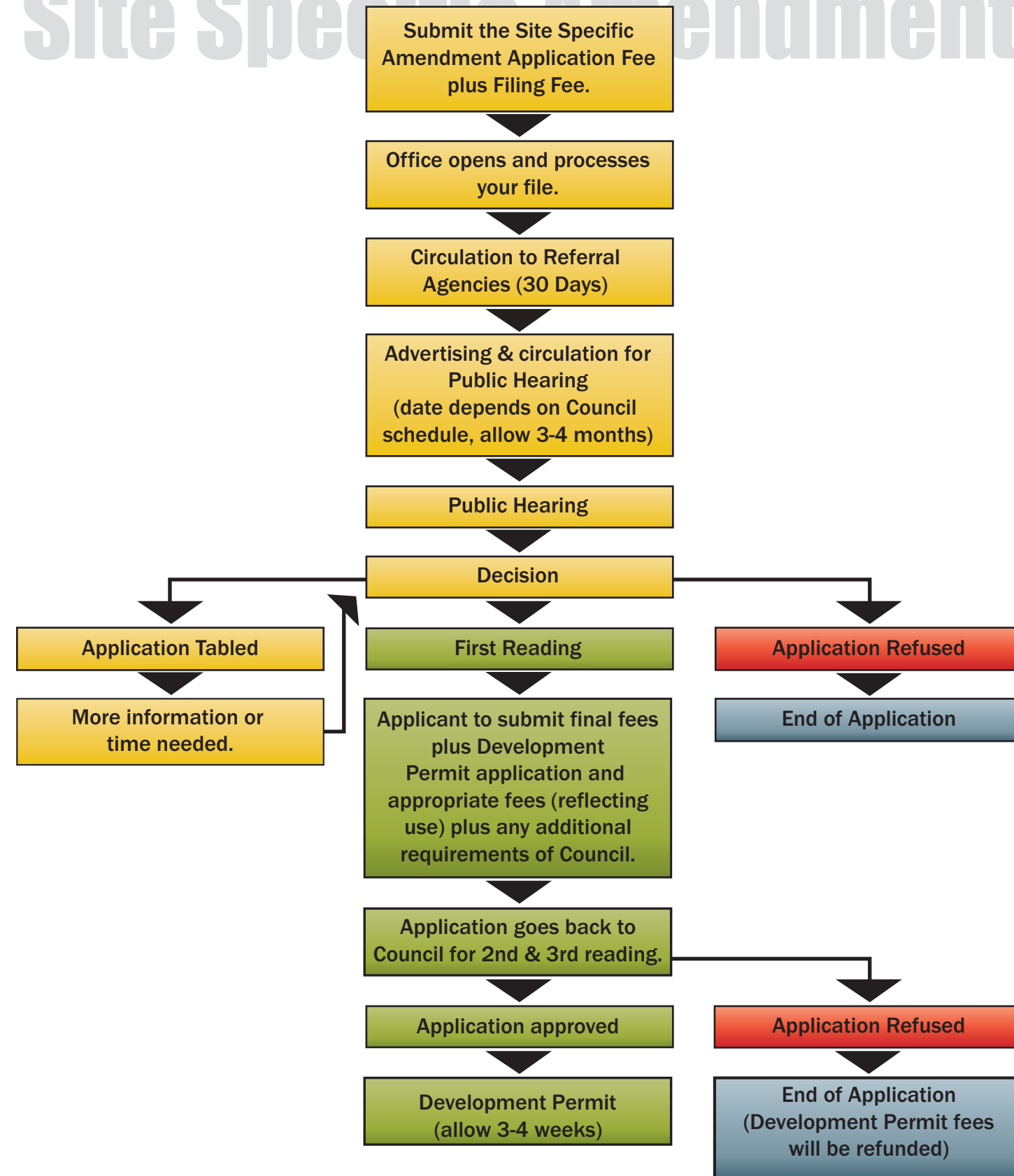


Amendment to Land Use Bylaw

Site Specific Amendment



Development Permit Applications



Applications for a development permit shall be accompanied by the following information:

- Applicable development permit fees.
- A site plan showing:
 - the entire parcel;
 - North at the top of the page;
 - identify and show all existing structures and any proposed buildings with measurements from the same, in feet or metres, to all parcel lines;
 - all existing wells, septic tanks, disposal fields, dugouts on the parcel and any proposed or existing storage areas and natural features.
- Indicate any other land that may be used in conjunction with the proposed development.
- Applications submitted by non-landowners must be accompanied by a written letter of consent from the current landowner.
- Height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, corrals, trees, landscaping, curbs, gutters, sidewalks, and other physical features.
- The intensity of the development proposed (number of and type of trees, vegetables, or animals to be grown, or reared, number of daily site visits by nonresidents of the parcel).
- Full description of any proposed business, including what it is, how it operates and the number of people to be employed.
- Method of distribution of any product.
- Utilities, Lot drainage, existing and proposed Lot grades, the grades of the streets and sewer servicing the property including the elevations of top of curb or sidewalk and Lot corners.
- Provisions for loading, parking and site circulation.
- Access locations to and from the Lot including roads (this can be shown in the site plan) and highways to be used, traffic generated, and dust control measures to be implemented.
- Garbage and refuse storage areas, as well as the fencing and screening proposed for same, and methods for disposing of garbage.
- Descriptions of any noxious, toxic, radioactive, flammable, or explosive materials proposed.
- Amount of water required for the proposed development on a daily, weekly or monthly basis and proposed water source. Applicants proposing commercial structures will be required to prove water availability and deliverability.
- The number of events and/or clinics proposed to be held annually, if any, including a detailed description of any such proposed events and/or clinics.
- Methods of controlling noise, dust, drainage or any other nuisance from the Lot, both during and after completion of construction.
- The proposed days and hours of operation of the development.
- Will there be land contouring done to accommodate this use? If so, determination as to whether this falls under the Municipalities' Lot Grading definition is required. Lot Grading is defined within the Land Use Bylaw as:
 - the construction of berms in excess of 2m (6.5 ft.) in height;
 - the stockpiling of soil in excess of 2m (6.5 ft.) in height;
 - trenching and/or excavation that redirects a watercourse, or changes the natural drainage patterns of a lot (including but not limited to increasing the volume of runoff from the property).
- Storm water management plans or any other plans prepared by a Professional Engineer relevant to the development, which may be required.
- What type of landscaping is proposed for the site (i.e. vegetation, fencing)? Will it require any additional water?
- Method of advertising: if a sign is proposed to be placed on site, you must include this as part of your application.
- An executed Abandoned Well-site form.

Please refer to Development of Land under Planning at the County's website for more information.



Foothills County
www.foothillscountyab.ca
 403-652-2341



DEVELOPMENT

Use of your land & what you need to know

Obtaining Municipal Approval for Development of Your Land

The Land Use Bylaw is the legislative document that guides development on all properties in Foothills County*

Permits Not Required – the Land Use Bylaw identifies the specific types of development that can proceed without having to obtain Municipal Approval. Criteria specific to your property, the nature of proposed activity or requirements with respect to proposed structure will apply. If you are unsure as to if and/or how you should proceed, contact the Development Department at the Municipal Office for additional information.

Development Permits Required – If how you wish to use your land is included under the Uses for the Land Use District that applies to your property, then you are required to obtain approval through a Development Permit in order to use and/or develop your land in that manner. Each Land Use District contains Permitted and Discretionary Uses.

Amending the Land Use Bylaw or Redesignating to a different Land Use District – If how you wish to develop your property is neither a permitted nor a discretionary use within the District under which your land is zoned, you may make an application to amend the Land Use Bylaw to allow for the specific use on your property, or apply to redesignate (re-zone) the land to a District that includes a use applicable to how you wish to develop the property. Such applications include a public hearing and Council will evaluate your proposal in consideration of the effect on neighbouring lands and area infrastructure as well as all applicable plans and legislation. If a Land Use Amendment or Redesignation application is approved by Council, a Permitted or Discretionary Use (pertaining to how you wish to develop the property) would become available and you may then apply for a Development Permit.

**Note- This brochure is a general summary of how the Land Use Bylaw affects development in Foothills County. Please contact a Development Officer regarding your specific property.*

DID YOU KNOW...

