

**BYLAW 1672/25
AMENDMENT TO LAND USE BYLAW 1385/17
STURGEON COUNTY, ALBERTA**

A BYLAW OF STURGEON COUNTY, ALBERTA FOR THE PURPOSE OF AMENDING THE LAND USE BYLAW 1385/17.

WHEREAS, the *Municipal Government Act*, RSA 2000 c.M-26, any regulations thereunder, and any amendments or successor legislation thereto, authorize Council to establish and amend the Land Use Bylaw 1385/17;

AND WHEREAS, the Council of Sturgeon has deemed it desirable to amend Land Use Bylaw 1385/17,

NOW THEREFORE, the Council of Sturgeon County, duly assembled, hereby enacts as follows:

THAT LAND USE BYLAW 1385/17 BE AMENDED AS FOLLOWS:

1. Title

- 1.1. This Bylaw may be referred to as the “Data Processing Facility Technical Amendment Bylaw”.

2. Purpose

- 2.1. The purpose of this bylaw is to amend the regulations associated with the Data Processing Facility use and to change the same use from discretionary to permitted within the I5 – Heavy Industrial District.

3. Application

- 3.1. Land Use Bylaw 1385/17 is amended as follows:
 - a. Change subsection 6.6A as follows:
 - i. ~~The period for a development permit for the operation of a Data Processing Facility (minor) shall be at the discretion of the Development Authority based on the scope of the project. Within the AG, PU, RE, IR, and I1 districts, the period for a development permit is a maximum of five years.~~
Development permits for Data Processing Facility (minor) are issued for up to five years and will require a new permit prior to expiry.
 - ii. ~~The quality of the exterior treatment and design of all of the buildings shall be to the satisfaction of the Development Authority and shall be compatible with other buildings in the vicinity.~~
The Development Authority may require additional landscaping and screening in addition to the regulations described in Part 8 and Section 5.8 of this Bylaw.

- iii. The Development Authority may require a noise impact assessment. If deemed necessary, a noise mitigation plan that ~~may~~ includes a noise monitoring system may ~~also~~ be required
- iv. ~~A Data Processing Facility that includes a power plant shall have a minimum setback of 1500m from a wall of an existing dwelling unit.~~
 - ~~(a) Notwithstanding the above, the setback distance may be reduced with no variance required if a noise impact assessment and noise mitigation plan is deemed sufficient to the satisfaction of the Development Authority.~~
- vi. Data Processing Facility (minor) developments: Any development shall be designed to mitigate all off-site nuisance factors, including excessive noise, odour, traffic, dust, and other impacts, to the satisfaction of the Development Authority. A mitigation plan shall be provided at the time of development permit application to demonstrate that these nuisance factors have been mitigated.
- vii. A Data Processing Facility (minor) shall be a maximum of 2ha in facility footprint or operating area. The operating area includes buildings and parking areas.
- b. In Subsection 11.1.2 add "Data Processing Facility (minor)" as a discretionary use.
- c. In Subsection 11.2.2 add "Data Processing Facility (minor)" as a discretionary use.
- d. In Subsection 11.3.2 add "Data Processing Facility (minor)" as a discretionary use.
- e. In Subsection 15.1.2 add "Data Processing Facility (minor)" as a discretionary use.
- f. In Subsection 15.2.2 add "Data Processing Facility (minor)" as a discretionary use.
- g. In Subsection 15.3.2 add "Data Processing Facility (minor)" as a discretionary use.
- h. In Subsection 15.4.2 add "Data Processing Facility (major)" as a permitted use.
- i. In Subsection 15.4.2 add "Data Processing Facility (minor)" as a permitted use.
- j. In Subsection 15.5.2 add "Data Processing Facility (major)" as a permitted use.
- k. In Subsection 15.5.2 add "Data Processing Facility (minor)" as a permitted use.
- l. In Subsection 15.6.2 add "Data Processing Facility (minor)" as a discretionary use.
- m. In Subsection 16.6.2 amend "Data Processing Facility (minor)" as a discretionary use.
- n. In Part 19, change the definition of "Data Processing Facility" to read as follows:

"Data Processing Facility (minor) means a ~~building, dedicated space within a building, or a group of buildings used to house computer systems and~~

~~associated infrastructure and components for the digital transactions required for processing data. This includes, but is not limited to, digital currency processing, non-fungible tokens, and blockchain transactions.~~ Data Processing Facility on a small footprint typically involving semi-portable buildings and generation units using onsite energy such as solar, wind, or gas.

- o. In Part 19, add the following definition:

“Data Processing Facility (major) means a building, dedicated space within a building, or a group of buildings used to house computer systems and associated infrastructure and components for the digital processing of data.

4. Severability

- 4.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the Bylaw is deemed valid.

5. Effective Date

- 5.1. This Bylaw shall come into force upon being passed.

Read a first time this 11th day of March, 2025.

Read a second time this ____ day of _____ 2025.

Read a third time this ____ day of _____ 2025.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

DATE SIGNED