



# Town of Grande Cache

Land Use Bylaw No. 799  
Approved by Council April 27th, 2016



## IMPORTANT NOTICE

This document is consolidated into a single publication for the convenience of users. The official Bylaw and all amendments thereto are available from the Legislative Officer and should be consulted in interpreting and applying this Bylaw.

In case of any dispute, the original Land Use Bylaw must be consulted. Where spelling, punctuation or type face was corrected, the change was not noted in this document.

For easy reference, the amending Bylaw Numbers are adjoining the Sections that were amended to identify that a change has occurred in a Section, Subsection or Clause, subsequent to the adoption of the original Land Use Bylaw.

Following is a list of Bylaws adopted by Council subsequent to adoption of this Bylaw that amended the Land Use Bylaw:

[illegible]

**TOWN OF GRANDE CACHE  
PROVINCE OF ALBERTA**

**BYLAW 799**

A BYLAW OF THE TOWN OF GRANDE CACHE, IN THE PROVINCE OF ALBERTA, TO PROHIBIT OR REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS WITHIN THE TOWN OF GRANDE CACHE.

**WHEREAS**, Section 639 of the Municipal Government Act, R.S.A. 2000, ch. M-26, as amended, requires every municipality to pass a land use bylaw;

**AND WHEREAS**, Council deems it necessary to pass a land use bylaw in accordance with Section 640 of the Municipal Government Act, R.S.A. 2000, ch. M-26, as amended;

**AND WHEREAS**, notice of public hearings for this bylaw was given in accordance with Section 606 of the Municipal Government Act, R.S.A. 2000, ch. M-26, as amended;

**NOW THEREFORE**, the Municipal Council of the Town of Grande Cache, Alberta, duly assembled, hereby enacts as follows:

- 1.0 That the Grande Cache Land Use Bylaw attached hereto and forming part of this Bylaw is hereby adopted.
- 2.0 That the Town of Grande Cache Land Use Bylaw No. 641, and all amendments thereto, is hereby rescinded.
- 3.0 That this Bylaw shall come into full force and effect upon the final passing thereof.
- 4.0 **SEVERABILITY**
  - 4.1 If any Section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Sections or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.

READ a first time the 13<sup>th</sup> day January, 2016

READ a second time the 27<sup>th</sup> day of April, 2016

READ a third time and finally passed the 27<sup>th</sup> day of April, 2016

***Original Signed*** \_\_\_\_\_

Herb Castle  
Mayor

***Original Signed*** \_\_\_\_\_

Loretta Thompson  
Chief Administrative Officer



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## Title

- 1.0 The title of this Bylaw shall be the Grande Cache Land Use Bylaw.

## Purpose

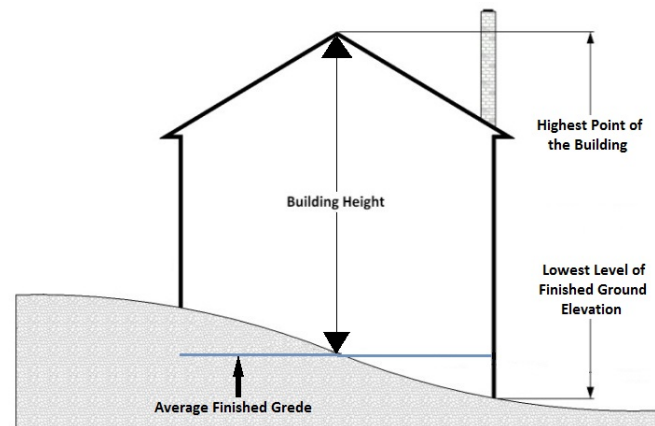
- 2.0 The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Municipality to achieve the orderly and economic development of land, and for that purpose amongst other things:
- 2.1. to divide the Municipality into districts;
  - 2.2. to prescribe and regulate for each district the purposes for which land and buildings may be used;
  - 2.3. to establish a method of making decisions on applications for development permits including the issuing of development permits;
  - 2.4. to provide the manner in which notice of the issuance of a development permit is to be given; and
  - 2.5. to establish the number of dwelling units permitted on a parcel of land.

