9-16-W4M
- Map 18 – Plan 0613903 in SW $\frac{1}{4}$ -36-9-17-W4M
- Map 19 – NE $\frac{1}{4}$ -30-12-16-W4M
- Map 20 – Plan 0112961 in NW $\frac{1}{4}$ -21-9-17-W4M
- Map 21 – Parcel A, Plan 2698 JK & a portion of NE $\frac{1}{4}$ -3-10-16-W4M
- Map 22 – Lot 1, Block 1, Plan 9612656 in SE $\frac{1}{4}$ -18-11-14-W4M
- Map 23 – Lot 3, Block 2, Plan 0211517 in SW $\frac{1}{4}$ -11-13-16-W4M
- Map 24 – Portion of SE $\frac{1}{4}$ -35-10-17-W4M
- Map 25 – Lot 1, Block 1, Plan 9410025 within S $\frac{1}{2}$ -12-10-16-W4M

### **3. DESIGNATED HAMLET BOUNDARIES**

- (a) Prior to establishing a new designated hamlet by land use bylaw amendment, Council should solicit and consider the comments of the planning advisor.
- (b) The boundaries of designated hamlets established on the land use district maps should not be extended to include a greater area unless:
  - (i) it is impossible or impractical for further development to occur through infilling; and
  - (ii) Council has solicited and considered comments regarding any proposed expansion from the planning advisor.

**SCHEDULE 2**

**LAND USE DISTRICT REGULATIONS**

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## RURAL AGRICULTURAL – "RA"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to:

- (a) ensure that better agricultural land is protected from fragmentation and conserved for extensive agricultural use;
- (b) accommodate intensive agricultural and suitable isolated non-agricultural uses wherever possible on poor or low capability land, providing the Development Authority or Subdivision and Development Appeal Board is satisfied that:
  - (i) the use complies with the pertinent standards and requirements outlined in this District and the Schedules of this bylaw;
  - (ii) conflicts with vicinity land uses, particularly agriculture, are avoided or minimized by utilizing a minimum distance separation to confined feeding operations when siting a development or approving a subdivision.

### 1. LAND USES:

#### (a) Permitted

The following uses shall be permitted within this land use district upon receipt of a completed development application:

Ancillary residential structures or uses  
Primary single family dwelling  
Shipping container<sup>1</sup>

#### (b) Discretionary

Airports and airstrips  
Cannabis production facility  
Intensive horticultural operations/facilities  
Isolated (single lot) rural industrial Class A  
Isolated (single lot) rural industrial Class B  
Isolated (single lot) rural industrial Class C  
Isolated (single lot) country residential  
Manufactured home  
Mobile home  
Moved-in dwelling  
Public and institutional  
Rural home occupation  
Secondary single family dwelling  
Sectional or modular dwelling  
Shipping container<sup>2</sup>  
Signs  
Similar uses  
Solar energy system, commercial/industrial  
Solar energy system, household  
Wetland project

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12 and/or a maximum of 2 shipping containers associated with extensive agriculture or grazing on parcels of 5 acres or greater in accordance with section 3, Schedule 12.

<sup>2</sup> All other shipping containers.

Wind energy conversion system

**(c) Prohibited**

Dwelling unit or living quarters of any type located within or attached to an ancillary building/structure, a building/structure associated with agriculture or a building/structure associated with a use classified as non-residential (e.g., intensive horticultural operations/facilities, rural industrial class A, B and C, public and institutional) in accordance with the land use bylaw

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

**2. LOT SIZE REQUIREMENTS**

All uses requiring septic field systems - one acre or greater as required by the Development Authority.

**3. SETBACK, YARD AND ACCESS REQUIREMENTS**

As required by the Development Authority in accordance with General Standards of Development, Schedule 5.

**4. SECONDARY FARM RESIDENCE REQUIREMENTS**

Development of more than one farm residence per title shall comply with section 640 of the Act and, wherever possible, shall be located:

- (a) within an existing definable farmstead; or
- (b) on that portion of the parcel which has the lowest capability for extensive agricultural use.

**5. LOCATIONAL CRITERIA FOR SPECIFIED DEVELOPMENTS**

- (a) Isolated rural industrial Class A, B and C development shall not be approved if, in the opinion of the Development Authority or Subdivision and Development Appeal Board, a more suitable, compatible, serviceable and/or accessible hamlet industrial, grouped rural industrial or alternative rural lot is reasonably available.
- (b) Isolated Class B and C rural industrial development shall be discouraged:
  - (i) within two miles of Taber or Vauxhall;
  - (ii) within one mile of Barnwell, a designated hamlet, locality or grouped country residential district;
  - (iii) within one mile of a public park, recreation area or private commercial recreation district;
  - (iv) within one-half mile of an existing or approved rural residence, public institutional use or intensive agricultural operation;
  - (v) within one-half mile either side of a provincial highway, designated tourist, scenic or recreational access road;
  - (vi) adjacent to a waterbody;unless the Development Authority or Subdivision and Development Appeal Board is satisfied that adequate measures and high operational standards will be undertaken and maintained to minimize any nuisance, hazard or noxious effect on vicinity land uses.
- (c) Isolated country residential development shall not be approved if located within the minimum distance separation as calculated from an existing or approved confined feeding operation, Class B rural industry or any other activity potentially detrimental to a residential environment.



- (d) Public institutional uses shall not be approved if, in the opinion of the Development Authority or Subdivision and Development Appeal Board, a more suitable, compatible, serviceable or accessible hamlet or alternative rural lot is reasonably available.

**6. DEVELOPMENT REFERRAL REQUIREMENTS**

- (a) All development other than extensive agriculture proposed within one-half mile of a provincial highway (except within a designated hamlet) shall be referred to Alberta Transportation for comment prior to a decision being rendered.
- (b) All Class B rural industrial development proposals should be referred to Alberta Environment and the Chinook Health Region for comment prior to a decision being rendered.
- (c) All rural industrial development proposed adjacent to a regionally significant area or within one-half mile of a provincial highway (except within a designated hamlet) should be referred to the planning advisor for comment prior to a decision being rendered.
- (d) Any development proposed within a one mile radius of a licensed airport which may, in the municipality's opinion, either compromise the safe, efficient operation of these facilities (e.g. Class B rural industrial uses) or be negatively affected by airport activities (e.g. public/institutional, or country residential) shall be referred to the Planning Branch of Alberta Municipal Affairs and local Airport Commission for comment prior to a decision being rendered.

**7. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

**8. MOBILE HOME STANDARDS OF DEVELOPMENT**

See Schedule 6.

**9. MOVED-IN DWELLING / PREVIOUSLY OCCUPIED DWELLING REQUIREMENTS**

See Schedule 8.

**10. RURAL HOME OCCUPATION STANDARDS**

See Schedule 9(b).

**11. SIGN STANDARDS**

See Schedule 10.

**12. ADDITIONAL STANDARDS FOR COUNTRY RESIDENTIAL DWELLINGS**

The Development Authority may place additional conditions from those specified in Section 17 on a development permit for a dwelling as required to ensure that all activities conducted on the land in question complement the residential nature of the area. Conditions may also include, but are not limited to, control over livestock, home occupations, accessory buildings or fencing.

**13. WETLAND PROJECT**

The Subdivision and Development Authority may delay a decision on an application for a wetland project for the purpose of advertising and conducting a Development Hearing on the proposed project.

#### **14. SHIPPING CONTAINER STANDARDS**

See Schedule 12.

#### **15. CANNABIS PRODUCTION FACILITY REQUIREMENTS**

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with the cannabis production facility as issued by Health Canada.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial and other municipal legislation prior to operation.
- (c) The development must be undertaken in a manner such that all of the processes and functions are fully enclosed within a building, including waste materials.
- (d) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of the ventilation system.
- (e) A public utility and waste management plan shall be submitted with the development application that describes:
  - (i) estimated volume of monthly water usage;
  - (ii) incineration of waste products and airborne emissions, including smell;
  - (iii) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (iv) the method and location of collection and disposal of liquid and waste material.

## **RURAL / URBAN FRINGE – "R/UF"**

### **PURPOSE:**

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to:

- (a) provide coordinated, mutually satisfactory management of land uses within one-half mile of incorporated urban municipal boundaries via development application referrals;
- (b) ensure that better agricultural land is protected from fragmentation and conserved for extensive agricultural use until such time as it is needed for urban expansion;
- (c) accommodate suitable non-agricultural developments wherever possible on poor or low capability agricultural land providing the Development Authority or Subdivision and Development Appeal Board is satisfied that:
  - (i) land use conflicts are minimized by utilizing a minimum distance separation calculation to a confined feeding operation when siting a development or approving a subdivision;
  - (ii) orderly and economic urban expansion strategies are not unduly compromised; and
  - (iii) the use complies with the pertinent development standards and requirements outlined in this district and the Schedules of this bylaw.

### **1. LAND USES:**

#### **(a) Permitted**

The following uses shall be permitted within this land use district upon receipt of a completed development application:

Ancillary residential structures or uses  
Primary single family dwelling  
Shipping container<sup>1</sup>

#### **(b) Discretionary**

Abattoirs and animal processing plants  
Cannabis production facility  
Intensive horticultural operations/facilities  
Isolated (single lot) country residential  
Isolated (single lot) rural industrial Class A  
Isolated (single lot) rural industrial Class C  
Manufactured home  
Mobile home  
Moved-in dwelling  
Public and institutional  
Rural home occupation  
Secondary single family dwelling  
Sectional or modular dwelling  
Shipping container<sup>2</sup>  
Sign  
Similar uses  
Solar energy system, commercial/industrial  
Solar energy system, household

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12 and/or a maximum of 2 shipping containers associated with extensive agriculture or grazing on parcels of 5 acres or greater in accordance with section 3, Schedule 12.

<sup>2</sup> All other shipping containers.

Wind energy conversion system

**(c) Prohibited**

Dwelling unit or living quarters of any type located within or attached to an ancillary building/structure, a building/structure associated with agriculture or a building/structure associated with a use classified as non-residential (e.g., intensive horticultural operations/facilities, rural industrial class A, B and C, public and institutional) in accordance with the land use bylaw

Isolated (single lot) rural industrial Class B, except abattoirs and animal processing plants which are classified as a discretionary use

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

**2. LOT SIZE REQUIREMENTS**

All uses requiring septic field systems - one acre minimum or greater as required by the Development Authority.

**3. SETBACK, YARD AND ACCESS REQUIREMENTS**

As required by the Development Authority in accordance with Schedule 5.

**4. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

**5. DEVELOPMENT REFERRAL REQUIREMENTS**

- (a) All development applications which could, in the opinion of the Development Authority, have an impact on an adjoining urban municipality or its fringe area expansion strategy, shall be referred to the urban municipality for comment prior to a decision being rendered.
- (b) All development, other than extensive agriculture, proposed within one-half mile of a provincial highway (except within a designated hamlet) shall be referred to Alberta Transportation for comment prior to a decision being rendered.
- (c) All rural industrial development proposed adjacent to a regionally significant area or within one-half mile of a provincial highway (except a designated hamlet) should be referred to the planning advisor for comment prior to a decision being rendered.

**6. DEVELOPMENT CRITERIA**

- (a) All development decisions for this land use district should take into account the direct and indirect effects of the proposed use on the immediate and surrounding areas as well as the future growth and development of the adjacent urban municipality as outlined in an adopted general municipal plan.
- (b) All development proposed within the urban fringe land use district shall be subject to the applicable standards criteria and requirements established for such uses in the rural agricultural land use district. Abattoirs and animal processing plants are subject to the locational criteria for isolated rural industrial Class B developments specified in the rural agricultural land use district.

**7. MOBILE HOME STANDARDS OF DEVELOPMENT**

See Schedule 6.

**8. MOVED-IN DWELLING / PREVIOUSLY OCCUPIED DWELLING REQUIREMENTS**

See Schedule 8.

**9. RURAL HOME OCCUPATION STANDARDS**

See Schedule 9(b).

**10. SIGN STANDARDS**

See Schedule 10.

**11. SECONDARY FARM RESIDENCE REQUIREMENTS**

See "RA" District Schedule.

**12. ADDITIONAL STANDARDS FOR COUNTRY RESIDENTIAL DWELLINGS**

The Development Authority may place additional conditions from those specified in Section 17 on a development permit for a dwelling as required to ensure that all activities conducted on the land in question complement the residential nature of the area. Conditions may also include, but are not limited to, control over livestock, home occupations, accessory buildings or fencing.

**13. SHIPPING CONTAINER STANDARDS**

See Schedule 12.

**14. CANNABIS PRODUCTION FACILITY REQUIREMENTS**

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with the cannabis production facility as issued by Health Canada.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial and other municipal legislation prior to operation.
- (c) The development must be undertaken in a manner such that all of the processes and functions are fully enclosed within a building, including waste materials.
- (d) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of the ventilation system.
- (e) A public utility and waste management plan shall be submitted with the development application that describes:
  - (i) estimated volume of monthly water usage;
  - (ii) incineration of waste products and airborne emissions, including smell;
  - (iii) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (iv) the method and location of collection and disposal of liquid and waste material.



## **GROUPED RURAL INDUSTRIAL – "GRI"**

### **PURPOSE:**

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to accommodate resource extractive, agricultural related and urban incompatible industrial developments within comprehensively planned multi-lot districts designated in locations which will:

- (a) have a limited impact on better agricultural land and surrounding uses;
- (b) not affect the safe, efficient operation of the road network;
- (c) satisfy the Development Authority and Subdivision and Development Appeal Board that the use complies with the pertinent development standards and requirements outlined in this district and the Schedules of this bylaw.

### **1. LAND USES:**

#### **(a) Permitted**

Ancillary rural industrial Class A buildings and structures  
Public utilities installations  
Rural industrial Class A  
Shipping container<sup>1</sup>

#### **(b) Discretionary**

Ancillary rural industrial Class B buildings and structures  
Cannabis production facility  
Intensive agriculture  
Rural industrial Class B  
Rural industrial Class C  
Shipping container<sup>2</sup>  
Signs  
Similar uses  
Solar energy system, commercial/industrial  
Solar energy system, household  
Wind energy conversion system

#### **(c) Prohibited**

Public institutional  
Residential  
All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

### **2. LOT SIZE REQUIREMENTS**

All uses requiring septic field systems - one acre or greater as required by the Development Authority.

### **3. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

**4. SETBACK, YARD AND ACCESS REQUIREMENTS**

As required by the Development Authority in accordance with Schedule 5.

**5. AREA STRUCTURE PLAN REQUIREMENTS**

See Schedule 5.

**6. LOCATIONAL CRITERIA FOR CLASS B AND C INDUSTRIAL DEVELOPMENT**

Class B and C rural industrial development considered detrimental to public health, safety and welfare shall be discouraged on a designated grouped rural industrial district lot located:

- (a) within two miles of Taber or Vauxhall;
- (b) within one mile of Barnwell, a designated hamlet, locality or grouped country residential district;
- (c) within one mile of a public park, recreation area or designated private commercial recreation district;
- (d) within one-half mile of an existing or approved rural residence, public institutional use or intensive agricultural operation/facility;
- (e) within one-half mile either side of a provincial highway, designated tourist, scenic or recreational access road;
- (f) adjacent to a waterbody or regionally significant area;

unless the Development Authority or Subdivision and Development Appeal Board is satisfied that adequate measures and high operational standards will be undertaken and maintained to minimize any nuisance, hazard or noxious effect on vicinity land uses.

**7. DEVELOPMENT REFERRAL REQUIREMENTS**

- (a) Any proposed designation of a grouped rural industrial district shall be referred to the planning advisor for comment prior to a decision being rendered.
- (b) The district designation or development of grouped industrial uses located within one-half mile of a provincial highway shall be referred to Alberta Transportation for comment prior to a decision being rendered.
- (c) The development of grouped industrial uses located adjacent to a regionally significant area or within one-half mile of a primary highway shall be referred to the planning advisor for comment prior to a decision being rendered.
- (d) The development of Class B rural industrial uses considered detrimental to public health, safety and welfare, particularly if located in sensitive areas noted in Section 8, shall be referred to Chinook Health Region and Alberta Environment, as well as any affected municipality, landowner or public agency prior to a decision being rendered.
- (e) Any grouped rural industrial district designation or development proposed within one mile of a licensed airport which may, in the municipality's opinion, compromise the safe, efficient operation of these facilities, shall be referred to the Planning Branch of Alberta Municipal Affairs and the local Airport Commission for comment prior to a decision being rendered.

**8. SIGN STANDARDS**

See Schedule 10.

**9. SHIPPING CONTAINER STANDARDS**

See Schedule 12.



#### **10. CANNABIS PRODUCTION FACILITY REQUIREMENTS**

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with the cannabis production facility as issued by Health Canada.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial and other municipal legislation prior to operation.
- (c) The development must be undertaken in a manner such that all of the processes and functions are fully enclosed within a building, including waste materials.
- (d) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of the ventilation system.
- (e) A public utility and waste management plan shall be submitted with the development application that describes:
  - (i) estimated volume of monthly water usage;
  - (ii) incineration of waste products and airborne emissions, including smell;
  - (iii) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (iv) the method and location of collection and disposal of liquid and waste material.



## **GROUPED COUNTRY RESIDENTIAL – "GCR"**

### **PURPOSE:**

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to accommodate clustered country residential development within comprehensively planned multi-lot districts designated on fragmented or poor agricultural land having special scenic or efficient location and servicing attributes providing the Development Authority or Subdivision and Development Appeal Board are satisfied that the use will:

- (a) not conflict with the agricultural, recreational or rural industrial capability of vicinity lands and uses by utilizing a minimum distance separation calculation from any confined feeding operation when siting a development or approving a subdivision or redesignation;
- (b) not compromise the safe, efficient operation of the road network or urban expansion strategies; and
- (c) comply with the pertinent development standards and requirements outlined in this district and the Schedules of this bylaw.

### **1. LAND USES:**

#### **(a) Permitted**

Primary single family dwellings  
Shipping container<sup>1</sup>

#### **(b) Discretionary**

Ancillary residential structures  
Home occupations  
Manufactured homes  
Mobile home parks  
Mobile homes  
Moved-in dwellings  
Public or private (non-commercial) recreation facilities and areas  
Public utilities installations  
Sectional or modular dwelling  
Similar uses  
Solar energy system, household

#### **(c) Prohibited**

Dwelling unit or living quarters of any type located within or attached to an ancillary building/structure, a building/structure associated with agriculture or a building/structure associated with a use classified as non-residential (e.g., intensive horticultural operations/facilities, rural industrial class A, B and C, public and institutional) in accordance with the land use bylaw  
Rural industrial  
Shipping container<sup>2</sup>  
All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

**2. LOT SIZE REQUIREMENTS**

Minimum two acres or greater as required by the Development Authority in accordance with an Municipal District of Taber approved area structure plan, comprehensive land use plan or hamlet replotting scheme.

**3. SETBACK, YARD AND ACCESS REQUIREMENTS**

- (a) All grouped country residential developments shall be sited by utilizing a minimum distance separation calculation from any existing or approved confined feeding operation.
- (b) All grouped country residential developments shall be located further than 1000 feet from an existing or approved Class B rural industry, or any other activity which, in the opinion of the Development Authority or Subdivision and Development Appeal Board, may be potentially detrimental to a residential environment.
- (c) Public roadway, yard, coulee and waterbody setbacks and access as required by the Development Authority or Subdivision and Development Appeal Board in accordance with Schedule 5.

**4. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

**5. AREA STRUCTURE PLAN REQUIREMENTS**

See Schedule 5.

**6. "GCR" DISTRICT DESIGNATION CRITERIA**

The designation of grouped country residential districts within:

- (a) five miles of Taber;
- (b) two miles of Vauxhall;
- (c) one mile of Barnwell or a designated hamlet or locality;

should be encouraged in keeping with the intent of the municipality's Municipal Development Plan provided the requirements of that plan and the following can be satisfied:

- (i) the suitability of the land for the use;
- (ii) the availability of alternative land for the use (i.e. hamlets);
- (iii) the relationship of the use to vicinity uses;
- (iv) the environmental impact of the use;
- (v) the provision of direct, safe, legal and physical access;
- (vi) the impact of the use on the road network;
- (vii) the comments and concerns of any municipality, public agency or department or nearby landowner which, in the opinion of the Municipal District of Taber, may be affected.

The designation of grouped country residential districts within one mile of a licensed airport and one-half mile of a confined feeding operation, Class B industry or regionally significant area should be discouraged unless the above criteria can be met to the satisfaction of the Municipal District of Taber.

**7. DEVELOPMENT AND REDESIGNATION REFERRAL REQUIREMENTS**

- (a) The district designation or development of grouped country residential uses within one-half mile of a provincial highway shall be referred to Alberta Transportation for comment prior to a decision being rendered.
- (b) The designation or development of grouped country residential uses within the distances criteria of Section 6 shall be referred to the affected municipality, agency or landowner for comment prior to a decision being rendered.

**8. MOBILE HOME STANDARDS OF DEVELOPMENT**

See Schedule 6.

**9. MOVED-IN DWELLING / PREVIOUSLY OCCUPIED DWELLING STANDARDS**

See Schedule 8.

**10. HAMLET AND GCR HOME OCCUPATION STANDARDS**

See Schedule 9(a).

