

### **3.110. Data Processing and Infrastructure Direct Control District (DC Area 7)**

#### 1. Purpose

- 1.1. The purpose of this District is to allow for the development of data processing facilities, and associated infrastructure and uses, and enable flexible regulations to manage mitigate impacts from emerging technology based industrial uses.

#### 2. Application

- 2.1. This District applies to the lands identified in Section 10.20 of this Bylaw.

#### 3. Uses

<u>Agricultural Uses</u>
<u>Agriculture, Major</u>
<u>Agriculture, Minor</u>
<u>Industrial Uses</u>
<u>Data Processing Facility</u>
<u>Public Service and Infrastructure Uses</u>
<u>Renewable Energy Generation, Minor</u>
<u>Utility, Major, limited to Power Generation Facilities</u>
<u>Utility, Minor, limited to communication towers and local electrical transmission and distribution facilities</u>
<u>Other Uses</u>
<u>Accessory Building</u>

#### 4. Decision Authority

- 4.1. Decisions on Development Permit Applications must be made in accordance with the following:
- 4.1.1. Data Processing Facility uses shall be decided by Council.
- 4.1.2. All other uses shall be decided by the Development Authority.
- 4.2. Council may require any technical studies or information as outlined in Section 7.40 that it deems necessary to decide on an application.

#### 5. Site Regulations

- 5.1. Site regulations, including minimum site area, depth, width, and density, are at the discretion of the Subdivision Authority.

#### 6. Development Regulations

- 6.1. Development must comply with the following Building regulations:

##### Building Form

<u>Regulation</u>	<u>Value</u>
<u>Maximum Height</u>	
<u>6.1.1. Principal Building</u>	<u>None</u>
<u>6.1.2. Accessory Building</u>	<u>None</u>
<u>Footprint</u>	
<u>6.1.3. Maximum Lot Coverage</u>	<u>At the discretion of the Development Authority</u>

6.1.4. Maximum Building Area None

#### Building Placement

<u>Regulation</u>	<u>Value</u>
<u>Setbacks Abutting Sites</u>	
<u>6.1.5. Minimum Rear Setback</u>	<u>9.0 m (29.5 ft.)</u>
<u>6.1.6. Minimum Side Setback</u>	<u>12.0 m (39.4 ft.) total with a minimum of 3.0 m (9.8 ft.) on each side.</u>
<u>Setbacks Abutting Residential Use</u>	
<u>6.1.7. Minimum Setback from a Residential Use</u>	<u>50.0 m (164.0 ft.)</u>
<u>Setbacks Abutting Roadways</u>	
<u>6.1.8. Minimum Front and Flanking Setback</u>	<u>8.0 m (26.2 ft.) from an internal subdivision road</u> <u>23.0 m (75.4 ft.) from a Municipal Road</u>
<u>6.1.9. Minimum Provincial Highway Setback</u>	<u>Discretion of the Development Authority in consultation with Alberta Transportation and Economic Corridors.</u>

### 7. Additional Regulations for Specific Uses

#### Setback Requirements

7.1. The following setbacks apply for specific uses when Adjacent to a Residential District, or a property that contains a Residential Use:

7.1.1. Data Processing Facility Buildings must be setback a minimum of 100.0 m (328.0 ft.); and

7.1.2. Any ground mounted Mechanical Equipment must be setback a minimum of 150.0 m (492.1 ft.), unless separated by a Principal Building.

### 8. General Regulations

8.1. Data Processing Facility Uses must meet the requirements of Section 5.80.

8.2. In addition to any other application requirements in this Bylaw, Data Processing Facility applications may be required to provide a decommissioning and reclamation plan that outlines how the lands will be returned to their pre-development state including plans for demolition and waste removal.

## 5.80. Data Processing Facility

### 1. General Development Regulations

#### Minimum Setback Distance

#### 1.1. Minimum Setback distances are measured in accordance with the following:

- 1.1.1. For facilities with a Power Generation Facility, from the outer edge of the Development to the nearest residential Dwelling wall.
- 1.1.2. For facilities without a Power Generation Facility, from the development area to the title Parcel boundary.

#### Setbacks

#### 1.2. ~~A~~ Data Processing Facilities ~~iesy~~ must be set back from ~~Residential Uses~~ a residential district or a property that contains a Residential Use according to the following minimum requirements:

Regulation	Value
1.2.1. <del>The facility includes on-site power generation.</del> <u>Power Generation Facilities</u>	At the Discretion of the Development Authority in consultation with the Alberta Utilities Commission, <u>unless specified as a specific regulation of the district.</u>
1.2.2. <del>The facility does not include on-site power generation.</del> <u>Data Processing Facility Buildings</u>	Setback must align with <del>the Building</del> regulations of the district.
1.2.3. <u>Ground mounted Mechanical Equipment</u>	<u>Setback must align with regulations of the district.</u>

#### ~~Impact Mitigation~~ Noise Impacts

#### 1.3. ~~A noise impact assessment may be required by the Development Authority. If deemed necessary by the Development Authority, a noise mitigation plan that includes a noise monitoring system will be required.~~ The applicant may be required to provide a noise impact assessment.