## Definitions

- 3.0 In this Bylaw:
- 3.1. **“abut” or “abutting”** means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it;
  - 3.2. **“accessory building”** means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and located on the same parcel of land;
  - 3.3. **“accessory use”** means a use customarily incidental and subordinate to the principal use or building and located in the same parcel of land with such principal use or building;
  - 3.4. **“Act”** means the *Municipal Government Act*, R.S.A. 2000, ch. M-26, as amended, and any Regulations made pursuant thereto;

- 3.5. **“adjacent land”** means land that is contiguous to a particular parcel of land and includes:
- i. land that would be contiguous if not for a highway, road, river or stream, and
  - ii. any other land identified in this Bylaw as adjacent for the purpose of satisfying Part Two, Sections 15.0 – 21.0 of this Bylaw;
- 3.6. **“alternative energy technology”** means any system, device or structure that is used to collect natural energy sources, such as the sun, wind, or geothermal sources to generate thermal, electrical, or mechanical energy to use as an alternative to fossil fuels and other non-renewable resources in order to reduce the negative impacts on the natural environment. Typical examples are geothermal energy systems, small wind energy systems and solar collectors, which have the following meanings:
- i. “geothermal energy system” means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilising the constant temperatures of the earth;
  - ii. “small wind energy system” means a wind energy conversion system consisting of a wind turbine rotating on either a vertical or horizontal axis, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 5 kW, and which is intended to provide electrical power for use on-site; and,
  - iii. “solar collector” means any device used to absorb sunlight that is part of a system used to convert solar radiation energy into thermal or electrical energy;
- 3.7. **“amenity area”** means an area which is developed for the active or passive recreation and enjoyment of the occupants of a dwelling or dwellings. Such area may be for either private or communal use and may be under either individual or common ownership;
- 3.8. **“awning”** means a light detachable system typically made of fabric, sheet metal, plexiglas, or other similar material, which is entirely supported from a building by a fixed or retractable frame;
- 3.9. **“bachelor suite”** means a dwelling unit in which the sleeping and living areas are combined;
- 3.10. **“balcony”** means a horizontal cantilevered platform projecting from a building typically located above the first storey, which may be partly recessed and is intended for use as a private outdoor amenity area;

- 3.11. **“basement”** means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above;
- 3.12. **“blank wall”** means an exterior wall of a building containing no windows, doors or other similar openings;
- 3.13. **“boundary line”** *SEE line, boundary*
- 3.14. **“building”** means a building, as defined in the Act;
- 3.15. **“building height”** means the vertical distance measured from the average finished grade adjoining a building at any exterior wall to the highest point of the building, exclusive of any accessory roof construction such as mechanical housing, elevator housing, roof stairway entrance, ventilating fan, skylight, flagpole, parapet wall, chimney, steeple, or similar feature not structurally essential to the building but does not include roof top signage or communication structures;



**Figure 1 – Building Height**

*For illustrative purposes only (not drawn to scale)*

- 3.16. **“canopy”** means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;
- 3.17. **“carport”** means a roofed structure attached to a principal building used for storing or parking not more than two (2) vehicles and which has no less than forty percent (40%) of its total perimeter open and unobstructed but does not include a prefabricated structure;
- 3.18. **“Chief Administrative Officer”** means the Chief Administrative Officer of the Municipality appointed by Council pursuant to the Act;
- 3.19. **“communication structure”** means a structure and any associated support systems, including all masts, towers and antennas that are either free-standing or attached to an existing structure that are being used or have the potential to be used to convey communication, radio, or television signals;



- 3.20. **“comprehensive site planning”** means a development comprising one or more multi-family dwellings, a zero lot line development, a manufactured home park, a shopping centre, or any multiple use building;
- 3.21. **“corner site”** *SEE site, corner*;
- 3.22. **“Council”** means the Council of the Municipality;
- 3.23. **“curb cut”** means the lowering of a curb, sidewalk and/or boulevard to provide vehicular and/or pedestrian access to a site;
- 3.24. **“deck”** means an open structure projecting from a building with a height above grade equal to or greater than 0.6 m (2.0 ft.) and not having walls in excess of 1.25 m (4.1 ft.) in height;
- 3.25. **“density”** means a measure of the average number of dwelling units per unit of area;
- 3.26. **“developer”** means an applicant, owner, agent or any person, firm or company involved in a development;
- 3.27. **“development”** means a development, as defined in the Act;
- 3.28. **“Development Authority”** means the Development Authority established pursuant to the Act through this Bylaw;
- 3.29. **“Development Officer”** means the Development Officer established pursuant to the Act through this Bylaw;
- 3.30. **“development permit”** means a document issued pursuant to this Bylaw and authorizes a development;
- 3.31. **“discretionary use”** means the use of land or a building provided for in this Bylaw for which a development permit may be issued, with or without conditions, upon an application having been made, at the discretion of the Development Authority, in accordance with the Act;
- 3.32. **“double-fronting site”** *SEE site, double-fronting*;
- 3.33. **“dwelling”** means any building used exclusively for human habitation and which is supported on a permanent foundation extending below ground level. Dwellings include single detached dwellings, semi-detached dwellings, duplexes, ground-oriented multiple unit dwellings, apartments, and manufactured home units;