**11. MAXIMUM HEIGHT AND SQUARE FOOTAGE OF BUILDINGS**

- (a) Unless stipulated otherwise in an adopted area structure plan, the maximum height and square footage of buildings shall be as follows:

Use	Maximum Height (feet)	Maximum Square Footage Per Structure (square feet)
Dwellings	33 (ground to peak)	not applicable
Ancillary residential structures	20 (ground to peak)	1,600
(i) The combined total of all ancillary residential structures on a lot shall not exceed 1,800 square feet.		
(ii) A maximum of 3 ancillary structures may be permitted per lot at the discretion of the Development Authority.		
(b) For all grouped country residential subdivisions approved after January, 2013, the maximum square footage of ancillary residential structures shall be as stipulated in an area structure plan adopted by Council.		

**12. KEEPING OF ANIMALS**

The keeping of animals will be addressed in an area structure plan for all grouped country residential subdivisions approved after October, 2006.

**13. SHIPPING CONTAINER STANDARDS**

See section 2, Schedule 12.



## **RURAL HIGHWAY COMMERCIAL – "RHC"**

### **PURPOSE:**

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to ensure that:

- (a) only those which provide services essential to the motoring public are designated and developed on poor agricultural land adjacent to or fronting on a public highway;
- (b) the safe and efficient operation of provincial highways and rural roads is not compromised and unsightly, unplanned strip development is not encouraged;

providing the Development Authority or Subdivision and Development Appeal Board is satisfied that the use complies with:

- (i) the locational criteria prescribed in the provincial Subdivision and Development Regulation;
- (ii) the pertinent standards and requirements outlined in this district and the Schedules of this bylaw; and
- (iii) the permit requirements of Alberta Transportation (where applicable).

### **1. LAND USES:**

#### **(a) Permitted**

Government weigh scale  
Public roadside rest stop or campground  
Shipping container<sup>1</sup>

#### **(b) Discretionary**

Ancillary buildings and structures  
Cafe/restaurant  
Motel  
Motor hotel  
Public highway maintenance yard  
Residential accommodation in conjunction with and secondary to an approved highway commercial use  
Retail sales outlet  
Service station  
Shipping container<sup>2</sup>  
Shopping centre  
Signs  
Similar uses  
Solar energy system, household

#### **(c) Prohibited**

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

**2. LOT SIZE REQUIREMENTS**

Use	Frontage Minimum	Frontage Maximum	Depth Minimum	Depth Maximum
All Uses	200 ft.	600 ft.	150 ft.	500 ft.

**3. LOT AREA REQUIREMENTS**

Use	Area Minimum
All Uses	1 acre

**4. LOT COVERAGE REQUIREMENTS**

Principal and Ancillary Buildings - maximum 60%.

**5. SETBACK, YARD AND ACCESS REQUIREMENTS**

As required by the Development Authority in accordance with the permit conditions or recommendations of Alberta Transportation.

**6. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

**7. AREA STRUCTURE PLAN REQUIREMENTS**

See Schedule 5.

**8. DEVELOPMENT REFERRAL REQUIREMENTS**

The district designation or development of highway commercial uses within one-half mile of a primary highway shall be referred to Alberta Transportation and the planning advisor for comment prior to a decision being rendered.

**9. OFF-STREET PARKING REQUIREMENTS**

See Schedule 7.

**10. SIGN STANDARDS**

See Schedule 10.

**11. SHIPPING CONTAINER STANDARDS**

See Schedule 12.



## PRIVATE COMMERCIAL RECREATION – "PCR"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to accommodate private commercial recreation developments within specially designated districts containing fragmented or poor agricultural land providing the Development Authority, or Subdivision and Development Appeal Board is satisfied that the use:

- (a) will not lead to unplanned strip development along a highway;
- (b) will not detract from the surrounding landscape or negatively affect a regionally significant area; and
- (c) will not conflict with agricultural uses by utilizing a minimum distance separation calculation from any confined feeding operations when siting a development or approving a subdivision or redesignation;
- (d) complies with the pertinent development standards and requirements outlined in this district and the Schedules of this bylaw.

### 1. LAND USES:

#### (a) Permitted

Day use picnic areas  
Riding stables and rodeo grounds  
Shipping container<sup>1</sup>

#### (b) Discretionary

Amusement parks  
Convenience stores  
Drive-in theatres  
Golf courses and clubhouses  
Laundromats  
Lodges  
Motels  
Off-road vehicle tracks and areas  
Private campgrounds  
Public utilities installations  
Recreational buildings, structures and uses  
Residential accommodation in conjunction with and secondary to an approved commercial recreation use  
Rifle and pistol ranges  
Shipping container<sup>2</sup>  
Signs  
Similar uses  
Solar energy system, household  
Waterslides

#### (c) Prohibited

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

**2. LOT SIZE REQUIREMENTS**

All uses requiring septic field systems - one acre or greater as required by the Development Authority.

**3. SETBACK, YARD AND ACCESS REQUIREMENTS**

As required by the Development Authority in accordance with the General Standards of Development, Schedule 5.

**4. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

**5. AREA STRUCTURE PLAN REQUIREMENTS**

See Schedule 5.

**6. DEVELOPMENT REFERRAL REQUIREMENTS**

- (a) The designation or development of private commercial recreation uses proposed adjacent to a regionally significant area or within one-half mile of a primary highway (except within a designated hamlet) should be referred to the planning advisor for comment prior to a decision being rendered.
- (b) All designation or development proposed within one-half mile of a provincial highway (except within a designated hamlet) shall be referred to Alberta Transportation for comment prior to a decision being rendered.

**7. SIGN STANDARDS**

See Schedule 10.

**8. OFF-STREET PARKING REQUIREMENTS**

See Schedule 7.

**9. SHIPPING CONTAINER STANDARDS**

See section 2, Schedule 12.

## DESIGNATED HAMLET RESIDENTIAL – "HR"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to:

- (a) protect and conserve better agricultural land for extensive agricultural use; and
  - (b) minimize the potential for rural land use conflicts by accommodating non-farm residential developments in an orderly manner within the designated boundaries of established hamlets;
- providing the Development Authority or Subdivision and Development Appeal Board is satisfied that the use complies with the pertinent standards and requirements outlined in this district and the Schedules of this bylaw.

### 1. LAND USES:

#### (a) Permitted

- Ancillary residential buildings and structures
- Shipping container<sup>1</sup>
- Single family dwelling

#### (b) Discretionary

- Churches and meeting halls
- Dwellings:
  - Board and rooming houses
  - Double-wide mobile homes
  - Duplex dwellings
  - Moved-in dwellings
  - Manufactured home
  - Multiple family dwellings
  - Row or townhousing
  - Sectional or modular dwellings
  - Semi-detached dwellings
  - Single-wide mobile homes
- Home occupations
- Mobile home parks
- Places of worship
- Public assembly
- Public parks, recreation and open space areas
- Public utilities installation
- Similar uses
- Solar energy system, household

#### (c) Prohibited

- Dwelling unit or living quarters of any type located within or attached to an ancillary building/structure, or a building/structure associated with a use classified as non-residential (e.g., churches and meeting halls, places of worship, public assembly) in accordance with the land use bylaw
- Shipping container<sup>2</sup>

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

## 2. MINIMUM SERVICED LOT SIZE

Use	Width (feet)	Length (feet)	Area (square feet)
Single family dwelling	50	100	5,000
Duplex and semi-detached dwellings	70	100	7,000
Multiple family dwellings	100	100	10,000
Single-wide mobile homes	45	100	4,500
Double-wide mobile homes	50	100	5,000
Row or town housing - interior unit	25	100	2,500
- end unit	40	100	4,000
All others	As required by the Development Authority.		

## 3. MINIMUM UNSERVICED/PARTIALLY SERVICED LOT SIZE

- (a) All unserviced or partially serviced lots to be developed for single family, semi-detached, duplex, single and double-wide mobile home dwellings shall not be less than the following minimum size or greater as required by the or the Development Authority in accordance with Chinook Health Region, Alberta Labour and Alberta Environment regulations and recommendations.

Use	Width (feet)	Length (feet)	Area (square feet)
All dwellings above with municipal sewer only	100	100	10,000
All dwellings above with municipal water only	100	150	15,000
All dwellings above with no municipal sewer or water	100	200	20,000

- (b) All unserviced or partially serviced parcels developed for multiple family and town or row house dwellings shall not be less than the size required by the Development Authority in accordance with Chinook Health Region, Alberta Labour and Alberta Environment regulations and recommendations.

## 4. MINIMUM SETBACK REQUIREMENTS

(a)	Use	Lot Type	Front Yard (feet)	Side Yards (feet)	Rear Yard (feet)
	Single family	interior	25	1 @ 5 and 1 @ 10	25
	(conventional)	corner	25	1 @ 5 and 1 @ 15	25
	Duplex	interior	25	1 @ 5 and 1 @ 10	25
		corner	25	1 @ 5 and 1 @ 15	25
	Semi-detached	interior	25	2 @ 10	25
		corner	25	1 @ 10 and 1 @ 15	25
	Multiple family	interior	30	2 @ 20	30
		corner	30	1 @ 20 and 1 @ 30	30
	Row or town house	interior	25	end unit 1 @ 10	25
		corner	25	end unit 1 @ 15	25

Use	Lot Type	Front Yard (feet)	Side Yards (feet)	Rear Yard (feet)
Mobile homes (single and double-wide)	interior	25	1 @ 15* and 1 @ 7.5	10
	corner	25	1 @ 7.5 and 1 @ 15**	10
All others		As required by the Development Authority.		

- (b) A double-wide mobile home not located in a mobile home park but placed upon a continuous concrete block foundation:
- (i) may have the same minimum setback requirements as a conventional single family dwelling providing the longest dimension of the unit parallels the front lot line.
  - (ii) shall have the same minimum setback requirements outlined above and illustrated on the Schedule 6 diagram where the longest dimension is perpendicular to the front lot line.
- (c) Sectional, modular and moved-in dwellings developed in a like manner to conventional dwellings shall have the same minimum setback requirements outlined for single family dwellings.

#### 5. MAXIMUM SITE COVERAGE

- (a) Principal building (dwelling) - 35%.
- (b) Ancillary building(s) or structure(s) - 10%. No ancillary building or structure to exceed 780 square feet in size.

#### 6. MINIMUM FLOOR AREA

Use	Area (square feet)
Single family dwelling	800
Duplex / semi-detached dwellings	700
Multiple family dwellings	700
Town or row house dwellings	700
Double- / single-wide mobile homes	700

#### 7. YARD REQUIREMENTS FOR ANCILLARY BUILDINGS

- (a) Ancillary buildings and structures shall not be less than five (5) feet from a side or rear lot line.
- (b) A carport or garage is permitted in a side yard but shall not be less than five (5) feet from a side lot line.

#### 8. GENERAL STANDARDS OF DEVELOPMENT

See Schedule 5.

#### 9. HAMLET HOME OCCUPATIONS

See Schedule 9(a).

#### 10. OFF-STREET PARKING REQUIREMENTS

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\* Main entrance side; also see Schedule 6 diagram guidelines.

\*\* Main entrance side and street side; see Schedule 6 diagram guidelines.

See Schedule 7.

**11. MOVED-IN DWELLING / PREVIOUSLY OCCUPIED DWELLING REQUIREMENTS**

See Schedule 8.

**12. MOBILE HOME DEVELOPMENT STANDARDS**

See Schedule 6.

**13. MOBILE HOME PARKS**

All applications for mobile home parks shall be considered on the basis of special standards adopted by the Council and Development Authority.

**14. HEIGHT OF BUILDINGS**

Use	Height (feet)
Ancillary residential structures	15 (ground to peak)
Single family dwellings, Duplex dwellings, Moved-in dwellings, Sectional or modular dwellings and Semi-detached dwellings	33 (ground to peak)

**15. SHIPPING CONTAINER STANDARDS**

See section 2, Schedule 12.

## DESIGNATED HAMLET COMMERCIAL – "HC"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to bolster the economic viability and reinforce the service centre function of designated hamlets by accommodating, in an orderly manner, suitable retail, service and highway commercial developments providing the Development Authority or Subdivision and Development Appeal Board is satisfied that the use complies with the pertinent standards and requirements outlined in this district and the Schedules of this bylaw.

### 1. LAND USES:

#### (a) Permitted

- Financial services
- Offices
- Personal service outlets
- Retail sales outlets
- Shipping container<sup>1</sup>

#### (b) Discretionary

- Automobile sales and service
- Board and rooming houses
- Bus depots
- Farm equipment sales and service
- Hotels
- Licensed premises
- Motels
- Places of worship
- Public assembly
- Public parks, recreation and open space areas
- Public utilities installations
- Repair garages
- Residential accommodation secondary to and in conjunction with an approved commercial use
- Retail cannabis store
- Service stations
- Shipping container<sup>2</sup>
- Signs
- Similar uses
- Solar energy system, household

#### (c) Prohibited

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

## 2. LOT SIZE REQUIREMENTS

### (a) Minimum Serviced Lot Size

Use	Width (feet)	Length (feet)	Area (square feet)
Permitted uses	25	100	2,500
All others	As required by the Development Authority.		

### (b) Minimum Unserviced/Partially Serviced Lot Size

Degree of Service	Width (feet)	Length (feet)	Area (square feet)
All uses with sewer only	100	100	10,000
All uses with water only	100	150	15,000
All uses with no sewer or water	100	200	20,000

## 3. MINIMUM SETBACK REQUIREMENTS

Use	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)
Permitted uses	5	As required by the Development Authority	30
All others	As required by the Development Authority.		

## 4. MAXIMUM SITE COVERAGE

Principal and ancillary buildings or structures - 80%.

## 5. OFF-STREET PARKING REQUIREMENTS

See Schedule 7.

## 6. SIGN STANDARDS

See Schedule 10.

## 7. SHIPPING CONTAINER STANDARDS

See Schedule 12.

## 8. LOCATIONAL CRITERIA AND REQUIREMENTS FOR A RETAIL CANNABIS STORE

- (a) A retail cannabis store shall not be approved if any portion of an exterior wall of the store is located within 328 feet (100 metres) of:
- (i) the boundary of a parcel of land on which a provincial health care facility is located, including any associated grounds;
  - (ii) the boundary of a parcel of land containing a school (as defined in the *School Act*, excluding a home education program), including any associated school grounds;
  - (iii) the boundary of a parcel of land that is designated as school reserve (SR) or municipal and school reserve (MSR) under the *Municipal Government Act*;
  - (iv) the boundary of a municipal or provincial owned parcel of land on which a park, playground, campground, or recreation area is located.
- (b) A retail cannabis store shall not be approved if any portion of the exterior wall of the store is located within 492 feet (150 metres) of another retail cannabis store (measured to the exterior wall).



- (c) All retail cannabis stores shall be subject to the condition that the applicant is responsible for obtaining all applicable approvals from the Alberta Gaming and Liquor Commission with a copy of such approvals submitted to the MD of Taber prior to operation of a retail cannabis store.
- (d) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial and other municipal legislation prior to operation.
- (e) The following additional information shall be submitted with the development permit application:
  - (i) documentation demonstrating how the cannabis retail store complies with the Conditions Governing Cannabis Store Premises under the Alberta Gaming, Liquor and Cannabis Regulation; and
  - (ii) proposed exterior business signage and information demonstrating compliance with the Alberta Gaming and Liquor Commission store names.



## DESIGNATED HAMLET INDUSTRIAL – "HI"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to:

- (a) protect and conserve better agricultural land for extensive agricultural use; and
  - (b) reduce the potential for rural land use conflicts by accommodating compatible industrial developments in an orderly manner within the designated boundaries of established hamlets;
- providing the Development Authority or Subdivision and Development Appeal Board is satisfied that the use complies with the pertinent standards and requirements outlined in this district and the Schedules of this bylaw.

### 1. LAND USES:

#### (a) Permitted

- Ancillary buildings and structures
- Class A rural industries
- Grain elevators, annexes and ancillary structures
- Manufacturing and processing
- Outdoor storage
- Railway installations
- Seed cleaning
- Shipping container<sup>1</sup>

#### (b) Discretionary

- Automotive uses
- Cannabis production facility
- Class C rural industries
- Commercial sales and services secondary to and in conjunction with an approved industrial use
- Intensive horticultural operations/facilities
- Manufacturing and processing industries
- Public utilities installations
- Residential in conjunction with an approved industrial use
- Service stations
- Shipping container<sup>2</sup>
- Signs
- Similar uses
- Solar energy system, household
- Warehousing and outdoor storage uses

#### (c) Prohibited

- Class B rural industries
- All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

## **2. MINIMUM LOT SIZE**

Use	Servicing	Width (feet)	Length (feet)	Area (square feet)
All discretionary uses	sewer and water	75	100	7,500
except outdoor storage	sewer only	100	100	10,000
and public utilities	water only	100	150	15,000
installations	unserviced	100	200	20,000

## **3. MINIMUM SETBACK REQUIREMENTS**

- | (a) | Use        | Front Yard                                | Side Yard | Rear Yard |
|-----|------------|---|-----------|-----------|
|     | All others | As required by the Development Authority. |           |           |
- (b) If the lot has frontage on a provincial highway, an additional 100-foot setback may be required for a service road in accordance with Alberta Transportation recommendations or Highways Development Control Regulations.
- (c) The display of goods, materials, articles and equipment may be approved in the front of a proposed development provided such a display does not encroach on the required front yard setback.

## **4. MAXIMUM SITE COVERAGE**

Principal and ancillary buildings - 70%.

## **5. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

## **6. OFF-STREET PARKING REQUIREMENTS**

See Schedule 7.

## **7. SIGN STANDARDS**

See Schedule 10.

## **8. SHIPPING CONTAINER STANDARDS**

See Schedule 12.

## **9. CANNABIS PRODUCTION FACILITY REQUIREMENTS**

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with the cannabis production facility as issued by Health Canada.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial and other municipal legislation prior to operation.
- (c) The development must be undertaken in a manner such that all of the processes and functions are fully enclosed within a building, including waste materials.
- (d) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of the ventilation system.

- (e) A public utility and waste management plan shall be submitted with the development application that describes:
  - (i) estimated volume of monthly water usage;
  - (ii) incineration of waste products and airborne emissions, including smell;
  - (iii) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (iv) the method and location of collection and disposal of liquid and waste material.



## DESIGNATED HAMLET PUBLIC AND INSTITUTIONAL – "HP/I"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to:

- (a) protect and conserve better agricultural land for extensive agricultural use; and
- (b) reduce the potential for rural land use conflicts; and
- (c) complement the service centre function of established hamlets;

by accommodating, in an orderly manner, suitable public and institutional developments within the boundaries of designated hamlets providing the Development Authority or Subdivision and Development Appeal Board is satisfied that the use complies with the standards and requirements outlined in this district and the Schedules of this bylaw.

### 1. LAND USES:

#### (a) Permitted

Parks, playgrounds, sportsfields and other public recreation uses  
Shipping container<sup>1</sup>

#### (b) Discretionary

Ancillary buildings and structures  
Churches  
Civic halls and clubs  
Firehalls  
Government offices and facilities  
Hospitals  
Libraries  
Public or private recreational buildings and areas  
Public utility installations  
Schools  
Senior citizen housing  
Shipping container<sup>2</sup>  
Signs  
Similar uses  
Solar energy system, household

#### (c) Prohibited

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

### 2. MINIMUM LOT SIZE

Use	Servicing	Width (feet)	Length (feet)	Area (square feet)
All discretionary uses	sewer and water	50	100	5,000
except public utility	sewer only	100	100	10,000
installations and	water only	100	150	15,000
recreation areas	unserviced	100	200	20,000

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

**3. MINIMUM SETBACK REQUIREMENTS**

Use	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)
All except recreation areas	25	20	25

**4. MAXIMUM SITE COVERAGE**

Principal and ancillary buildings and structures - 50%.

**5. OFF-STREET PARKING REQUIREMENTS**

See Schedule 7.

**6. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

**7. SIGN STANDARDS**

See Schedule 10.

**8. SHIPPING CONTAINER STANDARDS**

See Schedule 12.



## DESIGNATED HAMLET TRANSITIONAL / AGRICULTURAL – "HT/A"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to protect and conserve better agricultural land contained within the boundaries of a designated hamlet for extensive agricultural use, until such time as that land is needed to accommodate, in an orderly manner, a suitable urban development providing the Development Authority or Subdivision and Development Appeal Board is satisfied that the use complies with:

- (a) the pertinent standards and requirements of the appropriate land use district to which the land shall be reclassified;
- (b) the Schedules of this bylaw; and
- (c) a municipal district approved area structure or comprehensive land use plan (if required).

### 1. LAND USES:

#### (a) Permitted

Primary single family dwelling, ancillary farm buildings and structures  
(excluding those for intensive agricultural or home occupation uses)  
Shipping container<sup>1</sup>

#### (b) Discretionary

Cannabis production facility  
Hamlet and Class A rural industrial  
Hamlet residential  
Hamlet public and institutional  
Hamlet commercial  
Home occupations  
Intensive horticultural operations/facilities  
Isolated country residential  
Manufactured home  
Mobile home  
Moved-in dwelling  
Public parks, playgrounds, sportsfields and open space recreation areas  
Public utilities installations  
Secondary single family dwelling  
Sectional or modular dwelling  
Shipping container<sup>2</sup>  
Signs  
Similar uses  
Solar energy system, household

#### (c) Prohibited

Isolated or grouped Class B rural industrial  
All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12.

<sup>2</sup> All other shipping containers.

**2. SPECIAL DEVELOPMENT STANDARDS AND REQUIREMENTS**

Development standards such as, but not limited to, lot size, setbacks, site coverage, servicing and access, shall be as required by the Development Authority in accordance with:

- (a) the appropriate land use district to which the parcel(s) shall, wherever possible, be reclassified; and
- (b) the pertinent standards of development outlined in the Schedules of this bylaw.

