

SECTION 7 INDUSTRIAL

7.1 BI - Business Industrial District

BI

1. Purpose

To accommodate a range of industrial and commercial uses which may have outdoor storage or work activities, in fully serviced business and industrial parks and do not create any nuisance outside a building to ensure that the development is compatible with other non-industrial uses. For any development within this district, a high landscaping standard is required to improve the appearance of new industrial and commercial development throughout the County, including along high-visibility Highways and County main roads.

2. Uses

a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- ii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems; and
- iii) That Recycling Depot Major, as a Discretionary Use, shall not be located Adjacent to a Provincial Highway.

b) PERMITTED USES	c) DISCRETIONARY USES
Accommodation and Convention Services	Auctioneering Services
Agricultural Support Services	Community Recreation Services
Animal Health Care Services	Day Care Services
Automotive Equipment and Vehicle Services	General Industrial
Convenience Retail Services	Manufacturing/Processing
Crematorium	Horticultural Use
Cultural Facilities	Industrial Storage and Warehousing
Drive Through Business	Liquor Sales/Distribution Services
Funeral Home	Natural Resource Extraction/Processing
General Commercial Retail Services	Recycling Depot Major
Government Services	Recreational Vehicle Storage
Indoor Eating Establishment	Spectator Sports Establishments
Indoor Participant Recreation Services	Tourist Campground, Destination
Kennel	Tourist Campground, Enroute
Personal and Health Care Services	Utility Services – Major Infrastructure
	Wind Energy Converter System – Minor

b) PERMITTED USES	c) DISCRETIONARY USES
Professional, Business, Financial and Office Support Services Recycling Depot - Minor Security Suite Small Animal Breeding/Boarding Wind Energy Converter System - Minor Error! Reference source not found. Uses for the uses listed in 7.1.2 b)	Error! Reference source not found. Uses for the uses listed in 7.1.2 c)

3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
 - i) Minimum Parcel area shall be the area contained in the existing titled area, unless otherwise approved by the Subdivision Authority.
 - ii) Minimum Parcel width shall be 30.0 m.

4. Development

- a) Setbacks
 - i) Minimum Front Yard Setback
 - (1) A minimum Setback of 8.0 m shall be provided from the Property Line of an adjacent local road.
 - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road, or Arterial Road.
 - (3) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
 - ii) The combined side yard building Setbacks shall total at least 12.0 m with a minimum side yard building Setback of 3 m.
 - iii) Minimum rear yard Setback shall be 9.0 m.
 - iv) Notwithstanding 7.1.4(a)(ii) and (iii), the minimum building Setback shall be 15 m from a property line that is shared with a property districted residential.
- b) Parcel Coverage
 - i) The maximum Parcel coverage shall be 60% of the area of the Parcel.
- c) Parking and Loading
 - i) Vehicular entrances and exits, as well as on-site pedestrian and vehicular routes shall be designed in a manner that provides a safe and clearly defined circulation pattern.
 - ii) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.

- iii) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within the first 6 m of a required front yard Setback. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from any adjacent sites or public roadway.
 - iv) Notwithstanding the foregoing, only the display of a business's commodity or product may be considered for storage in front or sides of the principal building.
- d) Outdoor Storage
 - i) Outdoor storage and screening shall comply with Section **Error! Reference source not found.** Industrial Landscaping Requirements.
- e) Landscaping
 - i) As required by the Development Authority, all required yards and all open spaces on the Parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
 - ii) Landscaping standards shall comply with Subsection **Error! Reference source not found.** of this Bylaw.
- f) Design, Character and Appearance of Buildings and Structures
 - i) All developments within the district shall comply with Subsection **Error! Reference source not found.** of this Bylaw.

5. Other Development Regulations

- a) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
 - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- b) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT Regulations.
- c) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.

7.2 BIR - Regional Business Industrial District



1. Purpose

- a) The purpose of this district is to accommodate a range of industrial and industrial support services that typically provide logistics, manufacturing/processing, professional office, or research and development functions. Developments within this District typically require larger parcels adjacent to regional transportation routes. For any development within this district, a high landscaping standard is required to improve the appearance of new development along high-visibility Highways and County main roads.

2. Uses

- a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsection 7.2.2 b) and c) shall ensure:

- i) nuisances are contained within the building envelopes.

b) PERMITTED USES	c) DISCRETIONARY USES
Agricultural Support Services Convenience Retail Services General Industrial Manufacturing/Processing Government Services Horticultural Use Industrial Storage and Warehousing Professional, Business, Financial and Office Support Services Security Suite Wind Energy Converter System (WECS) – Minor (1 system) Error! Reference source not found. Uses for the uses listed in 7.2.2 b)	Accommodation and Convention Services Animal Health Care Services Automotive Equipment and Vehicle Services Community Recreation Services Day Care Services Drive Through Business General Commercial Retail Services Indoor Eating Establishment Indoor Participant Recreation Services Liquor Sales/Distribution Services Personal and Health Care Services Spectator Sports Establishments Error! Reference source not found. Uses for the uses listed in 7.2.2 c)

3. Subdivision Regulations

- a) Parcel Area Requirement (for purposes of new parcel creation only):
 - i) Minimum parcel area shall be the area contained in the existing titled area, unless otherwise approved by the Subdivision Authority.
 - ii) Minimum parcel width shall be 30.0 m.

