


**MISCELLANEOUS PLANNING ITEM
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL
 DIRECT CONTROL DISTRICT #31 – DEVELOPMENT PERMIT APPLICATION
 April 22, 2026**

APPLICATION INFORMATION		FILE NO. 25D330
	DATE APPLICATION DEEMED COMPLETE: January 26, 2026	
	LEGAL DESCRIPTION: Ptn. SW 17-20-2 W5; Plan 1011623, Block 2, Lot 3	
	LANDOWNER: Caliper Forest Products Inc.	
PROPOSAL: Development Permit application to allow for the construction of an Industrial Shop with Office Building and two storage lean-to structures with a request for relaxation of front yard setbacks. The application also requests the onsite relocation and temporary use of an existing Quonset.		
DIVISION NO: 3	COUNCILLOR: Laura Kendall	FILE MANAGER: Pierre-David Karolyi

EXECUTIVE SUMMARY:

Location of Subject Lands:

The subject property is located 147 metres south of Miners Road West, 432 metres north of the intersection between 402 Avenue West and Highway 22, and is west of 168th Street West.

Background:

In 2025 an application for a Development Permit (25D131) was submitted to bring existing operations on the subject property into compliance with the requirements of the Land Use Bylaw 60/2014. Operations on the lot included material storage and distribution, as well as the outdoor storage of large commercial vehicles. These operations would be considered under the Discretionary Use, Industrial, Storage and Warehousing for Direct Control District #31. Due to the timing of submission of this development permit application in relation to the scheduled Council summer break, Council had delegated authority to review and render a decision on this application to the Development Officer. The application was approved on August 20, 2025 for:

1. lumber storage and distribution;
2. the use and occupancy of one +/- 5,100 sq. ft. building (Quonset)
3. the outdoor storage of a maximum of six (6) Commercial Vehicles, Large at any given time

A Stormwater Management Plan (SWMP) was required to be submitted and accepted by the Public Works department as a pre-release condition of this development permit. The SWMP was submitted and accepted, and the Development Permit was issued on February 6, 2026. Several conditions of 25D131 remain incomplete at the time of the present decision, and the permit is to be replaced by the present application.

PURPOSE OF APPLICATION:

Summary of Proposal:

Approval of the following development and uses is being requested on the subject 5.81-acre Direct Control District #31 parcel in support of a remanufacturing and lumber sales/wholesale facility containing office space and indoor storage. No uncovered outdoor storage is being proposed as all exterior materials will be contained within 3-sided roofed lean-to structures.

Proposed uses are: Industrial, Storage & Warehousing and Industrial, Manufacturing/Processing, and Office. The activities are proposed to fully replace those approved with Development Permit 25D131.

Industrial, Storage & Warehousing and Industrial, Manufacturing/Processing are Discretionary Uses and Office is a Permitted Use under the Direct Control District #31.

On-site facilities are to consist of:

- A shop, containing office space;
- Two lean-to structures;
- A relocated Quonset (until November 2028);

As Council is the Development Approving Authority for Direct Control District lands, they may decide on a Development Permit application, or may delegate the Authority, with directions that it considers appropriate.

Council may require a Public Meeting prior to deciding on any application within the Direct Control District.

SITE CONSIDERATIONS:

Access

The subject lands are accessed on the east side of the lot via an existing approach off of 168 Street West, which is a paved collector road that connects to 1160 Drive West to the south, and dead ends to the north of Miners Road where it enters a privately held Natural Resource Extraction District property. 1160 Drive West is paved from its intersection with 402nd Avenue to its intersection with 168th Street.

The proposed internal yard surfacing consists of gravel.

Servicing Considerations

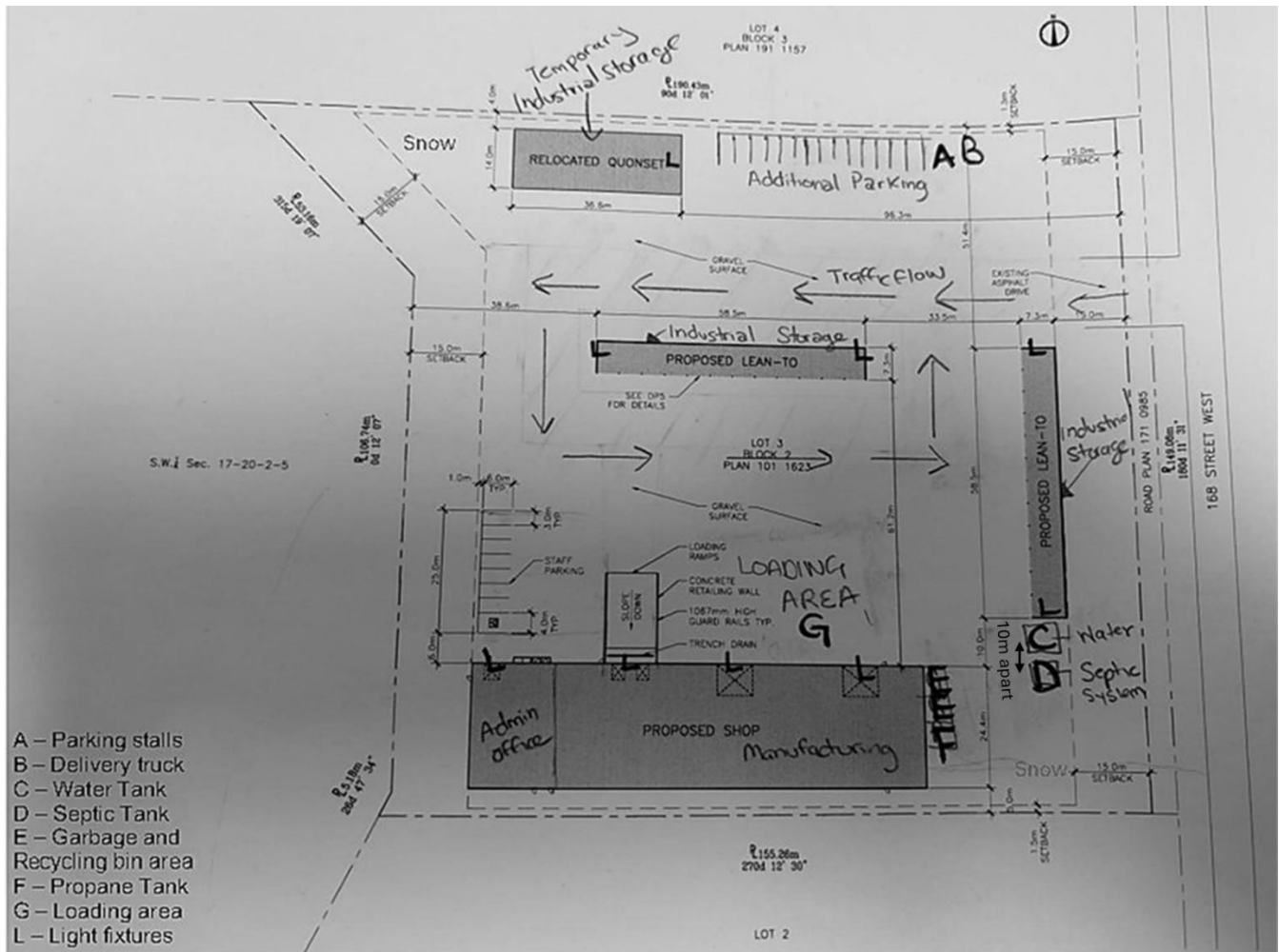
- Natural gas line to be brought to the property within two years, with a propane tank installed to the east of the shop in the interim.
- An underground cistern, to be filled by licensed water haulers, will be installed for general water needs.
- Underground septic system, with contents to be maintained/hailed away on a weekly basis.
- Garbage is to be stored in exterior bins to the east of the shop.