- 3.34. **“dwelling unit”** means a complete dwelling, a self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking, eating, living, and sanitary facilities, and used or intended to be used permanently or semi-permanently as a residence;
- 3.35. **“easement”** means a right to use land, generally for access to other property or as a right-of-way for a utility;
- 3.36. **“excavation”** means any breaking of ground, but does not include landscaping of a use for which a development permit has been issued, agricultural cultivating, limited household gardening or ground care;
- 3.37. **“exterior wall”** means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys and porches, but not including roof overhangs;
- 3.38. **“fence”** means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access. A fence may include gates, lattice, chain link, or a wall, but does not include the wall of an enclosed building;
- 3.39. **“fitness and wellness facility”** means a development providing facilities within an enclosed building for sports, fitness, wellness, personal training and recreation activities where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs; health and fitness clubs; yoga and other similar studios, dance studios, racquet clubs, and other similar uses. Fitness and wellness facilities may also provide for the sale of refreshments on a small scale, a typical example of which being a juice or sandwich bar, as well as the sale of health and fitness related products, also on a small scale, including food and clothing items;
- 3.40. **“flanking side yard”** *SEE yard, flanking side*;
- 3.41. **“floor area”** means the total area of all floors of a building located totally or partially above grade, measured between the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, but not including the floor area of basements, attached garages, porches, decks, patios, or balconies;
- 3.42. **“floor area ratio”** means the ratio or decimal resulting from dividing the floor area of all buildings by the total area of the site on which the buildings are located;

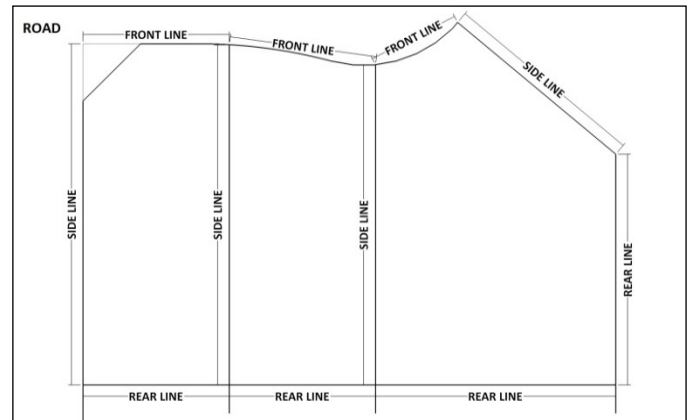
- 3.43. **“foundation”** means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfer the weight of and loads on a building to the ground;
- 3.44. **“front line”** *SEE line, front;*
- 3.45. **“front yard”** *SEE yard, front;*
- 3.46. **“frontage”** means the length of the front line. On double-fronting sites, all front lines shall be considered frontage;
- 3.47. **“garage”** means an accessory building, referred to as a detached garage, or that part of a principal building, referred to as an attached garage, which is designed and/or used primarily for the storage of motor vehicles and includes a carport;
- 3.48. **“grade”** means the finished ground elevation upon placing of topsoil and ground-level landscaping;
- 3.49. **“ground floor area”** means the total area of the first floor of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, including porches, but excluding decks, patios, balconies, and steps, cornices, eaves and similar projections. Ground floor area shall include air wells, and all other space within a building except inner or outer courts;
- 3.50. **“habitable room”** means any room in a dwelling other than a non-habitable room;
- 3.51. **“hard-surfacing”** means the pouring or placing of concrete, asphalt, paving stone, or other similar materials as the uppermost layer of a surface used primarily for the travel or parking of motorized vehicles, but does not include sand, gravel, loose rock, cloth, or other similar materials;
- 3.52. **“internal site”** *SEE site, internal;*
- 3.53. **“landscaping”** means plant materials (including grass, trees, shrubs, hedges, ornamental plantings, gardens (community or otherwise), and any materials similar to the foregoing), artificial turf, decorative paving, walkways, playgrounds, water features, or other structures and materials used in landscape architecture;
- 3.54. **“lane”** means a right-of-way on which motorized vehicles are normally allowed to operate, with a width equal to or between 6.0 m (19.7 ft.) and 10.0 m (32.8 ft.), or an alley as defined in the *Traffic Safety Act*, as amended;

3.55. **“line, boundary”** means the front, rear, and/or side lines which compositionally enclose a lot or site at its perimeter;