4. Development Regulations

- a) Setbacks
 - i) Minimum Front Yard Setback
 - (1) A minimum setback of 8.0 m shall be provided from the Property Line of an adjacent local road.
 - (2) A minimum setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road, or Arterial Road.
 - (3) A minimum setback from a Highway shall be determined by the Development Authority in consultation with Alberta Transportation.
 - ii) The combined side yard building Setback shall total at least 12.0 m with a minimum side yard building of 3 m. .
 - iii) Minimum rear yard setback shall be 9.0 m.
 - iv) Notwithstanding 7.2.4(a)(ii) and (iii), the minimum building Setback shall be 15 m from a property line that is shared with a property districted as residential.
- b) Parking, Loading and Storage
 - i) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.
 - ii) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within the first 6.0 m of a required front yard setback.
- c) Landscaping
 - i) As required by the Development Authority, all required yards and all open spaces on the parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.
 - ii) Landscaping standards shall comply with Subsection **Error! Reference source not found.** of this Bylaw.
 - iii) The Development Authority may accept special design features to enhance the aesthetic quality of the parcel in lieu of the landscaping requirements outlined in Subsection **Error! Reference source not found.**, provided that such features meet or exceed the intended purpose of landscaping; for example, enhanced entrance and gate features, or installation of art pieces.
- d) Design, Character and Appearance of Buildings and Structures
 - i) All development within the District shall comply with Subsection **Error! Reference source not found.** of this Bylaw.
- e) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.
- f) The Development Authority may request an emergency response plan as a condition of a development permit to ensure that emergency services requirements for fire, rescue, and ambulance are met.

- g) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
- i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.

7.3 MI - Medium Industrial District



1. Purpose

The purpose of this district is to provide for a broad range of compatible industrial uses on fully serviced Parcels, some of which may require outdoor storage or activities. Any nuisance factor should not extend beyond the boundaries of the Parcel.

2. Uses

a) Fundamental Use Provisions

The Fundamental Use Provisions as requisite qualifiers for Permitted and Discretionary Uses listed within Subsections 7.3.2 b) and c) shall ensure:

- i) That a Wind Energy Converter System - Minor, as a Permitted Use, is limited to no more than one system;
- ii) That a Wind Energy Converter System – Minor, as a Discretionary Use, is limited to no more than two systems; and
- iii) That Recycling Depot Major, as a Discretionary Use, shall not be located Adjacent to a Provincial Highway.

b) PERMITTED USES	c) DISCRETIONARY USES
Agricultural Support Services Animal Health Care Services Auctioneering Services Automotive Equipment and Vehicle Services Convenience Retail Services Crematorium General Commercial Retail Services General Industrial Manufacturing/Processing Industrial Storage and Warehousing Kennel Recycling Depot - Minor Service Station Small Animal Breeding/Boarding Waste Management Facility, Minor Wind Energy Converter System - Minor <i>(See Fundamental Use Provisions)</i> Error! Reference source not found. Uses for the uses listed in 7.3.2 b)	Abattoir Bulk Agricultural Chemical Distribution Bulk Fuel Depot Community Recreation Services Concrete/Asphalt Plant Government Services Indoor Eating Establishment Natural Resource Extraction/Processing Recreational Vehicle Storage Recycling Depot, Major Wind Energy Converter System – Minor Error! Reference source not found. Uses for the uses listed in 7.3.2 c)

3. Subdivision

- a) Parcel Area Requirement (for purposes of new Parcel creation only)
 - i) Minimum Parcel area shall be the area contained in the existing titled area, unless otherwise approved by the Subdivision Authority.
 - ii) The minimum Parcel width is 30.0 m.

