

BYLAW 06/25

BEING A BYLAW OF FLAGSTAFF COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF AUTHORIZING AN AMENDMENT TO BYLAW 01/23 BEING THE LAND USE BYLAW.

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended (“the Act”) provides that a Municipal Council may amend its Land Use Bylaw.

WHEREAS the Council of Flagstaff County wishes to amend its Land Use Bylaw as it affects certain lands.

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

1. Bylaw No. 01/23, the Land Use Bylaw of Flagstaff County is hereby amended as follows:
 - a. The addition of the definition of “Data Processing Facilities” under Section 1.3 Interpretation as “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. This includes, but is not limited to, artificial intelligence, digital currency processing, non-fungible tokens, and blockchain transactions.”
 - b. The addition of Data Processing Facilities to the Agricultural (A) District under Section 9.3.2 as a Discretionary Use.
 - c. The following Special Provisions to be added as Section 8.7A of Land Use Bylaw 01/23:
 - i. **8.7A.1** Time period for a development permit for the operation of a Data Processing Facility shall be at the discretion of the Development Authority based on the scope of the project. A development permit may be issued for a maximum of 5 years after which time a development permit reapplication will be required.
 - ii. **8.7A.2** Quality of the exterior treatment and design of all the buildings shall be to the satisfaction of the Development Authority and shall be compatible with other buildings in the vicinity.
 - iii. **8.7A.3** Development Authority may require additional landscaping in addition to the regulations described in **Section 7.16** of this Bylaw.
 - iv. **8.7A.4** A noise impact assessment may be required by the Development Authority. If deemed necessary, a noise mitigation plan that may include a noise monitoring system may also be required.
 - v. **8.7A.5** A Data Processing Facility that includes a power plant shall have a minimum setback of 1,000m from a wall of an existing dwelling unit.

- vi. **8.7A.6** 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.
- vii. **8.7A.7** 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.
- viii. **8.7A.8** The Development Authority may require the applicant to provide evidence of compliance with any applicable provincial legislation, regulations, or approvals, including but not limited to those administered by Alberta Environment and Protected Areas, the Alberta Utilities Commission, and Alberta Energy. This may include approvals under the Environmental Protection and Enhancement Act, the Water Act, the Hydro and Electric Energy Act, or any other relevant provincial legislation or regulatory body. Documentation shall be submitted prior to the issuance of a development permit or as a condition of approval, as determined by the Development Authority.

READ A FIRST TIME THIS _____ DAY OF _____, A.D. 2025,

Reeve

Chief Administrative Officer

READ A SECOND TIME THIS _____ DAY OF _____, A.D. 2025,

Reeve

Chief Administrative Officer

READ A THIRD TIME AND FINALLY PASSED THIS _____ DAY OF _____, A.D. 2025.

Reeve

Chief Administrative Officer