3.56. **“line, front”** means the boundary line of a site abutting a road. In the case of a corner site, the shorter of the two boundary lines abutting the road shall be considered the front line. In the case of a double-fronting site, both boundary lines abutting the roads shall be considered front lines;

3.57. **“line, rear”** means the boundary line of a site lying opposite to the front line of the site and/or farthest from a road;

3.58. **“line, side”** means the boundary line of a site lying between a front line and a rear line of a site. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered a side line;



**Figure 2 – Front, Rear and Side Lines**

3.59. **“lot”** means a lot, as defined in the Act; *For illustrative purposes only (not drawn to scale)*

3.60. **“maintenance”** means, only in relation to Part Two – Administrative Provisions, Development Control, the upkeep of the physical form of any building which does not require a permit pursuant to the *Safety Codes Act*. Maintenance will include painting, replacing flooring, replacing roofing materials, but will not include any activity that will increase the floor area or the internal volume of any building;

3.61. **“manufactured home stall”** means an area of land upon which a manufactured home unit is to be located within a manufactured home park, and which is reserved for the exclusive use of the residents of that particular manufactured home unit;

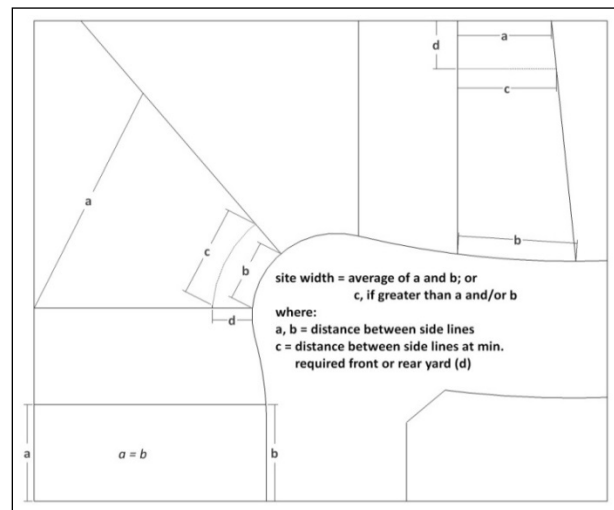
3.62. **“multi-unit dwelling”** means a dwelling containing three (3) or more dwelling units, and includes apartments, ground-oriented multiple unit dwellings, and supportive housing;

3.63. **“Municipal Planning Commission”** means the Municipal Planning Commission established pursuant to the Act through the Municipality’s *Municipal Planning Commission Bylaw*;

- 3.64. **“Municipality”** means the Town of Grande Cache;
- 3.65. **“non-conforming building”** means a non-conforming building, as defined in the Act;
- 3.66. **“non-conforming use”** means a non-conforming use, as defined in the Act;
- 3.67. **“non-habitable room”** means a space in a dwelling providing a service function and not intended primarily for human occupancy, including, among other areas, bathrooms, entry ways, corridors, and storage areas;
- 3.68. **“nuisance”** means a nuisance, as defined in the Municipality’s *Community Standards Bylaw*, and includes anything that is offensive to the senses;
- 3.69. **“occupancy”** means the use or intended use of a building or part thereof for the shelter or support of persons or property;
- 3.70. **“offensive”** means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land or building;
- 3.71. **“owner”** means the person shown as the owner of land on the assessment roll prepared under the Act;
- 3.72. **“parapet wall”** means that part of an exterior wall, party wall, or fire wall extending above the roof line, or a wall which serves as a guard at the edge of a balcony or roof;
- 3.73. **“parcel of land”** means a parcel of land, as defined in the Act;
- 3.74. **“parking area”** means the area set aside for the parking of vehicles. Components of parking areas include parking spaces, loading spaces, aisles, accesses and egresses to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building, and, if so, is commonly referred to as a parkade and includes a garage;
- 3.75. **“parking space”** means an area set aside for the parking of one (1) vehicle;

