

NOTICE OF PUBLIC HEARING

**VULCAN COUNTY
IN THE PROVINCE OF ALBERTA**

PROPOSED BYLAW NO. 2026-026

**To be held at 1:15 p.m., October 21st, 2026
Vulcan County Council Chambers**

PURSUANT to section 606 and 692 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of Vulcan County in the Province of Alberta hereby gives notice of its intention to adopt proposed Bylaw No. 2026-026 being a bylaw to amend Land Use Bylaw No. 2020-028.

The purpose of proposed Bylaw No. 2026-026 is for the following text amendments;

- **Amend Schedule 2 by removing “Natural Resource Extraction and Processing” as a discretionary use in Rural General.**
- **Adding “Pit” as a definition to the Use and Use Related Definitions.**
- **Amend Schedule 5 Section 28 Natural Resource Extractive Uses.**
- **Add Section 45 “Outdoor Lighting: to Schedule 5 Standards of Development.**

Therefore, take notice that a public hearing to consider proposed Bylaw No. 2026-026 will be held in the Vulcan County Council Chambers at 1:15 p.m. on October 21st, 2026.

Anyone wishing to make a presentation regarding the proposed bylaw should, in writing, notify the Chief Administrative Officer of their intention prior to 4:00 p.m. on October 16th, 2026 and verbal presentations may be made to Council at the public hearing:

*Nels Petersen
Chief Administrative Officer
Vulcan County
Box 180
Vulcan, Alberta T0L 2B0*

A copy of the proposed bylaw may be inspected at the Vulcan County office during normal business hours.

If you have any comments or questions, please contact:

**Alena Matlock
Development Officer
Box 180, 102 Centre Street, Vulcan, AB
T0L 2B0
Phone: (403) 485-2241
Toll Free: 1-877-485-2299**



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BYLAW 2026-026: Natural Resource Extractive Uses

Details regarding changes to application requirements and permit conditions:

What an applicant can be required to submit

Letters match Section 28.9 of Schedule A, as presented for second reading.

Items marked * need not be resubmitted where the Development Authority is satisfied the same information has already been provided in an EPEA registration or its accompanying Activities Plan.

SUBMITTED WITH EVERY APPLICATION

(a) * Natural features of the site

- Average thickness of the topsoil, subsoil, overburden and material to be extracted
- Texture(s) of the topsoil
- Surface water bodies, and depth to groundwater in any test hole on the site
- Topography and natural drainage patterns
- How these site conditions have informed the reclamation plan

(b) * Operations plan

- Scale drawing showing property boundaries; access points and gates; on-site traffic circulation; surface water bodies; areas to be left undisturbed; vegetation clearing and topsoil stripping areas; extraction, processing and stockpiling areas; buildings; fuel and hazardous material storage; water supplies for fire suppression; and electrical infrastructure
- Proposed days and hours of extraction, processing and hauling, having regard to the guidelines in Section 28.15
- Dust suppression measures, and techniques to prevent wind and water erosion
- Weed survey by a qualified professional before any topsoil stripping or ground disturbance identifying prohibited noxious, noxious and nuisance weeds, with proposed control measures demonstrating integrated pest management
- Surface access agreement with the landowner, where necessary
- Operator contact information, including a telephone number for the on-site pit manager during operating hours and a 24-hour emergency number
- Complaint response protocol: how complaints and responses will be recorded, and who is responsible
- EPEA registration, Activities Plan and any other authorization issued by Environment and Protected Areas

(c) Roads and access

- Details of roads, access points and traffic volumes

SUBMITTED WHERE THE DEVELOPMENT AUTHORITY REQUIRES IT

(d) Traffic Impact Assessment (Alberta Transportation and Economic Corridors may also require)

- Identifies haul routes to and from the site, and forecasts the share of traffic on each
- Demonstrates that access is safe and the road network can accommodate the traffic
- Recommends any intersection upgrades or other road improvements

(e) Noise impact assessment

- Where the working area is within 1.6 km of a dwelling or the scale may result in adverse noise impacts
- Prepared by a qualified professional in accordance with AUC Rule 012, identifying mitigation measures

(f) Lighting plan

- Where deemed necessary in connection with site security lighting (Schedule 5, Section 45)

(g) Reclamation plan

- Always required for Class II pits and never for Class I pits

Conditions the Development Authority can attach

Letters match Section 28.13 of Schedule A, as presented for second reading.

Only conditions allowed by s. 619.1 may be attached to a Class I pit. Environment and Protected Areas has indicated that registrations typically do not address hours, traffic or roads, so conditions dealing with those are the most likely to survive.

ROADS AND TRAFFIC

(a) Agreements: a Development Agreement and/or a Road Use Agreement

(b) Road construction: access road, intersection upgrades and other off-site road improvements identified in a TIA

(c) Haul routes: designation of haul routes and prohibition of hauling on specified municipal roads

(d) Dust and noise: measures to control or mitigate dust and noise (also falls under Site Layout and Operation)

(e) Monitoring: dust, sound levels and ambient air quality, and reporting (also falls under Site Layout and Operation)

(f) Road security: security for the repair of damage to municipal roads

SITE LAYOUT AND OPERATION

(h) Phasing: of extraction, processing and reclamation

(i) Days and hours: of extraction, processing and hauling, having regard to the guidelines in Section 28.15

(j) Setbacks: from property lines, dwellings, water bodies and municipal roads

(k) Earthworks and screening: berming, screening, landscaping, erosion control and retention of undisturbed areas

(l) Weed control: including integrated pest management, inspection frequency and security to cover weed control

(m) Outdoor lighting: in accordance with Schedule 5, Section 45

(n) Site signage: at each access, identifying operator and a contact, including the on-site manager's phone number