**3. SIGN STANDARDS**

See Schedule 10.

**4. HAMLET HOME OCCUPATION STANDARDS**

See Schedule 9(a).

**5. SHIPPING CONTAINER STANDARDS**

See Schedule 12.

**6. MOBILE HOME DEVELOPMENT STANDARDS**

See Schedule 6.

**7. MOVED-IN DWELLING / PREVIOUSLY OCCUPIED DWELLING REQUIREMENTS**

See Schedule 8.

**8. CANNABIS PRODUCTION FACILITY REQUIREMENTS**

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with the cannabis production facility as issued by Health Canada.
- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial and other municipal legislation prior to operation.
- (c) The development must be undertaken in a manner such that all of the processes and functions are fully enclosed within a building, including waste materials.
- (d) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of the ventilation system.
- (e) A public utility and waste management plan shall be submitted with the development application that describes:
  - (i) estimated volume of monthly water usage;
  - (ii) incineration of waste products and airborne emissions, including smell;
  - (iii) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (iv) the method and location of collection and disposal of liquid and waste material.

## **LOCALITY OF RETLAW DIRECT CONTROL – "LR-DC"**

### **PURPOSE:**

The Municipal District Council has identified the significant historical nature of the Locality of Retlaw. The purpose of this district is to protect and enhance the historical potential of the Locality of Retlaw.

#### **1. PERMITTED USES**

Any use Council considers suitable.

#### **2. MINIMUM LOT SIZE**

Any size Council determines necessary having regard to standards contained in this Bylaw.

#### **3. OFF-STREET PARKING AND LOADING REQUIREMENTS**

Any standard Council considers necessary having regard to Schedule 7.

#### **4. SIGN STANDARDS**

Any standard Council considers necessary having regard to Schedule 10.

#### **5. STANDARDS OF DEVELOPMENT**

Any standard Council considers necessary having regard to Schedule 5.

#### **6. OTHER STANDARDS**

Council may require additional standards having regard to statutory plans, and comments from referral agencies contacted under Section 7(c) of this District.

#### **7. APPROVAL PROCEDURE**

(a) Before Council considers an application for a use in the Direct Control district, they shall:

- (i) cause notice to be issued by the Designated Officer in accordance with Section 18(a) and (b) of the Land Use Bylaw;
- (ii) hear any persons that claim to be affected by the decision on the application.

(b) Council may then approve the application with or without conditions, or refuse the application.

(c) When applicable, Council should seek comments from other government agencies such as:

- Chinook Health Region,
- Planning Advisors,
- Alberta Transportation,
- Alberta Environment,
- any other agency Council considers necessary.



## **LINEAR PARCEL DIRECT CONTROL – "LPDC"**

### **PURPOSE:**

To give Council the authority to decide upon uses that relate to linear parcels of land such as railway rights-of-way, as these lands can affect agriculture and a large number of Municipal District of Taber residents.

#### **1. PERMITTED USES**

The following uses shall be permitted within this land use district upon receipt of a completed development application:

Railway and railway related uses  
Any use Council considers appropriate

#### **2. LOT SIZE REQUIREMENTS**

At the discretion of Council.

#### **3. SETBACK, YARD AND ACCESS REQUIREMENTS**

At the discretion of Council.

#### **4. GENERAL STANDARDS OF DEVELOPMENT**

At the discretion of Council having regard to Schedule 5.

#### **5. OTHER STANDARDS**

As required by Council.

#### **6. APPROVAL PROCEDURE**

- (a) Before Council considers an application for a use or development in the Linear Parcel Direct Control district, it shall:
  - (i) cause a notice to be issued by the designated officer in accordance with Section 18 of this bylaw;
  - (ii) hear any persons that claim to be affected by the decision on the application;
  - (iii) the notice should contain the date and time that Council will hear the application.
- (b) Council may then approve the application with or without conditions or refuse the application with reasons.
- (c) When applicable, Council should seek comments from other agencies such as the planning advisor, regional health authority or any applicable provincial government department.

#### **7. APPEAL PROCEDURE**

Pursuant to section 641(4)(a) of the Act, if a decision with respect to a development permit application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.



## **DIRECT CONTROL – "DC"**

### **PURPOSE:**

To provide a means to regulate and control the use and development of land and buildings within a specific area of the municipality where the circumstances relating to the development of a site are such that regulation and control by use of another land use district in this bylaw is inadequate given planning goals, development patterns, greater public interest, innovative design, site characteristics or as deemed appropriate by Council.

#### **1. USES**

As determined by Council through the corresponding adopted Direct Control bylaw.

#### **2. MINIMUM LOT SIZE**

As required by Council.

#### **3. OFF-STREET PARKING AND LOADING REQUIREMENTS**

As required by Council having regard to Schedule 7.

#### **4. SIGN STANDARDS**

As determined by Council having regard to Schedule 10.

#### **5. STANDARDS OF DEVELOPMENT**

As required by Council having regard to Schedule 5.

#### **6. OTHER STANDARDS**

Council may require additional standards having regard to statutory plans, the Land Use Bylaw, comments from public, referral agencies, and any other matters deemed pertinent by Council.

#### **7. APPROVAL PROCEDURE**

- (a) Before Council considers an application for a use in the Direct Control district, they shall:
  - (i) cause notice to be issued by the Designated Officer in accordance with Section 18(a) and (b) of the Land Use Bylaw;
  - (ii) hear any person that claims to be affected by the application.
- (b) Council may then approve the application with or without conditions, or refuse the application.

#### **8. DELEGATION OF AUTHORITY**

- (a) Council may decide on a development permit application or may delegate the decision to the Development Authority as described in the corresponding adopted Direct Control bylaw.

#### **9. APPEAL PROCEDURE**

- (a) In accordance with the Municipal Government Act, if a decision with respect to a development permit application is made by Council, there is no appeal to the Subdivision and Development Appeal Board.

- (b) In accordance with the Municipal Government Act, if a decision with respect to a development permit application is made by the Development Authority, the appeal to the Subdivision and Development Appeal Board shall be limited to whether the Development Authority followed the instructions properly as delegated by Council.



**SCHEDULE 3**

**DEVELOPMENT NOT REQUIRING A PERMIT**

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**SCHEDULE 3**  
**DEVELOPMENT NOT REQUIRING A PERMIT**

No development permit is required for the following:

1. (a) (i) extensive cultivation or grazing of land:  
(ii) uses (including any associated grading, excavation and stockpile) listed in section 618 of the Act and Exemption Regulations, i.e. confined feeding operations, highway, public roadway, oil or gas well, battery, pipeline, irrigation district works, historical sites, archaeological digs, provincial parks, public utility transmission lines and any others specified by the Lieutenant Governor in Council;
  - (b) the carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major works of renovation.
  - (c) the completion of a building which was lawfully under construction at the date of the first publication of the official notice required under section 692 of the Act, provided that:
    - (i) the building is completed in accordance with the terms of any permit granted by the Development Authority in respect of it and subject to the conditions to which that permit was granted; and
    - (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice;
  - (d) the use of any building referred to in subsection (b) of this Schedule for the purpose for which construction was commenced;
  - (e) the erection or construction of buildings, works, plants, or machinery needed in connection with operations for which a development permit has been issued for the period of those operations;
  - (f) the maintenance and repair of public works, services and utilities carried out by, or on behalf of, federal, provincial, municipal, or public authorities on land which is publicly owned or controlled;
  - (g) shipping containers in accordance with sections 2 and 3 of Schedule 12;
  - (h) installation of public utilities within a road right-of-way, utility right-of-way or public utility lot, including any associated grading, excavation and temporary stockpile in conjunction with installation of such exempted utilities, but not including buildings.
2. If there is doubt as to whether a development is of a kind listed in section 1 above, the matter shall be referred to the Development Authority whose decision is final.
  3. No development permit is required for any use, building or structure associated with extensive agriculture or grazing including corrals and stockpile, except for dwellings and solar energy system installations in excess of 1.5 kW per parcel, and are not proposed to be located within 150 feet of the centre line of any municipal road right-of-way.



**SCHEDULE 4**

**DEVELOPMENT AND LAND USE BYLAW  
AMENDMENT FEES AND FORMS**

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**SCHEDULE 4**  
**DEVELOPMENT AND LAND USE BYLAW AMENDMENT**  
**FEES AND FORMS**

1. Every application for a development permit, land use bylaw amendment, area structure plan or other statutory plan, appeal, or letter of compliance shall be accompanied by a processing fee as established by resolution of Council from time to time (see Appendix 1).
2. In any case where the required processing fee or use is not specifically listed in the fee schedule (see Appendix 1), such fees shall be determined by the Subdivision and Development Authority in a manner consistent with those fees listed for similar developments.
3. The forms and notices used for the administration of this Bylaw are contained in Appendix 1 and are provided for information. The forms and notices may be revised by resolution of Council from time to time.





**SCHEDULE 5**

**GENERAL STANDARDS OF DEVELOPMENT**

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## SCHEDULE 5

### GENERAL STANDARDS OF DEVELOPMENT

#### 1. DEVELOPMENT AGREEMENTS

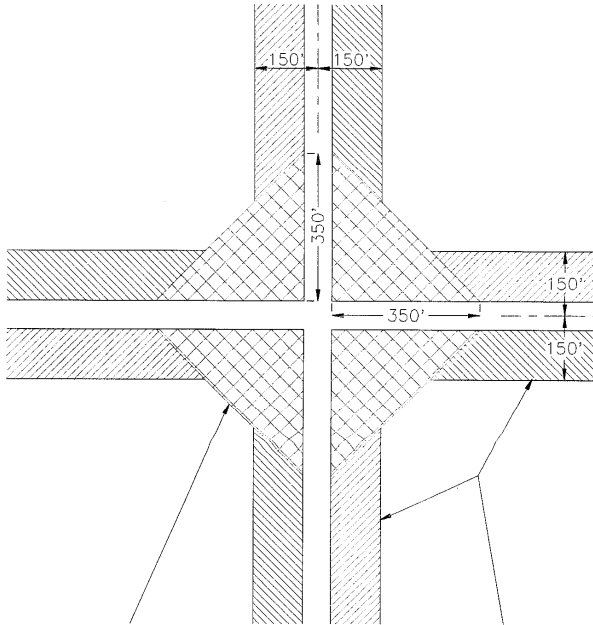
Where a development is proposed in any land use district which would require servicing beyond that which the municipality might normally provide, the Council may require that a development agreement which would legally establish the responsibilities of each of the involved parties be entered into by the developer and municipality before a permit is issued.

#### 2. PUBLIC ROADWAY SETBACK REQUIREMENTS

- (a) In order to facilitate future widening/service road dedication and reduce potential snow drifting/sight restrictions; nothing shall be constructed (e.g. buildings), placed (e.g. haystacks), excavated (e.g. dugouts), or allowed to grow (e.g. shelterbelts), within 150 feet of the centre line of a rural road except by Development Authority approval.
- (b) All development proposed within one-half mile of a provincial highway may be subject to special setback and access requirements in accordance with permit conditions of Alberta Transportation and the Highways Development Control Regulations.

#### SETBACK FOR DEVELOPMENT

#### HIGHWAY AND ROADWAY SETBACKS



#### INTERSECTION SITE TRIANGLE SETBACK

Vehicle access points and buildings, fences, trees or similar obstructions more than 2 feet above a rural road grade may be restricted by the municipality in this area or such greater distance from an intersection with a provincial highway as required by Alberta Transportation.

Buildings, fences, trees, dugouts, etc. may be restricted by the municipality within 150 feet from the centre line of a rural road or within 1000 feet of a provincial highway by Alberta Transportation in accordance with the Highways Development Control Regulations.

### **3. YARD SETBACKS**

- (a) In addition to, or as part of section 4 above, special setbacks may be required by the Development Authority as front, side and rear yards to provide for the development of suitably landscaped areas.
- (b) The Development Authority may alter the building setback requirement in a well-established area if, in their opinion, the proposed setback blends in with the prevailing pattern.

### **4. COULEE AND WATERBODY SETBACK REQUIREMENTS**

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

### **5. OUTDOOR STORAGE SCREENING REQUIREMENTS**

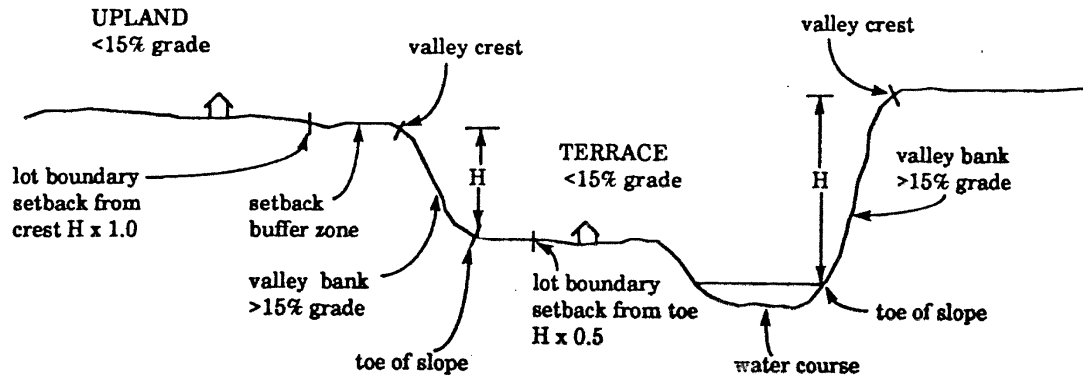
#### **(a) Rural**

Where any non-farm parcel, or part thereof, adjacent to a provincial highway, designated scenic, tourist or recreational access road, special scenic area, historical or archaeological site, public park or recreation area; is used for the commercial outdoor storage of goods, machinery, vehicles, building or waste materials, the Development Authority may require screening by buildings, fences, hedges, trees, earth berms or other landscaping features, to its satisfaction.

#### **(b) Urban**

- (i) No outdoor storage shall be permitted in the required residential front yard setback in hamlets, nor in any other required yard setback area of land use district as specified by the Development Authority.
- (ii) Outdoor storage of goods, machinery, buildings, or waste materials shall be kept effectively screened from view by buildings, solid fences, trees, hedges, earth berms, and other landscaped features, or combinations thereof, and be maintained in a state of good repair.

**Figure I - Idealized Cross-section of River Valley**



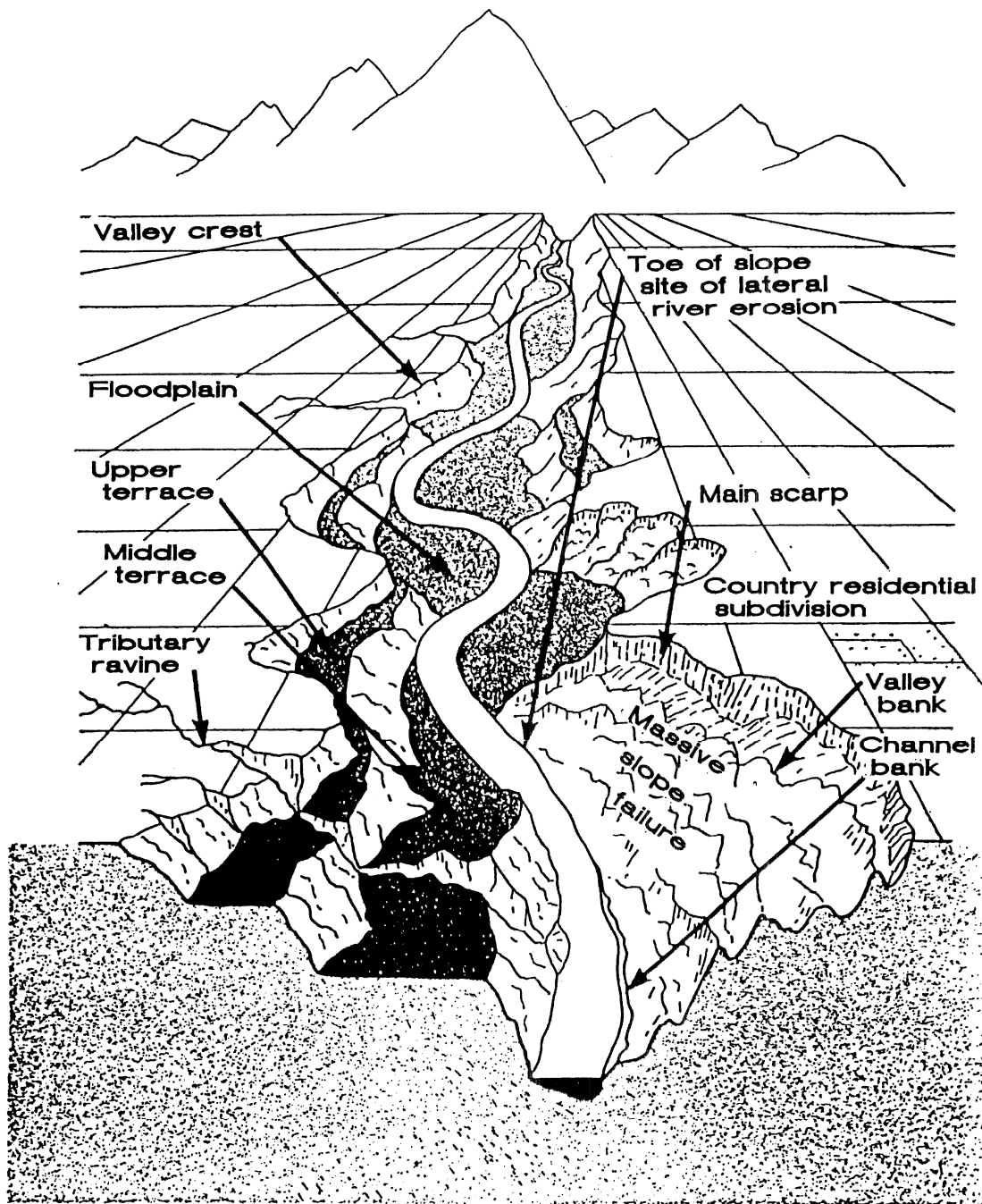
**Table 1 - General Guidelines for the Setback of Lot Boundaries from a River Valley Crest where the Grade of the Adjacent Valley Bank Exceeds 15%**

**LOT BOUNDARY SETBACK**

SLOPE FACTOR	$H^1 \times 1.0$	$H \times 1.5$	$H \times 2.0$
LATERAL RIVER EROSION OF TOE OF SLOPE	No Erosion <sup>2</sup>	Minor Active Erosion	Major Active Erosion <sup>3</sup>
SLOPE STEEPNESS	>15 to 50% (>8.5 to 26.6 degrees)	51 to 100% (27.0 to 45 degrees)	more than 100%
SLOPE FAILURE ON BANK	No Failure, Minor <sup>4</sup> Inactive	Minor Active, Major <sup>5</sup> Inactive	Major Active Failure
PAST & EXISTING ANTHROPOGENIC DISTURBANCE <sup>6</sup>	No Disturbance to Moderate	Major Disturbance	
PROPOSED ANTHROPOGENIC DISTURBANCE	Minor to Moderate Disturbance	Major Disturbance	

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

**Figure 2 - Idealized Drawing Of River Valley**



## **6. SURFACE MINING OPERATION REQUIREMENTS**

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

## **7. AREA STRUCTURE PLAN REQUIREMENTS**

The Development Authority may require that an applicant submit an area structure plan or comprehensive land use plan prior to the designation of or consideration for development within the following land use districts: hamlet transitional/agricultural; grouped country residential; grouped rural industrial; private commercial recreation; and rural highway commercial. Such plans shall address the following concerns to the satisfaction of the Development Authority:

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

## 8. ENVIRONMENTAL IMPACT REQUIREMENTS AND CRITERIA

An environmental impact assessment and permit conditions to satisfactorily minimize:

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

may be required by the Development Authority or Subdivision and Development Appeal Board for any development proposed within 1000 feet of:

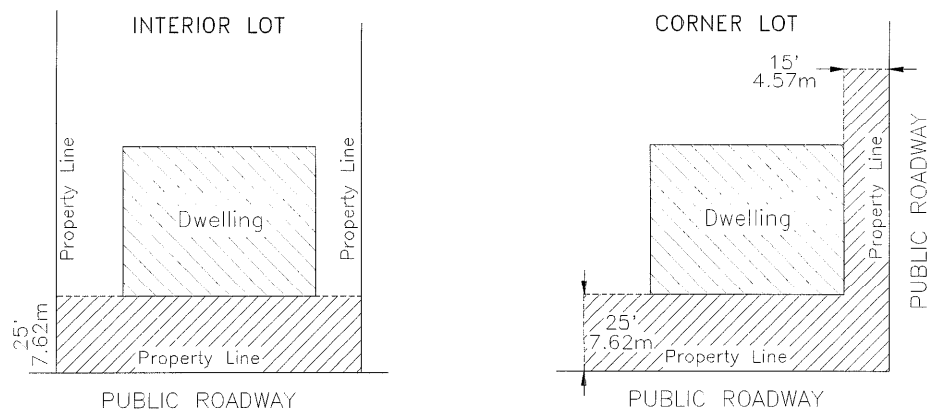
- (i) a waterbody;
- (ii) an existing or potential recreation area; or
- (iii) a river valley, lake shoreland.