Physiography:

The subject and surrounding lands have formerly been leveled, graveled and non-vegetated.

SITE DEVELOPMENT

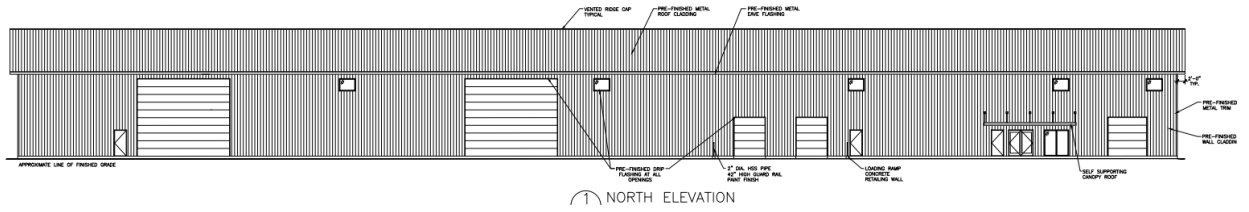
Site plan



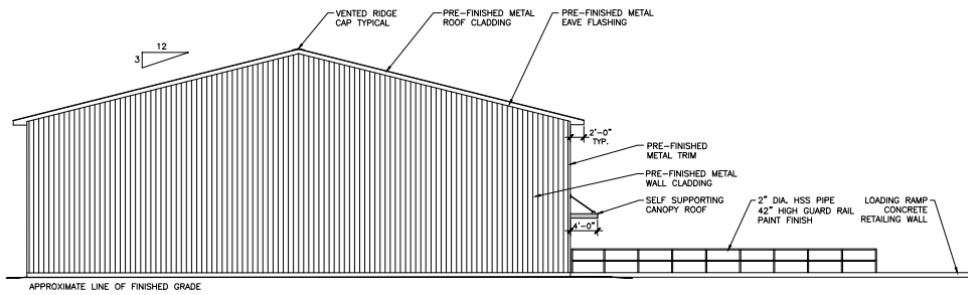
Proposed infrastructure

- 1. Main Shop – One 24,160 sq. ft. (80 ft. x 302 ft.) building, with a height of approximately 33 ft.**
 - The building is proposed to have black metal exterior walls and roofing, with black main entrance doors and grey main doors to the shop. The main entrance doors are covered by a self-supporting canopy roof. The building has a central loading ramp.
 - Fascia signage is not proposed on the building.
 - For storage and remanufacturing of wood products, remanufacturing services, office space, and indoor loading/unloading. The business will be primarily run from this building. There is no storefront within the scope of this project.

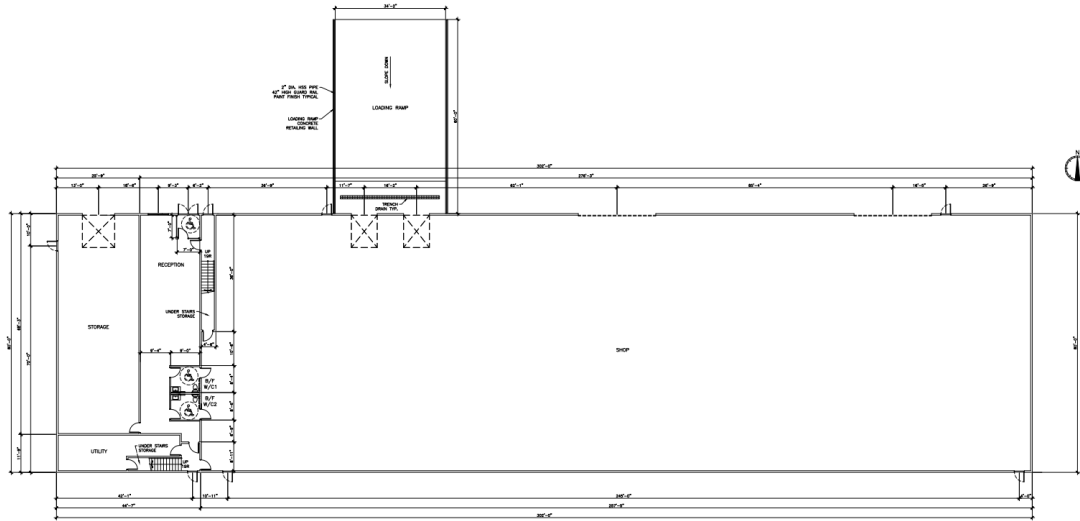
North exterior of shop:



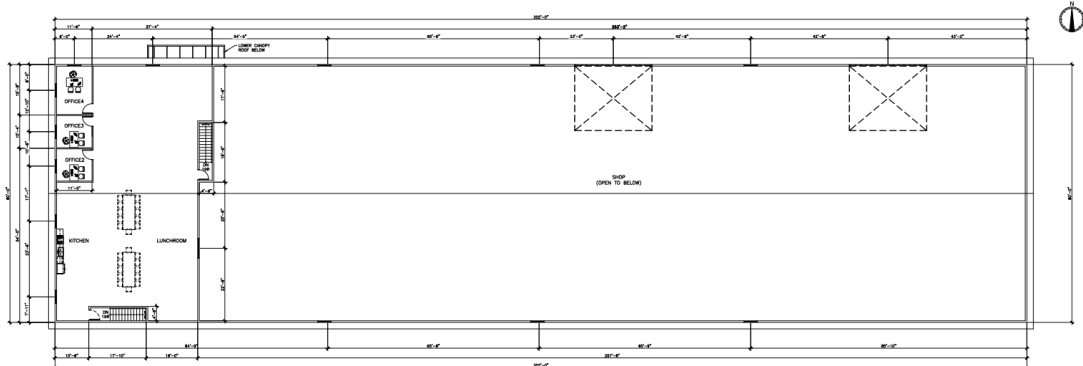
East exterior of shop:



Main floor plan (storage and office space on left, shop area on right):

