

### 9.3 Highvale End Land Use Direct Control District Regulations (DC Area 2)

1. These regulations shall be known as the "Highvale End Land Use Direct Control District Regulations."
2. These regulations shall apply to those lands in the County shown as DC Area 2 on the Land Use Bylaw Map.
3. The intent of these regulations is to allow Council the flexibility and control necessary to plan and regulate all aspects of the development of the region relative to **land reclamation, adaptive reuse and the requirements of the requirements** of the Highvale End Land Use Area Structure Plan, as may be amended from time to time.
4. ~~The purpose of the Area Structure Plan is to provide a set of goals and policies to establish an acceptable pattern of land use, transportation and service infrastructure, natural spaces and restored land quality for the area subsequent to the reclamation of the land base after the completion of the open pit coal mining and completion of power generation at the Highvale and Sundance Plants.~~
5. At the time of the adoption of these regulations, the underlying land use district of Land Use Bylaw shall apply. As such, the underlying district for the defined area shall be RE - Resource Extraction.
6. As reclamation **proceeds is completed and verified**, the Land Use Bylaw shall be amended to reflect the underlying land use districts as outlined on **Map 7 Figure-13** of the **Highvale End Land Use Area Structure Plan, attached to and forming part of these regulations.**
7. **Decisions on development permit applications shall be made in accordance with the following:**
  - a) **'Computer, Electronic, data Processing Services' use shall be decided upon by Council,**
  - b) **All other uses, the Development Authority shall, when rendering decisions on development proposals within this area, with consideration for the statutory plans for the area. reflect land use planning direction established by Council through the Highvale End Land Use Area Structure Plan, as may be amended from time to time.**
8. The appropriateness of subdivision proposals on lands covered by this regulation shall be determined by Council. The Subdivision Authority shall, when rendering decisions on subdivision proposals within this area, reflect the evaluation of appropriateness by Council, as well as the requirements and land use planning direction established in the Highvale End Land Use Area Structure Plan, as may be amended from time to time.
9. **Notwithstanding 7.6.2 (b) "Computer, Electronic, Data Processing Services" shall be a permitted use for the following lands as described below and on Schedule C – Highvale Mine End Direct Control District Map.**
  - a) **NW-30-51-3-5**
  - b) **NE-13-51-4-5**
  - c) **NW-13-51-4-5**
  - d) **SE-13-51-4-5**
  - e) **SW-13-51-4-5**
  - f) **NE-23-51-4-5**

- g) NE-24-51-4-5
- h) NW-24-51-4-5
- i) SE-24-51-4-5
- j) SW-24-51-4-5
- k) NE-25-51-4-5
- l) NW-25-51-4-5
- m) SE-25-51-4-5
- n) SW-25-51-4-5
- o) NW-26-52-5-5
- p) SW-26-52-5-5
- q) NE-27-52-5-5
- r) NW-27-52-5-5
- s) SE-27-52-5-5
- t) SW-27-52-5-5
- u) NE-28-52-5-5
- v) NW-28-52-5-5
- w) SE-28-52-5-5
- x) SW-28-52-5-5
- y) SE-33-52-5-5
- z) SW-33-52-5-5
- aa) A Portion of SW-34-52-5-5 legally described as Plan 1420086, Block 1, Lot 2