(o) Fire safety and emergency response

- Fire safety plan, approved by the County's Director of Protective Services before development begins
- Plan identifies emergency vehicle access, fuels and hazardous materials on site, fire suppression resources and water supplies
- Plan reviewed and resubmitted at least every 12 months, and after any change that materially affects emergency response
- Site familiarization provided to Vulcan County Emergency Services

(p) Complaint response: recording complaints, and reporting complaints and their resolution to the County

(q) Annual report: area disturbed, area reclaimed, volume extracted and hauled, and compliance with conditions

RECLAMATION (Class II pits only)

(r) Reclamation: in accordance with the reclamation plan approved under Section 28.10

(g) Reclamation security: covering the full cost of maximum conservation and reclamation for a 5-year period

OTHER (Class II pits only)

(s) Other conditions: any other condition the Development Authority considers necessary



**VULCAN COUNTY
BYLAW 2026-026**

BEING a bylaw of Vulcan County in the Province of Alberta, to amend Bylaw No. 2020-028 being the municipality's Land Use Bylaw.

WHEREAS Section 639 of the Municipal Government Act requires that a municipality must pass a land use bylaw.

AND WHEREAS the purpose of the proposed amendment is to comprehensively amend Schedule 5, Section 28 (Natural Resource Extractive Uses), having regard to the addition of section 619.1 to the Municipal Government Act; to amend Schedule 2 by removing "Natural resource extraction and processing" as a discretionary use in the Rural General "RG" district and by adding a definition of "Pit" to the Use and Use Related Definitions; and to add a new Section 45 (Outdoor Lighting) to Schedule 5, applicable to non-residential uses and non-agricultural uses throughout the County.

THEREFORE under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council duly assembled does hereby enact the following:

1. That Bylaw No. 2020-028, being the Land Use Bylaw, be amended in the manner and to the extent shown in Schedule A, which is attached to and forms part of this Bylaw.
2. That Bylaw No. 2020-028 be consolidated to incorporate the amendments shown in the attached Schedule A, together with any formatting and renumbering that is consequential upon those amendments.
3. Bylaw No. 2020-028, being the Land Use Bylaw, is hereby amended.
4. This bylaw comes into effect upon third and final reading hereof.

READ a first time on this _____ day of _____, 2026.
READ a second time on this _____ day of _____, 2026.
READ a third time and passed on this _____ day of _____, 2026.

Jason Schneider, Reeve

Nels Petersen, CAO

37.2 After considering any response to notifications issued under Section 43, Council or the delegated decision making authority may:

- (a) approve a development permit with or without conditions, stating reasons; or
- (b) refuse to approve the development permit, stating reasons.

37.3 Where Council chooses to redistrict a parcel to Direct Control, it shall establish, within the particular Direct Control bylaw, site specific direct control information which may include standards and procedural direction.

SECTION 38 DEVELOPMENT PERMITS IN DIRECT CONTROL DISTRICTS

38.1 In accordance with section 641(4)(a) of the *MGA*, there is no opportunity to appeal an application for a development permit in a Direct Control district.

SECTION 39 SIMILAR USE

39.1 Upon receipt of an application for a development permit for a use that is not specifically defined in the Use [and Use Related](#) Definitions in Schedule 2, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.

39.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to Section 44.

39.3 Where a use has been classified similar to a discretionary use for which the Municipal Planning Commission is authorized to issue a decision, the Development Officer shall:

- (a) notify adjacent landowners and other persons likely to be affected in accordance with Section 43; and
- (b) refer the application to the Municipal Planning Commission for a decision.

39.4 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:

- (a) shall rule whether or not the proposed use is similar to a use in the land use district in which it is proposed by way of a typical development application merit review process (including referrals and presentations at a Municipal Planning Commission meeting) and corresponding decision;
- (b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be processed as a discretionary use application;
- (c) if the proposed use is not deemed similar to a use in the land use district in which it is proposed, the development permit shall be refused.

SECTION 40 TEMPORARY USE

40.1 Where a proposed development is for a discretionary use, the Development Authority may issue a temporary development permit for that development if any of the following apply:

- (a) the proposed development is of a temporary nature;

- (b) the Development Authority wishes to ensure the suitability or compatibility of a multi-phase project prior to allowing full build out of the project by only allowing one or more phases to commence;
- (c) the Development Authority wishes to ensure that the development authorized by the permit will cease by a specified date or will not be ongoing indefinitely.

40.2 Temporary use applications shall be subject to the following conditions:

- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the established time period;
- (b) the Development Authority may require the applicant to submit security guaranteeing the cessation or removal of the temporary use; and
- (c) any other conditions as deemed necessary in accordance with Section 33.1.

40.3 A use deemed temporary in nature shall be processed in accordance with the corresponding Sections 33 and 34 of this Bylaw. Notification of adjacent landowners and other persons likely to be affected shall be in accordance with Section 43 of this Bylaw.

SECTION 41 APPLICATIONS REQUIRING A VARIANCE

41.1 The Development Officer may, in deciding upon an application for a permitted use, or a discretionary use – Development Officer, allow a minor variance:

- (a) up to 10 percent of any one numeric standard of this Bylaw and/or;
- (b) up to 50 percent of one yard requirement (front, rear or side) for existing development within the Rural General – RG Land Use District to bring development into compliance;

provided it is in accordance with the criteria in Section 41.3(a) and (b).

41.2 The Development Officer is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to Section 21.2 of this Bylaw and section 643(5)(c) of the MGA. The Development Officer may refer a matter respecting a non-conforming building to the Municipal Planning Commission for a decision.

41.3 The Municipal Planning Commission may approve or conditionally approve a permitted use referred to the Municipal Planning Commission pursuant to Section 33.4 or, a discretionary use that does not comply with this Bylaw if, in the opinion of the Municipal Planning Commission, the use complies with the following tests:

- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels; and
- (b) the proposed development conforms with the use as defined in the land use bylaw.