ACCESSORY BUILDINGS

No permits are required where an accessory building is permitted without a development permit, provided they are for personal use only and meet the requirements as set out below:

- **1 acre or less** – one building up to 20.8 sq. m. (224 sq. ft.) accessory to the residence.
- **1.01 to 1.99 acres** - one building up to 13.9 sq. m. (500 sq. ft.) accessory to the residence and one additional building up to 20.8 sq. m. (224 sq. ft.).
- **2 – 3 acres** - one building up to 111.5 sq. m. (1,200 sq. ft.), accessory to the residence or for general agricultural purposes, and one additional building up to 20.8 sq. m. (224 sq. ft.).
- **3.01 to 10 acres** – one building up to 223 sq. m. (2,400 sq. ft.), accessory to the residence or for general agricultural purposes, and one additional building up to 20.8 sq. m. (224 sq. ft.). Additional allowance for one horse shelter not to exceed 20.8 sq. m. (224 sq. ft.).
- **10.01 to 20 acres** – one building up to 297 sq. m. (3,200 sq. ft.), accessory to the residence or for general agricultural purposes, and one additional building up to 20.8 sq. m. (224 sq. ft.). Additional allowance for up to two horse shelters not to exceed 20.8 sq. m. (224 sq. ft.).
- **Over 20 acres** – one building up to 371.60 sq. m. (4,000 sq. ft.), accessory to the residence or for general agricultural purposes and one additional building up to 20.8 sq. m. (224 sq. ft.). Additional allowance for up to three horse shelters not to exceed 20.8 sq. m. (224 sq. ft.).

Accessory buildings shall only be permitted in cases where a detached single family dwelling is actually located on the Lot. An accessory building erected on a Lot shall not be used as a dwelling at any time.

ANIMALS

A minimum parcel size of 3 acres is required for the keeping of animals. If your property is between 3 acres and 9 acres in size, three animal units are permitted. For properties that greater than 9 acres in size, one animal unit is permitted for every 3 acres of land that are held under one title.

The number of animals in each 'animal unit' will vary depending on what kind of animal you are keeping.

Dogs

The keeping of up to three (3) adult dogs over 6 months of age, owned by the resident, on a lot containing a dwelling, without a development permit is permitted.

Commercial Dog Kennel - an application for a Site Specific Amendment is required or redesignation to a Direct Control District is required.

Private Kennel - an application for a Development Permit is required for the keeping of between 4 and 10 adult dogs owned by the occupant(s) of the dwelling situated on the same property.

ARENAS

By definition under the Land Use Bylaw, an arena means a building or structure within which equestrian, athletic or recreational contests are carried on. Based upon traffic generation, the number of users and the purposes for which the buildings are used, three categories of arenas exist:

Arena (Commercial): The building or structure is intended to be used by persons other than occupants of the residence if any, that is located on the property. Use of the structure will result in the generation of more than 16 additional vehicle trips to or from the site on any given day and/or the arena may be used for any purpose by more than 16 nonresident persons on any given day.

A Site Specific Amendment or redesignation to a Direct Control District is required.

Arena (Limited Public): The building or structure is intended to be used by persons other than occupants of the residence, that is located on the property. Use of the structure will result in the generation of up to, but not exceeding 16 additional vehicle trips to or from the site on any given day and/or the arena is not to be used by more than 16 non-resident persons for any purpose on any given day.

A Site Specific Amendment or redesignation to a Direct Control District is required.

Arena (Private): The building or structure has a total area of no more than 1,500 sq. m (16,146 sq. ft.) above grade and is intended for personal use, by occupants of the residence, that is located on the property. No more than four non-resident users will attend the property for use of the arena on any given day.

A Development Permit is required for private arenas.

BED & BREAKFASTS

All Bed & Breakfasts shall comply with the following:

- A bed and breakfast shall be operated by a live-in owner(s) as a secondary use only, with a maximum of four (4) commercial accommodation units in each development and shall not change the residential character and external appearance of the dwelling involved.
- No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.
- Bed and breakfasts shall meet the minimum requirements of the Alberta Building Code.
- No accommodation unit shall include a kitchen.
- Maximum stay of 14 days per person is permitted.
- A sign which does not exceed 0.55 sq. m. (5.92 sq. ft.) in area may be erected to identify a bed and breakfast facility.

An application for Development Permit is required for Bed and Breakfasts.

HOME OCCUPATIONS

A home based business means a business conducted in a dwelling and/or accessory building. Home based businesses are separated into two different categories, minor and major.

MINOR HOME BASED BUSINESS

All minor home based businesses shall comply with the following:

- No offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot shall be produced by the business.
- Any materials or goods related to the business must be stored within the principal dwelling or accessory building and no outside storage is permitted.
- Up to four (4) business visits per day are allowed.
- Exterior alterations or additions to the dwelling or accessory building in order to accommodate a business shall not be permitted.
- The number of non-resident employees working on-site shall not exceed one (1).
- Vehicles or equipment related to the business to be parked outside would

DID YOU KNOW...