## 9. RETAINING WALLS (Urban Areas)

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

## 10. FENCES (Urban Areas)

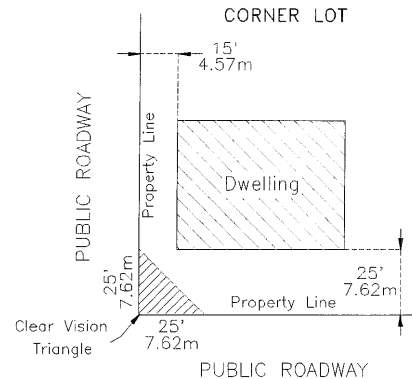
- (a) No fence, wall, vegetation, or any combination thereof, lying within 25 feet of the right-of-way of a public roadway, excluding lanes, shall extend more than three feet above the ground without a permit issued by the Development Authority, except in the case of corner lots where one yard is considered as the side yard.
- (b) Fences in rear yards shall be limited to six feet in height.





#### 11. CORNER LOT RESTRICTIONS (Urban Areas)

On a corner lot nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of 3 and 10 feet above the centre-line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 25 feet from the point of intersection.



#### 12. REFUSE COLLECTION AND STORAGE

Refuse and garbage shall be kept in a suitably sized enclosure for each use within each land use district, or shall be effectively screened until such time as collection or disposal is possible.

#### 13. SERVICING STANDARDS

##### (a) Urban Areas (Hamlets)

- (i) All development shall be required to connect to municipal water and sewer, except where in the opinion of the Development Authority, such services cannot be made available or the type of development is such that it does not require water and sewer.
- (ii) Where the Development Authority has determined that municipal water and/or sewer cannot be made available, the Development Authority may approve use of an alternative system in accordance with section 13(b).

##### (b) Rural

- (i) The applicant shall be responsible for demonstrating, to the satisfaction of the Development Authority or Subdivision Authority, as applicable, adequate provisions for water and sewer to serve the development.
- (ii) The municipality or the Development or Subdivision Authority, as applicable, may require the applicant to provide a professional soils analysis and report, prepared at the applicant's cost prior to making a decision on a subdivision or development application, to determine the suitability of the site for a private sewage system (in accordance with the Alberta Private Sewage Systems Standard of Practice) in relation to the development proposal.
- (iii) The use of a sewage holding tank as a method of private sewage disposal requires the approval of the municipality and may only be considered where in the opinion of the Development Authority, no other reasonable alternative is available and the volume of effluent produced by the development is limited or where the use is approved in an adopted Area Structure Plan.
- (iv) The type of private sewage disposal system serving the development will be a consideration of subdivision approval. The use of a holding tank, an open discharge system, or lagoon may result in refusal of a subdivision application for residential purposes, as these methods of private sewage management systems are not generally considered sustainable. For non-residential uses, the method of private sewage management system will be evaluated on an individual basis, based on consideration of applicable Municipal Development Plan policies and the type and location of development.



**SCHEDULE 6**

**MOBILE HOME STANDARDS OF DEVELOPMENT**

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## **SCHEDULE 6**

### **MOBILE HOME STANDARDS OF DEVELOPMENT**

#### **1. STANDARDS AND REQUIREMENTS APPLICABLE TO MOBILE HOMES\***

- (a) Mobile Home Standards of Development – Schedule 6.
- (b) General Standards of Development – Schedule 5.
- (c) Designated Hamlet - residential land use district requirements – Schedule 2.
- (d) Any special mobile home park standards as may be developed and adopted by Council or the Development Authority.

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\* Except where noted, all standards, requirements, and guidelines shall apply to both single-wide and double-wide units proposed for hamlets, grouped country residential subdivisions or mobile home parks but, at the discretion of the Development Authority, may also be applied to any other location.

#### **2. ELIGIBLE MOBILE HOMES**

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

#### **3. INFORMATION REQUIREMENTS**

**(applicable to all applications regardless of land use district designation)**

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

- (a) shall include a recent colour photograph of each elevation, including additions; and
- (b) shall include documentation prepared by a qualified Safety Codes inspector, demonstrating that the dwelling meets the requirements of the Alberta Safety Codes (building and fire). If the dwelling does not meet Alberta Safety Codes, the application shall include the following:
  - (i) information indicating how the dwelling will be brought up to meet the Alberta Safety Codes requirements; and
  - (ii) a proposed timeframe for completing the improvements;
- (c) shall include a description of any proposed improvements to the exterior of the dwelling (e.g. replace shingles, windows, doors; repaint or replace siding);
- (d) may be required, as a condition of development approval, to provide security in an amount to be determined by the Development Authority to ensure that any conditions of approval are completed.

#### **4. FOUNDATION, BASEMENTS, ROOFLINES, AND ADDITIONS**

- (a) All double-wide units shall be placed on continuous concrete, or concrete block foundations, capable of supporting the maximum anticipated load, in conformity with the Alberta Safety Codes.
- (b) All single-wide mobile homes not placed on permanent foundations of continuous concrete or concrete block shall be skirted.

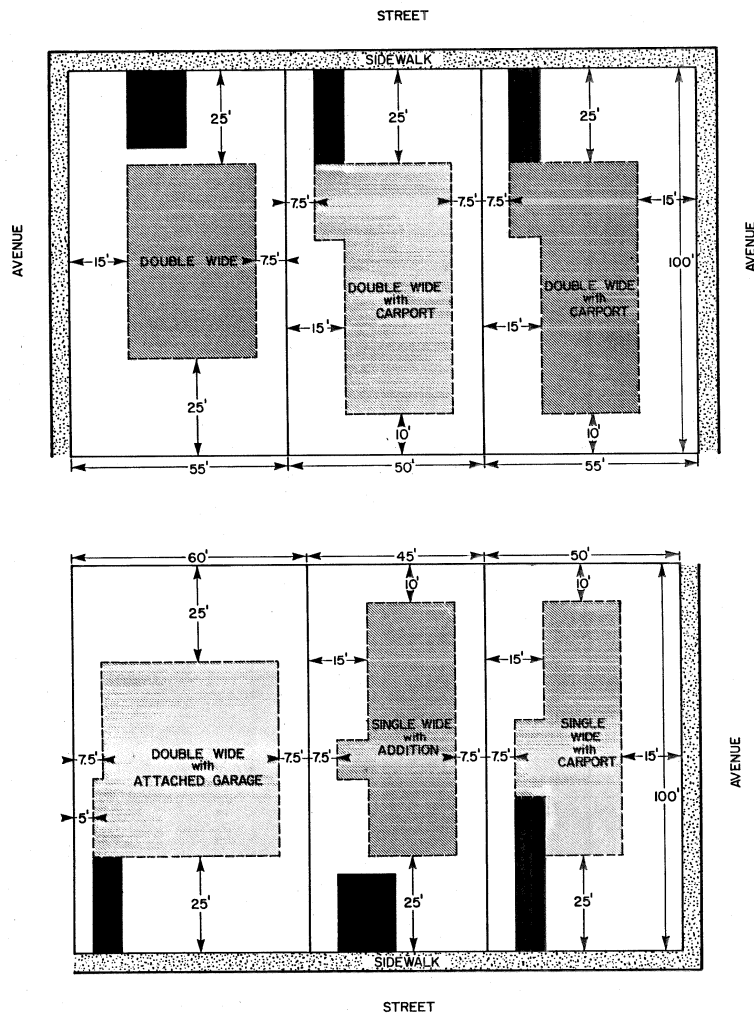
- (c) Mobile home units shall be within one to three feet above the average finished grade of the surrounding ground.
- (d) All mobile home additions shall be of a design and finish which will complement the unit.
- (e) Generally, single-wide units shall not be encouraged to locate adjacent to, or among, conventional dwellings.
- (f) Every mobile home shall be anchored to the ground by not less than six cables, when not bolted to a concrete foundation, including one cable at each corner of the unit. Each cable, its attachment and anchor, shall have a rated breaking strain of not less than 1,810 kg.

## 5. MOBILE HOME PARKS

All applications for mobile home parks shall be considered on the basis of a municipal district approved area structure plan or comprehensive land use plan where the standards of development meet or exceed the Canada Mortgage and Housing Corporation site planning handbook criteria and the CSA Mobile Home Parks Code A 240.7.1.

## 6. MOBILE HOME SETBACKS AND SITING PLAN GUIDELINE

See diagram below and Hamlet Residential District, Schedule 2, Section 6.



SCHEDULE 7

**HAMLET OFF-STREET PARKING STANDARDS**

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## SCHEDULE 7

### HAMLET OFF-STREET PARKING STANDARDS

1. (a) No parking shall be permitted in any designated front yard area except driveways.
- (b) Driveways shall not be used for parking or storage of construction equipment and farm machinery in urban areas.

#### 2. **PARKING GUIDELINES**

The following minimums shall normally be provided but requirements may be increased or decreased at the discretion of the Development Authority, who may also take into account the number of parking spaces adjacent to the lot frontage on a public roadway or those in a designated vicinity public parking lot.

Use	Number of Stalls
Dwellings:	
Single family and double wide mobile homes	2 per dwelling
Duplex and semi-detached dwellings	2 per unit
Multiple family dwellings	1.5 per unit
Banks and offices	1 per employee with a minimum of 5
Churches	1 per each 4 seating places
Curling rinks	6 per ice sheet and 1 per employee
Grain elevators, bulk storage and sales (oil, fertilizer)	1 per employee or more as required by the Development Authority
Hospitals	1 per employee and 1 per 3 beds
Hotels and motor hotels	1 per guest room and 1 per each 2 seating places
Industrial	1 per employee
Medical clinics	1 per employee and 1 per each 600 square feet of floor area
Motels and boarding or rooming houses	1 per guest room
Public assembly buildings (e.g. halls and clubs, auditoriums, arenas)	1 per each 4 seating places
Public services and utilities	As required by the Development Authority
Restaurants and cafes	1 per employee and 1 per each 4 seats
Retail sales and service outlets	1 per employee and 1 per each 600 square feet of floor area
Schools	1 per employee, or more, as required by the Development Authority
Service stations	1 per employee and 2 per service bays
Theatres	1 per each 2 seating places
All others	As required by the Development Authority



**SCHEDULE 8**  
**MOVED-IN DWELLING /**  
**PREVIOUSLY OCCUPIED DWELLING STANDARDS**

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**SCHEDULE 8**  
**MOVED-IN DWELLING /**  
**PREVIOUSLY OCCUPIED DWELLING STANDARDS**

Any application for a "moved-in dwelling" or any previously occupied dwelling considered by the Development Authority:

- (a) shall be accompanied by recent colour photographs showing each elevation of the structure;
- (b) shall be accompanied by documentation prepared by a qualified Safety Codes inspector, demonstrating that the dwelling meets the requirements of the Alberta Safety Codes (building and fire). If the dwelling does not meet Alberta Safety Codes, the application shall include the following:
  - (i) information indicating how the dwelling will be brought up to meet Alberta Safety Codes requirements; and
  - (ii) a proposed timeframe for completing the improvements;
- (c) shall include a description of any proposed improvements to the exterior of the dwelling (e.g., replace shingles, windows, doors; repaint or replace siding);
- (d) may be required, as a condition of development approval, to provide security in an amount to be determined by the Development Authority to ensure that any conditions of approval are completed.



**SCHEDULE 9**

**HOME OCCUPATION STANDARDS**

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**SCHEDULE 9**  
**HOME OCCUPATION STANDARDS**

**A. HAMLET AND GROUPED COUNTRY RESIDENTIAL DISTRICT STANDARDS**

1. No person other than the occupant's immediate family and one paid assistant shall be engaged in such occupations on the premises.
2. The use shall not involve the display or storage of goods or equipment upon or inside the premises such that these items are exposed to public view from the exterior.
3. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
4. No advertising sign shall be permitted except a small name plate attached to the building, not exceeding four square feet and approved by the Development Authority.
5. The use shall not generate substantially more vehicular and/or pedestrian traffic and vehicular parking than normal within the district.
6. No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare produced by the use shall be discernible beyond the boundaries of the lot.
7. No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation substantially exceeds the average for residences in the area.
8. No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home occupation is located.
9. All permits issued for home occupations shall be subject to the condition that the permit is renewed annually and may be revoked at any time if, in the opinion of the Development Authority, the use is or has become detrimental to the residential character and amenities of the neighbourhood.

**B. RURAL STANDARDS**

1. The use may involve the display or storage of goods or equipment, upon or inside the premises, in such a manner that these items are exposed to public view from the exterior in accordance with limitations established by the Development Authority.
2. The variation in the rural residential character and appearance of the dwelling and ancillary buildings or land may be limited by the Development Authority.
3. One on-premises advertising sign of up to 32 square feet and one off-premises sign of up to 16 square feet may be approved by the Development Authority.
4. The use shall not generate volumes of traffic which, in the opinion of the Development Authority, could have a negative impact on vicinity residences or the safe, efficient operation of roads.
5. No offensive noise, vibration, electrical interference, noise, dust or odours, heat or glare produced by the use, shall be discernible beyond the boundaries of the lot.
6. All permits issued for rural home occupations shall be subject to the condition that the permit is renewed annually and may be revoked at any time if, in the opinion of the Development Authority, the use is or has become detrimental to the area.



**SCHEDULE 10**  
**SIGN STANDARDS**

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**SCHEDULE 10**  
**SIGN STANDARDS**

1. Billboards are prohibited.
2. A combination of no more than two lawn, fascia or free-standing signs advertising the principal use of the premises or products offered for sale on the commercial/industrial premises may be approved by the Development Authority based upon the merits of each case providing:
  - (a) the total area of the sign(s) does not exceed 64 square feet;
  - (b) the location does not pose a visual obstruction to traffic or any authorized traffic sign, signal or device;
  - (c) the source of illumination is steady and suitably shielded.
3. One (1) sign of up to four square feet may be approved for a home occupation in a hamlet residential or grouped country residential district.
4. One (1) premises sign of up to 32 square feet and one (1) directional sign of up to 16 square feet may be approved for a home occupation in a rural agricultural, urban fringe district and shall be located on private property.
5. Directional and informational signs of a permanent or temporary nature may be approved by the Development Authority based on the merits of each case in accordance with the standards of this schedule.
6. All signs shall be maintained in a safe and tidy manner to the satisfaction of the Development Authority.
7. All signs proposed within 1000 feet of a provincial highway shall also be subject to the terms and conditions Alberta Transportation permits require in accordance with the Highways Development Control Regulations.



**SCHEDULE 11**

**WIND ENERGY CONVERSION SYSTEMS  
AND SOLAR ENERGY SYSTEMS**

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## SCHEDULE 11

# WIND ENERGY CONVERSION SYSTEMS AND SOLAR ENERGY SYSTEMS

### Part 1

#### WIND ENERGY CONVERSION SYSTEMS (WECS)

##### DEFINITIONS

1. The following apply to this part:

##### Blade

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

##### Blade Clearance

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

##### Horizontal Axis Rotor

A wind energy conversion system, typical of conventional or traditional windmills, where the rotor is mounted on a downward 5 percent angle to the earth's surface.

##### Over Speed Control

A device which prevents excessive rotor speed.

##### Rotor's Arc

The largest circumferential path traveled by a WECS' blade.

##### Total Height

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

##### Towers

The structure which supports the rotor above grade.

##### Vertical Axis Rotor

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

##### INFORMATION REQUIREMENTS

2. For the purposes of a development permit application, WECS will be classified into two categories:

Category 1 – Total output of WECS proposed is less than 1 megawatt

Category 2 – Total output of WECS proposed is more than 1 megawatt

All development applications for a WECS, depending upon category, may be required to be accompanied by the following if determined necessary by the Development Authority:

	<b>1</b>	<b>2</b>
(a) an accurate site plan showing and labeling the information outlined in this Section, and the location of overhead utilities on or abutting the subject lot or parcel;	✓	✓
(b) an analysis of the visual impact of the project, especially with respect to the scenic qualities of the M.D. landscape. The analysis will include the cumulative impact if other WECS are in the area and the impact of overhead transmission lines;		✓
(c) scale elevations or photographs of the proposed WECS showing total height, tower height, rotor diameter, and colour;	✓	✓
(d) the manufacturer's specifications indicating: <ul style="list-style-type: none"> <li>(i) the WECS rated output in megawatts;</li> <li>(ii) safety features and sound characteristics;</li> <li>(iii) type of material used in tower, blade, and/or rotor construction;</li> </ul>	✓	✓
(e) an analysis of the potential for noise, both at the site of the installation and at the boundary of the property containing the development – Provincial Noise Standards must be met;	✓	✓
(f) specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;	✓	✓
(g) the results of any public consultation process;		✓
(h) the status of the applicant's circulation to Nav Can, Transport Canada, Alberta Energy and Utilities Board and any other government departments required for provincial approval;		✓
(i) any information regarding general public safety;	✓	✓
(j) any impacts to the local road system including required approaches from public roads having regard to M.D. of Taber standard;		✓
(k) a plan outlining how the site will be decommissioned and reclaimed prior to the development		✓

### **REFERRALS**

3. Prior to making a decision on a development application for a WECS, the Development Authority should refer and consider the input of the following agencies and departments:
  - Alberta Energy and Utilities Board
  - Transport Canada
  - Navigation Canada
  - Alberta Community Development
  - Alberta Environment

4. As a condition of approval, the M.D. may require a bond or irrevocable letter of credit to ensure the reclamation/decommissioning plan is implemented. The condition may include a periodic review of the bond or letter of credit to ensure the amount is sufficient to implement the reclamation/decommissioning plan.

#### **SETBACKS**

5. A WECS shall comply with all the setbacks that govern the principal use in the district in which it is located.
6. A WECS shall be located not less than twice the height of the WECS, as measured from the ground to the highest point of rotor's arc, from a dwelling unit.
7. Where, in the opinion of the Development Authority the setbacks referred to in sections 5 and 6 above are not sufficient to reduce the impact of a WECS from a public roadway or a primary highway, the Development Authority may increase the required setback.
8. A WECS shall be located so that the horizontal distance measured at grade from the tower to any property boundary is at least the total height of the WECS.
9. In the case of multiple WECS, setbacks can be increased from the minimum setback requirements in the district depending upon the number of WECS in a group and the prominence of the location.

#### **MINIMUM BLADE CLEARANCE**

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

#### **TOWER ACCESS AND SAFETY**

11. To ensure public safety, the Development Authority may require that:
  - (a) a security fence with a lockable gate shall surround a WECS tower not less than 1.8 m (5.9 ft.) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
  - (b) no ladder or permanent tower access device shall be located less than 3.7 m (12 ft.) from grade;
  - (c) a locked device shall be installed on the tower to preclude access to the top of the tower;
  - (d) all of the above be provided or such additional safety mechanisms or procedures be provided as the Development Authority considers reasonable and appropriate;
  - (e) the use of tubular towers, with locked door access, will preclude the above requirements.

#### **TRANSMISSION LINES**

12. All powerlines on the site of the approval to the substation or grid may be underground except where the Development Authority approves overhead installation.

## **COLOUR AND FINISH**

13. Unless otherwise required by the Development Authority, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Development Authority.
14. No lettering or advertising shall appear on the towers or blades. In other parts of the WECS, the only lettering will be the manufacturer's identification or municipal symbol.

## **NUMBER OF WECS**

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

## **Part 2**

### **SOLAR ENERGY SYSTEMS**

#### **1. DEFINITIONS**

##### Solar energy system, commercial/industrial

A system using solar technology to collect energy from the sun and convert it to energy that is intended for off-site consumption, distribution to the marketplace, or a solar energy system that does not meet the definition of solar energy system, household.

##### Solar energy system, household

A photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal, or chemical energy that is primarily intended for sole use and consumption on-site by the landowner, resident or occupant.

#### **2. SOLAR ENERGY SYSTEM, HOUSEHOLD**

- (a) Development permit applications for solar energy system, household, shall be accompanied by the following additional information:
  - (i) documentation demonstrating the system is designed to produce energy primarily for sole use and consumption on-site by the landowner, resident or occupant;
  - (ii) manufacturer's specifications for system design and rated output;
  - (iii) orientation of the solar panels;
  - (iv) for panels mounted to the roof of a building or ancillary structure or affixed to the wall of a building or ancillary structure, a description of how the panels are to be

mounted or affixed, maximum projection from roof or wall, and structural capacity of the building/wall to support the proposed development;

- (v) for free-standing solar panels, a description of the proposed ground mount design and maximum height from existing grade.
- (b) Solar panels must be located such that they do not create undue glare on neighbouring parcels or public roadways.
- (c) Solar panels mounted to the roof of a building or ancillary structure must not extend beyond the outermost edge of the roof.
- (d) The maximum projection of solar panels affixed to the wall or mounted to the roof of a building or ancillary structure shall be as regulated by the Development Authority.
- (e) Setback requirements are as prescribed in the applicable land use district. In the Designated Hamlet land use districts, free-standing solar panels are subject to the ancillary building and structure setbacks.
- (f) The maximum height of a free-standing solar panels shall not exceed 2.44 m (8 ft.).
- (g) Solar panel installations may be affixed to a building wall (principal and/or ancillary), mounted to the roof of a building (principal and/or ancillary) or mounted to the ground as a free-standing structure. The maximum number of solar panel installations per parcel and location may be regulated by the Development Authority.

### **3. SOLAR ENERGY SYSTEM, COMMERCIAL/INDUSTRIAL**

- (a) Development permit applications for solar energy system, commercial/industrial shall be accompanied by the following additional information:
  - (i) the location of overhead utilities on or abutting the subject parcel and identification of any sensitive, environmental or topographical features which may be present on the parcel;
  - (ii) information regarding setbacks from property lines and the proximity to structures or uses on the site and adjacent parcels of land;
  - (iii) detailed information about the system type, number of structures, height of structures, and the energy process and rated output;
  - (iv) any information regarding general public safety and security measures;
  - (v) a site suitability analysis including but not limited to, topography; soils characteristics; storm water collection; accessibility to a road; availability of water supply, sewage disposal system and solid waste disposal if applicable; compatibility with surrounding land uses; potential impacts to agricultural land, operations and pursuits; potential visual impacts, and consistency with the policies of the Municipal Development Plan;
  - (vi) preliminary grading/drainage plan;
  - (vii) any potential impacts to public roads;
  - (viii) decommissioning plan;
  - (ix) if required by the Development Authority, an Environmental Assessment Review prepared by a qualified professional or other studies and reports to demonstrate site suitability and impact mitigation.