NOTE TO READER: The definition of a use cannot be waived (see [Use and Use Related Definitions](#)). Meaning that the intended purpose of the use cannot be changed, and if a defined use is not listed in the particular land use district applicable to the land subject of the application, there is not ability to approve that use. A land use bylaw amendment would be required to either redesignate a parcel to a district that provides for the desired use, or, for a text amendment to add a particular use to the land use district.

Discretionary Uses – MPC (continued)

Intensive horticultural operation
Kennel, breeding
Kennel, breeding *(existing)*
Multi-unit dwelling
Mushroom farm
~~Natural resource extraction and processing~~
Public building or use
Religious assembly
Renewable energy, commercial/industrial
Riding stable/arena
Rodeo grounds
School
Shooting range *(existing)*
Short-Term Rental 2
Stripping and sale of topsoil
Telecommunication tower
Work camp, long term
Work camp, short term

(e) means “Exempt” and development will not require a development permit if it meets all the provisions of this Bylaw and is in accordance with any applicable requirements in Schedule 3.

SECTION 2 PARCEL AND LOT SIZE

- 2.1 A minimum lot size of 0.4 ha (1 acre) is recommended for any permitted or discretionary use. This may be varied by the Municipal Planning Commission to reasonably accommodate the proposed use. Parcels and lot sizes for all land uses shall be determined by the Municipal Planning Commission. The following parcel sizes apply to the uses listed below.
- 2.2 Extensive Agriculture
- (a) existing parcels;
 - (b) 64.8 ha (160 acres) or an unsubdivided quarter section.
- 2.3 Farmsteads
- (a) existing parcels;
 - (b) flexible maximum based on farmstead definition.
- 2.4 Vacant Country Residential
- (a) existing parcels;
 - (b) minimum of 0.4 ha (1 acre);
 - (c) maximum of 1.2 ha (3 acres).
- 2.5 Confined Feeding Operations
- (a) existing parcels.

USE AND USE RELATED DEFINITIONS

The following definitions shall apply to the entire Bylaw.

NOTE TO READER: *These definitions are for the purposes of classifying and regulating specific land uses. Some land use definitions are general, and are defined for reference to support more specific land uses listed within the land use districts. The classification of a land use is at the discretion of the Development Authority.*

A

ABATTOIR means the use of land or building in which animals are slaughtered and may include the packing, treating, storing and sale of the product.

ACCESSORY BUILDING means any structure:

- (a) that is physically separate from the principal building on the lot on which both are located and which is subordinate and incidental to that of the principal building; a typical accessory building is a private garage or shed;
- (b) the use of which is subordinate and incidental to that of the principal use of the site on which it is located.

No accessory building shall be used for human habitation.

ACCESSORY STRUCTURE means a structure that is detached from the principal building. It is ancillary, incidental, and subordinate to the principal building or use. Typical accessory structures include flagpoles, dugouts, swimming pools, and storage tanks. When a structure is attached to the principal building by a roof, a floor, a wall, or a foundation, either above or below grade, it is considered part of the principal building. No accessory structure shall be used for human habitation.

ACCESSORY USE means a use of a structure or parcel which is ancillary, subordinate, and incidental to the principal use of the building or site.

ADDITIONS TO EXISTING BUILDINGS means construction that increases the footprint of an existing building or structure on the parcel of land, providing for an expansion of the approved use of the property. Typically, there will be a common connection from the existing building to the addition that includes a foundation of some type beneath the addition.

ADULT ESTABLISHMENT means commercial establishments in which a significant portion of the business is to:

- (a) display, sell, have in their possession for sale, offer for view, publish, disseminate, give, lease, or otherwise deal in any written or printed matter, pictures, films, sound recordings, machines, mechanical devices, models, facsimiles, or other material and paraphernalia depicting sexual conduct or nudity and which exclude minors by reason of age; and/or
- (b) which display for viewing any film or pictures depicting sexual conduct or nudity and which exclude minors by reason of age; and/or
- (c) in which any person appears or performs in a manner depicting sexual conduct or involving nudity and from which minors are excluded by reason of age.

AGRICULTURAL BUILDING means a building or structure associated with and generally essential to an agricultural operation that:

- (a) does not contain a residential occupancy;
- (b) directly supports a farm operation;

FEED MILLS/GRAIN TERMINALS means a facility for the collection, grading, processing, storage, and shipping and receiving of grain crops.

FLEET AND TRANSPORTATION SERVICES 1 means development involving a fleet of vehicles for:

- (a) the delivery of food by mobile catering service; or
- (b) the transportation of people, mail, negotiable currency and documents; or
- (c) the delivery of packages and small articles by courier service.

This use includes the rental and lease of vans and trucks to the public and other businesses, facilities for the routine storage and servicing of vehicles owned and operated by the fleet service business as well as the incidental sale of vehicles as an accessory use. Examples include bus and coach line transport services, taxicab or limousine stations and dispatching offices, messenger and courier services, and truck and van rental offices.

FLEET AND TRANSPORTATION SERVICES 2 means development involving a fleet of vehicles for:

- (a) the transportation of freight; or
- (b) the transportation of livestock; or
- (c) the transportation of vehicles, machinery and equipment.

This use includes facilities for the routine storage and servicing of vehicles owned and operated by the business as well as an administrative office, outdoor work area, outdoor and indoor storage areas and parking and loading areas.

FREIGHT TERMINAL means a commercial facility used for the storage and distribution of freight or cargo that is intended to be shipped by air, rail or highway transportation. Such a facility may include an administrative office, outdoor work area, outdoor and indoor storage areas and parking.

FUNERAL HOME means a commercial operation used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services.

G

GARAGE means an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles. For use purposes these may be considered as an **ACCESSORY BUILDING**.