#### 1.4. Provision and compliance with a noise impact assessment, including installation of a noise monitoring system, may be imposed as a condition of approval.

#### 1.5. Appropriate Acoustic Barriers must be included if deemed necessary by a noise impact assessment.

#### Building Façade

#### 1.6. When adjacent to a public road right-of-way, a residential district, or a property that contains a Residential Use, Building façades must incorporate the following to add visual interest:

##### 1.6.1. Façade articulation;

##### 1.6.2. Colour;

##### 1.6.3. Material; or

##### 1.6.4. Texture.

#### 1.7. Building entrances must be clearly visible using architectural detailing or differentiating colours.

#### Screening of Mechanical Equipment

1.8. Mechanical Equipment screening may incorporate perforated surfaces to allow for ventilation at the discretion of the Development Authority.

1.9. Ground mounted Mechanical Equipment must:

1.9.1. Not be located in any required Front Yard, unless screened;

1.9.2. Be separated from a public road right-of-way, Residential District, or a property that contains a Residential Use, by a principal building or screening.

#### Loading and Storage

1.10. Loading, storage, and waste collection areas must:

1.10.1. Be designed to not impede the efficient flow of traffic and pedestrian movement;

1.10.2. Minimize impacts on Adjacent Uses;

1.10.3. Be located to the rear or side of the Principal Building; and

1.10.4. Be screened from view from Adjacent streets and Residential Sites.

#### Generator Testing and Use

1.11. When adjacent to a property that contains a Residential Use, generator testing may only occur during day-time hours as defined in the Community Standards Bylaw, unless a noise exemption is granted in accordance with the Community Standards Bylaw.

1.12. Generator use must be limited to backup and emergency purposes only, except for testing or commissioning activities.

#### Lighting

1.13. Exterior lighting must follow County standards and be Dark Sky compliant.

#### Landscaping

1.14. Applicants must provide a landscaping plan in accordance with Section 4.40.

1.15. Landscaping must be completed in accordance with the approved landscaping plan.

#### Traffic and Parking

1.16. Parking must be provided in accordance with the requirements for Industrial Districts and Uses in Section 4.50.

1.17. A Traffic Impact Assessment may be requested at the time of a Development Permit application.

#### Additional Requirements

1.18. A Development Permit application for a Data Processing Facility Use may require the following information to be provided:

1.18.1. Estimated water demand and anticipated source;

1.18.2. Wastewater and effluent treatment and disposal;

1.18.3. Traffic impact assessment; and

1.18.4. Requirements for off-site improvements.

1.19. Before submitting a Development Permit application for Data Processing Facility, the Development Authority may ask the Applicant to undertake public engagement in accordance with County Policy.

## U

Utility, Major	Means a Development that provides private or public utility infrastructure that has major off-site impacts and Nuisances such as noise, light, emissions, dust, traffic, or other effects. Typical Uses include waste management facilities, compost facilities, incinerators, landfills, waste transfer stations, power generation <del>stations</del> <u>facilities</u> , sewage treatment facilities, and waste recycling plants.
Utility, Minor	Means a Development that provides private or public utility infrastructure that has minimal off-site impacts or no Nuisances. Typical Uses include water and sewer lines, communication towers, local electrical transmission and distribution facilities, water fill stations and water reservoirs, minor waste management facilities with non-hazardous wastes, dry waste, and water treatment plants.

## V

Vehicle Service Station	Means a Development primarily used for the fueling and charging of motor vehicles and may include activities related to the servicing and cleaning of these vehicles. This Use may also include Accessory commercial services such as eating and drinking <del>service</del> , and indoor commercial services.
Vehicle Services, Maintenance and Sales, Light	Means a Development that provides the sale or services for any type of personal motor vehicle or Recreational Vehicle, fleet vehicles services and storage, and includes but is not limited to vehicle rehabilitation, cleaning, mechanical repairs, painting, and fueling.
Vehicle Services, Maintenance, and Sales, Heavy	Means a Development that provides the sale of, or services for any type of commercial or heavy equipment vehicles, such as industrial vehicles, farm implement vehicles, semi-trucks & trailers, and buses. Services may include vehicle rehabilitation, cleaning, mechanical repairs, painting, and fueling.

## W

Wellness Centre	Means a Development that provides opportunities for recreational and holistic health pursuits. Wellness Centre Uses are typically compatible with the natural landscape and rural environmental features by way of landscaping, Site design, Building design, and incorporation of Low Impact Development principles. Typical Uses may include facilities that accommodate yoga and guided meditation practices, saunas, indoor and outdoor pools, and complementary or supporting activities such as minor eating establishments, spas, fitness rooms or similar Accessory activities. Wellness Centre Uses do not include overnight accommodation, or any Uses associated with medical or rehabilitation treatment.
Work Camp	Means one or more Buildings established to accommodate persons who are typically affiliated with remote work and includes land on which the Building or Buildings are situated. Buildings associated with this Development typically comprise a Workforce Accommodation Structure.