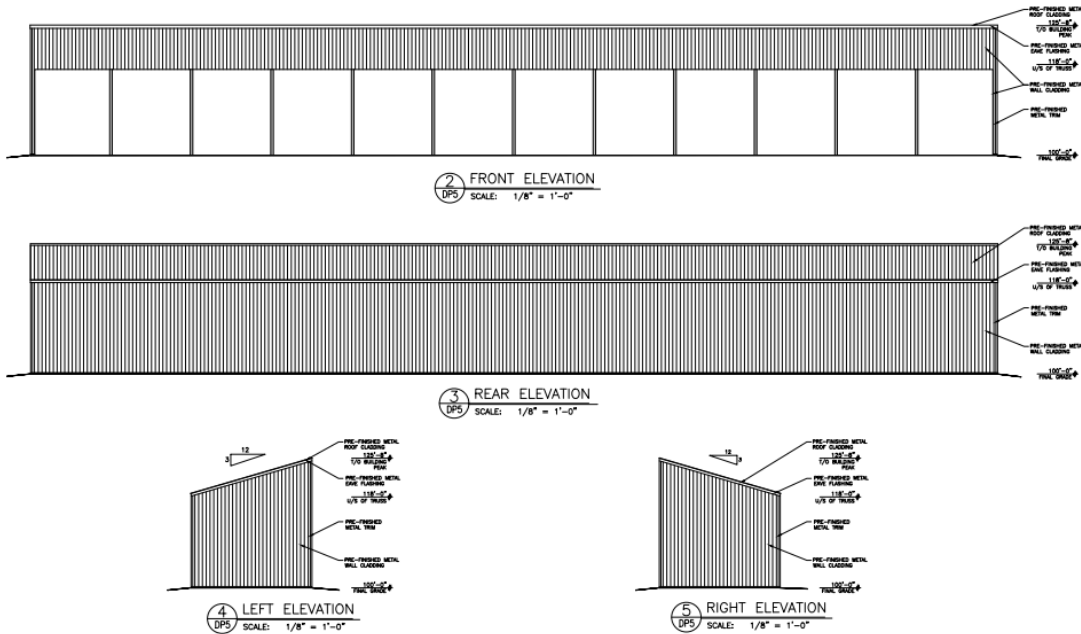


Upper floor plan (office space on left):



2. Lean-to structures – Two 4,608 sq. ft. (24 ft. x 192 ft.) three-sided lean-tos, each with a height of approximately 24 ft.

- For industrial storage of lumber products, to contain any lumber storage materials.
- The structures are to have a black metal exterior and black roofing and will face inward, providing effective screening of site operations.
- The proposed easternmost lean-to falls within the required 48-metre front yard setback from the centre of the road and is situated 15 metres from the front property line (30.6 metres from the centre of the road). It also contributes to the property screening.



3. Quonset – One 5,100 sq. ft. (42.5 x 120 ft.) existing Quonset

- Will serve as a storage area for two staff members of a leasing occupant, separate from the site’s main proposed operation, that operates a Truck Hauling company.
- Contains truck parts and accessories and is used for industrial storage.
- Will be moved from its current approved location (as approved under Development Permit 25D131) in the middle of the property to the north side of the property. It is planned to be removed in November 2028 by the end of the occupant’s lease.



4. Secure Yard

- Screening – The property is surrounded by chain link fencing with black slats providing partial screening of loading areas and onsite activities, aside from the front gate which has no slats, and full screening of garbage and mechanical equipment areas (see Appendix A for pictures).
- Yard surface – The surface is gravel, with recycled asphalt to minimize dust generation.
- Parking – Staff parking is provided in the form of 8 parking stalls to the northeast of the shop, including one accessible parking stall. An additional 14 parking stalls are provided along the north property line. Parking stalls will have yellow parking stops.
- Due to the lack of storefront, no sidewalks and curbs are proposed; access is controlled through the front gate for operations and pick-up of materials.
- Signage to show Company name and address on the front fencing (8 x 12 feet):



- Traffic flow – counterclockwise flow from the gate, using approximately 80-foot-wide lanes
- Loading area 40 metres by 60 metres near the west end of the shop
- Snow will be stockpiled in the northwest and southeast corners of the property.
- Equipment regularly parked on-site may include 1 delivery truck on the north side of the property.
- The entrance will be clearly delineated by the simple chain link fencing without vertical slats.

5. Business Operations

The business operation is a lumber yard providing retail sales of wood products and remanufacturing services. Lumber is supplied to contractors, businesses and the public, and custom processing of wood products is offered such as cutting, trimming and manufacturing of pallets. There is no storefront as all sales are quoted jobs for customers, determined prior to pickup or direct delivery by phone, email or online through a website.

This location is to function as the centre of the company's operations. It is anticipated that the business will employ 6 full-time staff.

- i. Traffic:
 - a. 6 staff vehicles daily.
 - b. 6-20 customer vehicles weekly, by pick-up trucks and trailers for order pickup.
 - c. 13-23 commercial deliveries and shipments weekly, by Super B trucks and Dry vans with 53-foot trailers.All vehicles are to follow established traffic flow for visiting, pickup and unloading.
- ii. Any materials (generally lumber products) stored on-site would be kept indoors in the proposed shop or within the proposed lean-to structures.
- iii. There will be no noxious, toxic, radioactive, flammable or explosive materials stored on the property, aside from the propane tank.
- iv. Normal hours of operation are to be 8:00AM until 4:00 PM, Monday through Friday.
- v. Water will be brought to an underground water cistern east of the main building. It will be hauled in regularly for a use of up to 700 litres per day for domestic (staff and visitors) and industrial use (cleaning and dust control).
- vi. An underground septic system will be located east of the main building and at least 10 metres from the water cistern. It will be emptied regularly.
- vii. Outdoor garbage, recycling and propane tank area east of the main building will be screened by wooden enclosures
- viii. Proposed Dark Sky compliant exterior lighting, for the building and yard areas that will have timers at dawn and dusk, is shown here:



POLICY EVALUATION:

Municipal District of Foothills No. 31, Town of Black Diamond, Town of Turner Valley, Intermunicipal Development Plan (IDP)

The IDP provides a framework for coordinated land use planning, conflict resolution, and growth management between municipalities, including the referral of land use applications within a perimeter from the Turner Valley and Black Diamond municipality limits and growth corridors (amalgamated as the Town of Diamond Valley in 2023). The subject parcel with proposed Land Use redesignation is located within the Black Diamond Referral Area and was circulated to the Town of Diamond Valley.

Land Use Bylaw 60/2014 (LUB)

Direct Control District #31 *See Appendix B of this report.*

The purpose and intent of this district is to allow operation of industrial related businesses on the lands. This district recognizes the necessity for uses to remain primarily light/medium industrial in

nature due to the proximity to waste disposal sites, natural resource extraction activities in the area, and in response to limited reclamation and remediation of the lands in the area. The importance of maintaining minimal nuisance factor extending beyond the boundaries of the site must be considered when looking at new uses on these lands to reduce impact on the Town of Black Diamond.

Definitions for all uses can be found under section 2.5 of the Land Use Bylaw.