GARDEN SUITE/GRANNY SUITE/GARAGE SUITE – see **SECOND DWELLING**

GAS STATION means a commercial operation established to provide fuel and oil products for sale to the general public. Such an operation will have no provision to accommodate vehicle repairs or maintenance. The operation may include a building to accept payment for purchases and may also include limited retail sale of food products.

GOLF COURSE means an outdoor commercial recreational facility where the land is developed to accommodate the game of golf. Such a facility will typically include a club house, pro shop, driving range, parking, food service or restaurant, and ancillary structures associated with a golf course. The facility may be privately owned (requiring club membership) or publicly owned and available by paying a fee.

GOVERNMENT SERVICES means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection or persons or property.

GRAVEL AND SAND PITS – See **NATURAL RESOURCE EXTRACTION AND PROCESSING** [and PIT](#)

PARK MODEL TRAILER means a unit designed to be towed by a vehicle, built on a single chassis mounted on wheels, usually containing one or more slide-outs, when in set-up mode the trailer does not exceed a maximum width of 2.6 m (102 inches) and 37.2 m² (400 ft²) in gross trailer area, conforms to the CSA Z-240 RV Series standard and once on site is typically connected to local utilities. For the purposes of this Bylaw, a park model trailer does not include a recreational vehicle or a manufactured dwelling.



PARKING AREAS AND STRUCTURES means an area of land or building which is provided and maintained on the same lot as the principal use for the purpose of storing motor vehicles. This use does not include campgrounds or RV parks.

PARKS AND PLAYGROUNDS means land developed for public recreational activities that does not require major buildings or facilities, and may include open grassed areas, picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms. This definition may also be applied to public open space which is not in private ownership and is open to use by the public.

PERSONAL SERVICE BUSINESS means development providing services for personal care and appearance, physical and mental health services, services for cleaning, servicing, altering and maintenance of personal effects and accessories. This use includes barbershops, beauty salons, clinics, counselling services, medical offices, tailors, diet centers, shoe repair shops, dry cleaners, upholstery and rug cleaners, and Laundromats.

PIT means an excavation in, or working of, the land surface or subsurface for the purpose of removing sand, gravel, clay or marl, including all associated infrastructure, stockpiles, processing areas, internal roads and areas from which topsoil has been salvaged, whatever the total area of the pit and whether or not a registration has been issued in respect of it under the *Environmental Protection and Enhancement Act*. For the purposes of this Bylaw, the total area of a pit is the sum of all such areas, and a pit remains a pit notwithstanding that a part of it has been reclaimed.

PRE-FABRICATED BUILDING MANUFACTURER means development used for the manufacturing, fabricating, processing, assembly, production and/or packing of pre-fabricated buildings, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

PUBLIC BUILDING OR USE means a building or facility that is owned and/or administered by any level of government or a corporation which is an agent of the Crown under federal or provincial statute, or a registered charity or society, for the purpose of furnishing services or commodities to the public.

PUBLIC DAY USE AREA means a public area of land provided for use during daylight hours that is owned and/or administered by any level of government.

R

RECREATION FACILITY means a development, constructed for the purpose of housing or supporting sports or recreational activities. The facility typically involves a fee for use or where admission is by membership to a club, organization or association. Typical facilities would include athletics clubs, roller skating rinks, bowling alleys, paint ball facilities, and racquet clubs. Facilities associated with the operation may include eating facilities, administrative offices and retail operations, provided that any such operation is accessory and clearly incidental to the principal recreational use.

RIDING STABLE/ARENA means a private or public compound or facility designed with stalls for the housing, bedding and/or confinement of animals (any animal) used for riding purposes. The facility may also include outdoor features such as corrals, riding areas, training areas, associated storage structures and parking areas for users.

RODEO GROUNDS means an agricultural-recreation oriented facility where livestock, animal husbandry and exhibitions of the speed, breeding and management are exhibited and showcased. Typically, the site will also include the associated facilities such as an arena, chutes and corrals, stables, concession booths, grandstands and parking to carry out such purpose. The facility may be managed by civic, private or non-profit organizations.

S

SAND AND GRAVEL OPERATIONS – see **NATURAL RESOURCE EXTRACTION/processing and PIT**

SANDBLASTING FACILITY means a development of buildings where the major source of activity involves the large scale sandblasting of agricultural, industrial, automotive or oilfield equipment. Sandblasting facilities may also include welding and painting facilities on-site.

SCHOOL means a place of instruction operated with or without public funds pursuant to the *School Act*.

SEA-CAN – see **SHIPPING CONTAINER**

SECONDARY SUITE means a subordinate dwelling unit located within or attached to a single detached dwelling.

SECURITY SUITE means a dwelling unit or portion of a building used to provide accommodation for security personnel and in commercial, recreational, or industrial districts shall contain no more than one bedroom and be no larger than 55.7 m² (600 ft²).

SEED CLEANING PLANT means a building or facility used for the storage and preparation of seed used in **AGRICULTURAL OPERATIONS**.

SENIOR CITIZEN HOUSING means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care.

SHIPPING CONTAINER means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a Sea-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this Bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and may require a permit.

SHOOTING RANGE means an area, building or structure, typically operated by a non-profit organization, that is designed or intended for the safe discharge, on a regular and structured basis, of firearms, archery, or other projectiles, including but not limited to rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm, for the purpose of sport shooting, target practice or shooting competitions.