## 9.20. General Definitions

## A

Abattoir	Means the Use of land or Buildings in which animals are slaughtered and may include the packing, treating, storing and sale of the product.
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Amenity Area	Means a space provided for active and passive recreation and enjoyment of the occupants or landowners of a Development.
Auctioneering Services	Means those developments specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment. This livestock may include livestock and farm equipment.
Abut	Means immediately Contiguous to or physically touching. When used in reference to a Parcel means that the lot physically touches another lot or shares a Property Line with it.
Accessory	Means a Use, Building or Structure that is naturally or normally incidental, subordinate, and devoted to the Principal Use or Building, and located on the same Parcel
<u>Acoustic Barrier</u>	<u>Means an exterior solid or louvered wall containing sound proofing materials designed to absorb noise and protect neighbouring properties from noise pollution.</u>
Act	Means the Municipal Government Act being the Revised Statutes of Alberta, 2000, Chapter M-26.1 and amendments thereto.
Adjacent	Means Contiguous or would be Contiguous if not for a river, stream, road, or utility right-of-way or reserve land and another land identified as Adjacent in this Bylaw.
Addition	Means the external construction of a Structure to an existing Building, which increases the Building's Floor Areas or external dimensions and when added to the Principal Building, creates one singular combined Structure. Such Structures must include a roof and walls. This may include, but is not limited to, a sunroom, bedroom storage, or mudroom.
Agricultural Building	Means a freestanding Structure on a Parcel two acres or greater in size, that is used solely to house livestock, storage and repairs of agricultural equipment, storage of farm produce and livestock feed. This does not include a riding arena, detached Garage, or if a Building is partially used for personal, residential Use.
Animation	Means a projection style where action or motion is used to project sign content, including lighting changes, special effects, or pictures, but does not include changeable content.
Applicant	Means the registered owner of the land or his or her representative or agent certified as such
Area Structure Plan	Means a statutory plan adopted by Bylaw pursuant to the Act for the purpose of providing a framework or subsequent subdivision and development of an area of land.
Arterial Road	Means those municipal roads identified in the Transportation Master Plan Bylaw (TMP) as amended.

## B

Bareland Condominium	Means a condominium Development containing Bareland Condominium Units, created specifically through subdivision, and registered as a condominium plan in accordance with the Condominium Property Act, RSA 2000, c. C-22
Bareland Condominium Unit	Means a bare land unit as defined in the Condominium Property Act, RSA 2000, c. C-22.
Basement	Means the portion of a Building or Structure that is wholly or partially below ground level.
Beekeeping	Means the activity of housing bees to produce honey or to pollinate agricultural crops, in accordance with the Bee Act, as amended. For the purposes of this Bylaw, Beekeeping does not include commercial apiaries.
Bed and Breakfast	Means a Dwelling where temporary sleeping accommodations, with or without meals, are provided to members of the public.

- a quarter section;
- a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;
- a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;
- a part of a Parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
- a part of a Parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

Lot Coverage	Means the portion of land area covered by all Buildings and Structures. This definition includes cantilevers but does not include the following: steps, Eaves, or other similar projections, driveways and drive aisles and at-grade parking that is not part of a Parking Structure or Garage.
Low Impact Development (LID)	Means a land planning and engineering design approach for managing stormwater runoff. LID emphasizes the conservation and use of on-site Natural Features and functions to protect water quality. This approach implements engineered small-scale hydrological controls to replicate the predevelopment hydrologic regime of watersheds through infiltrating, storing, evaporating, and detaining runoff close to its source.

## M

Major Development	Means a new commercial, industrial, resource extraction, institutional, recreational, or Multi-unit residential project that, in the opinion of the Development Authority, has an intensity of operations that has significant environmental, transportation, and municipal infrastructure demands or similar effects and may include off-site impacts that are licensed under municipal, provincial or federal policies or regulations.
Master Site Development Plan	Means a non-statutory document providing a comprehensive plan for a large-scale Major Development that provides a framework for future Development, offsite impacts, and provisions for public infrastructure.
<u>Mechanical Equipment</u>	<u>Means any equipment or device used for heating, cooling, ventilation, or power generation that produces noise or vibration.</u>
Modular Home	Means a Dwelling, built-in modules at a factory, which are transported to, and assembled at the Building Site and have no chassis or running gear.
Multi-Parcel Residential Subdivision	Means a cluster of four (4) or more residential Parcels shown on and registered by a survey or descriptive plan, where each Parcel is predominantly 4.1 ha (10.0 ac.) in size or less.
Municipal Development Plan	Means a statutory plan adopted by Council as a Municipal Development Plan under the Municipal Government Act.
Municipal Government Act	Means the Municipal Government Act, R.S.A. 2000, c.M-26, as amended.

## N

Naturalization	A land maintenance approach that mimics natural ecosystems by incorporating a variety of native plant species into a landscaped area that does not require frequent mowing, watering, or chemical treatments.
Natural Features	A physical characteristic of a natural system. This includes tree stands and forests, lakes and wetlands, drainage paths, and native vegetation.