INDUSTRIAL, STORAGE AND WAREHOUSING means development used for either indoor or outdoor storage, warehousing, distribution, or trans-shipment of raw materials, partially processed or finished goods, manufactured products, or equipment. Typical facilities would include pipe yards, vehicle or heavy equipment service and storage, lumber yards, storage/warehousing compounds or distribution centers. Generally, no additional processing would occur on-site.

INDUSTRIAL, MANUFACTURING/PROCESSING means development principally associated with manufacturing, assembling, fabrication, processing, and research/testing activities. Without restricting the generality of the foregoing, typical facilities would include plants involved in natural gas or its derivatives; pulp and paper products; stone, clay, glass, plastic, wood, rubber, or metal products; cement or lime products; and automotive assembly or fabrication.

ADMINISTRATION OFFICE means a specific building or rooms within a building providing for the day-to-day business operation of a facility or primary use on a parcel and may include kitchen and washroom facilities for staff use.

Parking requirements

Table 9.19 D Parking Requirements for commercial land uses:

COMMERCIAL	
Professional, business, financial and office support services	3 parking stalls per 100 sq. m (1,076 sq. ft.) of gross floor area; or 3 parking stalls for each full or part-time professional, whichever is greater

Table 9.19 F Parking Requirements for industrial land uses:

INDUSTRIAL USES	
General Industrial Manufacturing/Processing	1 parking stall per 100 sq. m. (1,076 sq. ft.) of gross floor area; or 3 parking stalls per tenant or establishment, whichever is greater
Industrial Storage and Warehousing	1 parking stall per 100 sq. m. (1,076 sq. ft.) up to 2,000 sq. m. (21,528 sq. ft.); plus 1 parking stall per each additional 400 sq. m. (5,382 sq. ft.)

CIRCULATION REFERRALS

REFEREE	COMMENTS
INTERNAL	
Foothills Public Works Department	<p>As the previous Stormwater Management Plan is no longer sufficient given that the proposed project significantly increases lot coverage and imperviousness through the new buildings (approximately 15%), Public Works recommends the following:</p> <ul style="list-style-type: none"> • A new Stormwater Management Plan • A Lot Grading/Overland Drainage Plan <p>Public Works has no concerns for the rest of the development including the relaxation of setbacks for the lean-to and the hauling of water.</p>
Foothills Fire Department	<p>National Fire Code 2023 must be adhered to. Fire inspection of building required once completed.</p>
EXTERNAL	
Alberta Transportation and Economic Corridors	<p>The proposed development falls within the permit area of a provincial highway as outlined in the Highway Development and Protection Act/Regulation. The proposed development, however, is well removed from a provincial highway, will not cause any concern for ongoing highway operation, or future highway expansion.</p> <p>Therefore, Alberta Transportation and Economic Corridors issues an exemption from the permit requirements for the development pursuant to Section 25 of the Highways Development and Protection Regulation.</p>
ATCO Gas	No concerns.
Alberta Health Services	<p>No concerns, but specifies the following:</p> <p>The setback distance between the cistern and the pump out holding tank is not specified in the application submission. Please note that the installation and maintenance of cisterns must be in accordance with the <u>Public Health Guidelines for Non-Municipal Drinking Water (July 2021)</u>. In addition, the <u>Alberta Public Health Act, Nuisance and General Sanitation Regulation (AR 243/2003)</u> specifies that:</p> <p><i>The owner of a cistern that is used to hold a potable water supply intended for consumption by the public shall ensure that the cistern</i></p> <p><i>a. is maintained in a clean and sanitary condition, and</i></p> <p><i>b. is not used for any other purpose.</i></p> <p>The application indicates that wastewater will be stored in a pump out holding tank. The location of any proposed holding tank should not contravene setbacks as prescribed in Section 15 of the <u>Alberta Public Health Act, Nuisance and General Sanitation Regulation (AR 243/2003)</u></p>
Town of Diamond Valley	No response available at the time of submission.

CIRCULATION REFERRALS

PUBLIC

Public notification/referral does not occur with respect to Development Permits on Direct Control District lands unless review of the application involves a Public Meeting.

SUMMARY

The application before Council is for a development permit to allow for one +/- 24,160 sq. ft. shop building, two 4,608 sq. ft. lean-to structures, a relaxation of front yard setbacks for one lean-to, the relocation of an existing 5,100 sq. ft. Quonset for temporary use within the property, and yard development in support of the following uses; Industrial, Storage & Warehousing; Industrial, Manufacturing/Processing; and Office related to the main operation; and including existing Signage for the related industrial use on this Direct Control District #31 property.

OPTIONS FOR COUNCIL CONSIDERATION:

OPTION #1 – APPROVAL

It is requested that Council provide direction/comment respecting:

1. Authorizing the Development Officer to act as Development Authority with respect to reviewing information submitted by the Applicant and accepting the pre-release conditions as complete.
2. The approximate prescribed parking stalls number, as per section 9.19 of the land Use Bylaw, is 27 stalls for the shop building and 5 stalls for the Quonset, for a total of 32 parking stalls. The proposed parking is of 8 parking stalls for the shop and 14 parking stalls near the Quonset, for a total of 22 parking stalls.

The applicant is requesting that Council authorize 22 parking stalls for the operation as there are up to 6 staff present on-site at any given time, and as customers are only on-site for pick up of pre-ordered materials.

3. The following front yard setback is identified under the DC#31 land use district:

18.31.5.3 Minimum Yard Setback Requirements:

a. Front Yard Setback:

i. 48m (157.48 ft.) from the centre line of a Municipal Road

v. Or as determined by Council

The applicant is requesting that Council authorize a setback of 30.6 metres from the centre line of the road (168 Street West) for the eastmost lean-to to accommodate for storage, screening and site circulation. Public Works has no concerns with the requested relaxation of setbacks.

The suggested motion for Option #1 is as follows:

Moved that Development Permit 25D 330 to allow for one new +/- 24,160 sq. ft. shop building, two new +/- 4,608 sq. ft. lean-to structures, a relaxation of front yard setbacks for one lean-to, the relocation of an existing 5,100 sq. ft. Quonset for temporary use within the property, and yard development in support of the following uses; Industrial, Storage & Warehousing, and Industrial,

Manufacturing/Processing, and Office; and including existing Signage for the related industrial use on Plan 1011623, Block 2, Lot 3; Ptn. SW 17-20-2 W5M, be approved subject to the following conditions:

APPROVAL DESCRIPTION

Upon completion of the below noted Pre-Release Conditions, this approval allows for development and use Plan 1011623, Block 2, Lot 3; Ptn. SW 17-20-2 W5M as follows:

1. Construction of a +/-24,160 sq. ft. building containing shop and office space for *Industrial Storage & Warehousing; Industrial, Manufacturing/Processing; and general Administration Office* occupancy and use, to be located and structured in accordance with the accepted plans;
2. Construction of two +/- 4,608 sq. ft. for lean-to structures for *Industrial Storage & Warehousing* use, to be located and structured in accordance with the accepted plans, including a relaxation of front setback to 30.6 metres from the road centre line for one lean-to;
3. Relocation of a 5,100 sq. ft. Quonset, to be located and structured in accordance with the accepted plans, for *Industrial Storage & Warehousing* use, to be removed in November 2028;
4. Ancillary supporting development including water and septic cisterns, fencing and gates, signage, lighting and security, and screening in accordance with the accepted final design plans and those Conditions and Requirements as included herein.