SHORT-TERM RENTAL 1 means the operation of commercial accommodation within all or a portion of a dwelling unit, including a Secondary Suite(s) or a room(s) in or a portion of a dwelling unit, for a period not exceeding 30 days, and the owner or property manager of the property is required to occupy the dwelling (within the same suite or an attached suite), or an adjacent dwelling on the same parcel, as their primary residence and be present on the

- 26.15 The Development Authority may require a security deposit of a minimum \$1000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit are met.
- 26.16 In deciding on an application, including establishing any conditions of approval, the Development Authority shall have regard to the potential impact on existing and proposed uses in the vicinity of the proposed site.
- 26.17 Any impacts to the dwelling arising from transportation to its final destination shall be disclosed and rectified to the satisfaction of the Development Authority.
- 26.18 Occupancy of the dwelling is not allowed until all requirements of the *Safety Codes Act* regarding the provision of potable water and sanitary sewage disposal are complied with.

SECTION 27 MOTOR SPORTS PARK

- 27.1 Setbacks for outdoor motor sports parks are 2.4 km (1.5 miles) from schools, residences, campgrounds, hospitals, parks, playgrounds, churches and other institutions, recreational trails and known habitat of rare, threatened or endangered animal species, migratory bird sanctuaries, protected natural areas designated under legislation, regionally significant areas, deer wintering areas and confined feeding operations.
- 27.2 In deciding on an application, including establishing any conditions of approval, the Development Authority shall have regard to the potential impact on existing and proposed uses in the vicinity of the proposed site.
- 27.3 The Development Authority shall consider the site, natural features, and the quality of the land on which the development is proposed as such uses shall be discouraged on good quality agricultural land and in environmentally sensitive or significant areas.

SECTION 28 NATURAL RESOURCE EXTRACTIVE USES

NOTE TO READER: *The most common type of natural resource extractive use is a pit, which is an excavation in, or working of, the land surface or subsurface for the purpose of removing sand, gravel, clay or marl. A pit includes all associated infrastructure, stockpiles, processing areas, internal roads and areas from which topsoil has been salvaged. Pits 5 ha (12.5 acres) or larger ("Class I pits") must hold a registration under the Environmental Protection and Enhancement Act (EPEA) and are subject to the Code of Practice for Pits. Pits less than 5 ha (12.5 acres) in size ("Class II pits") do not require a registration under EPEA, but remain subject to the Water Act and the Conservation and Reclamation Regulation under EPEA. The terms "Class I pit" and "Class II pit" correspond to the designations used in provincial publications, including A Guide to the Code of Practice for Pits, and are used in this note for convenience only. The operative distinction drawn in Section 28.2 is whether an EPEA registration has been issued in respect of the pit.*

- 28.1 ~~Both Class 1 (5 ha or greater) and Class 2 pits (less than 5 ha) as defined in the provincial Code of Practice for Pits shall require a development permit approved by the municipality to operate. A natural resource extractive use, including a pit of any size, shall require a development permit issued by the County to operate. The holder of the development permit is responsible for compliance with this section and with the conditions of the development permit, whether or not the pit or other natural resource extractive use is operated by another person.~~

~~28.2 A sand, clay and gravel pit or a stone quarry may be considered for approval provided that:~~

- ~~(a) if it is less than 5 ha (12.5 acres) in size, a reclamation plan must be provided to the satisfaction of the municipality; or~~
- ~~(b) if it is 5 ha (12.5 acres) or greater, a reclamation plan must be filed with Alberta Environment and Parks that complies with its regulations and the recommendations of its Land Reclamation division, and a copy provided to the municipality.~~

28.2 The provisions of this section apply in respect of:

- (a) a pit for which a registration has been issued under EPEA, only to the extent permitted by section 619.1 of the MGA;
- (b) a pit for which a registration has not been issued under EPEA, in full; and
- (c) a natural resource extractive use that is not a pit (e.g. quarry), as applicable.

28.3 The following shall be submitted with a development permit application, except where the Development Authority is satisfied that information required under subsection (a) has already been provided in an EPEA registration or its accompanying Activities Plan submitted under Section 28.3(a)(ix): ~~for surface mineral excavation:~~

- (a) ~~operation plans;~~an operations plan that includes:
 - (i) a scale drawing showing legal property boundaries, on-site traffic circulation, surface water bodies, the locations of vegetation clearing and topsoil stripping, areas for aggregate extraction, processing and stockpiling, and areas to be left undisturbed;
 - (ii) proposed hours of operation for extraction, processing and hauling;
 - (iii) proposed measures for dust suppression;
 - (iv) a description of techniques that will be used to prevent wind and water erosion;
 - (v) identification of weed species categorized as prohibited noxious or noxious under the Weed Control Act and the proposed weed control measures;
 - (vi) a surface access agreement with the landowner, where necessary;
 - (vii) the operator's contact information;
 - (viii) a complaint response protocol identifying the manner in which complaints and responses will be recorded, and the person responsible for receiving and responding to complaints;
 - (ix) copies of any EPEA registration and its corresponding Activities Plan; and
 - (x) any licence, permit, approval or other authorization issued by Alberta Environment and Protected Areas;
- (b) details of roads, access points and traffic volumes;
- ~~(c) surface access agreement with the landowner;~~
- ~~(d) location and phasing of vegetation clearance and stripping of topsoil;~~
- ~~(e) identification of areas to be left undisturbed;~~
- ~~(f) weed control; and~~
- ~~(g) reclamation process phasing and security payments.~~
- (c) if deemed necessary by the Development Authority or by Alberta Transportation and Economic Corridors, a Traffic Impact Assessment prepared by a qualified professional that:
 - (i) identifies the proposed haul routes to and from the site;

- (ii) forecasts the proportion of traffic movements travelling along each route;
- (iii) demonstrates that access arrangements are safe and that the surrounding road network can accommodate the traffic generated; and
- (iv) recommends any intersection upgrades or other improvements to the road network required to safely accommodate that traffic;
- (d) a noise impact assessment prepared in accordance with Section 28.19, where required under that section;
- (e) a lighting plan prepared in accordance with Schedule 5, Section 45, where the Development Authority deems it necessary in connection with site security lighting; and
- (f) a reclamation plan in accordance with Section 28.4.