- Be limited to the following:
 - Under 10 acres - up to 3
 - Over 10 acres - up to 5.

- The business shall not occupy more than 30% of the gross floor area of the principle dwelling.

A Development Permit is required for minor home based businesses.

MAJOR HOME BASED BUSINESS

All major home based businesses shall comply with the following:

- The number of non-resident employees working on-site shall not exceed five (5).
- Up to eight (8) business visits per day are allowed.
- On lots greater than 4 ha. (10 acres) exterior storage may be allowed if, in the opinion of the Development Officer, the exterior storage is adequately screened.
- Any interior or exterior alterations or additions to accommodate a home business, may be allowed at the discretion of the Development Officer, as long as such alterations comply with this Bylaw, the Alberta Safety Codes Act and any other applicable statutes, bylaws and regulations.
- The business shall not occupy more than 50% of the gross floor area of the principle dwelling plus the area of accessory structures.

All major home based businesses require a Site Specific Amendment or Land Use Redesignation. Please contact a Development Officer for more details.

INTENSIVE VEGETATION OPERATIONS

This is a system of tillage for the concentrated raising of specialty crops for retail or wholesale distribution, including but not limited to tree farms, greenhouses, plant nurseries, sod farms, berry farms, u-pick operations and similar uses.

An application for a Development Permit is required.

CANNABIS PRODUCTION

This includes Cannabis Production, Nursery, Cannabi Production, Micro and Production, Standard. Cannabis production shall occur only under applicable federal licensing.

An application for a Development Permit is required for this use.

LANDSCAPING & FENCING

All trees, hedges, shrubs forming a shelterbelt or sold fences (including chain link fences with solid slats that may create visual barrier) shall be located no closer than:

- 20 m (65.62 ft.) from the centreline of any Municipal road;
- 25 m (82.02 ft.) from the centreline of any secondary Highway and Dunbow road;
- 40 m (131.23 ft.) from the ultimate right of way of any primary highway.

No Development Permit is required for fences and/or gates where:

- the fence and/or gate is less than 2 m(6.56 ft.); and
- a fence and/or gate of any height where it meets these setback requirements

An application for Development Permit shall be obtained through the Municipality with respect to a dugout/private dam when a parcel is less than 21 acres or on a parcel over 21 acres, when it is being used for purposes other than agriculture, general use.

Landowners are responsible to ensure that any changes to the drainage of water across their property created by development, does not impact neighbouring lands and the surrounding environment. An application for a Development Permit for Lot Grading may be required based upon the nature of the development. Please contact a Development Officer for more information.

MANUFACTURED HOMES

May also be referred to as a mobile home.

- If a parcel is less than 80 acres in size, a mobile home may be used as a permanent single family dwelling only if:
 - it is in excess of 20 feet both in length and width,
 - it is not more than 10 years old,
 - it is placed upon a permanent foundation, and
 - it meets the minimum habitable area requirements for the land use district under which the property is zoned.

If a parcel is of 80 acres or more in size and held under one title, a mobile home of less than 20 feet in width or length may be considered as a permanent single family dwelling provided that:

- it is placed upon a permanent foundation and
- that it is 10 years old or newer
- it meets the minimum habitable area requirements for the land use district under which the property is zoned.

TEMPORARY DWELLINGS

Applications for Development Permits to allow for mobile homes placed on temporary foundations may be made under the following circumstances:

- for the purposes of housing farm help,
- for use as housing for a housekeeper / nanny or for parents or children of the landowner.

Applications for Development Permit to allow for living in a home while a new principal dwelling is being constructed on the property may be made when accompanied by a Letter of Credit or cash deposit of a flat fee, set by Council, to ensure removal of the temporary dwelling when the new residence is complete.

Temporary Dwellings are not restricted by size. Any approvals are issued for a period of 24 months.

MOVED ON DWELLINGS

Moved on dwellings require a Development Permit on parcels less than 80 acres in size. Please contact a Development Officer for more information.

SIGNS

One Sign is allowed on the parcel indicating the address and/or owner of a residence or the name of an approved home based business, provided the signs do not exceed 0.55 sq. m. (5.92 sq. ft.)

PROPERTIES WITH SPECIAL PROVISIONS

Parcels within all land use districts may be further designated with a sub-district "A", or fall within the Flood Hazard Protection Overlay area. A Development Permit is required for all permitted and discretionary uses. Please contact a Development Officer for more information.

Development Permit Process