4. Development

- a) Setbacks
 - i) Minimum Front Yard Setback
 - (1) A minimum Setback of 8.0 m shall be provided from the Property Line of an adjacent local road.
 - (2) A minimum Setback of 23.0 m shall be provided from the Property Line of an adjacent minor or major Collector Road, or Arterial Road.
 - (3) A minimum Setback shall be provided as determined by the Development Authority in consultation with Alberta Transportation for Parcels adjacent to a Highway.
 - ii) The combined side yard building Setback shall total at least 12.0 m with a minimum side yard building Setback of 3.0 m.
 - iii) Minimum rear yard Setback shall be 9.0 m.
 - iv) a. Notwithstanding 7.3.4(a)(ii) and (iii), the minimum building Setback shall be 15 m from a property line that is shared with a property districted as residential.
- b) Parcel Coverage
 - i) The maximum Parcel coverage shall be 50% of the area of the Parcel excluding yard storage.
- c) Parking and Loading
 - i) Loading bays shall be located in such a manner as to not impede the efficient flow of traffic and pedestrian movement and to minimize impacts on adjacent land uses.
 - ii) No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within the first 6.0 m of a required front yard Setback. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from any adjacent sites or public roadway.
 - iii) Notwithstanding the foregoing, the display of a business's commodity or product only may be considered to be storage in front or sides of the principal building.
- d) Outdoor Storage
 - i) Outdoor storage and screening shall be as per Subsection **Error! Reference source not found.** Industrial Landscaping Requirements.
- e) Landscaping
 - i) As required by the Development Authority, all required yards and all open spaces on the Parcel, excluding parking spaces, on-site circulation, outdoor storage, display and service areas, shall be landscaped in accordance with the approved landscape plan.

- ii) Landscaping standards shall comply with Subsection **Error! Reference source not found.** of this Bylaw.
- f) Design, Character and Appearance of Buildings and Structures
 - i) All development within the district shall comply with Subsection **Error! Reference source not found.** of this Bylaw.

5. Other Development Regulations

- a) Industrial uses shall not create any nuisance effect beyond their property boundaries.
- b) Safety and risk assessment is an integral component of the industrial development permitting process. Where there are potential effects or risks associated with a proposed development, the Development Authority may require the applicant to retain a qualified professional acceptable to the Development Authority to provide a Risk Assessment Report of the proposed development.
- c) The Development Authority may request an emergency response plan as a condition of a development permit to ensure that emergency services requirements for fire, rescue, and ambulance are met.
- d) The minimum Setback requirement for all Permitted and Discretionary Uses may be increased at the discretion of the Development Authority.
- e) Pursuant to the MDP, a biophysical assessment shall be required for a site proposed for a multi-Parcel subdivision or a major development if all or part of the site is located within areas defined as environmentally significant in the Environmental Conservation Plan, and may be required within 0.8 km of areas defined as environmentally significant in the Environmental Conservation Plan, or if the site contains natural features such as sloughs or extensive tree cover.
 - i) The biophysical assessment shall identify and evaluate the environmental significance and sensitivity of existing vegetation, wetlands, other water features, wildlife habitat and unique physical features, and shall recommend appropriate measures for protecting significant features.
- f) Permitted and Discretionary Uses are subject to the appropriate provisions and requirements contained within PART 3 - DEVELOPMENT Regulations.



PART 3 DEVELOPMENT REGULATIONS

SECTION 11 GENERAL REGULATIONS

SECTION 12 SITE SPECIFIC USE REGULATIONS

SECTION 13 LANDSCAPING

SECTION 14 PARKING AND LOADING

SECTION 15 SIGNS

SECTION 11 GENERAL REGULATIONS

11.1 Accessory Developments

1. Interpretation
 - a) Developments that are naturally or normally incidental, subordinate, and strictly devoted to the principal use is considered to be an Accessory Development;
 - b) An Accessory Development falls under the Use Class of its Principal Use and therefore is either Accessory to a Permitted Use or Accessory to a Discretionary Use.
2. Notwithstanding any other provision in this Bylaw, the following Uses, unless specifically listed as a Permitted or Discretionary Use in the Land Use District where the Parcel is located, are prohibited as Accessory Uses to any other use:
 - a) Automotive, Equipment, and Vehicle Services
 - b) Boarding House;
 - c) Detention and Correction Services;
 - d) General Industrial Manufacturing/Processing;
 - e) Group Home, Major;
 - f) Group Care Facility;
 - g) Horticultural Use;
 - h) Industrial Storage and Warehousing;
 - i) Kennel;
 - j) Liquor Sales/Distribution Services;
 - k) Outdoor Participant Recreation Services;
 - l) Outdoor Shooting Range
 - m) Security Suite;
 - n) Small Animal Breeding/Boarding Services;
 - o) Specialized Botanical Production Facility;
 - p) Tourist Campground, Destination;
 - q) Tourist Campground, Enroute;
 - r) Waste Management Facility;
 - s) Waste Management Facility, Major;
 - t) Waste Management Facility, Minor;
 - u) Wind Energy Converter System, Major;
 - v) Wind Energy Converter System, Minor; and
 - w) Work Camp.

