

DIRECT CONTROL: DC

SECTION 1 PURPOSE

The purpose of this land use district is to provide a means by which Council may regulate and control the use, development and subdivision of land and buildings within specified areas of the Town where circumstances are such that any other land use district available through this bylaw are not considered appropriate or suitable.

SECTION 2 USES

Permitted or Discretionary Uses

Any use Council considers suitable.

SECTION 3 MINIMUM REQUIREMENTS

Minimum requirements including but not limited to lot size, setbacks, site coverage, building height and floor area are to the discretion of Council, unless such authority has been delegated as per this bylaw.

SECTION 4 APPLICATION PROCEDURES

4.1 DEVELOPMENT

Any development proposed on a Direct Control lot shall be subject to the requirements of Administration Section 4.6 (Discretionary Use Applications), 4.10 (Notice of Adjacent Landowners and Persons Likely Affected) and 4.11 (Notice of Decision) shall apply.

4.2 SUBDIVISION

Any subdivision proposed on a Direct Control lot shall be required to supply the same information as indicated in Administration Section 7 (Subdivision), sub-section 7.1(4):

- (1) where the development of land requires the subdivision of land, no development permit shall be issued until the application for subdivision has been approved in accordance with the *MGA*;
- (2) minimum dimensional standards for lots and all other requirements in this bylaw shall be as specified in the applicable land use district in Schedule 2;
- (3) an application for subdivision may be subject to the same requirements of Administration Section 6.2 (Land Use District Redesignation), if deemed necessary by the Development Authority; and
- (4) all applications for subdivision shall be required to meet the design standards set out in Schedule 3 and 4.

SECTION 5 APPEALS

As indicated in Administration Section 4 (Development Permit Rules and Procedures), sub-section 4.18(2) , there is no avenue of appeal on decisions made by Council for lands districted as Direct Control. If Council has delegated authority to the Municipal Planning Commission or Development Officer, the appeal is limited in scope to whether or not the delegated authority followed the directions of Council.

SECTION 6 ADDITIONAL REQUIREMENTS

Council or its delegated authority may establish additional requirements on Direct Control lots that include but are not limited to:

- (1) Impact on adjacent lands
- (2) Availability of services
- (3) Traffic generation and safety
- (4) Storm water drainage
- (5) Scale of development
- (6) Any other matters deemed relevant

SECTION 7 APPLICABLE SCHEDULES

Any schedule or section of this bylaw may be applied to any development proposed on a Direct Control lot to the discretion of Council, or the Municipal Planning Commission or Development Officer if such authority has been delegated as per this bylaw.

SECTION 8 SITE-SPECIFIC REQUIREMENTS

8.1 LOTS 15-18, BLOCK 427, PLAN 92B

LOTS 22 and 23 Block 427, PLAN 1511681

LOTS 13-15 and a portion of 16, BLOCK 423, PLAN 92B

- (1) Permitted or Discretionary Uses

Permitted Uses	Discretionary Uses
None	Machinery and equipment sales and service
	Accessory structures
	Accessory uses
	Signs

- (3) minimum requirements, application procedures, appeals, additional requirements, and applicable schedules shall apply as per Sections 4 to 7 of this land use district.

8.2 LOT 17, BLOCK 440, PLAN 92B

- (1) Permitted or Discretionary Uses applicable to this lot:

Permitted Uses	Discretionary Uses
None	Shipping container
	Accessory structure
	Accessory use
	Sign

- (2) This lot is subject to the minimum requirements, application procedures, appeals, additional requirements, and applicable schedules per Sections 3 to 7 of this land use district.
- (3) This lot is subject to sections 1 and 2 of Schedule 6: Overlays.
- (4) The decision making authority for discretionary uses has been delegated to the Municipal Planning Commission.
- (5) The number of shipping containers is limited to 4.
- (6) A development permit is required for any shipping container, sign, accessory structure or accessory use proposed to be located on the lot.
- (7) Any requests to increase the number of shipping containers shall require an application to amend this section of the bylaw and shall be subject to Administration Section 6.

8.3 Lots 23-21 and a portion of Lot 20, Block 451, Plan 92B

- (1) Permitted or Discretionary Uses applicable to this lot:

Permitted Uses	Discretionary Uses
None	Shipping container
	Accessory building
	Accessory structure
	Accessory use
	Fire Station
	Sign
	Storage, indoor
	Storage, outdoor

- (2) These lots are subject to the minimum requirements, application procedures, appeals, additional requirements, and applicable schedules per Sections 3 to 7 of this land use district.

- (3) For the purpose of this legal land description, the following definition shall apply:

Fire Station means a development that accommodates all functions required by an emergency fire services center.

8.4 LOTS 13-15 and West ½ Lot 12, BLOCK 440, PLAN 92B

- (1) Permitted or Discretionary Uses applicable to this lot:

Permitted Uses	Discretionary Uses
Machinery and equipment sales and service	Accessory structure
	Accessory use
	Sign

- (2) This lot is subject to the minimum requirements, application procedures, additional requirements, and applicable schedules per Sections 3 to 7 of this land use district.
- (3) This lot is subject to sections 1 and 2 of Schedule 6: Overlays.
- (4) The decision making authority for the listed uses is Council.
- (5) A development permit is required for the Machinery and equipment sales and service use. The permit will be limited as temporary permit for two (2) years. Council may include any condition deemed necessary when considering the development.
- (6) The Machinery and equipment sales and service use may also, prior to the expiration of the permit, be considered by Council for extension no longer than two (2) years in duration.
- (7) A development permit is required for listed discretionary uses under section 8.4(1). These uses will be approved as temporary coinciding with the Machinery and equipment sales and service permit and will expire with the expiration of that use.

8.5 NE6 9-25 W4M

- (1) Permitted or Discretionary Uses applicable to this lot:

Permitted Uses	Discretionary Uses
Agriculture	Accessory building
Agriculture Buildings and Structures	Accessory structure
Existing Dwelling	Accessory use
Greenhouse	Equipment Sales and Service, Heavy
Market Garden	Natural Resource Extraction
Shipping container, temporary	Natural Resource Processing
	Shipping Container, permanent
	Storage, Indoor
	Storage, Outdoor
	Sign

- (2) This lot is subject to the minimum requirements, application procedures, additional requirements, and applicable schedules per Sections 3 to 7 of this land use district.
- (3) The decision making authority for the listed uses is Council.

- (4) In processing Natural Resource Extraction and Natural resource processing use permits, Council shall utilize Schedule 5 Section 12 NATURAL RESOURCE EXTRACTION & PROCESSING in consideration of all development applications.