28.4 Regarding the reclamation of:

- (a) a pit for which a registration has not been issued under EPEA, or a natural resource extractive use that is not a pit, a reclamation plan must be provided to the satisfaction of the County identifying the proposed end use, reclamation phasing, soil replacement depths, landscape design and drainage, and an estimate of reclamation costs; or
- (b) a pit for which a registration has been issued under EPEA, a copy of the reclamation plan filed with Alberta Environment and Protected Areas must be provided to the County.

28.45 Topsoil must be stockpiled and used to reclaim the worked-out site.

28.56 A natural resource extractive use shall not be developed at a location which, in the opinion of the Development Authority, would lead to land use conflicts with adjoining or nearby uses.

28.67 The working area (defined as the area used for excavation, stockpiling and crushing) of a ~~sand, clay and gravel~~ pit or a stone quarry operation shall not be located closer than 1.6 km (1 mile) to a residential dwelling, the separation distance being measured from the edge of the dwelling to the nearest edge of the planned working area of the ~~sand and gravel~~ extraction operation.

28.78 ~~Sand and gravel extraction may be permitted~~The working area of a pit or a stone quarry operation may be permitted within 1.6 km (1 mile) of ~~an individual residence~~a dwelling where provision is made regarding site-specific mitigation of noise, dust, visual, traffic, lighting and other effects of the ~~sand and gravel~~ operation ~~and must be agreed to by the resident in writing. In deciding whether to permit extraction within that distance, the Development Authority shall consider whether the resident of the dwelling has agreed in writing to the proposed mitigation measures.~~

28.89 The Development Authority may require that a natural resource extractive use and any storage or disposal of a natural resource or any finished or semi-finished materials or waste, be located not less than 100 m (328 ft) from the bed and shore of a permanent or intermittent water body.

28.910 The Development Authority shall consider the effects of visual intrusion, dust, noise, traffic on municipal roads, and air and water pollution when evaluating applications for these types of development permits.

~~28.10 The Development Authority may require that the Developer enter into a Road Use Agreement with Vulcan County in order to control traffic on county roads and manage dust control and/or maintenance issues.~~

28.11 ~~The Development Authority may place conditions on an approved development permit that include, but are not limited to, regulating days and hours of operation, imposing setbacks, control or mitigate dust and noise, require berming or screening, monitoring ambient air quality, and the phasing of a project.~~ The Development Authority may attach the conditions outlined below to a development permit. In respect of a pit for which a registration has been issued under EPEA, only those of the following conditions permitted by section 619.1 of the MGA may be attached:

- (a) a requirement that the developer enter into a Development Agreement and/or a Road Use Agreement;
- (b) the construction of, or payment for the construction of, a road required to give access to the pit, and intersection upgrades and other off-site road improvements identified in a Traffic Impact Assessment prepared under Section 28.3(c);
- (c) the designation of haul routes and the prohibition of hauling on specified municipal roads;
- (d) measures to control or mitigate dust and noise;
- (e) the monitoring of dust and sound levels and ambient air quality, and the reporting of monitoring results to the County;
- (f) the provision of security for the repair of damage to municipal roads;
- (g) in respect of a pit for which a registration has not been issued under EPEA, the provision of security to cover the full cost for maximum conservation and reclamation for a 5-year period;
- (h) the phasing of extraction, processing and reclamation;
- (i) the days and hours of extraction, processing and hauling operations;
- (j) setbacks from property lines, dwellings, water bodies and municipal roads;
- (k) berming, screening, landscaping, and the retention of areas to be left undisturbed;
- (l) weed control in accordance with Section 28.17;
- (m) outdoor lighting in accordance with Section 28.21 and Schedule 5, Section 45;
- (n) signage at each access to the site identifying the operator and a contact for the operator;
- (o) a complaint response mechanism, including the recording of complaints and the reporting of complaints and their resolution to the County;
- (p) the submission of an annual report to the County respecting the area disturbed, the area reclaimed, the volume of aggregate extracted and hauled, and compliance with the conditions of the development permit;
- (q) reclamation of the site in accordance with the approved reclamation plan; and
- (r) in respect of a pit for which a registration has not been issued under EPEA, or a natural resource extractive use that is not a pit, any other condition the Development Authority considers necessary.

28.12 A Road Use Agreement required as a condition under Section 28.11(a) is intended to control traffic on County roads and to manage dust control and maintenance issues, and may provide for such matters as:

- (a) the designation of haul routes, maximum operating speeds for haul vehicles and permissible hours for aggregate hauling;
- (b) permitted variations from seasonal road bans and weight restrictions;
- (c) the upgrade and repair of designated haul routes affected by hauling;

