

## DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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### SECTION 1 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

In accordance with Administrative Sections 29 and 30, the following rules apply to developments not requiring a development permit.

- 1.1 This section does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* and any other Provincial or Federal statute.
- 1.2 Notwithstanding that no development permit may be required by the municipality for the uses outlined below, any development within 300 m (984 ft) of the limit of a provincial controlled highway or within 800 m (2,625 ft) from the centre point of an intersection of a controlled highway and a public road would require the benefit of a permit from Alberta Transportation. This includes dugouts, shelter belts, animal shelters, etc.
- 1.3 The following developments shall not require a development permit:
  - (a) any use or development exempted under section 618(1) of the *MGA*;
  - (b) any use or development exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *MGA*;
  - (c) any use or development exempted under the *Planning Exemption Regulation*;
  - (d) telecommunication antenna systems that are regulated by Innovation, Science and Economic Development Canada subject to Schedule 6, Telecommunication Siting Protocols;
  - (e) the completion of a building which was lawfully under construction at the date this Bylaw came into effect provided that the building is completed in accordance with the terms and conditions of any development permit granted;
  - (f) the completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction provided the building is completed within 12 months from the date this Bylaw came into effect;
  - (g) the installation, maintenance or repair of public works buildings, services, and utilities carried out by or on behalf of federal, provincial, municipal, or public authorities on land which is publicly owned or controlled;
  - (h) highways, roads, pipelines or any other development exempted under the *MGA*, or any other provincial act or regulation, which in the opinion of the Development Authority are associated with the construction, repair or upgrade of said development.
- 1.4 The following developments shall not require a development permit, but must otherwise comply with all other provisions (i.e. setbacks to roads and property lines) and any applicable standards (Schedules 4 and 5) of this Bylaw. Where an exemption is tied to a certain threshold, a proposal that exceeds the threshold must apply for and obtain a development permit.
  - (a) any agricultural use, building or structure associated with extensive agriculture or grazing (including corrals, stockpiles, haystacks, pole-barns, fencing, grain bins, sheds and barns – not including confined feeding operations) not located:

- (i) within 38.1 m (125 ft) from the centre line of any public roadway;
- (ii) in a flood hazard area, or within 152.4 m (500 ft) of the boundary of an established flood hazard area (where a flood hazard area has been established);
- (iii) within 10.0 m (33 ft) of the centreline of a BRID irrigation pipeline or 3.0 m (10 ft) of a registered right-of-way or easement for any irrigation pipeline or irrigation canal, whichever is greater;
- (iv) within 60.1 m (200 ft) from any BRID or Alberta Environment water reservoir measured from the water's edge at full supply level (FSL) or 30.5 m (100 ft) from the registered reservoir right-of-way, whichever is greater; or
- (v) within 30.5 m (100 ft) from the high-water mark of a naturally occurring water body.

Any use, building or structure proposed to be located within the above stipulated setback distances will require a development permit application to be submitted for the consideration of a setback waiver;

- (b) a dugout;
- (c) a category 1 sign (in accordance with Schedule 5);
- (d) a category 3 sign (in accordance with Schedule 5);
- (e) a home occupation 1;
- (f) extensive agriculture or grazing of land;
- (g) the erection and maintenance of fences;
- (h) the erection or construction of temporary buildings (without dwelling or sleeping units), works, plants, materials, or machinery that are needed, in the opinion of the Development Authority, to erect or construct a development;
- (i) the installation, maintenance or 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 administered;
- (j) the extraction and processing exclusively by Vulcan County, its authorized agents or Alberta Transportation, of sand, gravel, or other earth materials and including asphalt or concrete mixtures for any County purpose within the County;
- (k) 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, the creation of a dwelling unit, an increase of parking requirements, or resulting in a change of use;
- (l) garden sheds, tool sheds, shipping containers and similar accessory buildings provided that:
  - (i) the accessory buildings do not exceed 10 m<sup>2</sup> (107 ft<sup>2</sup>) in area,
  - (ii) only one such building is located on a lot,
  - (iii) any matter pertaining to the development of such a building including its height, exterior finish and location, complies with the provisions of this Bylaw and the schedules thereto;
- (m) soft shelled (i.e. tent garages) provided that:
  - (i) the structure does not exceed 10 m<sup>2</sup> (107 ft<sup>2</sup>) in area;
  - (ii) only one such structure is located on a lot;
  - (iii) any matter pertaining to the development of such a building including its height, exterior finish and location, complies with the provisions of this Bylaw and the schedules thereto;

- (n) public utility buildings;
- (o) landscaping that does not result in a change of grade that will negatively affect an adjacent property;
- (p) the erection of towers, flag poles and other poles not exceeding 12.2 m (40 ft) in height;
- (q) roof or wall-mount solar collectors (Renewable Energy, Individual);
- (r) single wind turbines (Renewable Energy, Individual) which are roof mounted or on a tower not exceeding a total height of 12.2 m (40 ft);
- (s) decks or patios connected to and used in association with a dwelling unit;
- (t) satellite dishes less than 1 m (3.3 ft) in diameter;
- (u) camping units, not in excess of any maximum that may have been established in a development permit, used for intermittent seasonal residential/recreational use within an approved campground;
- (v) temporary outdoor swimming pools and above ground hot tubs;
- (w) the installation of asphalt, concrete, brick, stone, wood or aggregate driveways, sidewalks, patios or steps;
- (x) the stripping of any topsoil to accommodate a building or other development provided that an approved development permit exists in support of the activity and the topsoil is not removed from the parcel concerned;
- (y) shipping containers which are used for purposes accessory to an agricultural use in the Rural General "RG" land use district;
- (z) not more than two shipping containers which are used for purposes accessory to an agricultural use in the Reservoir Vicinity "RV" and Urban Fringe "UF" land use districts;
- (aa) not more than one shipping container which is used for purposes accessory to a dwelling unit use in the Rural General "RG," Reservoir Vicinity "RV," Urban Fringe "UF," Single Lot Country Residential "SCR," and Small Holdings "SH," land use districts;
- (ab) not more than two shipping containers which are used for purposes accessory to a commercial or industrial use in the Rural Industrial "RI," and Rural Commercial "RC," land use districts;
- (ac) utilities developed in accordance with an approved subdivision or development.

1.5 If there is any question whether or not a development requires a development permit, the matter shall be referred to the Municipal Planning Commission, whose decision shall be final.