- (b) In the Rural Agricultural – “RA” and Rural/Urban Fringe – “R/UF” land use districts, applicants are encouraged to consider the following when selecting sites:
  - (i) use of the lowest productive land, dry corners, and poor agricultural land is preferred;
  - (ii) to the extent possible, use of irrigated land and high quality agricultural land should be avoided/minimized.

SCHEDULE 12

**SHIPPING CONTAINER STANDARDS**

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## **SCHEDULE 12**

### **SHIPPING CONTAINER STANDARDS**

#### **1. General Standards**

- (a) Shipping containers shall only be allowed in the land use districts where listed as a permitted or discretionary use in Schedule 2, Land Use District Regulations, in accordance with this schedule. Except as provided in section 2 of this schedule, shipping containers are prohibited in the following land use districts: Grouped Country Residential – “GCR” and Designated Hamlet Residential – “HR”.
- (b) An application for a development permit for a proposed shipping container(s) must be completed and submitted to the Designated Officer along with the appropriate application fee, unless otherwise specified in sections 2 and 3 of this schedule. At least two recent colour photographs of each container (one end view and one side view) must accompany the application.
- (c) There shall be a primary use on the property where the shipping container is proposed, except as provided in section 2 of this schedule.
- (d) The front, rear and side setback requirements shall be regulated by the Development Authority.
- (e) The maximum number of shipping containers permitted on a lot shall be regulated by the Development Authority.
- (f) Where multiple shipping containers are permitted on a lot they shall be stacked no more than two containers high.
- (g) The Development Authority may require as a condition of approval that any shipping container be sandblasted and/or painted to the satisfaction of the Development Authority.
- (h) The Development Authority may require as a condition of approval that any shipping container be screened from view or landscaped to make it aesthetically pleasing.
- (i) The exterior of all shipping containers must be kept clean and regularly painted.
- (j) Shipping containers shall not display advertising, company logos, names or other marketing without an approved sign permit.
- (k) The Development Authority may regulate the time period for which a development permit is valid through the issuance of a temporary permit. The validity of a temporary permit shall not exceed one year.
- (l) The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing compliance with the conditions of the permit.

#### **2. Temporary Shipping Containers**

- (a) A shipping container may be placed temporarily on a construction site, for the period of construction only, in any land use district without obtaining a development permit subject to the following provisions:
  - i. the shipping container is needed in connection with construction of a development for which a development permit has been issued;
  - ii. the construction site is active (i.e. construction has commenced and is on-going or is about to commence within 1 week); placement of a shipping container on an inactive construction site is not permitted;

- iii. no more than one shipping container is placed on the construction site (a development permit is required for additional shipping containers on a construction site);
- iv. the exterior of the shipping container is kept clean and does not display any advertising other than the company logo or trademark;
- v. in hamlet land use designations, the shipping container shall be located a minimum of 10 ft. (3 m) from the front property line and 5 ft. (1.5 m) from the side and rear property lines. On corner lots, placement of the container shall also comply with the corner lot restrictions in section 11, Schedule 5;
- vi. in rural land use designations, the placement of the shipping container shall comply with public roadway setback requirements in section 2, Schedule 5;
- vii. the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority.

### **3. Shipping Containers Associated With Extensive Agriculture or Grazing**

- (a) Within the Rural Agricultural – “RA” and Rural Urban Fringe – “R/UF” land use districts a maximum of two shipping containers are permitted without obtaining a development permit subject to the following provisions:
  - i. the shipping containers are associated with extensive agriculture or grazing as defined in section 3, Schedule 3;
  - ii. the lot upon which the containers are placed is 5 acres (2 ha) or greater in size;
  - iii. the location of the containers comply with the public roadway setback requirements, section 2, Schedule 5;
  - iv. the exterior of the shipping containers are kept clean and regularly painted;
  - v. the shipping containers shall not display advertising, company logos, names or other marketing.

**SCHEDULE 13**

**TELECOMMUNICATION, RADIOCOMMUNICATION AND  
BROADCASTING ANTENNA SYSTEMS  
(ANTENNA SYSTEMS) SITING PROTOCOL**

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**SCHEDULE 13**  
**TELECOMMUNICATION, RADIOCOMMUNICATION AND BROADCASTING**  
**ANTENNA SYSTEMS (ANTENNA SYSTEMS)**  
**SITING PROTOCOL**

**1. Purpose**

This Schedule serves as the protocol for the installation and modification of telecommunication, radiocommunication and broadcasting antenna systems (antenna systems) in the Municipal District of Taber. The protocol establishes the procedural standard for public participation and consultation that applies to proponents of antenna systems and identifies the Municipal District of Taber's preferred development and design standards.

**2. Applicability**

The federal Minister of Industry is the approval authority for the development and operation of antenna systems, pursuant to the *Radiocommunication Act*. Industry Canada recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages Land Use Authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions and preferences to the proponent of an antenna system and Industry Canada.

The local protocol established in this Schedule applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system (antenna systems) within the Municipal District of Taber which is not excluded from the consultation requirements established by Industry Canada in Client Procedures Circular CPC-2-03 [or subsequent/amended publications]. Proponents of excluded antenna systems are nevertheless encouraged to contact the Municipal District of Taber to discuss the proposal and identify any potential issues or concerns and give consideration to the development and design standards in section 5 of this Schedule.

(a) Antenna Systems Siting Protocol Exclusion List:

- i. Industry Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. Industry Canada's publication, Radiocommunication and Broadcast Antenna Systems CPC-2-0-03 lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-03 are therefore excluded from Schedule 13, Telecommunication, Radiocommunication and Broadcasting Antenna Systems Siting Protocol of the Municipal District of Taber Land Use Bylaw No. 1722. The excluded installations currently are:
  - maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
  - addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
  - maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;

- installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event; and
- new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 49.2 feet (15 metres) above ground level.

Proponents, who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the Municipal District of Taber or Industry Canada for guidance.

### **3. Municipal Review and Issuance of Concurrence or Non-concurrence**

- (a) The Municipal District of Taber's Development Authority shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna systems proposals within the Municipal District of Taber which are not excluded under section 2 of this Schedule.
- (b) Concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna system is proposed, the development and design standards in section 5 of this Schedule, applicable policies of the Municipal District of Taber Municipal Development Plan, and consideration of comment received during the public consultation process (section 7 of this Schedule) and any other matter deemed relevant by the Development Authority:
  - i. when a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Development Authority documenting its decision and any conditions;
  - ii. when a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Development Authority describing the reasons for the decision.
- (c) Municipal concurrence does not constitute approval of uses, buildings and structures which require issuance of a development permit under the land use bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development permit approval for such uses, buildings and structures in accordance with the provisions of the land use bylaw.

### **4. Municipal Review Processing Period**

- (a) Except as provided in subsection (b), the Development Authority will issue a decision of either concurrence or non-concurrence within 40 days of receiving a complete application package.
- (b) The 40 day processing time period may be extended by the proponent or the Municipal District of Taber, through mutual consent.

### **5. Development and Design Standards**

The Municipal District of Taber requests that the following antenna systems development and design standards be adhered to:

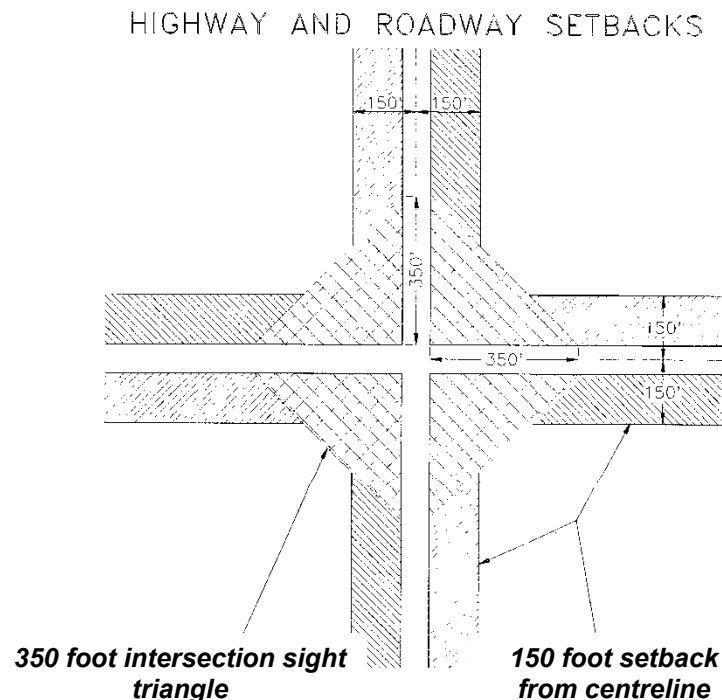
- (a) Co-utilization of existing antenna systems is the preferred option within the Municipal District of Taber and is encouraged whenever feasible. The Municipal District of Taber

recognizes that while this is the preferred option, co-utilization of existing antenna systems is not always possible.

(b) Public Roadway Setbacks

Rural:

- i. In order to facilitate future widening/service road dedication and reduce potential snow drifting/sight restrictions, an antenna system, excluding any guy wires or other similar support mechanisms, will be placed no closer than 150 feet (45.72 m) from the centre line of a rural road and outside of the 350 foot (106.68 m) intersection sight triangle, as illustrated in the figure herein. A lesser setback may be considered at the discretion of the Development Authority on a site-specific basis.



Hamlet:

- ii. An antenna system, including any guy wires or other similar support mechanisms, proposed within a hamlet will be placed no closer than 25 feet (7.62 m) from the property line abutting the public road. A lesser setback may be considered at the discretion of the Development Authority on a site-specific basis.

(c) Locational Criteria

- i. Antenna systems will maintain an adequate setback from coulees and steep slopes, consistent with the setback requirements in Schedule 5, section 4(a).
- ii. Proponents will consult section 5.8 of the MD of Taber Municipal Development Plan No. 1723, to determine whether the proposed location of the antenna system is within an identified environmentally significant area. If the proposed site of the antenna system is located within an identified environmentally significant area, the

proponent will submit documentation to the Development Authority demonstrating site suitability.

(d) Lighting and Signage

- i. Aerial crop spraying is a regular occurrence in the Municipal District of Taber and vital to the Municipal Development Plan goal of supporting agricultural pursuits. While aerial crop sprayers are encouraged to undertake comprehensive site reconnaissance, it is the preference of the Municipal District of Taber that all antenna systems be lighted and marked as follows to help minimize aeronautical hazard:
  - a. the antenna shall be marked with alternating bands of aviation orange and white paint or other approved Transport Canada colour combinations;
  - b. the top of the antenna shall be lit with a flashing strobe light or other Transport Canada approved lighting;
  - c. the antenna guy wires (or other similar support cables, lines or wires) shall be marked with aviation balls or other Transport Canada approved markers.
- ii. The placement of signage on antenna systems is not permitted, except where required by applicable federal agencies.

**6. Application Submittal Requirements**

- (a) Proponents are encouraged to contact the Municipal District of Taber in advance of making their submission to obtain information about the Municipal District's Antenna Systems Siting Protocol and identify any preliminary issues or concerns.
- (b) The following application package shall be submitted to the Municipal District of Taber for consideration of a proposed antenna system:
  - i. a completed development permit application, including site plan (refer to Appendix 1);
  - ii. the prescribed fee, as set in the Municipal District of Taber Schedule of Development Permit Fees;
  - iii. a description of the type and height of the proposed antenna system and any guy wires or other similar support mechanisms (e.g., support cables, lines, wires, bracing);
  - iv. the proposed lighting and aeronautical identification markings for the antenna and any supporting structures;
  - v. documentation regarding potential co-utilization of existing towers within 1,640 feet (500 metres) of the subject proposal; and
  - vi. any other additional information or material the Designated Officer or Development Authority determines to be necessary and appropriate to properly evaluate the proposed submission.

**7. Notification and Public Consultation Process**

- (a) Upon receipt of an application package, the Designated Officer shall review the application for completeness and, if deemed complete, will:
  - i. schedule a date for a development hearing to be held during a meeting of the Development Authority, at which the proposal will be reviewed and comment received regarding the proposal;



- ii. notify the proponent and/or representative of the antenna system of the development hearing date;
  - iii. post a notice of the development hearing in a newspaper in accordance with section 18 (Development Hearing Procedures) of the land use bylaw; and
  - iv. notify persons likely to be affected by the proposal of the development hearing date in accordance with section 18 (Development Hearing Notification Procedures) of the land use bylaw, including:
    - a. landowners and adjacent municipalities within half a mile (805 m) of the proposed antenna system;
    - b. any review agencies deemed affected, as determined by the Designated Officer;
    - c. any other persons deemed affected, as determined by the Designated Officer.
- (b) The proponent or a representative should attend the development hearing and be prepared to explain all aspects of the proposal including the siting, technology, and appearance of the proposed antenna system.



**SCHEDULE 14**

**DEFINITIONS OF BYLAW TERMINOLOGY**

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## SCHEDULE 14

### DEFINITIONS OF BYLAW TERMINOLOGY

**Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, and all subsequent amendments thereto.

**Agriculture, extensive** means the production of crops and/or livestock by the expansive cultivation or open grazing of existing titles or proposed parcels usually greater than 160 acres on dryland or 80 acres on irrigated land.

**Agriculture, intensive** means the concentrated cultivation, operation of cultivation facilities or operation of confinement structures on a parcel of land usually less than 80 acres, for the commercial production of specialty crops, produce and/or livestock via special agricultural practices. Such uses are referred to and herein separately defined as *Intensive Horticultural* and *Confined Feeding Operation*.

**Airport** means any areas of land designed or set aside for the landing and take off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

**Airstrip** means a place from which airplanes operate without regular airport facilities.

**Amusement park** means a use that provides entertainment to patrons; includes miniature golf, go-cart tracks, bumper boats, batting cages, theme parks, video game arcade use in conjunction with at least three or more other amusement attractions and minor retail sales and services customarily associated with and accessory to such facilities; excludes adult entertainment use, cabaret use, casino management use, pool and billiard halls, bowling alleys, movie houses and theatres.

**Antenna system(s)** means a telecommunication, radiocommunication or broadcasting antenna and the mast, tower or other antenna supporting structure (such as, but not limited to, a building, streetlight, spire, or utility pole) to which the antenna is attached, and includes any guy wires or other similar mechanisms used to support the antenna system (e.g. support lines, cables, wires or braces).

**Antenna, Telecommunication, Radiocommunication or Broadcasting** means a device regulated pursuant to the Radiocommunication Act requiring approval by the federal government, which is used to receive and/or transmit radio-frequency signals, microwave signals or other communications energy transmitted from or to be received by other antennas.

**Board and rooming houses** means a building (other than a hotel or motel) containing not more than fifteen (15) sleeping rooms where means or lodging for five (5) or more persons are provided for compensation pursuant to previous arrangements or agreement.

**Building** includes any enclosed structure or erection that may be built or placed on land.

**Building, ancillary** means any building which is separate from the principal building on the lot on which both are located, and the use of which the Development Authority decides is normally subordinate and incidental to that of the principal building.

**Building, non-conforming** – see **Uses, non-conforming**.

**Building, principal** means a building which:

- (a) occupies the major or central portion of a lot;
- (b) is the chief or main building on a lot; or
- (c) constitutes, by reason of its use, the primary purpose for which the lot is used.

**Cafe** means an establishment where food and beverage is served for a fee or charge to the public for immediate consumption within the premises.

**Campground** means an area used for a range of overnight accommodation, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes, trailers or other forms of moveable shelter on a permanent year-round basis.

**Cannabis** means cannabis as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

**Cannabis accessory** means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

**Cannabis production facility** means the use of one or more buildings where federally licensed cannabis is grown, processed, packaged, tested, researched, destroyed, stored, or loaded for shipping. This use does not include "Retail cannabis store".

**Carport** means a partially enclosed structure intended for the shelter of one or more motor vehicles. Enclosure is limited to the roof and to a height not greater than three feet above the ground or finished surface of the carport.

**Church / Place of Worship** means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.

**Code of Practice** means the current *Code of Practice for the Safe and Economic Handling of Animal Manures*, as published by the Natural Resources Conservation Board (NRCB).

**Commercial** means the use of land and/or buildings for the purpose of public sale, display and storage of goods and/or services on the premises. Any on-premises manufacturing, processing or refining of materials shall be incidental to the sales operation.

**Commercial, highway** means a use which provides goods and/or services essential to the motoring public such as, but not necessarily limited to, service stations, cafes, restaurants, motor hotels, public roadside rest stops and campgrounds, recreation vehicle sani-dumps and private commercial recreation developments at the discretion of the Development Authority.

**Confined feeding operation** as defined within the Agricultural Operation Practices Act.

**Convenience store** means the use of a premises for the sale of prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

**Development** has the meaning in the Act.

**Development Authority** means a body of individuals established in accordance with section 626 of the Municipal Government Act, and through a Development Authority bylaw, to which specific applications for development are referred for decision.

**Designated officer** means the person or persons appointed by **Council**, pursuant to Section 7 of this bylaw, to administer the provisions of the land use bylaw.

**Development hearing** means a public meeting which is convened by the Development Authority in accordance with the requirements of the land use bylaw, to obtain comment and information on a proposed development prior to the Development Authority's issuance of a decision on a development permit application or other development matter requiring municipal review, such as an antenna system proposal.

**District** means a defined area of a municipality as set out in the land use district schedules of uses and indicated on the land use bylaw district maps.

**Drive-in theatre** means a place for the commercial showing of films on outdoor screens to customers who remain in their motor vehicle.

**Dwelling** means any building used exclusively for human habitation and which is supported on a permanent foundation extending below ground level, including multiple dwellings, rooming and boarding houses, but excluding mobile homes.

**Dwelling, duplex** means a building containing two separate dwelling units connected by a common floor/ceiling, but not legally subdivided by a property line.

**Dwelling, moved-in** means a conventional preconstructed previously occupied building which is physically removed from one site, transported and re-established on another site for use as a residence.

**Dwelling, multi-family** means a building (other than a row dwelling) containing three or more separate dwelling units.

**Dwelling, primary single family** means a building containing one dwelling unit only and does not include manufactured home or mobile home.

**Dwelling, row or town house** means a building containing three or more separate dwelling units with each unit placed side by side and each having a separate front and rear entrance.

**Dwelling, rural non-farm** – see **Residence, country**.

**Dwelling, secondary single family** means a building containing one dwelling unit only used for housing individuals and their families in an agricultural operation and may include manufactured home or mobile home.

**Dwelling, sectional** means a prefabricated or modular structure moved onto a lot, assembled over a basement/foundation, which has the general appearance and is used as a conventional single family dwelling unit.

**Dwelling, semi-detached** means a building containing two separate dwelling units connected by a common wall, but legally subdivided by a property line.

**Dwelling unit** means a building or portion thereof designated or used exclusively as the living quarters (construed as including sleeping, cooking, and toilet facilities) for one family.

**Farmstead** means the ancillary part of an agricultural parcel developed with dwellings, buildings, structures, shelter belts, dugouts, storage areas for farm equipment, produce, and fertilizer, etc., necessary to the extensive cultivation and/or grazing use of the major portion of the land.

**Floor area** means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages, and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

**Home occupation** means the secondary use of a dwelling and/or its ancillary buildings by a full-time occupant of the dwelling for a small-scale home business for supplementary employment which is incidental to the residential use of the dwelling, buildings and land such that the use, location, and operation is not readily apparent under normal scrutiny from the adjacent lands. Examples include, but are not necessarily limited to: home office; tutorial services; consulting services; music lessons; small animal grooming; bed and breakfast; arts and crafts sales; hair salon, spa, massage; and off-site business. This use does not include sale of cannabis and cannabis accessories, which is classified as a "Retail cannabis store".

**Industrial** means the use of land and/or buildings for the purpose of manufacturing, processing, refining, storing, and/or distributing materials or products for sale or application elsewhere. Any on-premises sales shall be incidental to the operation of the industry except where permitted otherwise under a Rural Industrial Class C use which permits on-premises sales as a principal use, such as equipment, machinery and vehicle sales, rental and service.

**Industrial Class A, rural** means:

- (a) a use involved in storage of agricultural produce and goods requiring proximate location to the source of the agricultural produce; or
- (b) a non-labour intensive exterior storage use requiring a relatively large area of land but minimal on-site improvements, services and public amenities.

Examples include, but are not necessarily limited to: apiaries; grain elevators; sugar beet loading stations; potato storage warehouses; machinery, vehicle and equipment storage; water treatment plants and reservoirs; waste transfer sites; and other uses determined by the Development Authority to be similar in nature.

**Industrial Class B, rural** means:

- (a) a resource extractive use or use involved in on-site processing of an extractive resource; or
- (b) a use involved in the processing of produce or raw materials or goods; or
- (c) a non-labour intensive exterior storage use requiring relatively large areas of land but minimal on-site improvements, services and public amenities, which is hazardous, noxious, unsightly or offensive and cannot, therefore, be compatibly located in an urban environment.