SUGGESTED CONDITIONS OF APPROVAL FOR COUNCIL'S CONSIDERATION

Council may wish to impose any of the following conditions or any additional or revised conditions.

PRE-RELEASE CONDITIONS

Pre-Release Conditions must be fulfilled before the Development Permit will be signed and released. Unless a time extension is issued under agreement between the Development Authority and the Applicant(s), failure to complete the pre-release conditions on or before **September 22, 2026**, will see this approval be deemed null and void.

The Development shall not proceed until such time as the County has issued a signed Development Permit.

1. The applicant is required to submit refundable security deposit in the amount of \$3,000.00 to ensure compliance with the Building, Safety, and Fire Codes. This deposit will be refunded at such time that all required permits and inspections have been obtained, and the buildings and facilities have been verified to be suitable for intended use and occupancy by the County's Safety Codes Officer and the Foothills Fire Department;
2. Stormwater Management Plan to be provided for the subject lot, confirming total lot coverage, as well as all required engineering review fees, to the satisfaction of the Public Works department.

CONDITIONS OF APPROVAL

The following requirements must be completed within the twenty-four (24) month completion period for this Development Permit unless a time extension is issued under agreement between the Development Authority and the Applicant(s). Failure to complete the conditions of approval will see the Development Permit deemed null and void.

1. The development shall be executed in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate;

2. All necessary building and safety codes permits and inspections shall be obtained from the County;
3. Prior to any occupancy, the applicant shall contact the Foothills Fire Department in order to arrange for a fire inspection. It is the applicant's responsibility to provide proof of such to the File Manager. Authorization for occupancy of the buildings/any portion thereof, shall not be granted until such time that required safeties and functionality are illustrated to have been met;
4. An Emergency Response Plan is to be established for the development. This plan is to be submitted for review and acceptance by the County;
5. The occupying business is required to obtain an annual business license with the County;
6. Prior to the County acknowledging completion of the development the applicant is to submit verification that all improvements are consistent with the plans and recommendations within the stormwater management plans, once submitted and accepted by the County, as per above pre-release condition 2.
7. Installation of signage is subject to submission and acknowledgement of a detailed design plan;
8. The Quonset shall be removed at the end of the lease or in November 2028, whichever comes first.

Council may extend the regular 24-month development permit duration to encompass the temporary use, and/or may require a security deposit to be provided as a condition of approval that will be refunded upon removal of the Quonset.

9. It is the applicant's responsibility to provide notification to the File Manager upon completion of the development;
10. The applicant shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to implementation of this permit.

ADVISORY CONDITIONS

The following requirements are provided by Foothills County to inform the applicant(s) and landowner(s) of their necessity. It is the responsibility and liability of the applicant(s) and landowner(s) to ensure adherence with these requirements for the life of the development.

1. This approval wholly replaces any previous development approvals that have been issued for the subject property;
2. The development is to be maintained in accordance with all conditions of approval, plans and agreements that have been acknowledged by the municipality to be appropriate, and these advisory conditions. **Additions to, or revisions to the development and use approved herein may occur only upon obtaining appropriate independent approvals;**
3. The applicant is advised that review and acceptance of any required work(s) may be subject to payments of review fee(s) and/or inspection fee(s) as per the Foothills County Fee Schedule;
4. Development and use of the land are to comply with the requirements of the applicable Building, Safety, and Fire Codes at all times;
5. Screening and stormwater facilities shall at all times be maintained as per the plan(s) accepted to be appropriate by the municipality and must at all times be safe, functional, and in a good state of repair. The development shall at all times have a generally neat and orderly

appearance and be free of weeds. Plantings are to be maintained to demonstrate healthy and vigorous growth;

6. Any jobsite signage related to construction and lot development is to be removed within 60 days of completion of the approved development;
7. The applicant is responsible to ensure that on-site parking and loading are at all times able to sustain use and occupancy. At no time shall the local municipal road surfaces be used for the purpose of loading/unloading, parking, or as a stacking space;
8. It is the landowner's responsibility to ensure appropriate internal access and site circulation for fire department apparatus and emergency access at all times;
9. Containers for garbage or recycling materials that are located outdoors shall be weatherproof and animal-proof and must be fully screened from adjacent lands. There shall be no storage of waste materials on the property, nor burning of waste materials on the property. All waste materials must be disposed of at an approved waste disposal site. Secondary containment for fluids shall be implemented where appropriate;
10. There shall be no storage of hazardous materials or goods on-site beyond the propane tank in accordance with the accepted plans;
11. Exterior lighting must adhere to the guidelines and technical specifications as outlined within the Foothills Dark Sky Bylaw, and comply with section 9.15 of the Land Use Bylaw 60/2014;
12. The issuance of a development permit by Foothills County does not relieve the applicants of the responsibility of complying with all other applicable municipal bylaws and requirements, nor excuse violation of any Provincial or federal regulation or act which may affect use of the land.

OPTION #2 POSTPONE A DECISION ON THE APPLICATION

Should Council have concerns regarding certain aspects of the application or feel that they require additional information in order to render a decision, Council may choose to postpone a decision on the application in order to obtain additional information from the applicant or to hold a Public Meeting at which the landowner/applicant is in attendance.

The suggested motion for Option #2 is as follows:

Moved that Council postpone making a decision on Development Permit application 25D 330 until such time as the applicant has provided (the requested information) for Council's consideration.

APPENDICES

APPENDIX A:

MAP SET

LOCATION & ORTHO

LAND USE MAP

SITE PLAN

SHOP BUILDING ELEVATION PLANS

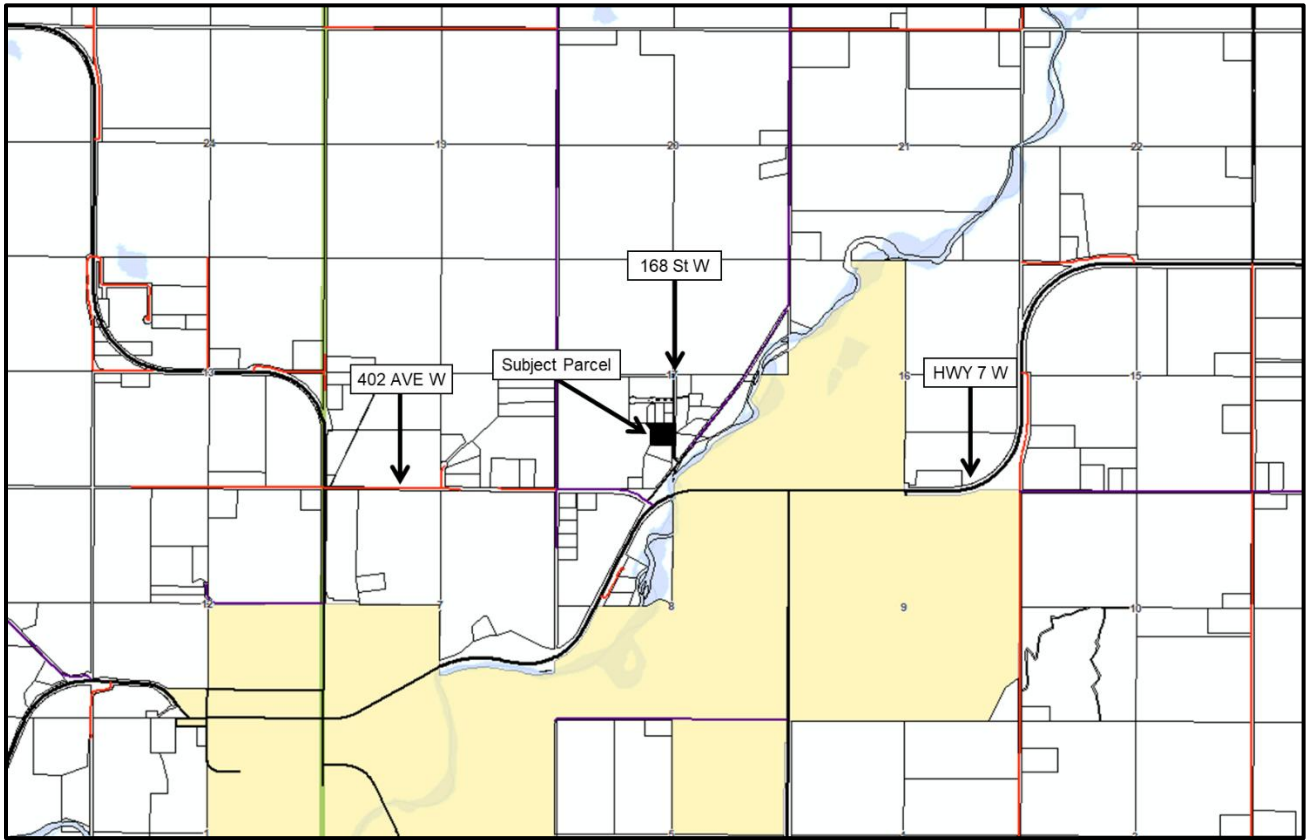
PICTURES

APPENDIX B:

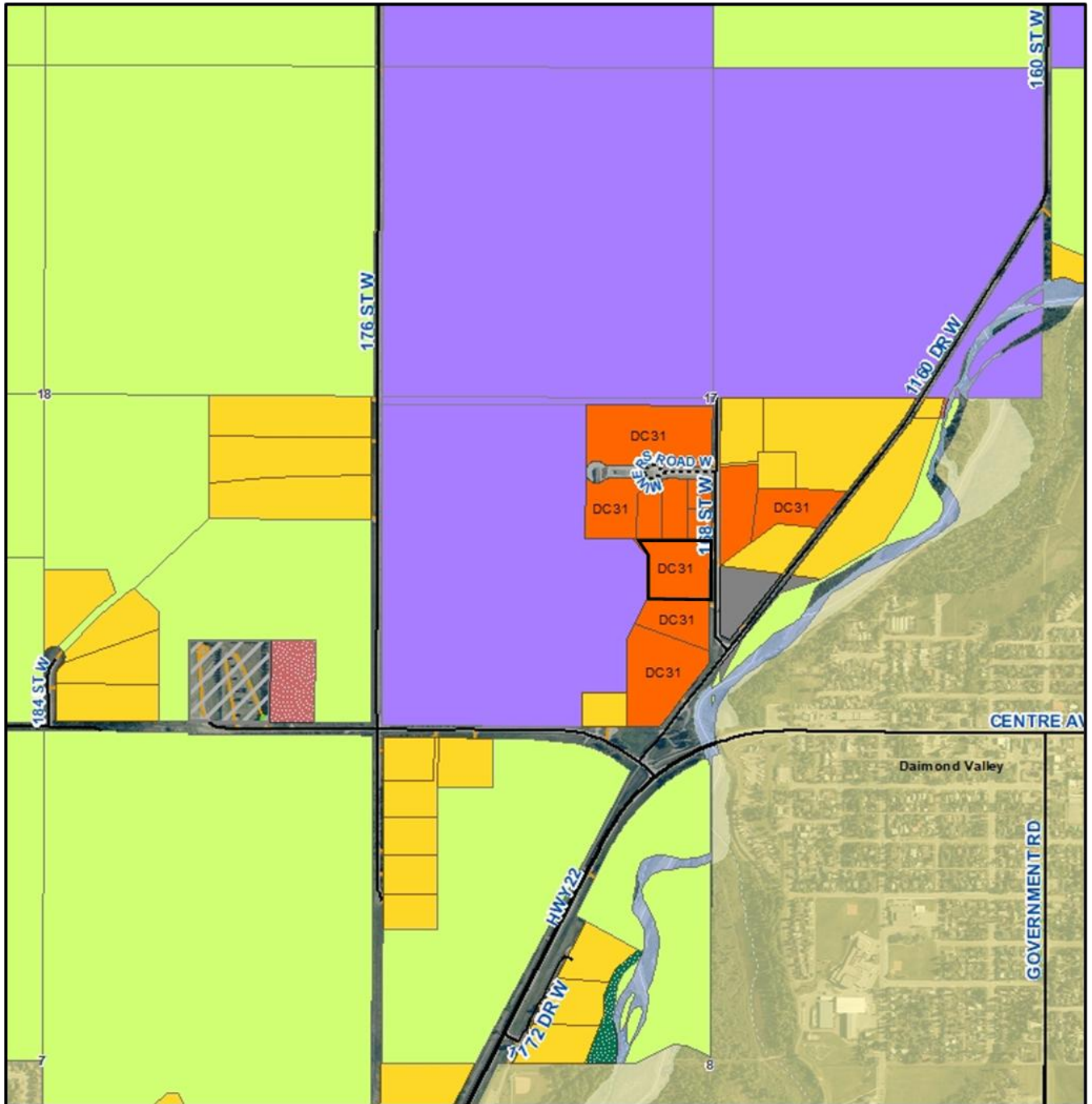
DIRECT CONTROL DISTRICT #31

APPENDIX A: MAP SET

LOCATION & ORTHO



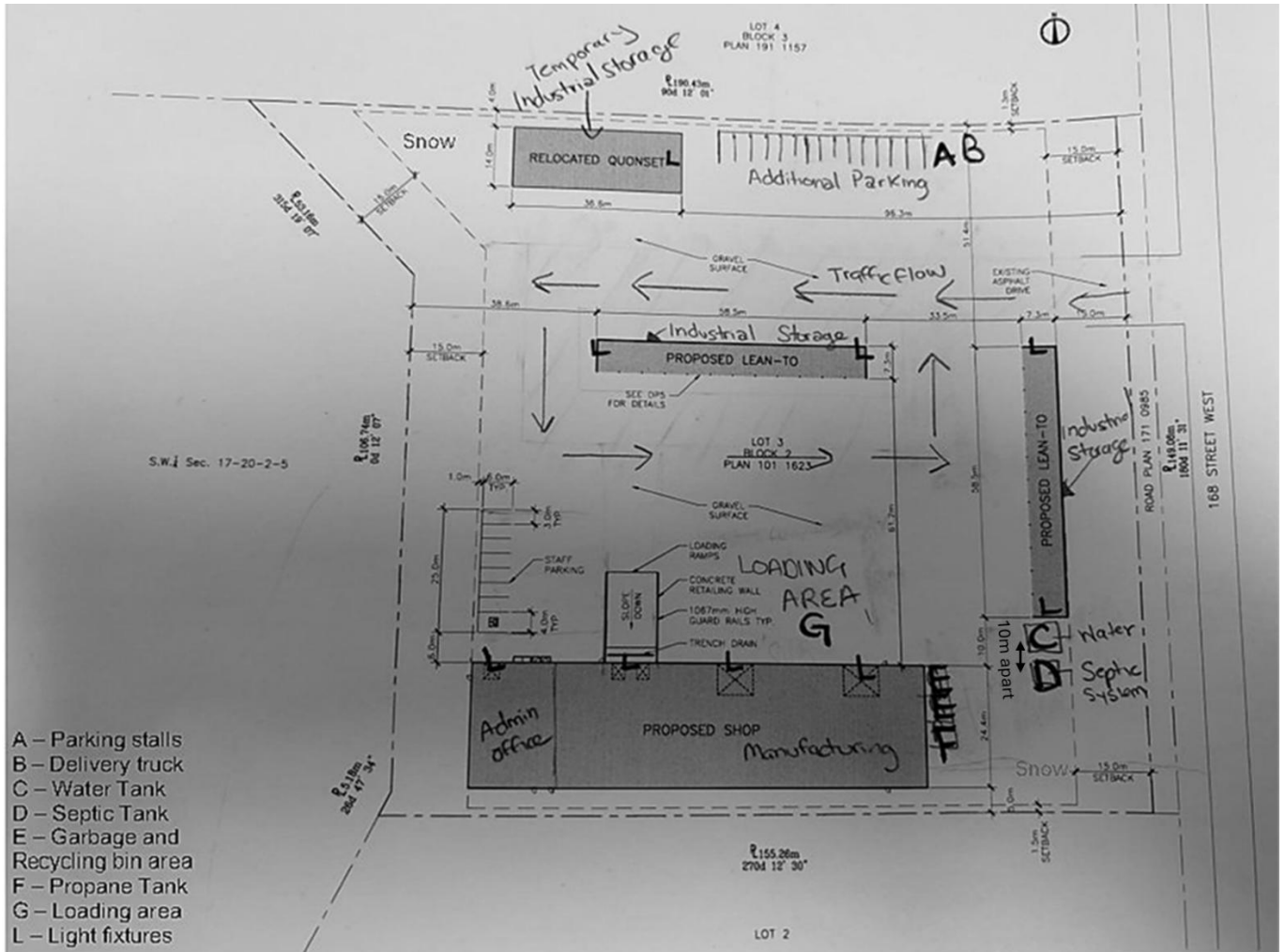
LAND USE MAP



Legend

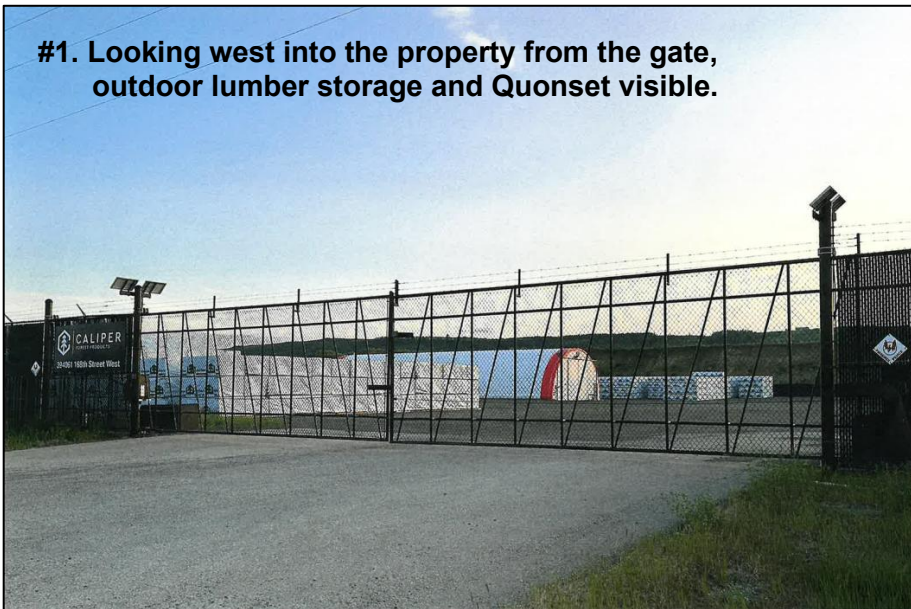
- | | |
|--|---|
| A- Agricultural | ER- Environmental Reserve |
| AA- Agricultural Sub A | INR- Natural Resource Extractor |
| CR- Country Residential | MR- Municipal Reserve |
| CRA- Country Residential Sub A | PUL- Public Utility |
| DC - Direct Control | SD- Service District |
| | Parcels |

SITE PLAN

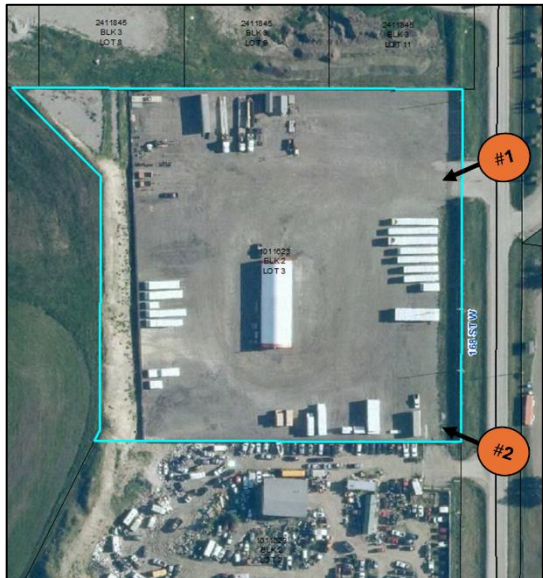


PICTURES

#1. Looking west into the property from the gate, outdoor lumber storage and Quonset visible.



#2. Looking at the southeast corner of the lot, with the surrounding chain link fence visible with barbed wire.