- (d) the provision of refundable security that may be drawn upon if the developer fails to repair road damage resulting from hauling operations;
 - (e) measures to prevent the generation of dust on County roads and other road maintenance requirements during haulage;
 - (f) a complete listing of trucks used on the haul, complete with names and truck numbers, provided to the County prior to the commencement of hauling; and
 - (g) signage on the rear tailgate area and both sides of every truck identifying the hauler and truck number.
- 28.1213 The development permit shall generally be limited to a phase of an operation and/or a term not exceeding three years. In respect of a pit for which a registration has not been issued under EPEA, or a natural resource extractive use that is not a pit, the development permit shall generally be limited to a phase of an operation and/or a term not exceeding three years. In respect of a pit for which a registration has been issued under EPEA, the development permit may be issued for a longer term, subject to the monitoring and annual reporting conditions imposed under Sections 28.11(e) and 28.11(p).
- 28.1314 The Development Authority may refuse to approve an application for a private sand, clay and gravel pit, a private pit or a stone quarry in or adjacent to a river valley, shoreland area or flood prone area if it is of the opinion that the area is unsuitable.
- 28.1415 The Development Authority shall take into consideration the *Environmentally Significant Areas in the Oldman River Region* document in making a decision on an application for a resource extraction use and may deem a development application to be unsuitable in accordance with that report, or may request additional information be provided by the applicant to ensure any matters outlined in Section 7 Environmentally Significant Areas (ESAs) of Schedule 4 are addressed to the satisfaction of the Development Authority.
- 28.16 In setting conditions respecting the days and hours of operation, the Development Authority shall have regard to the following guidelines:
 - (a) for extraction and processing operations: 6:00 a.m. to 7:00 p.m. Monday to Friday, 9:00 a.m. to 5:00 p.m. on Saturdays, and no operations on Sundays or statutory holidays;
 - (b) for hauling operations: 7:00 a.m. to 7:00 p.m. Monday to Friday, 9:00 a.m. to 4:00 p.m. on Saturdays, and no hauling on Sundays or statutory holidays; and
 - (c) scheduled maintenance of plant, machinery or equipment may be considered outside these hours where the operator provides the County with no less than 48 hours' notice.
- 28.17 The following site maintenance, vegetation management and notification requirements shall be adhered to for the duration of the operation of a natural resource extractive use:
 - (a) vegetation, berming or other screening required as a condition of a development permit shall be maintained in a healthy and effective condition, and any plant material that fails shall be replaced in the next growing season;
 - (b) any area identified in the approved operations plan as an area to be left undisturbed shall be retained in its existing state and shall not be used for parking, stockpiling or storage;
 - (c) the developer shall control weed species categorized as noxious, and destroy weed species categorized as prohibited noxious, under the *Weed Control Act*, on all land within the site, including stripped areas, topsoil and overburden stockpiles, berms, internal roads and any part of the site that is inactive, so that no such species is permitted to go to seed;

- (d) the weed control measures identified in the operations plan submitted under Section 28.3(a)(v) shall identify the party responsible for weed control, the control methods to be used and the frequency of inspection, and the developer shall notify the Development Authority in writing within 30 days of any change in the party responsible;
 - (e) a sign shall be maintained at each access to the site, legible from the adjoining road, identifying the operator, the development permit number and a telephone number at which the operator may be contacted at any time during which the use is in operation; and
 - (f) the developer shall notify the County in writing before the total area of the pit exceeds 5 ha (12.5 acres), and upon an application being made for a registration under EPEA or a registration being issued in respect of the pit.
- 28.18 A natural resource extractive use shall be operated so that sound levels attributable to the operation, measured at the most affected dwelling, do not exceed:
 - (a) the greater of 55 dB and the sound level otherwise applicable under subsection (b), for a cumulative total of no more than 30 days in a calendar year, and only between 8:00 a.m. and 5:00 p.m. Monday to Friday, for the purposes of topsoil and overburden stripping, the construction, maintenance or removal of berms and other landscaping features, the construction and maintenance of site access, and reclamation works; and
 - (b) the sound levels set out in Schedule 5, Section 43.5, on all other days of the calendar year, where the daytime sound levels set out in Schedule 5, Section 43.5 apply during the hours of operation established as a condition of the development permit, and the nighttime sound levels apply at all other times.
- 28.19 Where the working area of a proposed natural resource extractive use is within 1.6 km (1 mile) of a dwelling or where the potential for noise impacts are otherwise anticipated, the Development Authority may require a development permit application for the use to be accompanied by a noise impact assessment prepared by a qualified professional in accordance with the principles specified in AUC Rule 012 or a comparable standard. The assessment shall identify the noise mitigation measures to be implemented including the installation of noise-dampening apparatus, the enclosure of noise-generating activities, the construction of berms or other noise barriers, and the use of broadband reversing alarms where permitted under applicable occupational health and safety requirements.
- 28.20 In response to a noise complaint, the Development Authority may require the developer to undertake, at its own expense, sound level testing at the location of the most affected dwelling in order to demonstrate that the applicable sound level is not exceeded.
- 28.21 Outside the days and hours of operation established as a condition of the development permit, lighting shall be extinguished or reduced to the minimum necessary for site security.
- 28.22 In respect of a pit for which a registration has not been issued under EPEA, or a natural resource extractive use that is not a pit, a new development permit shall not be issued for that pit or use unless and until the conditions of any previous development permit for that pit or use have been fulfilled to the satisfaction of the Development Authority, or the Development Authority determines that those conditions are no longer required. In respect of a pit for which a registration has been issued under EPEA, the Development Authority may require, as a condition of a new development permit, the submission of a report respecting compliance with the conditions of any previous development permit for that pit.

(c) shall not be located within the required setback from a public road or on an easement.

41.2 A soft shelled building shall be setback a minimum 3.0 m (10 ft) from the principal dwelling and from all other structures on the same lot.

41.3 A soft shelled building must be securely tethered and anchored to the ground in accordance with provincial safety code requirements. Additionally, all fabric covers must be securely tethered to the structures' frame.

41.4 A soft shelled building shall be maintained in a good state of repair, free of rips and tears.

SECTION 42 WORK CAMPS

42.1 All work camps shall be developed in compliance with the *Work Camps Regulation, Public Health Act, Alberta Regulation 218/2002* as amended.

42.2 A conceptual scheme shall be provided, to the satisfaction of the Development Authority, which indicates the location, design standards and site requirements of the following:

- (a) common accessory uses and services, such as washrooms, laundromats, recreational buildings, retail stores, food concessions, fire pits, fire wood storage;
- (b) lighting;
- (c) water supply;
- (d) wastewater disposal facilities;
- (e) solid waste collection facilities; and
- (f) any other similar uses or services that may be associated or required for the development of a work camp.