Examples include, but are not necessarily limited to: anhydrous ammonia storage; abattoirs and animal processing plants; rendering plants and incinerators; oil and gas plants; livestock sales yards; gravel/sand pits or stone quarries; asphalt plants; alfalfa dehydrating plants; seed cleaning plants; bio-gas and bio-fuel plants; food processing and chemical processing; sanitary landfill sites; sewage treatment plants or lagoons; auto wreckers; salvage yards; and other such uses determined by the Development Authority to be similar in nature.

**Industrial Class C, rural** means limited manufacturing, warehousing and business uses which can be compatibly located with surrounding uses and involve:



- (a) manufacturing and assembly of predominantly previously prepared materials, finished products or parts, including packaging and incidental storage of the product; or
- (b) agricultural, industrial and construction support services, including machinery, equipment and vehicle sales, rentals and service; or
- (c) a non-labour intensive interior storage or warehousing use requiring a relatively large area of land but minimal on-site improvements, which does not include retail sale of warehouse goods to the public.

Examples include, but are not necessarily limited to: bulk fuel depots; welding and fabrication shops; machine shops; trailer assembly; oilfield maintenance and instrumentation; plumbing and electrical shops; cabinetry and woodworking shops; mechanical repair; water hauling; equipment, machinery and vehicle sales, rental and service; trucking and transport service; mini-storage; veterinary clinics; kennels; pet cemetery; pet crematorium; and other such uses determined by the Development Authority to be similar in nature.

Rural Industrial Class C use does not include “Highway Commercial” uses or any use listed in the Rural Highway Commercial – RHC” land use district.

**Intensive horticultural operation/facility** means any relatively small parcels of land and/or buildings which are employed for the commercial production and sales (on or off-site) of specialty crops grown by high yield and density techniques. Examples include, but are not necessarily limited to, greenhouses, nurseries, hydroponic or market gardens, mushroom or tree farms. This use does not include the growing, producing, cultivating, testing, processing, researching, destroying, storing, packaging or shipping of cannabis, which is classified as a “Cannabis production facility.”

**Land, agricultural** means rural land having a Canada Land Inventory (CLI) soil classification of 1 to 6 for agricultural use.

**Land, better agricultural** means existing titles or proposed parcels of rural land having:

- (a) a CLI soil classification of numbers 1 through 4 inclusive (excluding 10 acre cut-offs and fragmented areas as defined) which are capable of producing crops and/or livestock by extensive farm cultivation or open grazing methods;
- (b) a CLI soil classification of number 5 or 6 (excluding 20 acre cut-offs and fragmented areas as defined) which have a minimum carrying capacity of 1 animal unit per 40 acres for open grazing purposes.

**Land, poor agricultural** means existing titles or proposed parcels of rural land which, in spite of their better soil classifications or carrying capabilities, have been determined by the municipality to have a low productive capability for agriculture as:

- (a) cut-off areas (as defined) containing less than 10 acres (CLI 1 to 4) or 20 acres (CLI 5 and 6) land that cannot be logically and economically farmed or grazed separately or as part of a larger, nearby extensive operation; or
- (b) areas comprised of 20 acre or smaller lots so badly fragmented by use or ownership that the land cannot be logically used for extensive agricultural purposes; or
- (c) developed portions of abandoned or operational farmsteads that cannot be economically rehabilitated and returned to extensive agricultural use.

**Land, rural** means all land in the Municipal District of Taber excepting that which is contained within the designated boundaries of a hamlet.

**Land, irrigated** means an existing title or proposed parcel in which more than 75% of the total acreage contained is classified by an irrigation district as "to be irrigated".

**Land, dry** means an existing title or proposed parcel in which less than 75% of the total acreage contained is classified by an irrigation district as "to be irrigated".

**Lane** means a public roadway not exceeding 30 feet in width which provides a secondary means of access to a lot (site).

**Laundromat** means a place of business where clothes or linens can be washed for a fee, possibly through coin operated machines.

**Loading space, off-street** means an open area, not exceeding 30 feet in width, located in the rear yard space, designed expressly for the parking of haulage vehicles while loading or unloading.

**Lodge** means the meeting place or branch of a fraternal organization.

**Lot** has the meaning as **Parcel of land**.

**Lot lines** means the legally defined limits of any lot.

**Lot, length** means the horizontal distance between the front and rear lot lines vertically projected and measured along the median between the side lot lines.

**Lot, width** means the horizontal measurement between the side lot lines measured at a point 25 feet perpendicularly distant from the front boundary of the lot.

**Lot, corner** means a lot located at the intersection or junction of two or more streets.

**Lot, interior** means any lot other than a corner lot.

**Lot, through** means a lot other than a corner lot with frontage on more than one street.

**Manufactured home** means a newly constructed, factory-built dwelling which may be transported to a new location and placed on a permanent foundation or constructed in prefabricated units at a factory or place other than that of its final assembly and are built to the CSA A277 certification standard.

**Meeting hall / Public assembly** means a building where members of the public can come together and join for discussion for recreational, educational, and business purposes.

**Mobile home** means a dwelling suitable for long-term or permanent occupancy, and designed to be transported on its own wheels or by other means; and which, upon arriving at a residential site is, apart from incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy. It shall not include prefabricated or sectional dwellings.

**Mobile home park** means an area of land occupied or designed for occupancy by two or more mobile homes.

**Motel / Motor hotel** means a building or group of buildings on a site providing separate sleeping units complete with washing and sanitary facilities and with adjoining conveniently located parking space, designed or operated primarily for the purpose of temporary accommodation.

**Off-road vehicle track** means a facility built to drive and/or race off-road vehicles as defined by provincial statute which may include food and beverage establishments and areas or structures used for spectators.

**Parcel of land** means:

- (a) where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office;
- (b) where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks;
- (c) a quarter section of land according to the system of surveys under the *Surveys Act* or any other area of land described on a certificate of title.

**Parking space, off-street** means an off-street area available for the parking of one motor vehicle. Every off-street parking space shall be accessible from a street, lane, or other public roadway.

**Personal service outlets** refer to uses involved in supplying a personal convenience or the repair and maintenance of retail goods, e.g. laundromat, shoe repair, appliance repair or post office.

**Plan, area structure** means a framework adopted by bylaw in accordance with The Planning Act, as a statutory plan, for the subdivision and development of an area of land which describes the sequence of development, land uses proposed, population density, location of major transportation routes, and public utilities and other matters **Council** considers necessary.

**Plan, comprehensive land use (non-statutory)** means a detailed site layout which provides for the orderly subdivision and/or development of a parcel or group of parcels that has addressed the land use impacts of the proposal on the immediate and surrounding area to the satisfaction of the municipality.

**Prohibited uses** are developments which have been deemed unsuitable and/or incompatible within the particular district where they are listed as prohibited. A use is prohibited if it is not listed as a permitted or discretionary use, whether or not a list of prohibited uses is provided.

**Provincial health care facility** means a hospital as defined in the *Hospitals Act*.

**Public/institutional** means a public or quasi-public uses, areas or facilities such as, but not necessarily limited to: churches, schools, community halls, cemeteries, weigh scales, government agricultural research stations, public utility facilities and structures, designated federal, provincial or municipal parks, recreation and camping areas or other uses determined by special Development Authority ruling to be similar in nature.

**Regionally significant area** means a public park, designated historic or archaeological site, environmentally sensitive area, forest reserve or any similar facility owned and/or administered by any level of government, including primary highways.

**Residence, grouped country** means three or more contiguous country residential lots not including a farmstead containing a dwelling that may have been subdivided as the first parcel from a quarter section or 80 acre parcel.

**Residence, country** means a dwelling located on an existing or proposed separately titled small holding of between 1 and 10 acres in a primarily rural area which is occupied or intended to be occupied by persons not actively engaged full-time in the extensive cultivation or grazing of adjacent agricultural land. Parcels for such use are determined by the approving authority to not

be economically viable better agricultural land units due to parcel size, soil quality, vegetation and topography.

**Rest stop** means a place for vehicles to pull off a public roadway which may or may not include public restrooms and picnic areas but does not include campgrounds.

**Retail cannabis store** means the use of a building where cannabis and cannabis accessories, licensed by the Province of Alberta, are offered for sale to individuals who attend the premises for off-site consumption, and may include storage within the premises of cannabis and cannabis accessories sufficient only to service such a store.

**Retail sales outlets** refer to uses involved in selling small quantities of goods or commodities for personal or household consumption, e.g. grocery store, hardware store, restaurant. This use does not include the sale of cannabis and cannabis accessories, which is classified as a "Retail cannabis store".

**Rifle pistol range** means private open air recreation facilities that occur on man-made sites and are operated for profit; includes rifle ranges, pistol ranges, archery ranges, and minor retail sales and services customarily associated with and accessory to such facilities.

**Service station** means any lot or building used for the retail sale of motor accessories, gasoline, or other fuels, and the supply of washing, greasing, cleaning, and minor repair services for motor vehicles.

**Shipping container** means any container that was used for transport of goods by means of rail, air, truck or by sea. These containers are rectangular in shape and are generally made of metal. When used for any purpose other than transporting freight, a shipping container shall be considered a building and subject to the standards and requirements of the Land Use Bylaw.

**Shopping Centre** means comprehensively planned development comprising one or more buildings irrespective of the time of construction, located on a single lot primarily occupied or intended to be occupied by retail sales outlets, personal service outlets, restaurants and service stations.

**Street** means a registered and named public roadway greater than 30 feet in width. The term "right-of-way" shall have the same meaning as "street".

**Sign** means any word, letter, model, picture, symbol, device, or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement, or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support, or sustain a sign is construed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without restricting the generality of the foregoing, a sign includes posters, notices, boarding and banners.

- (a) **Area of sign** means the total superficial area within the outer periphery of the said sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matters shall not be included in computation of surface area.
- (b) **Billboard** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located.
- (c) **Fascia sign** means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building.

- (d) **Free-standing sign** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structures.

**Solar energy system, commercial/industrial** means a system using solar technology to collect energy from the sun and convert it to energy that is intended for off-site consumption, distribution to the marketplace, or a solar energy system that does not meet the definition of solar energy system, household.

**Solar energy system, household** means a photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal or chemical energy that is primarily intended for sole use and consumption on-site by the landowner, resident or occupant.

**Structure** means anything constructed or erected or excavated with a fixed location on the ground. Among other things, structures may include buildings, walls, fences, signs, stockpiles, dugouts and open sheds.

**Subdivision and Development Appeal Board** means a body of individuals established in accordance with sections 627-629 of the Municipal Government Act, and through a Subdivision and Development Appeal Board Bylaw to which development decisions of the Municipal District of Taber Development Authority may be appealed by the applicant.

**Temporary uses** are developments which may be approved for a limited and fixed period of time and shall be discontinued upon expiration of a permit whose validity shall not exceed one year. It shall be a condition of every temporary use permit that the Municipal District of Taber shall not be held liable for any costs involved in the cessation or removal of any such development and the Development Authority may require the developer to post a bond guaranteeing the cessation or removal.

**Use** means the purpose or function to which land, buildings, or structures are put.

**Uses, ancillary** are developments deemed by the Development Authority to be subordinate or incidental to the primary or principal use of land or buildings.

**Uses, principal** are developments deemed by the Development Authority to be the main or primary use of land or buildings.

**Uses, non-conforming** are developments that do not comply with a land use bylaw or amendment thereto but which lawfully existed or were undertaken prior to their effective date and as such are subject to the provisions of section 643 of the Act.

**Uses, discretionary** are developments which, depending upon circumstances and conditions, may be suitable and compatible within that particular district where they are listed. Decisions will be made in accordance with Section 14 of this bylaw.

**Uses, permitted** are developments which have been deemed to be most suitable and compatible within the particular district where they are listed. Decisions will be made in accordance with Section 13 of this bylaw.

**Uses, similar** are developments which are not specifically listed within the particular district but which may, by Development Authority ruling, be deemed comparable to a permitted, discretionary or prohibited use listed, and, therefore, be decided according to Section 24 of this bylaw.

**Use, compatible** means a development capable of existing together with or nearby another development(s), without discord or disharmony.

**Use, suitable** means a development which, in the opinion of the approving authority, is appropriate and in accordance with established requirements.

**Use, serviceable** means a development which can be provided with a potable water supply, sewage disposal system and electrical utilities in accordance with Public Health Act standards.

**Use, viable** means a development capable of independent existence or growth as a self-sustaining economic unit.

**Warehousing** means a facility for the indoor storage of goods and merchandise and may include offices related to the administration of the warehouse facility and/or the retail sale of goods stored in the warehouse.

**Waterbody** means any natural or artificial stream, river, lake, reservoir, marsh, creek, ditch, channel, canal, lateral conduit drain, gully, ravine or wash in which water flows or is contained either continuously or intermittently including any bed, shore, banks or areas subject to inundation by overflow or flood water.

**Wind energy conversion system** means one or more structures designed to convert wind energy into mechanical or electrical energy.

**Yard** means a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted.

**Yard, front** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building.

**Yard, rear** means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building.

**Yard, side** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building.

<p><b>All other words and expressions, not otherwise defined, have the same meaning assigned to them in the Act.</b></p>
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**SCHEDULE 15**

**DIRECT CONTROL DISTRICTS  
AND ADOPTING BYLAWS**

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**SCHEDULE 15**  
**DIRECT CONTROL DISTRICTS AND ADOPTING BYLAWS**

<b>BYLAW NO.</b>	<b>LEGAL DESCRIPTION</b>	<b>DATE OF ADOPTION</b>
1877	Lots 1 to 3, Block 23, Plan 4466AA Lots 13 to 16, Block 24, Plan 4466AA Lots 17 to 20, Block 24, Plan 4466AA Within the NW 15-10-13-W4M	June 9, 2015
1902	Block 37, Plan 8210320	April 11, 2017
1920	Lot 6, Block 8, Plan 7910775 and Lot 7, Block 8, Plan 7910775	April 24, 2018



**MUNICIPAL DISTRICT OF TABER  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 1877**

**BEING** a bylaw of the Municipal District of Taber in the Province of Alberta, to amend Bylaw No. 1722, being the municipal Land Use Bylaw.

**WHEREAS** the Municipal District Council wishes to redesignate lands described as:

**Lots 1 to 3, Block 23, Plan 4466AA  
Lots 13 to 16, Block 24, Plan 4466AA  
Lots 17 to 20, Block 24, Plan 4466AA  
Within the NW¼ Sec. 15, Twp. 10, Rge. 13, W4M**

from "Designated Hamlet Commercial – "HC" to "Direct Control – "DC", as shown on the map in Schedule 'A' attached hereto.

**AND WHEREAS THE PURPOSE** of proposed Bylaw No. 1877 is to redesignate the described lands Direct Control – "DC" and establish the uses and regulations for the Direct Control district pertaining to the lands.

**AND WHEREAS** the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

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

1. That the land described as Lots 1 to 3, Block 23, Plan 4466AA; Lots 13 to 16, Block 24, Plan 4466AA; and Lots 17 to 20, Block 24, Plan 4466AA within the NW¼ Sec. 15, Twp. 10, Rge. 13, W4M, as shown on the map in Schedule 'A', presently designated as "Designated Hamlet Commercial – "HC" be redesignated to "Direct Control – "DC".
2. That the Direct Control district regulations for the designated land are as follows:
  - I. **USES**
    - i. Commercial uses considered suitable by Council.
    - ii. Industrial uses considered suitable by Council.
    - iii. Ancillary buildings and uses considered suitable by Council.
  - II. **MINIMUM LOT SIZE**
    - i. As required by Council.
  - III. **OFF-STREET PARKING AND LOADING REQUIREMENTS**
    - i. As required by Council having regard to Schedule 7 of the Municipal District of Taber Land Use Bylaw No. 1722.
  - IV. **SIGN STANDARDS**
    - i. As required by Council having regard to Schedule 10 of the Municipal District of Taber Land Use Bylaw No. 1722.
  - V. **STANDARDS OF DEVELOPMENT**
    - i. As required by Council having regard to Schedule 5 of the Municipal District of Taber Land Use Bylaw No. 1722.
  - VI. **OTHER STANDARDS**
    - i. Council may require additional standards having regard to statutory plans, the Land Use Bylaw, public comments, referral agencies, and any other matters deemed pertinent by Council.
  - VII. **APPROVAL PROCEDURE**
    - i. The approval procedure shall be in accordance with Schedule 2, section 7, Direct Control – "DC" of the Municipal District of Taber Land Use Bylaw No. 1722.
  - VIII. **DEVELOPMENT APPROVAL AUTHORITY**
    - i. For the purposes of this bylaw, the approval authority is the Municipal District of Taber Council.
  - IX. **APPEAL PROCEDURE**
    - i. In accordance with the Municipal Government Act, there is no appeal to the Subdivision and Development Appeal Board with respect to a decision made by Council on a development permit application within this Direct Control District.
  - X. **SUBDIVISION**

- i. Subdivision of the described lands is not permitted.
3. That the Land Use Districts Map be amended to reflect this redesignation.
4. That Schedule 14 of Bylaw No. 1722 is amended to include this bylaw.
5. Bylaw No. 1722, being the municipal Land Use Bylaw, is hereby amended.
6. This bylaw comes into effect upon third and final reading hereof.
7. That a consolidated version of Bylaw No. 1722 be prepared to reflect this redesignation.

READ a first time this 12 day of May, 2015.

  
Reeve - Brian Brewin

  
Municipal Administrator - Derrick Krizan

READ a second time this 9 day of June, 2015.

  
Reeve - Brian Brewin

  
Municipal Administrator - Derrick Krizan

READ a third time and finally PASSED this 9 day of June, 2015.

  
Reeve - Brian Brewin

  
Municipal Administrator - Derrick Krizan

**MUNICIPAL DISTRICT OF TABER  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 1902**

**BEING** a bylaw of the Municipal District of Taber in the Province of Alberta, to amend Bylaw No. 1722, being the municipal Land Use Bylaw.

**WHEREAS** the Municipal District Council wishes to redesignate lands described as:

**Block 37, Plan 8210320**

from "Hamlet Transitional/Agricultural – "HT/A" to "Direct Control – "DC", as shown on the map in Schedule 'A' attached hereto.

**AND WHEREAS THE PURPOSE** of proposed Bylaw No. 1902 is to provide a means to regulate and control the use and development of the land on a site specific basis to accommodate a mix of non-residential uses while managing potential impacts to the surrounding area.

**AND WHEREAS** the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

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

1. That the land described as Block 37, Plan 8210320 as shown on the map in Schedule 'A', presently designated as "Hamlet Transitional/Agricultural – "HT/A" be redesignated to "Direct Control – "DC".
2. That the Direct Control district regulations for the designated land are as follows:

**I. USES**

- i. As required by Council.

**II. MINIMUM LOT SIZE**

- i. As required by Council.

**III. OFF-STREET PARKING AND LOADING REQUIREMENTS**

- i. As required by Council having regard to Schedule 7 of the Municipal District of Taber Land Use Bylaw No. 1722.

**IV. SIGN STANDARDS**

- i. As required by Council.

**V. STANDARDS OF DEVELOPMENT**

- i. As required by Council having regard to Schedule 5 of the Municipal District of Taber Land Use Bylaw No. 1722.

**VI. OTHER STANDARDS**

- i. Council may require additional standards having regard to statutory plans, the Land Use Bylaw, public comments, referral agencies, and any other matters deemed pertinent by Council.

**VII. APPROVAL PROCEDURE**

- i. The approval procedure shall be in accordance with Schedule 2, Direct Control – "DC" section 7, of the Municipal District of Taber Land Use Bylaw No. 1722.

**VIII. DEVELOPMENT APPROVAL AUTHORITY**

- i. For the purposes of this bylaw, the approval authority for development is the Municipal District of Taber Council.

**IX. APPEAL PROCEDURE**

- i. In accordance with the Municipal Government Act, there is no appeal to the Subdivision and Development Appeal Board with respect to a decision made by Council on a development permit application within this Direct Control District.

**X. SUBDIVISION**

- i. Prior to issuance of a decision by the Subdivision Authority with respect to subdivision of the land, a concept plan for subdivision of the land shall be approved by Council. Subdivision of the land is to be in accordance with the concept plan approved by Council.

3. That the Land Use Districts Map be amended to reflect this redesignation.
4. That Schedule 15 of Bylaw No. 1722 is amended to include this bylaw.
5. Bylaw No. 1722, being the municipal Land Use Bylaw, is hereby amended.
6. This bylaw comes into effect upon third and final reading hereof.
7. That a consolidated version of Bylaw No. 1722 be prepared to reflect this redesignation.

READ a **first** time this 14 day of March, 2017.

  
\_\_\_\_\_  
Reeve – Brian Brewin

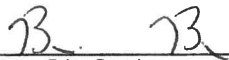
  
\_\_\_\_\_  
Municipal Administrator - Derrick Krizsan

READ a **second** time this 11 day of April, 2017.

  
\_\_\_\_\_  
Reeve – Brian Brewin

  
\_\_\_\_\_  
Municipal Administrator - Derrick Krizsan

READ a **third** time and finally PASSED this 11 day of April, 2017.

  
\_\_\_\_\_  
Reeve – Brian Brewin

  
\_\_\_\_\_  
Municipal Administrator - Derrick Krizsan



## LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: Hamlet Transitional/Agricultural HT/A  
TO: Direct Control DC

BLOCK 37, PLAN 8210320 WITHIN  
NW 1/4 SEC 15, TWP 10, RGE 13, W 4 M  
MUNICIPALITY: MUNICIPAL DISTRICT OF TABER  
(HAMLET OF GRASSY LAKE)  
DATE: MARCH 8, 2017

Bylaw #: \_\_\_\_\_  
Date: \_\_\_\_\_







**MUNICIPAL DISTRICT OF TABER  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 1920**

**BEING** a bylaw of the Municipal District of Taber in the Province of Alberta, to amend Bylaw No. 1722, being the municipal Land Use Bylaw.