3. For properties districted as Residential, the combined maximum building coverage for Accessory Buildings shall be:
 - a) 180.0 m² on Parcels up to 0.40 ha
 - b) 280.0 m² on Parcels up to 1.21 ha
 - c) 326.0 m² on Parcels up to 2.02 ha
 - d) 375.0 m² on Parcels up to 4.04 ha
 - e) 425.0 m² on Parcels up to 16.19 ha
 - f) 650.0 m² on Parcels larger than 16.19 ha.
4. Accessory buildings that are attached or butting up to the Principal Building are not calculated as Accessory building area.
5. Accessory buildings attached to the Principal Building are considered to be part of the Principal Building and shall comply with the Setbacks applicable to the principal building for the applicable land use district.
6. Accessory buildings in a non-residential district shall be subject to the development regulations for the district and when abutting a Parcel in a Multi-Parcel Residential Subdivision, shall not exceed 8.0 m in height from the inside wall grade to the top of the roof.
7. An Accessory building, when located in a Multi-Parcel Residential Subdivision, shall not exceed 8.0 m in height from the inside wall grade to the peak of the roof.

11.4 Dwelling Units on a Parcel

1. One (1) Dwelling shall be allowed on a Parcel smaller than 28.0 ha
2. Two (2) Dwellings may, at the discretion of the Development Authority be located on a Parcel provided that:
 - a) The Parcel is at least 28.0 ha in size;
 - b) The Parcel is Districted Agricultural;
 - c) The Parcel is not located in a Multi-Parcel Residential Subdivision containing four (4) or more Parcels; and
 - d) The Dwellings must be uses allowed within the District.
3. Three Dwellings may be located on a Parcel provided that:
 - a) The Parcel is at least 28.0 ha in size;
 - b) The Parcel is Districted as Agricultural;
 - c) The principal onsite Building is a Dwelling, Duplex or a Dwelling, Single Detached with a Secondary Suite;
 - d) The third Dwelling must be a Manufactured Home, Single Wide; and
 - e) The Dwelling must be allowed within the District.
4. Additional detached Dwelling(s), in accordance with 11.4.4(2) and (3) above, shall be subject to the development regulations for the applicable district.

5. The Development Authority shall not approve a development permit application for more than one Dwelling unless it the additional Dwelling(s) is/are designed, sited, constructed, finished and clad in a manner that is visually compatible and harmonious with the residential character of the surrounding residential developments.
6. Notwithstanding Section 11.4.2(a), 11.4.2(b), and 11.4.3(b), the Development Authority may waive these requirements if, in their opinion, the additional Dwelling is reasonably compatible with nearby Developments, satisfies Section 16.11.1, and is supported by policies within a Statutory Plan.



PART 4 PROCESS

SECTION 16 DEVELOPMENT APPLICATION PROCESS

SECTION 17 DEVELOPMENT APPEAL PROCESS

SECTION 16 CONTROL OF DEVELOPMENT

16.3 Application for Development Permit

1. Except as provided for in Subsection 16.3.1, an application for a development permit shall be made to the Development Authority, in writing, using the development permit application form provided by Parkland County, and shall include the following:
 - a) the application must be signed by the applicant (registered owner of the land or his/her representative or agent certified as such) accompanied with a current copy of the Certificate of Title of the land, searched and dated not more than fourteen (14) days prior to the date on which the application is made;
 - b) a non-refundable application fee to cover administrative processing costs, as established in the development permit Application Fee Schedule, as adopted by resolution of Council. The Development Authority, upon request at the time of application, may waive the application fee when an application is made by a Parkland County community-based/related group;
 - c) a statement of the intended uses of the proposed development;
 - d) a statement of the estimated commencement and completion dates;
 - e) a Site Plan for the land to be developed, in duplicate when required, drawn to a scale of 1:2000 or such other scale as the Development Authority may require, showing such information deemed necessary by the Development Authority which may include the following:
 - i) legal description of subject property and all abutting properties;
 - ii) identification of all abutting roads and existing and/or proposed access to the development;
 - iii) identification of all rights-of-way and easements within and abutting the subject property;
 - iv) identification of all drainage courses and/or the proposed storm water drainage plan;
 - v) the location of any proposed development on the site;
 - vi) location and dimensions of existing and/or proposed buildings including front, rear and side yard Setbacks;
 - vii) existing and proposed services;
 - viii) proposed off-street parking and loading facilities, showing the location and of all aisles and stalls, the dimensions of all aisles, the number of stalls, typical stall dimensions and the location of any lighting standards and curbing;
 - ix) landscape plan, in accordance with **Error! Reference source not found.** of this Bylaw;
 - x) location and access to garbage pick-up;
 - xi) sign location and details;
 - xii) the design and location of sidewalks, patios, playgrounds, and other similar features;
 - xiii) north arrow, scale, and date of drawing; and
 - xiv) schedule showing area of site, building Floor Area, number of units, number of parking and Loading Spaces and a calculation of site coverage and Floor Area ratio;