42.3 The following regulations shall be applied in designing the work camp site plan:

- (a) the road system shall be properly signed for users and for emergency response vehicles, and shall be sensitive to the topography and environmental characteristics of the site;
- (b) roads shall be surfaced to the satisfaction of the Development Authority;
- (c) all utility services and all utility wires and conduits shall be provided as required by the Development Authority; and
- (d) setbacks shall be in accordance with the regulation of the applicable land use district.

SECTION 43 DATA PROCESSING OPERATION

43.1 An application for a data processing operation shall be accompanied by the following additional information:

- (a) floor plans, elevations and renderings conveying all proposed buildings and structures that will form part of the facility including trailers, shipping containers, semi-trucks and related storage buildings;
- (b) a breakdown of the number of computer units, fans and any pertinent information concerning their anticipated noise impacts;

- (c) noise impact assessment (NIA) completed by a qualified professional which measures sound from the proposed facility to the nearest dwelling/ or building. The assessment shall be undertaken in accordance with the principals specified in the AUC Rule 012 or a comparable standard, regardless of whether the proposed operation involves the on-site generation of electric energy.
 - (d) a fire protection plan; and
 - (e) any other information that may be required by the Development Authority.
- 43.2 Proposals for data processing operations integrating an on-site power plant or backup power source shall indicate the total MW at full build-out, and any pertinent information concerning their anticipated noise impacts. All structures related to energy generation shall be indicated on the site plan.
- 43.3 An application for a data processing operation that draws its power from the electricity grid shall be accompanied by verification in writing from the electrical service provider that the projected consumption of the proposed use can be accommodated and that the utility supply equipment and related infrastructure is sufficiently sized to accommodate the proposal.
- 43.4 The applicant using on-site power plant generation shall submit:
- (a) a proof of exemption of an approval for applications utilizing an on-site plant generating less than 10 megawatts (MW)
 - (b) a copy of any approvals required for applications utilizing an on-site power plant generating 10 MW or more.
- 43.5 ~~At all times during the operation of the data processing operation noise compliance shall be:~~
[The following sound levels apply at all times during the operation of a data processing operation, and wherever else in this Bylaw compliance with the sound levels set out in this section is required:](#)

Proximity to Transportation	Dwelling density per quarter section of land					
	1 to 8 dwellings		9 to 160 dwellings		Greater than 160 dwellings	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
Category 1	50 dB	40 dB	53 dB	43 dB	56 dB	46 dB
Category 2	55 dB	45 dB	58 dB	48 dB	61 dB	51 dB
Category 3	60 dB	50 dB	63 dB	53 dB	66 dB	56 dB

- Category 1: dwelling(s) distance is more than or equal to 500 metres (m) from heavily travelled roads or rail lines and not subject to frequent aircraft flyovers from proposed development.*
- Category 2: dwelling(s) distance is more than or equal to 30 m, but less than 500 m from heavily travelled roads or rail lines and not subject to frequent aircraft flyovers from proposed development.*
- Category 3: dwelling(s) distance is less than 30 m from heavily travelled roads, or rail lines or subject to frequent aircraft flyovers from proposed development.*

	Daytime	Nighttime
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Planning Commission may result in a require for the energy storage system to be decommissioned. Failure to comply with a decommissioning require may result in the issuance of a stop order by the County in accordance with the provisions of the MGA.

Conditions of Approval

- 44.10 As a condition of development permit approval for a Battery Energy Storage System (BESS), the Development authority shall consider, in addition to any other conditions authorized under other sections of this Bylaw, attaching conditions related to the following and in accordance with Sections 619 and 620 of the MGA:
- (a) require the applicant/developer to enter into a road use agreement and/or development agreement with the municipality;
 - (b) place restrictions on the location, height and type of fencing used for the site;
 - (c) require the application of approved weed control measures;
 - (d) require that the development grounds and surrounding area is comprised of a fire retardant and non-combustible material, such as gravel, concrete or similar material;
 - (e) stipulate grading, stockpiling, weed control and soil erosion measures;
 - (f) the provision of an emergency /fire suppression management plan;
 - (g) require compliance with applicable decommissioning and reclamation standards of the day, or if no decommissioning and reclamation standards are in place at the time of application, require compliance with a decommissioning/reclamation plan prepared by the applicant to the satisfaction of the Development Authority;
 - (h) require that the project commence construction within two years of approval, and complete the project within four years;
 - (i) require that the operation remain in continuous operation and if the operation is inactive for two consecutive years, or two cumulative years over a five-year period, the obligation to decommission the site is automatically triggered; and
 - (j) the provision of financial security is an amount and type acceptable to the municipality to ensure the decommissioning plan is implemented.

SECTION 45 OUTDOOR LIGHTING

45.1 Residential and agricultural uses are not subject to the requirements of this section.

45.2 The Development Authority may impose the following standards in respect of outdoor lighting:

- (a) illumination shall be limited to the minimum intensity necessary to achieve the safe and secure operation of the use;
- (b) fixtures shall be cut-off or shielded so that light is directed downward, below the horizontal plane of the fixture; and
- (c) direct light or glare shall not extend beyond the boundaries of the parcel on which the development is located.

45.3 The Development Authority may require a development permit application to be accompanied by a lighting plan indicating:

- (a) the location, height, orientation and method of mounting of all proposed exterior light fixtures;
- (b) the manufacturer's specifications for each fixture type, including lumen output, correlated colour temperature, and shielding or cut-off classification;
- (c) the proposed hours of illumination and any dimming, timing or motion-activation controls;
- (d) a photometric plan indicating illumination levels at the boundaries of the parcel; and
- (e) any other information that the Development Authority deems necessary.

45.4 The Development Authority may require, prior to the commencement of operation of an approved use for which a lighting plan has been prepared, written confirmation from a qualified professional that all outdoor lighting has been installed, shielded and aimed in accordance with the approved lighting plan.