**WHEREAS** the Municipal District Council wishes to redesignate lands described as:

**Lot 6, Block 8, Plan 7910775**

**And**

**Lot 7, Block 8, Plan 7910775**

from "Designated Hamlet Residential – "HR" to "Direct Control – "DC", as shown on the map in Schedule 'A' attached hereto.

**AND WHEREAS THE PURPOSE** of proposed Bylaw No. 1920 is to provide a means to regulate and control the use and development of the land on a site specific basis to accommodate development of non-residential uses determined by Council to be suitable, compatible and contextually appropriate with surrounding land uses.

**AND WHEREAS** the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

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

1. That the land described as Lot 6, Block 8, Plan 7910775 and Lot 7, Block 8, Plan 7910775 as shown on the map in Schedule 'A', presently designated as "Designated Hamlet Residential – "HR" is redesignated to "Direct Control – "DC".

2. That the Direct Control district regulations for the designated land are as follows:

**I. USES**

- i. At the discretion of Council having regard to the purpose of this bylaw, excepting:
  - a. Prohibited Uses – Rural Industrial Class B

**II. MINIMUM LOT SIZE**

- i. 1 Acre

**III. SETBACK AND SITE COVERAGE REQUIREMENTS**

- i. As required by Council

**IV. ACCESS, OFF-STREET PARKING AND LOADING REQUIREMENTS**

- i. As required by Council having regard to Schedule 7 of the Municipal District of Taber Land Use Bylaw No. 1722.

**V. SIGN STANDARDS**

- i. As required by Council having regard to Schedule 10 of the Municipal District of Taber Land Use Bylaw No. 1722.

**VI. STANDARDS OF DEVELOPMENT**

- i. As required by Council having regard to Schedule 5 of the Municipal District of Taber Land Use Bylaw No. 1722.

**VII. OTHER STANDARDS**

- i. Council may require additional standards having regard to statutory plans, the Land Use Bylaw, public comments, referral agencies, and any other matters deemed pertinent by Council.

**VIII. APPROVAL PROCEDURE**

- i. The approval procedure shall be in accordance with Schedule 2, Direct Control – "DC" section 7, of the Municipal District of Taber Land Use Bylaw No. 1722.
- ii. Notice of a development application will be sent to the Town of Taber prior to issuance of a decision.

**IX. DEVELOPMENT APPROVAL AUTHORITY**

- i. For the purposes of this bylaw, the approval authority for development is the Municipal District of Taber Council.

#### **X. APPEAL PROCEDURE**

- i. In accordance with the Municipal Government Act, there is no appeal to the Subdivision and Development Appeal Board with respect to a decision made by Council on a development permit application within this Direct Control District.

#### **XI. SUBDIVISION**

- i. In accordance with the minimum 1 acre lot size for the district, subdivision of the lots is not permitted.

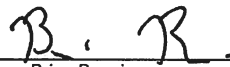
3. That the Land Use Districts Map be amended to reflect this redesignation.
4. That Schedule 15 of Bylaw No. 1722 is amended to include this bylaw.
5. Bylaw No. 1722, being the municipal Land Use Bylaw, is hereby amended.
6. This bylaw comes into effect upon third and final reading hereof.
7. That a consolidated version of Bylaw No. 1722 be prepared to reflect this redesignation.

READ a **first** time this 27 day of March, 2018.

  
\_\_\_\_\_  
Reeve – Brian Brewin

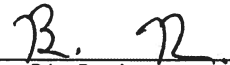
  
\_\_\_\_\_  
Municipal Administrator - Derrick Krizsan

READ a **second** time this 24 day of April, 2018.

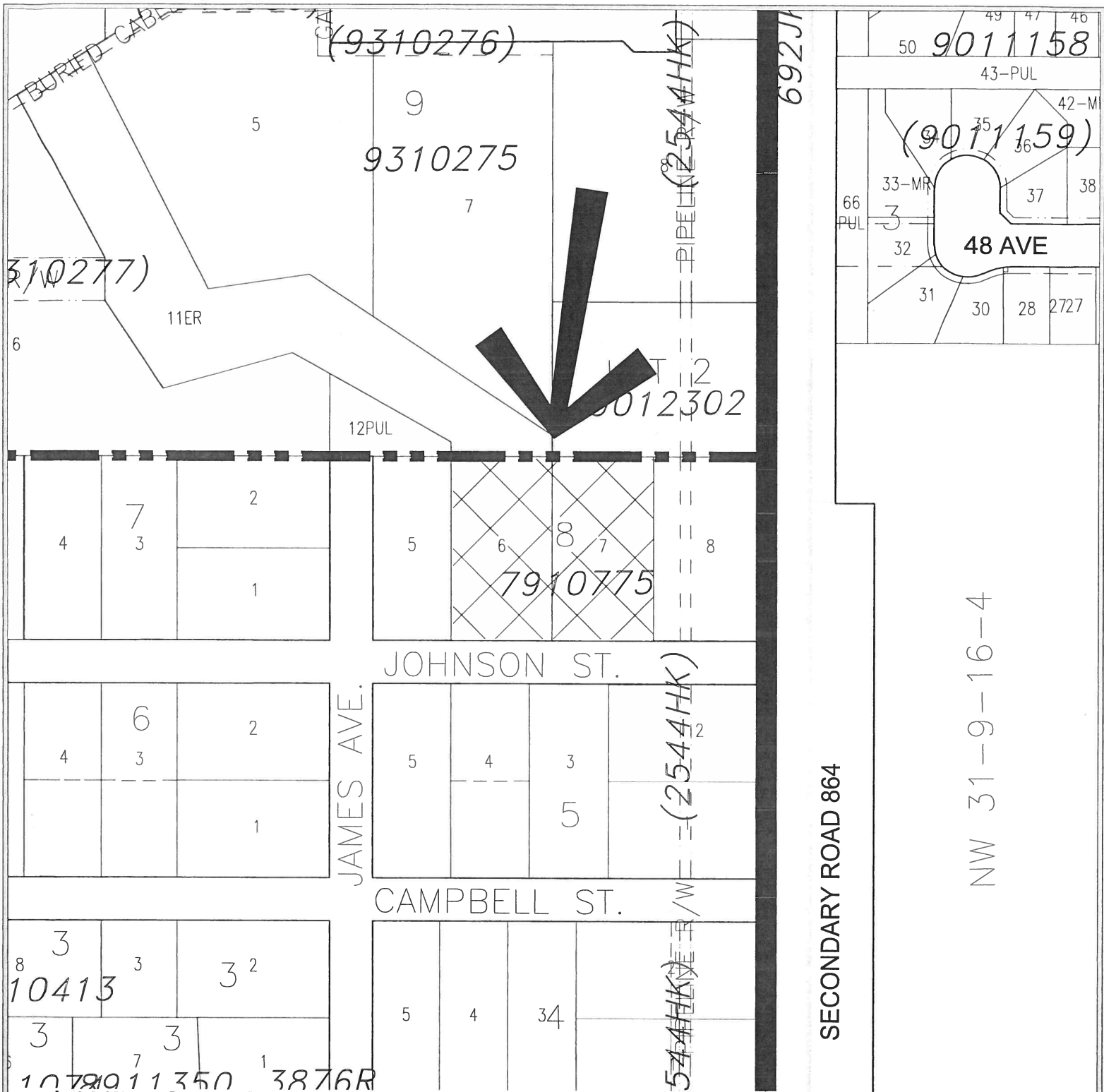
  
\_\_\_\_\_  
Reeve – Brian Brewin

  
\_\_\_\_\_  
Municipal Administrator - Derrick Krizsan

READ a **third** time and finally PASSED this 24 day of April, 2018.

  
\_\_\_\_\_  
Reeve – Brian Brewin

  
\_\_\_\_\_  
Municipal Administrator - Derrick Krizsan



# LAND USE DISTRICT REDESIGNATION SCHEDULE 'A'



FROM: Hamlet Residential HR

TO: Direct Control DC

LOTS 6 & 7, BLOCK 8, PLAN 7910775

WITHIN NE 1/4 SEC 36, TWP 9, RGE 17, W 4 M

MUNICIPALITY: MUNICIPAL DISTRICT OF TABER (HAMLET OF JOHNSONS ADDITION)

DATE: JANUARY 22, 2018



OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 50 100 150 200 Metres



January 22, 2018 N:\Taber-Municipal-District\Taber-MD LUD & Land Use Redesignations\MD Taber Lots 6-7, Block 8, Plan 7910775 Johnson's Addition.dwg

Bylaw #: \_\_\_\_\_  
Date: \_\_\_\_\_

MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344  
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"



**APPENDIX 1**

**FEES, FORMS AND NOTICES**

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## APPENDIX 1

### MUNICIPAL DISTRICT OF TABER DEVELOPMENT PERMIT FEES

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#### Schedule of Fees

- (A) Requests for a Land Use Bylaw Amendment, an Area Structure, or any other Statutory Plan shall be accompanied by a Five Hundred Dollar (\$500.00) application fee. (non-refundable)
- (B) Applications for a Development Permit shall be accompanied by the following non-refundable fee(s):
- (a) Development for Residential Uses
- |   |          |
|---|----------|
| Single Family Residential                       | \$100.00 |
| Home Occupations                                | \$50.00  |
| Duplex/Semi Detached Dwellings                  | \$200.00 |
| Multi-family Apartments & Townhouses (per unit) | \$100.00 |
| Additions to Dwellings                          | \$100.00 |
| Accessory Buildings in Residential Districts    | \$100.00 |
- (b) Development for Commercial and Industrial Uses
- |   |          |
|---|----------|
| Change of Use or Additional Use                             | \$100.00 |
| New Buildings with an area of:                              |          |
| i. less than 500 square metres (5400 ft <sup>2</sup> )      | \$100.00 |
| ii. 500 to 2,000 square metres (21,500 ft <sup>2</sup> )    | \$200.00 |
| iii. 2,001 to 5,000 square metres (53,800 ft <sup>2</sup> ) | \$300.00 |
| iv. over 5,000 square metres                                | \$500.00 |
- (C) Applications Requiring Public Notice - When Council policy requires notification in the form of a Public Notice, an additional fee of \$300.00 shall be required.
- (D) Unauthorized Development - When an application is made after development has commenced or occurred, the above fee may be doubled.
- (E) Land Use Bylaw \$25.00 per copy
- (F) Joint Intermunicipal Development Plan \$20.00 per copy
- (G) Certificate of Compliance \$40.00 per certificate
- (H) Subdivision and Development Appeal Hearings \$400.00  
with \$300.00 being refundable upon a successful appeal
- (I) Special Meeting Fee \$750.00

#### **Note:**

- 1) In any case where the required fee or use is not specifically listed in the fee schedule, such fees shall be determined by the Subdivision and Development Authority in a manner consistent with those fees listed in appendix for similar developments.
- 2) The Schedule of Development Permit Fees may be amended from time to time by resolution of Council.

Council Approval on December 9, 2003 (effective January 1, 2004)







## DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

Pursuant to Land Use Bylaw No. 1722

### Development Permit Application Requirements

The following information and fees must be provided to process a development permit:

- ☒ **Application Form** – completed in full and signed by the applicant and registered owner(s) if different from the applicant.
- ☒ **Application Fee** – refer to the M.D. of Taber Schedule of Fees for applicable fee.
- ☒ **Site Plan** – provide a legible plan identifying the existing and proposed development; refer to the Site Plan Requirements attached.
- ☒ **Abandoned Well Information** – provide documentation from the Alberta Energy Regulator (AER) identifying the presence or absence of abandoned wells for all development permits proposing buildings that are larger than 500 ft<sup>2</sup> (47 m<sup>2</sup>) and for additions to buildings that will as a result of the addition become larger than 500 ft<sup>2</sup> (47 m<sup>2</sup>). If an abandoned well is identified on the property, development shall comply with the setback directed by AER Directive 079. The Development Authority may require a professionally prepared map showing the actual location of the abandoned well in the field and the required AER setback in relation to building sites prior to issuance of a decision.
- ☒ **Floor/Building Plan** – a full set of building plans (min. 11X17) or floor plan drawings for all levels of the building (for all buildings including new, previously owned, and additions); note, plans become part of the application and are not returned to the applicant.
- ☒ **Colour Photographs** – provide recent colour photographs of each elevation of the structure where application is for a moved-in-dwelling or previously occupied manufactured dwelling and at least two recent colour photographs of the end and side views of any proposed shipping container.
- ☒ **Safety Codes Report** – provide documentation prepared by a qualified Safety Codes inspector where application is for a previously occupied dwelling (moved-in, modular or manufactured) demonstrating that dwelling meets Alberta Safety Code requirements. If dwelling does not meet requirements, provide information indicating how the dwelling will be brought up to meet the Alberta Safety Codes and a proposed timeframe for completing improvements.

The following additional information may be required at the discretion of the Development Authority and the M.D. of Taber in order to process your application:

- |  |   |
|--|---|
| <input type="checkbox"/> Landscaping Plan                      | <input type="checkbox"/> Geotechnical and/or engineering reports                        |
| <input type="checkbox"/> Grading/Drainage Plan                 | <input type="checkbox"/> Provincial and/or federal approvals                            |
| <input type="checkbox"/> Traffic Impact Analysis               | <input type="checkbox"/> Any other information as required by the Development Authority |
| <input type="checkbox"/> Soils Analysis for septic feasibility |   |

### Important Advisory

1. The Development Authority may deem an application incomplete if any of the application requirements are incomplete or if the quality of the information is deemed inadequate to properly evaluate the application. The applicant will be issued a written notice if the application has been deemed incomplete.
2. A pre-application meeting is not required prior to submitting a development permit application. Applicants are encouraged to contact the M.D. of Taber Office with any questions about the application process and to review land use bylaw requirements prior to submitting an application.
3. Any development started on the property prior to the issuance of a development permit and expiration of the appeal period is at the applicant's risk.
4. A development permit does not constitute a building permit or approval from any applicable provincial or federal department. The applicant is responsible for determining and obtaining any permits required under Safety Codes, AB Transportation and any other applicable provincial and federal approvals prior to commencement.

## DEVELOPMENT PERMIT APPLICATION REQUIRMENTS

Pursuant to Land Use Bylaw 1722

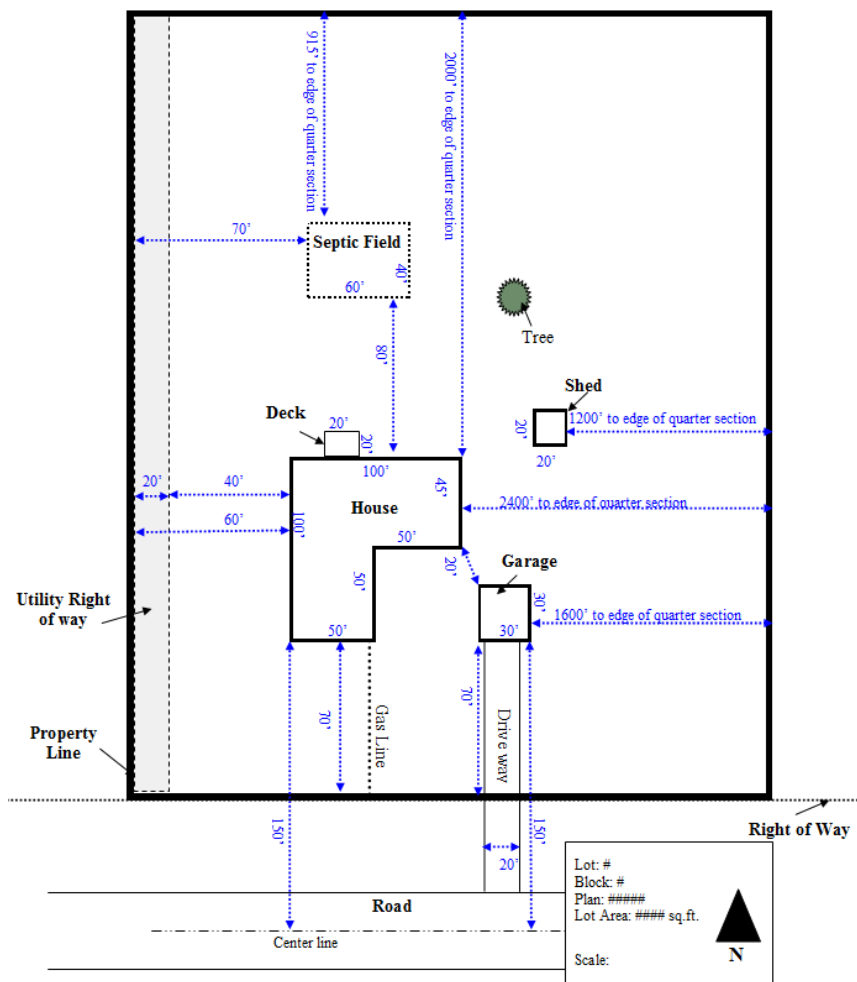
## Site Plan Requirements

A site plan identifies the existing and proposed uses and structures on the subject parcel. It is desirable that the site plan and any accompanying drawings are on a scale appropriate to the development. If you are not submitting a professionally prepared site plan, please ensure that the plan is drawn on graph paper or on the grid paper provided in the development permit application.

**Please identify the following on the site plan:**

- |   |   |
|---|---|
| <input type="checkbox"/> North arrow, scale and land use district   | <input type="checkbox"/> Septic system, tank and field, if applicable   |
| <input type="checkbox"/> Legal description and address, if applicable   | <input type="checkbox"/> Proposed and existing landscaping and fencing  |
| <input type="checkbox"/> Lot dimensions and area  | <input type="checkbox"/> Any easements and utility right of ways  |
| <input type="checkbox"/> Adjacent roadways and lanes and proposed access  | <input type="checkbox"/> Any pipelines and wells, including abandoned wells and required setbacks   |
| <input type="checkbox"/> All existing and proposed buildings, structures and uses with dimensions                 | <input type="checkbox"/> Any drainage and water courses, irrigation canals/ditches/reservoirs, water bodies   |
| <input type="checkbox"/> Setbacks from property lines of all existing and proposed buildings, structures and uses | <input type="checkbox"/> Location and dimension of off-street parking and loading areas (for hamlets, home occupations and commercial and industrial development) |
| <input type="checkbox"/> Water wells, cisterns, dugouts, if applicable  |   |

### Sample Site Plan





## FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1722

OFFICE USE		
Application No:	Roll No:	Use: <input type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Similar <input type="checkbox"/> Prohibited
Application Fee: \$	Date Received:	<input type="checkbox"/> Abandoned Well Information
Application Deemed Complete:		Land Use District: <input type="checkbox"/> Rural Agricultural <input type="checkbox"/> Hamlet Industrial <input type="checkbox"/> Rural Urban Fringe <input type="checkbox"/> Hamlet Public and Institutional <input type="checkbox"/> Grouped Country Residential <input type="checkbox"/> Hamlet Transitional/Agricultural <input type="checkbox"/> Grouped Rural Industrial <input type="checkbox"/> Private Commercial Recreation <input type="checkbox"/> Rural Highway Commercial <input type="checkbox"/> Locality of Retlaw Direct Control <input type="checkbox"/> Hamlet Residential <input type="checkbox"/> Linear Parcel Direct Control <input type="checkbox"/> Hamlet Commercial <input type="checkbox"/> Direct Control
20-Day Completeness Period:	40-Day Time Period:	
IDP Referral: <input type="checkbox"/> Yes <input type="checkbox"/> No		

### 1. APPLICANT & LAND INFORMATION

**Applicant's Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

**Registered Owner's Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other: \_\_\_\_\_

Quarter: \_\_\_\_\_ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ W4

Lot(s) \_\_\_\_\_ Block: \_\_\_\_\_ Plan: \_\_\_\_\_

Street address, if applicable: \_\_\_\_\_

Titled Area of Parcel: \_\_\_\_\_ Acres \_\_\_\_\_ Hectares Land Use District: \_\_\_\_\_

Are any of the following within 1/2 a mile of the proposed development? ☐ Provincial Highway

☐ Confined Feeding Operation ☐ Sour gas well or pipeline ☐ Sewage treatment plant or Landfill

### 2. DEVELOPMENT INFORMATION

#### Existing Development

Please list the existing buildings, structures and use(s) of the land and whether any are to be removed or relocated.




## FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1722

### Proposed Development

Please describe the proposed development including uses, buildings, structures, and any planned renovations and additions that are to be constructed on the lot; including the dimensions of each.