- f) when required by the Development Authority, floor plans and elevations of the proposed development in duplicate, drawn to a scale of 1:100 or such other scale as the Development Authority may require;
 - g) the Development Authority may require a Real Property Report to verify the location of an existing building that is subject of a development permit application;
 - h) confirmation from the Alberta Energy Regulator (AER) for buildings larger than 47.0 m² or larger, identifying the presence or absence of abandoned wells; and
 - i) Provide additional information as required by the Development Authority deems necessary in order to evaluate any application in accordance with this Bylaw.
2. In addition to the development permit application requirements stipulated in Subsection 16.3.1, with respect to land that is the subject of an application for a development permit, the Development Authority may request information regarding
- a) its topography;
 - b) its soil characteristics;
 - c) its potential for flooding, subsidence or erosion;
 - d) a Stormwater Management Study, prepared by a qualified professional, describing how storm water runoff will be managed, in terms of both runoff rates and volumes and water quality, its potential for flooding, subsidence and/or erosion;
 - e) its accessibility to a public roadway or Highway, constructed to appropriate municipal or provincial standards;
 - f) the availability and adequacy of municipal services which, without restricting the generality of the foregoing, may include fire protection, education services, student transportation, and police protection;
 - g) the need to maintain an adequate separation distance between different or incompatible land uses. A plan outlining a buffering or interface treatment to minimize impacts of commercial and industrial land uses on neighbouring land uses may be required. A noise attenuation study, conducted by a qualified professional, may be required. The separation distance shall be as prescribed by the Development Authority, recognizing the type and magnitude of both the proposed development and surrounding land uses;
 - h) an Environmental Impact Assessment prepared by a qualified professional, for development proposed in or near an environmentally sensitive area or if the proposed development may, in the opinion of the Development Authority, results in potentially significant environmental impacts. The Environmental Impact Assessment must address all potential impacts of the development and the extent to which these impacts may be mitigated through the design of the development, construction procedures and operational (or management) practices;
 - i) the necessity/requirement of a Site Grading Plan or detailed Geotechnical Engineering study, prepared by a qualified professional, for development on lands that may be prone to flooding, erosion, slope stability or other hazard risk that confirms that the site is suitable for the proposed development and describing any measures to be taken to safeguard the proposed development; and
 - j) such other matters as the Development Authority deems appropriate.

3. In addition to the development permit application requirements stipulated in Subsections 16.3.1 and 16.3.2, the Development Authority may require any of the following additional information depending upon the nature of the application and other circumstances:
- a) photographic prints or slides showing the site in its existing state;
 - b) a plan of survey prepared by an Alberta Land Surveyor;
 - c) a Phase I Environmental Site Assessment, conducted in accordance with the Canadian Standards Association, where the potential for prior contamination of a site exists. Follow-up assessments and remedies may be required based on the results of the Phase I Environmental Site Assessment;
 - d) a Reclamation Plan for a major surface disturbance;
 - e) a Traffic Impact Assessment, conducted by a qualified professional, may be required to determine the traffic impact of the development on external roadways and adjacent lands and any upgrading that would be required to these roadways as a result of the proposed development;
 - f) a Biophysical Site Assessment;
 - g) Floodplain Information
 - i) Floodplain Delineation Analysis Study;
 - ii) when an application for a Development Permit is submitted for the development of a Parcel of land partially or wholly contained within one of the Floodplain Overlay Schedules under this Bylaw, the Development Authority may require that the application contain information regarding the grade elevation of the proposed building site, the building and all openings, to be referenced to geodetic elevations. Geodetic elevation means the elevation of a point and its vertical distance determined by employing the principles of geodesy above or below an assumed level service of datum.
 - iii) prior to the issuance of Development Permit for the construction of any development within a Floodplain Overlay Schedule under this Bylaw, the Development Authority may require that the applicant submit a certificate from a qualified, registered Professional Engineer or Architect indicating that the following factors have been considered in the design of the building:
 - (1) Canada Mortgage and Housing Corporation guidelines for building in flood-susceptible areas;
 - (2) the flood-proofing of habitable rooms, electrical panel and heating units, and openable windows;
 - (3) basement drainage; and
 - (4) site drainage.
 - h) a Slope Stability Analysis Study;
 - i) a Groundwater Supply Study, conducted by a qualified professional, when potable water is to be provided through a private or communal water system. If a communal system is proposed, details must be provided as to how the system will be managed and operated;
 - j) percolation and near surface water table testing, conducted by a qualified professional, where an onsite wastewater system is proposed; and
 - k) any other information that is deemed necessary by the Development Authority.

4. In this Bylaw, there are specific use classes which require a separate set of regulations in order to control development. These use classes may be required to address specific development permit requirements and/or comply with supplementary development regulations, as the case may be. The following table provides a list of specific use classes and outline how they are regulated in this Bylaw:

Table 16.3-1: Specific Use Classes and Supplementary/Specific Regulations

Specific Use Class	Section Number of Supplementary and/or Specific Development Permit Requirements	Section Number of Specific Development Regulations
Aggregate Extraction	o	Error! Reference source not found.
General Industrial Manufacturing / Processing and Industrial Storage and Warehousing	Error! Reference source not found.	Error! Reference source not found.
Home Based Business	Error! Reference source not found.	Error! Reference source not found.
Wind Energy Converter Systems	Error! Reference source not found.	Error! Reference source not found.