Foothills County Land Use Bylaw |

18.31 DIRECT CONTROL DISTRICT #31 (DC 31)
BLACK DIAMOND INDUSTRIAL RURAL

DC#31

18.31.1 PURPOSE AND INTENT

To allow operation of industrial related businesses on the lands. This district recognizes the necessity for uses to remain primarily light/medium industrial in nature due to the proximity to waste disposal sites, natural resource extraction activities in the area, and in response to limited reclamation and remediation of the lands in the area. The importance of maintaining minimal nuisance factor extending beyond the boundaries of the site must be considered when looking at new uses on these lands to reduce impact on the Town of Black Diamond. This district will allow for the Direct Control by Council over development on the following lands:

- Plan 0512737, Block 1, Lot 3, SE 17-20-02-W5
- Plan 0512737, Block 1, Lot 4, SE 17-20-02-W5
- Plan 1011623, Block 2, Lot 2, SW 17-20-02-W5
- Plan 1011623, Block 2, Lot 3, SW 17-20-02-W5
- Plan 0712752, Block 2, Lot 1, SW 17-20-02-W5
- Plan 1911157, Block 3, Lots 4 & 5, SW 17-20-02-W5

18.31.2 PERMITTED USES

Accessory Buildings not requiring a development permit
 Agricultural General
 Office (in conjunction with primary industrial use on site)
 Contractor Limited
 Industry Light
 Manufacturing, Light
 Public Works
 Signs not requiring a development permit
 Solar Power System, Private (Not requiring a Development Permit)

18.31.3 DISCRETIONARY USES

Accessory Building requiring a development permit;
 Accessory Uses
 Agricultural Processing and Distribution
 Agricultural Support Services
 Auto Body
 Auto Repair
 Auto Sales
 Auto Wreckers
 Car/Truck Wash
 Card Lock Fuel Dispensing Facility
 Commercial Storage
 Contractor General
 Farm Equipment Sales and Service
 Industry, General
 Industrial, Manufacturing/Processing
 Industrial, Storage and Warehousing
 Lot Grading
 Manmade Water features requiring a permit

Foothills County Land Use Bylaw |

Outdoor Display area (in conjunction with principal business)
Outdoor Storage
Public Quasi Public Installations and Facilities
Recreation Vehicle Sales
Recreation Vehicle Storage
Recycling Depot
Signs requiring a Development Permit
Solar Power System, Private (Requiring a Development Permit)
Storage Compound
Utility Services, Minor
Warehousing and Storage
Warehouse Sales
Waste management, Minor

18.31.4 LAND USE REQUIREMENTS

18.31.4.1 Standards of the development shall be at the discretion of Council.

18.31.5 DEVELOPMENT REQUIREMENTS

18.31.5.1 Maximum Height of Structures:

- a. All Buildings
 - i. 12m (39.37 ft. ft.);
- b. Radio antennas, internet towers and wind turbines:
 - i. 16m (52.49 ft.);
 - ii. Or as determined by Council.

18.31.5.2 Maximum Lot Coverage

- a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than sixty (60) percent of the lot area.

18.31.5.3 Minimum Yard Setback Requirements:

- a. Front Yard Setback:
 - i. 15m (49.21 ft.) from the right of way of an Internal Subdivision Road;
 - ii. 48m (157.48ft.) from the centre line of a Municipal Road;
 - iii. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater;
 - iv. Or as determined by Council.
- b. Side Yard Setback:
 - i. 1.5m (4.92 ft.) from property line;
 - ii. Or as determined by Council.
- c. Rear Yard Setback:
 - i. 15m (49.21 ft.) from property line;
 - ii. Or as determined by Council.
- d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of

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future road widening shall be considered the future property boundary for which setback distances set out shall apply.

18.31.5.4 Corner Parcel Restrictions:

- a. In accordance with Sections 9.27.9 - 9.27.12.

18.31.5.5 Other Minimum Setback Requirements:

- a. See Section 9.27 "Special Setback Requirements" of Land use bylaw for additional setback requirements that may apply;
- b. The Approving Authority may require a greater building setback for any industrial use which, in the opinion of the Approving Authority, may interfere with the amenity of adjacent uses.

18.31.6 SPECIAL PROVISIONS

18.31.6.1 The number of employees working on site shall be at the discretion of Council.

18.31.6.2 The maximum number of Business Visits per day shall be at the discretion of Council.

18.31.6.3 Storage:

- a. Exterior storage may be allowed if adequately screened with partial to full screening as required by the Approving Authority.

18.31.6.4 Safety and Fire Code Requirements:

- a. Applicants shall be required to provide proof of compliance or the ability to become compliant with all Provincial Safety Code and Fire Code requirements as part of the development permit application for their development unless requested to do so by Council as part of the Land Use Bylaw amendment application.

18.31.6.5 Landscaping and Screening:

- a. Landscaping shall be completed in accordance with the Municipal Screening Standards;
- b. Levels and methods of screening of the site shall be completed in accordance with the Municipal Screening Standards.

18.31.6.6 Nuisance:

- a. Minimal offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot.

18.31.6.7 The Approving Authority, may, as a condition of issuing a Development Permit impose any condition that addresses a relevant planning and development matter, including but not limited to:

- a. Location and maximum size of accessory building to be constructed;
- b. Development setbacks;
- c. Hours of operation;
- d. Number of employees;
- e. Number of vehicle visits per day;
- f. Size and number of structures permitted on site;
- g. Requirements for evacuation and emergency response plans;

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- h. Upgrades on municipal roads;
- i. Mitigation of impacts on municipal roads;
- j. Compliance reporting requirements;
- k. Noise;
- l. Buffering;
- m. Lighting;
- n. Outdoor storage;
- o. Parking requirements;
- p. Screening of facilities;
- q. Proof of compliance with fire and safety codes inspections of the facility;
- r. Any other condition that Council deems necessary.

18.31.6.8 Lighting:

- a. All lighting must be in accordance with Section 9.15 of this Land use bylaw and with the Municipal Dark Sky Bylaw.

18.31.6.9 Lot Drainage:

- a. A Development agreement shall be entered into for lot grading to the satisfaction of the Director, Public Works and Engineering;
- b. Lot grading and drainage shall be in accordance with Section 9.17 of the Land use bylaw.

18.31.6.10 Other:

- a. The Approving Authority may allow a building to be occupied by a combination of one or more of the above mentioned uses listed for this district and each use shall be considered as a separate use.

18.31.7 PROCEDURE

18.31.7.1 Notwithstanding the procedure established for development permit applications in Section 4, an application for development permit in respect of lands referred to in Section 18.31.1 shall be referred by the Development Officer to the Council for its approval or refusal.

18.31.7.2 Notwithstanding the procedure established for the issuance of development permits in Section 5, the Council shall decide on all applications for development permits with respect to lands referred to in Section 18.31.1. The council may approve a development permit application with or without conditions or may refuse an application for development permit.

18.31.7.3 There is no appeal to the Development Appeal Board from a decision of the Council on an application for a development permit in respect of the lands referred to in Section 18.31.1.