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Please check the applicable box below:

- ☐ Single Detached Dwelling (site built)
 ☐ Manufactured Dwelling: ☐ New ☐ Used  
☐ Moved-in Dwelling (previously occupied)
 ☐ Ancillary Structure/Building (eg: deck/garage/shop)  
☐ Other Building Type: \_\_\_\_\_
 ☐ Addition: \_\_\_\_\_

**FOR NON-RESIDENTIAL DEVELOPMENT ONLY** please check the applicable box below if the proposed development is for one of the following **AND** complete the supplementary form:

- ☐ Commercial (Form A1)
 ☐ Industrial (Form A1)
 ☐ Public & Institutional (Form A1)
 ☐ Home Occupation (Form A2)
 ☐ Sign(s) (Form A3)

### Building Details

<i>Dimensions</i>	Principal Building or Addition	Ancillary Building or Addition	Office Use
Building/Addition Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	
Height of Building	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Wall Height		<input type="checkbox"/> m <input type="checkbox"/> ft	
<b><i>Proposed Setbacks from Property Lines</i></b>	Principal Building	Ancillary Building	
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot	<input type="checkbox"/> Corner Lot	
<b><i>Development Details</i></b>			
Approach or driveway required to the development? <input type="checkbox"/> No <input type="checkbox"/> Yes (specify)			
For Solar or Wind Development: Do you currently possess an Alberta Utilities Commission Approval under Rule 24 (net zero contract), or is approval pending? Please ✓ one: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Pending			
Estimated total cost of development:			



## FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1722

### Exterior Finish, Fencing & Landscaping

Describe generally the types, colors, and materials, as applicable, of:

Exterior finishes of the proposed building(s): \_\_\_\_\_

Proposed fencing and height: \_\_\_\_\_

Proposed landscaping: \_\_\_\_\_

Describe any proposed improvements to the exterior of the dwelling where application is for a previously occupied dwelling (moved-in, modular or manufactured home): \_\_\_\_\_

### Services

Indicate the proposed sewer system and potable water supply:

*Sewer System:*

☐ Private Septic ☐ Municipal

(specify): \_\_\_\_\_

*Water Supply:*

☐ Cistern ☐ Water well ☐ Dugout ☐ Municipal/Regional/Co-op

☐ Other(specify): \_\_\_\_\_

### Waivers

Is a waiver to one or more standards in the Land Use Bylaw being requested? ☐ No ☐ Yes

If yes, please specify: \_\_\_\_\_

### 3. DECLARATION OF APPLICANT/OWNER

*I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached supplementary forms, plans, and documents.*

**I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

*Further I/We hereby give my/our consent to allow authorized persons the **right to enter** upon the subject land and/or building(s) for the purpose of an inspection with respect to this application only.*

Date: \_\_\_\_\_

**Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(if different from applicant)

*IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Taber.*



## FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1722

### 4. TERMS

1. Subject to the provisions of the Land Use Bylaw No. 1722 of the Municipal District of Taber, the term "development" includes any change in the use, or intensity of use, of buildings or land.
2. The Development Authority may deem a development permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application. If an application is determined to be incomplete, the applicant will be issued a written notice, delivered by hand, postal service, or electronic means, stating that the application is incomplete and listing the outstanding documents and information that must be provided within a date set out in the notice in order for the application to be considered complete.
3. Pursuant to section 12(b) of the Land Use Bylaw No. 1722, the Development Authority may require additional information, such as but not limited to, a landscaping plan, a grading/drainage plan, traffic impact analysis, soils analysis for septic feasibility, geotechnical and engineering reports, and provincial and federal approvals, in order to accurately evaluate the application and determine compliance with the land use bylaw or other government regulations.
4. Although the designated officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
5. Any development started before the issuance of a development permit and expiration of the appeal period is at the applicant's own risk.
6. **If a decision is not made within 40 days** from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, **the applicant may deem the application to be refused** and the applicant may exercise the right of appeal as though the applicant had been mailed a refusal at the end of the 40-day period.
7. A development permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this development permit application may be regulated by the **Alberta Safety Codes**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.



Municipal District of Taber  
4900B - 50th Street  
Taber, Alberta T1G 1T2  
403-223-3541

## FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1722

### Site Plan

(Or attach separate site plan)

A large rectangular area filled with a grid of small squares, intended for drawing a site plan.







Municipal District of Taber  
4900B - 50th Street  
Taber, Alberta T1G 1T2  
403-223-3541

## FORM A1: COMMERCIAL/INDUSTRIAL/ PUBLIC & INSTITUTIONAL APPLICATION

Supplement to Development Permit Application  
Pursuant to Land Use Bylaw No. 1722

OFFICE USE	
Application No:	Roll No:

This supplementary Form A1 must be completed in addition to Form A: Development Permit Application if you are applying for a development permit for a commercial, industrial or public & institutional use.

**Applicant's Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address  
& Legal Description:** \_\_\_\_\_

1. This business will be an: ☐ On-site Business ☐ Off-site/Mobile Business

Please attach a site plan or floor plan for the proposed business: ☐ Attached Site Plan/Floor plan

Please describe the proposed business including any goods, services and/or activities provided:

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2. Hours of operation: \_\_\_\_\_

Number of employees: \_\_\_\_\_ Number of estimated clients/customers per day: \_\_\_\_\_

How many off-street parking spaces for clients, employees, and deliveries will be available? \_\_\_\_\_

3. Describe the use, number, and size, of all commercial vehicles visiting the site:

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4. Describe how vehicles will access the site and the proposed internal circulation/parking plan and identify on an attached site plan:

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## FORM A1: COMMERCIAL/INDUSTRIAL/ PUBLIC & INSTITUTIONAL APPLICATION

Supplement to Development Permit Application  
Pursuant to Land Use Bylaw No. 1722

5. Describe the proposed grading and drainage plan and identify on an attached site plan (please be advised, an engineered grading and drainage plan may be required):

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6. Are any outdoor storage areas proposed? ☐ No ☐ Yes

Please describe the type (what is to be stored) and amount of items to be stored and identify area(s) on an attached site plan:

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7. Will there be any flammable or hazardous material on the premises as a result of the business?

☐ No ☐ Yes (please list materials and estimated quantity) \_\_\_\_\_

8. Are there any potential environmental impacts or nuisance effects associated with the business (e.g., processing by-products, fluids, noise, vibration, odour, unsightliness)?

☐ No ☐ Yes (please describe the potential impacts and the proposed mitigated plan): \_\_\_\_\_

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9. Is outdoor lighting proposed? ☐ No ☐ Yes

Please specify type and amount and identify on an attached site plan:

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10. Are any signs proposed for the business? ☐ No ☐ Yes

Please specify number, type, and size and indicate on an attached site plan:

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Municipal District of Taber  
4900B - 50th Street  
Taber, Alberta T1G 1T2  
403-223-3541

**FORM A1: COMMERCIAL/INDUSTRIAL/  
PUBLIC & INSTITUTIONAL APPLICATION**  
Supplement to Development Permit Application  
Pursuant to Land Use Bylaw No. 1722

**DECLARATION OF APPLICANT/OWNER**

*The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for the proposed use.*

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(if different from applicant)

*IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Taber.*





## FORM A2: HOME OCCUPATION APPLICATION

Supplement to Development Permit Application  
Pursuant to Land Use Bylaw No. 1722

OFFICE USE	
Application No:	Roll No:

This supplementary Form A2 must be completed in addition to Form A: Development Permit Application if you are applying for a development permit for a home occupation use.

**Applicant's Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address  
& Legal Description:** \_\_\_\_\_

1. This business will be an: ☐ On-site Business ☐ Off-site/Mobile Business

Please attach a site plan or floor plan for the proposed business: ☐ Attached Site Plan/Floor plan

Please describe the proposed business including any goods and/or services provided:

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2. Hours of operation: \_\_\_\_\_

Number of employees: \_\_\_\_\_ Do all of the employees live on the premises: ☐ No ☐ Yes

If no, please specify how many of the employees do not live on the premises: \_\_\_\_\_

Number of estimated clients/customers per day: \_\_\_\_\_

How many off-street parking spaces for clients, employees, and deliveries will be available? \_\_\_\_\_

3. Describe the use, number, and size, of all commercial vehicles visiting the site:

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4. Are any outdoor storage or display areas proposed? ☐ No ☐ Yes

Please describe type and amount of items to be stored and indicate location and proposed screening on an attached site plan (Note: outdoor storage or display not permitted in Hamlet and Grouped Country Residential Districts):

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Municipal District of Taber  
4900B - 50th Street  
Taber, Alberta T1G 1T2  
403-223-3541

## FORM A2: HOME OCCUPATION APPLICATION

Supplement to Development Permit Application  
Pursuant to Land Use Bylaw No. 1722

5. Will there be any flammable or hazardous material on the premises as a result of the business?

☐ No ☐ Yes (please list materials and estimated quantity) \_\_\_\_\_

6. Are any signs proposed for the business? ☐ No ☐ Yes

Please specify number, type, and size and indicate on an attached site plan:

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### DECLARATION OF APPLICANT/OWNER

*The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Home Occupation.*

Date: \_\_\_\_\_ Applicant's Signature: \_\_\_\_\_

Registered Owner's Signature: \_\_\_\_\_  
(if different from applicant)

*IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Taber.*



**FORM A3: SIGN APPLICATION**  
Supplement to Development Permit Application  
Pursuant to Land Use Bylaw No. 1722

OFFICE USE	
Application No:	Roll No:

This supplementary form A3 must be completed in addition to Form A: Development Permit Application if you are applying for a development permit for a sign.

**Applicant's Name:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Mailing Address  
& Legal Description:** \_\_\_\_\_

1. Type of sign proposed: ☐ Permanent ☐ Temporary ☐ Changes to an existing sign

If temporary:

Date sign will be displayed: \_\_\_\_\_ Date sign will be removed: \_\_\_\_\_

2. Sign type: ☐ Freestanding ☐ Canopy ☐ Fascia ☐ Other (specify): \_\_\_\_\_

Sign dimensions: \_\_\_\_\_ Length \_\_\_\_\_ Width \_\_\_\_\_ Sign Height from Ground: \_\_\_\_\_

Square footage of proposed sign: \_\_\_\_\_

Sign materials: \_\_\_\_\_

Please attach a site plan identifying the location(s) of the proposed sign(s): ☐ Attached Site Plan

3. Will the sign be illuminated or animated or contain changeable copy? ☐ No ☐ Yes

If yes, describe the type of illumination or animation or changeable copy format:

\_\_\_\_\_

4. Are there any existing signs on the lot? ☐ No ☐ Yes

If yes, describe the type, size and height of each existing sign and identify their location(s) on a site plan:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



Municipal District of Taber  
4900B - 50th Street  
Taber, Alberta T1G 1T2  
403-223-3541

**FORM A3: SIGN APPLICATION**  
Supplement to Development Permit Application  
Pursuant to Land Use Bylaw No. 1722

**DECLARATION OF APPLICANT/OWNER**

*The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Sign.*

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(if different from applicant)

*IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Taber.*



**MUNICIPAL DISTRICT OF TABER  
NOTICE OF DEVELOPMENT HEARING**

LAND USE BYLAW NO. 1722

**FORM B**

DEVELOPMENT APPLICATION NO. \_\_\_\_\_

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

**TYPE OF DEVELOPMENT:**

**LEGAL DESCRIPTION OF SITE:**

**PLACE OF HEARING:** \_\_\_\_\_

**TIME OF HEARING:** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

Any person affected by the said proposal has the right to present a written brief prior to the hearing and to be present and be heard at the hearing.

Persons requesting to be heard at the hearing shall submit a written notification to be heard to the designated officer not later than:

(a.m./p.m.) on \_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

Designated Officer or  
Development Authority Chairman



**MUNICIPAL DISTRICT OF TABER  
NOTICE OF DECISION**

LAND USE BYLAW NO. 1722

**FORM C**

DEVELOPMENT APPLICATION NO. \_\_\_\_\_

DATE OF DECISION \_\_\_\_\_

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

In the matter of development of property located at \_\_\_\_\_

\_\_\_\_\_

The development as specified in Application No. \_\_\_\_\_ has been:

☐ APPROVED

☐ APPROVED subject to the following conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A development permit shall be issued in accordance with this notice but shall not be valid until the

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

☐ REFUSED for the following reasons: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

Designated Officer or  
Development Authority Chairman

**THIS DOES NOT CONSTITUTE A DEVELOPMENT PERMIT**

This decision is appealable to the Subdivision and Development Appeal Board of the Municipal District of Taber within fourteen (14) days of the date of this notice by any party considering themselves to be adversely affected.



**MUNICIPAL DISTRICT OF TABER  
DEVELOPMENT PERMIT**

LAND USE BYLAW NO. 1722

**FORM D**

DEVELOPMENT APPLICATION NO. \_\_\_\_\_

DEVELOPMENT PERMIT NO. \_\_\_\_\_

This development permit is hereby issued to:

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

In respect of works consisting of: \_\_\_\_\_

\_\_\_\_\_

On land located at: \_\_\_\_\_

and described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. \_\_\_\_\_, and is subject to conditions contained herein: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This permit becomes effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within fourteen (14) days of the following date.

**DATE:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

Designated Officer or  
Development Authority Chairman

**THIS IS NOT A BUILDING PERMIT**

**IMPORTANT: see over**

**IMPORTANT:**

The development outlined above is subject to the following conditions:

- (a) This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaw, laws, orders and/or regulations affecting such development.
- (b) This permit, issued in accordance with the notice of decision, is valid for a period of twelve (12) months from the date of issue. If, at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.
- (c) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue of this development permit.
- (d) The designated officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
- (e) Construction undertaken in accordance with this development may be regulated by the **Alberta Safety Codes**. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approvals, and inspections as may be required by the appropriate provincial body.

**MUNICIPAL DISTRICT OF TABER  
APPLICATION FOR A LAND USE BYLAW AMENDMENT**

**LAND USE BYLAW NO. 1722**

**APPLICATION NO.** \_\_\_\_\_

**PROCESSING FEE \$** \_\_\_\_\_

**FORM E**

**DATE RECEIVED BY DESIGNATED OFFICER** \_\_\_\_\_

**GENERAL INFORMATION**

APPLICANT'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

REGISTERED OWNER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

APPLICANT'S INTEREST IF NOT THE REGISTERED OWNER: \_\_\_\_\_

(Option - Lease - Other)

LEGAL DESCRIPTION OF LAND: LOT(s) \_\_\_\_\_ BLOCK \_\_\_\_\_ PLAN \_\_\_\_\_

QUARTER \_\_\_\_\_ SECTION \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_

STREET ADDRESS (if applicable) \_\_\_\_\_

**NATURE AND REASONS FOR AMENDMENT REQUEST:** \_\_\_\_\_

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**SPECIFIC INFORMATION**

**IN ORDER TO PROPERLY EVALUATE AN APPLICATION FOR AMENDMENT, COUNCIL AND THE DEVELOPMENT AUTHORITY MUST BE PROVIDED WITH A COMPLETE AND CLEAR PICTURE OF THE LAND; EVERYTHING WHICH IS PRESENTLY BUILT ON THE LAND, AND EVERYTHING WHICH IS TO BE BUILT ON THAT LAND.**

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Describe the lot/parcel dimensions and acreage \_\_\_\_\_

Indicate data on a scaled PLOT PLAN. (1" = 20' – 0-4 acres; 1" = 100' – 5-9 acres; 1" = 200' – 10 or more acres)

Indicate clearly on the scaled PLOT PLAN the **setbacks** of all buildings from the front, rear, and side yard lot boundaries, as well as **distances** between all buildings/structures (existing and proposed).

*I have read and understand the terms noted below and hereby apply for a land use bylaw amendment to facilitate the development described above or shown on the attached plans. I further certify that the registered owner of the land described above is aware of, and in agreement with this application.*

Signature of **Applicant**: \_\_\_\_\_

Signature of **Registered Owner** (if not applicant): \_\_\_\_\_

**TERMS:**

1. Subject to the provisions of the Land Use Bylaw No. 1722 of the Municipal District of Taber, the term "development" includes the making of any change in the use of buildings or land.
2. Although the designated officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a development permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. **A decision shall be made by Council within 90 days** from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing.
5. A **refusal** is not appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 6 months after the date of refusal.
6. An **approval** shall be finalized by amending the land use bylaw in accordance with section 692 of the Municipal Government Act.

**Decision of Council:**

☐ REFUSED for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**First Reading Date:** \_\_\_\_\_

**Public Hearing Date:** \_\_\_\_\_

**Second Reading Date:** \_\_\_\_\_

☐ Approved by Amending Bylaw No. \_\_\_\_\_

**Third and Final Reading Date:** \_\_\_\_\_



**APPENDIX 2**

**Excerpt from: CODE OF PRACTICE  
– Minimum Distance Separation**

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## APPENDIX 2

### Excerpt from: CODE OF PRACTICE - MINIMUM DISTANCE SEPARATION

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# Section 1

## Land Use Considerations

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### Expected Results

- Minimize the nuisance effects of intensive livestock operations.
- Reduced social and environmental impacts through appropriate site selection.
- Consistent application of the Minimum Distance Separation (MDS) method.

An appropriate site selection can reduce environmental risks, as well as development and operating costs. The following preliminary information must be obtained when considering a site for an intensive livestock operation.

### 1.1 Siting to Reduce Odour Nuisance - Minimum Distance Separation (MDS) Method

Separation between intensive livestock operations and neighbours can compensate for normal odour production, thereby reducing potential nuisance conflicts. The MDS method is based on Livestock Siting Units (LSUs) which considers site specific factors, such as livestock type, amount and type of manure production, and the manure handling system. Technological advancements in manure handling, storage, barn design, and management can reduce nuisance potential, which may allow for a variance to the MDS requirement.

#### 1.1.1 Application of MDS

The MDS method is a tool to reduce the potential for land use conflicts and minimize nuisance impacts on neighbours.

##### 1.1.1.1 Application of the MDS Method for Agricultural Developments

The MDS method provides a recommended minimum distance separation between a new intensive livestock development or the expansion of an existing intensive livestock operation and neighbouring land uses (residential, commercial, or recreational).

##### 1.1.1.2 Application of the MDS Method for the First Expansion of the Operation

Expansions that occur within a 3-year period of the issuance of a development permit shall be considered as a new development. No expansion factor will be applied. Expansions that occur after a 3-year period of the issuance of a development permit may have an expansion factor applied to the MDS. This is only applicable to the first expansion of the development. In such cases, the expansion factor (**Appendix C-2**) is applied.

### **1.1.2 Determining MDS**

Measure the distance from the neighbouring adjoining residence (not property line) to the point closest to the developing livestock facility or manure storage facility. For the purpose of determining MDS, only the livestock and manure storage facilities are considered. Facilities associated with the intensive livestock operation, such as feed handling and storage, office, water supply, land on which manure is spread, and grazing areas are not considered to be part of the livestock facility for the purpose of determining the MDS. The MDS for various livestock types has been precalculated into tabular form to simplify their use (**Appendix D**). In no case shall the MDS be less than 150 metres (492 feet).

### **1.1.3 Operations on Separate Land Parcels**

Intensive livestock operations on adjacent parcels of land under the same operator may be considered as one operation for the purpose of determining MDS, regardless of whether the operations are on one or more land titles.

### **1.1.4 Exemptions to MDS**

Residences owned or under the control of the intensive livestock operator are considered exempt from the MDS siting requirements of the intensive livestock operation. Part of the MDS requirement for an expanding intensive livestock operation may be waived if existing neighbouring land uses are in agreement.

### **1.1.5 Variance to MDS**

All possible ways of reducing nuisance associated with the livestock facility design, such as siting, topography, climate, and manure management, cannot be included in the MDS tables. Management techniques or technology that clearly alters nuisance could affect the MDS. Variance to the MDS may be permitted upon consultation with Alberta Agriculture, Food and Rural Development staff. The affected party must provide documented justification for any variances which are applied for. Factors that may affect variances are:

#### **1.1.5.1 Unique Topography**

Topographical features can alter the effect of odour movement and dispersion.

#### **1.1.5.2 Physical and Visual Screening**

Natural or constructed screening can improve the aesthetics of the livestock facility or manure storage facility. Screening can assist in minimizing odours by reducing wind effects at the manure storage facility.

#### **1.1.5.3 Micro-Climate**

Available meteorological data may demonstrate significant alteration in odour intensity or frequency of occurrence in relation to a neighbouring land use. Some of these parameters include temperature, humidity, and wind direction and velocity.

#### **1.1.5.4 Management/Technology**

The use of management or technology capable of altering nuisance may be used to alter the MDS requirement.

## **1.2 Environmental Siting Considerations**

Soil, topographic, and hydrologic conditions must be considered in siting the facilities of intensive livestock operations to prevent the movement of manure nutrients into groundwater and surface water. These conditions determine risk to the environment and should be assessed prior to construction.

### **1.2.1 Engineering Soil Investigation**

To ensure the protection of groundwater and surface water, a soils investigation is recommended for facilities where manure or manure runoff is stored. Parameters pertinent to the subsoil investigation include depth to bedrock, depth to groundwater, soil permeability, soil texture, and soil plasticity.

#### **1.2.1.1 Identify Depth to Bedrock**

Identify depth to bedrock from the bottom elevation of the manure storage facility.

#### **1.2.1.2 Soil Plasticity**

Soil plasticity index should be measured.

#### **1.2.1.3 Soil Texture**

Particle size analysis (percentage of sand, silt, clay, gravel) is an acceptable indication of soil texture.

#### **1.2.1.4 Permeability of Site**

Sites with fine textured (low to very low permeability) soils are more suitable. Soil texture and plasticity will indicate permeability. Site specific tests may be required to determine permeability.

### **1.2.2 Depth to Water Table**

Determine depth to the seasonal high water table and annual water table variations. The bottom elevation of the manure storage facility must be constructed a minimum of 1 metre (3.28 feet) above the seasonal high water table.

### **1.2.3 Water Source and Supply**

Identify groundwater and surface water sources, as well as quantity and quality. Determine if artesian and/or perched groundwater exists at the site.

### **1.2.4 Water License**

Withdrawal of groundwater and surface water is legislated under the *Water Act*. Contact Alberta Environment for the necessary approvals. If irrigation water is to be used for the livestock facility, the nearest Irrigation District Office must also be contacted. If water is to be used for the livestock facility through a water co-op, then the local water co-op must be contacted.