5. The Development Authority must, within twenty (20) days after receipt of an application for a development permit, make a determination whether the application is complete.
6. An application for development permit is complete if,
 - a) in the opinion of the Development Authority, the application contains the documents and information necessary to review the application and in accordance with this Section, or
 - b) the Development Authority does not make a determination within the time period referred to in Section 16.3.5 or Section 16.3.7.
7. The time period to determine if the application is complete referred to in Section 16.3.5 may be extended by an agreement in writing between the applicant and the Development Authority.
8. If the Development Authority determines the application is complete in accordance with Section 16.3.6(a), the Development Authority must issue to the applicant an acknowledgment in accordance with Section 16.13.8 that the application is complete.
9. If the Development Authority determines that the application is incomplete, the Development Authority must issue to the applicant a notice in accordance with Section 16.13.9 that the application is incomplete.
10. Notwithstanding the date set out in the notice referred to in Section 16.3.9, the Development Authority, and applicant may agree on a later date for the application to be considered complete.
11. If the Development Authority determines that the information and documentation submitted under Section 16.3.9 is complete, the Development Authority must issue to the applicant an acknowledgement in accordance with Section 16.13.8 that the application is complete.

12. If the applicant fails to submit all the outstanding information and documentation on or before the date referred to in Section 16.3.9, the application is deemed to be refused.
13. If an application is deemed to be refused under Section 16.3.12, the Development Authority must issue to the applicant a notice in accordance with Section 16.13.10.
14. Notwithstanding Sections 16.3.6 and 16.3.11, in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

16.3⁽¹⁾ Application to Subdivide

1. An application proposing to subdivide land shall be in accordance with the relevant sections of the *Municipal Government Act*.
2. The Subdivision Authority must, within twenty (20) days after receipt of an application for subdivision approval, make a determination whether the application is complete.
3. An application to subdivide is complete if,
 - a) in the opinion of the Subdivision Authority, the application contains the documents and information necessary to review the application, or
 - b) the Subdivision Authority does not make a determination within the time period referred to in Section 16.3(1).1 or Section 16.3(1).4.
4. The time period to determine if the application is complete referred to in Section 16.3(1).1 may be extended by an agreement in writing between the applicant and the Subdivision Authority.
5. If the Subdivision Authority determines the application is complete in accordance with Section 16.3(1).3(a), the Subdivision Authority must issue to the applicant an acknowledgment in accordance with Section 16.x.x that the application is complete.
6. If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority must issue to the applicant a notice in accordance with Section 16.x.x that the application is incomplete.
7. Notwithstanding the date set out in the notice referred to in Section 16.3(1).6, the Subdivision Authority, and applicant may agree on a later date for the application to be considered complete.
8. If the Subdivision Authority determines that the information and documentation submitted under Section 16.3(1).6 is complete, the Subdivision Authority must issue to the applicant an acknowledgement in accordance with Section 16.x.x that the application is complete.
9. If the applicant fails to submit all the outstanding information and documentation on or before the date referred to in Section 16.3(1).6 or 16.3(1).7, the application is deemed to be refused.
10. If an application is deemed to be refused under Section 16.3(1).9, the Subdivision Authority must issue to the applicant a notice in accordance with Section 16.x.x.
11. Notwithstanding Sections 16.3(1).3 and 16.3(1).5, in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.

16.8 Incomplete Application for Development Permit and Subdivision

1. The Development Authority shall process applications for development permit in accordance with Section 16.3.5 to 16.3.14.
2. The Subdivision Authority shall process applications to subdivide in accordance with Section 16.3(1).
3. An application for a development permit or a subdivision shall not be considered complete until such time that the Development Authority or the Subdivision Authority respectively is satisfied that the documentation and information is sufficient and of a quality necessary to adequately review the merits of the application. The sufficiency and quality of the information and documentation shall be at the discretion of respective decision-making Authority taking into consideration the nature, characteristics, and complexity of the application.
- 4.
5. Application fees for development permit or to subdivide is for processing an application. Processing an application includes, among other things, determining whether the application is complete in accordance with Section 16.3.5 to 16.3.14 for a development permit or in accordance with Section 16.3(1) to subdivide. If an application is deemed incomplete in accordance with Sections 16.3.9 or 16.3(1).6 or deemed refused in accordance with Section 16.3.12 or 16.3(1).9, the respective decision-making Authority may not return any portion of the application fee to the applicant.
6. A development permit application or an application to subdivide shall not be deemed to be complete until all applicable fees have been paid in full to Parkland County.

16.13 Notice of Development Permit Applications and Decisions

1. Notification of an application to Council for a Direct Control Development Permit shall be:
 - a) Published in two (2) consecutive issues of the newspaper circulating in the area of the municipality in which the land is located; and
 - b) Mailed by ordinary mail to each owner of properties adjacent to the subject site of the proposed development.
2. Notification of the issuance of a Development Permit for a Discretionary Use, or for a Development Permit for a Permitted Use where the provisions of the Land Use Bylaw were relaxed, waived, or varied by the Development Authority shall be provided as follows:
 - a) Within five (5) days of the issuance of the Development Permit, notice shall be mailed by ordinary mail to each registered owner of land within 100.0 m from the boundary of the property subject to the Development Permit; or
 - b) Within 14 days of the issuance of the Development Permit, notice of the decision shall be published in one (1) issue of the newspaper circulating in the area of the municipality in which the land is located.
3. Notwithstanding 16.13.2.(a) and 16.13.4, the Development Authority may notify additional registered owners of land that, as determined by the Development Authority, may be affected by the Discretionary Use or the variance, relaxation, or waiver.

4. The Development Authority may provide written notification to all registered owners of land within an 800.0 m radius of a proposed development if in their opinion it is a major development.
5. Notwithstanding Subsection 16.13.2, when adjacent lands are located within a municipality other than Parkland County, written notifications of the approved development shall be sent to that municipal office.
6. For the purposes of Subsection 16.13, the registered owner shall be that which appears on the Parkland County tax record on file in the County Office.
7. If an application for development permit is refused, the Development Authority shall notify the applicant stating the reasons for refusal.
8. If the Development Authority determines that an application is complete in accordance with Section 16.3.6(a) or 16.3.11, the Development Authority must issue an acknowledgement in writing by either regular mail or electronic mail within five (5) days of the Development Authority making its determination. The acknowledgement must:
 - a) specify the date on which the application is deemed complete,
 - b) identify the development subject to the application,
 - c) state the legal land description, and
 - d) state the applicant's name.
9. If the Development Authority determines that an application is incomplete in accordance with Section 16.3.9, the Development Authority must issue to the applicant a notice by either regular mail or electronic mail within twenty (20) days after receipt of an application for development permit or within the period referred to in Section 16.3.10. The notice must:
 - a) provide reason(s) why the Development Authority has determined the application to be incomplete,
 - b) specify any outstanding documentation and information considered necessary in order to review the application, and
 - c) set out a date for which any outstanding documentation and information must be submitted.
10. If an application for development permit is deemed refused in accordance with Section 16.3.13, the Development Authority must issue to the applicant a notice in writing and by regular mail within twenty (20) days of receipt of the requested information and documentation or of the date set out on the notice referred to in Section 16.3.9. The notice must specify:
 - a) that the application is refused,
 - b) the date on which the application was deemed to be refused; and
 - c) the reason(s) for the refusal.

16.13₍₁₎ Notice of Subdivision Applications

1. If the Subdivision Authority determines that an application is complete in accordance with Section 16.3(1).3(a) or 16.3(1).4, the Subdivision Authority must issue an acknowledgement in writing by either regular mail or electronic mail within five (5) days of the Subdivision Authority making its determination. The acknowledgement must:

- a) specify the date on which the application is deemed complete,
 - b) state the legal land description, and
 - c) state that the County is required to render a decision within 60 days after which the application has been deemed complete or in accordance with an time extension agreement.
2. If the Subdivision Authority determines that an application is incomplete in accordance with Section 16.3(1).6, the Subdivision Authority must issue to the applicant a notice by either regular mail or electronic mail within twenty (20) days after receipt of an application to subdivide or within the period referred to in Section 16.3(1).4. The notice must:
- a) provide reason(s) why the Subdivision Authority has determined the application to be incomplete,
 - b) specify any outstanding documentation and information considered necessary in order to review the application, and
 - c) set out a date for which any outstanding documentation and information must be submitted.
3. If an application to subdivide is deemed refused in accordance with Section 16.3(1).9, the Subdivision Authority must issue to the applicant a notice in writing and by regular mail within twenty (20) days of receipt of the requested information and documentation or of the date set out on the notice referred to in Section 16.13(1).2(c). The notice must specify:
- a) that the application is refused,
 - b) the date on which the application was deemed to be refused; and
 - c) the reason(s) for the refusal.

16.14 Issuance, Validity and Cancellation of Development Permits

- 1. Once an application for a Development Permit has been approved by the Development Authority, the Development Permit shall not be valid unless and until:
 - a) Any conditions of approval, except those of a continuing nature, have been fulfilled; and
 - b) no Notice of Appeal from such approval has been served on the Subdivision and Development Appeal Board within the time specified in this Land Use Bylaw.
- 2. The Development Authority shall suspend a Development Permit upon receipt of a filed Notice of Appeal to the Subdivision and Development Appeal Board. The Development Permit remains suspended until: :
 - a) The Chair of the Subdivision and Development Appeal Board has signed the decision of appeal and the time for filing a leave to appeal application to the Court of Appeal has passed without a leave to appeal being filed;
 - b) The Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined;
 - c) The Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination of the Alberta Court of Appeal has been finally determined; or
 - d) The appeal is otherwise resolved; and

- e) Any conditions of approval, except those of a continuing nature, have been fulfilled.
- 3. The Development Authority shall not issue a temporary or otherwise time limiting Development Permit for a permanent structure.
- 4. A Development Permit is not considered valid if a Development Permit was approved for a use and with a condition that specifies an expiration date and that date has passed.
- 5. Continuation of the same or similar use beyond the expiration date must be reconsidered by the Development Authority and, subject to the provisions of the Land Use Bylaw in effect, be authorized by the Development Authority under a separate Development Permit approval.
- 6. Unless otherwise specified on the face of the development permit or in the conditions of development approval, if the Development authorized by a Development Permit is not commenced and diligently pursued within twelve (12) months from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.
- 7. Where an application for a development permit is deemed refused or cancelled by the Development Authority, or on a refusal from an appeal to the Subdivision and Development Appeal Board;
 - a) the submission of another application for a development permit for the same or similar use on the same Parcel by the same or any other applicant may not be made for a period of twelve (12) months from the date of issue of the refusal, or cancellation.
 - b) Notwithstanding 16.14.7(a), Council may, by resolution waive the twelve (12) month waiting period.
 - c) Section 16.14.7(a) does not apply for deemed refusals under 16.3.12.
 - d) If necessary, the determination of what constitutes same or similar use shall be made by referring the matter to the Development Authority.
- 8. If a use to which a Building, or a portion of a Building, is put ceases for a period of six (6) months or less, the re-establishment of the same or similar use in the premises does not require a Development Permit, unless:
 - a) structural changes are made or proposed to be made; or
 - b) there is a change in the intensity of the use.
- 9. If a use to which a Building, or portion of a Building, is put ceases operation for more than six (6) months, the re-establishment of a use in the building requires the use to be authorized by a new Development Permit.
- 10. Clauses o.8) and o.9) do not apply to the use of Dwelling Units for residential purposes.
- 11. The Development Authority may cancel a development permit following its approval if:
 - a) any person undertakes development, or causes or allows any development to take place on a Parcel that is contrary to the development permit;
 - b) the application for the development permit contained a material misrepresentation;
 - c) material facts were not disclosed during the application for development permit;
 - d) the development permit was issued as a result of a material error; or

- e) the landowner requests, by way of written notice to the Development Authority, the cancellation of the development permit.
- 12. Notwithstanding Section 16.14.11, the Development Authority shall not cancel a development permit that has been appealed to the Subdivision and Development Appeal Board, the Alberta Court of Appeal, the Supreme Court of Canada, or until a decision is rendered or the appeal is otherwise resolved.

SECTION 17 DEVELOPMENT APPEAL PROCESS

17.1 Procedure for Appeals

1. If the Development Authority::
 - a) Fails or refuses to issue a development permit to a person,
 - b) Issues a development permit subject to conditions, or
 - c) issues an order under Section 645 of the *Municipal Government Act*,
the person applying for the permit affected by the order under Section 645 may appeal to the Subdivision and Development Appeal Board.
 - d)
2. In addition to an applicant under Section 17.1, any person affected by an order, decision, or development permit made or issued by a Development Authority may appeal to the Subdivision and Development Appeal Board.
3. In accordance with Section 684 of the *Municipal Government Act*, the Development Authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under Section 16.3 of this Land Use Bylaw.
4. A time period referred to in Section 17.1.3 may be extended by an agreement in writing between the applicant and the Development Authority.
5. If the Development Authority does not make a decision referred to in Section 17.1.3, within the time required under Section 17.1.3 or Section 17.1.4, the application is, at the option of the applicant, deemed to be refused.
6. A development appeal to the Subdivision and Development Appeal Board is commenced by filing a Notice of Appeal, containing reasons, with the secretary of the Subdivision and Development Appeal Board and in accordance with Section 686 of the *Municipal Government Act*
7. In the case of a conflict between any information expressed in this section and the *Municipal Government Act*, the latter shall govern.
8. The *Municipal Government Act* shall govern over any information not specifically expressed within Section 17.1.
9. Notice of Appeal



PART 6 GLOSSARY

SECTION 20 TERMS AND WORDS

SECTION 20 TERMS AND WORDS

INDUSTRIAL, HEAVY means a manufacturing or processing facility whereby external effects are likely to be felt beyond the boundaries of the site and possibly the district or neighbourhood. External effects include, but are not limited to, noise, vibration, light, noise, dust, odour, humidity, smoke, fumes, steam, heavy traffic, and other impacts that affect the safety, use, amenities and enjoyment of property. Without restricting the generality of the foregoing, these uses would generally be related to the oil and gas industry and would include for example: upgraders, plants for the manufacture of petroleum products, fertilizers, chemicals and the processing of natural gas and its derivatives.