- 3.76. **“patio”** means any developed surface usually adjacent to a building which is less than 0.6 m (2.0 ft.) above grade;
- 3.77. **“Peace Officer”** means a member of the Royal Canadian Mounted Police, or a Community Peace Officer of the Municipality, pursuant to the Public Security Peace Officer Program and the *Peace Officer Act*, as amended;
- 3.78. **“permanent material”** means any exterior finishing material commonly used in building construction that complies with the *Safety Codes Act*. Without limiting the generality of the foregoing, permanent materials include but are not limited to brick, finished concrete, stone, stucco, wood, vinyl or metal siding, but does not include materials such as drywall, untreated plywood, or building wrap;
- 3.79. **“permitted use”** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, upon an application having been made provided that the proposed development complies in all respects with this Bylaw in accordance with the Act;
- 3.80. **“porch”** means any open structure attached to a building with means of passage between the building and the outside that is covered by a roof, and may be partially enclosed with walls, windows or screens, provided that the structure is not entirely enclosed with walls. Roofs may be open to, or provide protection from, the elements. For the purposes of this Bylaw, a veranda shall be considered a porch;
- 3.81. **“prefabricated structure”** means a building normally constructed off-site and transported to the site, or is made of components manufactured off-site and packaged as a commodity for assembly on site, which may be used for storage of goods and materials or other purposes. Prefabricated structures include fabric structures, and shipping containers either new or previously used for shipping cargo, goods and/or materials, but does not include manufactured home units, or recreational vehicles or tents periodically used for camping purposes or open air shelters;
- 3.82. **“principal building”** means a building which:
- i. occupies the major or central portion of a site;
  - ii. is the chief or main building among one or more buildings on the site; or
  - iii. constitutes by reason of its use the primary purpose for which the site is used.
- 3.83. **“principal use”** means the primary purpose or purposes for which a building or site is used;

- 3.84. **“rear line”** *SEE line, rear;*
- 3.85. **“rear yard”** *SEE yard, rear;*
- 3.86. **“recreational vehicle”** means a recreational vehicle, as defined in the Municipality’s *Community Standards Bylaw*;
- 3.87. **“road”** means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act and includes a highway, but does not include a lane;
- 3.88. **“separation space”** means a horizontal open space provided around a dwelling, and may be entirely outside the boundary lines of the site on which the dwelling is located;
- 3.89. **“side line”** *SEE line, side;*
- 3.90. **“side yard”** *SEE yard, side;*
- 3.91. **“site”** means a lot, a part of a lot, or a number of abutting lots or parts of lots which are considered for a single use or a mixture of uses, which is owned or managed as a single unit;
- 3.92. **“site area”** means the total area of a site;
- 3.93. **“site coverage”** means the percentage of the site area covered by the sum of the ground floor areas of all buildings on the site;
- 3.94. **“site depth”** means the average horizontal distance between the front and rear lines of a site measured either perpendicular to the front line, or perpendicular to the tangent on a curve from the midpoint of a curved front line;
- 3.95. **“site width”** means, unless otherwise defined in this Bylaw, the average horizontal distance between the side lines or, where the site width would be shorter, the distance between the side lines at either the

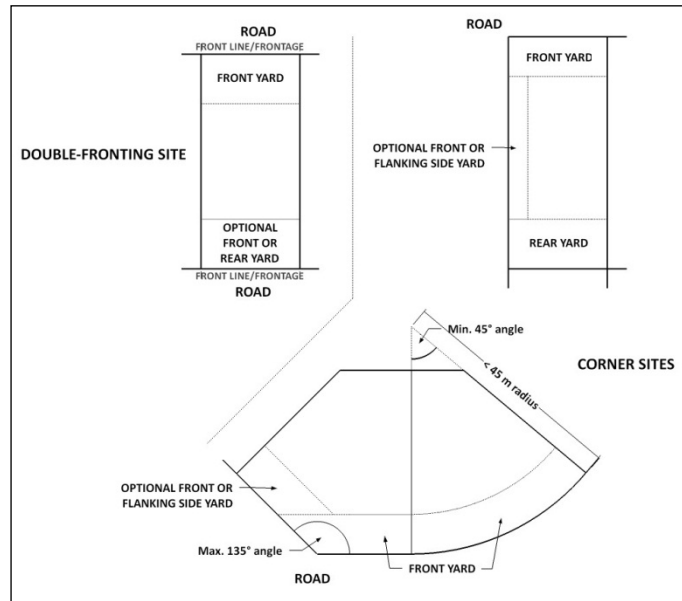


**Figure 3 – Site Width**

*For illustrative purposes only (not drawn to scale)*

minimum required front yard distance or the minimum required rear yard distance, whichever distance is the shorter, measured parallel to the front line or at right angles to the tangent on a curve from the midpoint of a curved front line;

- 3.96. **“site, corner”** means a site with boundary lines along two or more roads which intersect at an angle of less than one hundred thirty five (135) degrees, not including the intersection of a road and a lane, or a single road that curves such that the arc of the inside boundary of the road is less than 45.0 m (147.6 ft.) in radius over an angle of more than forty-five (45) degrees along the boundary line of the site;



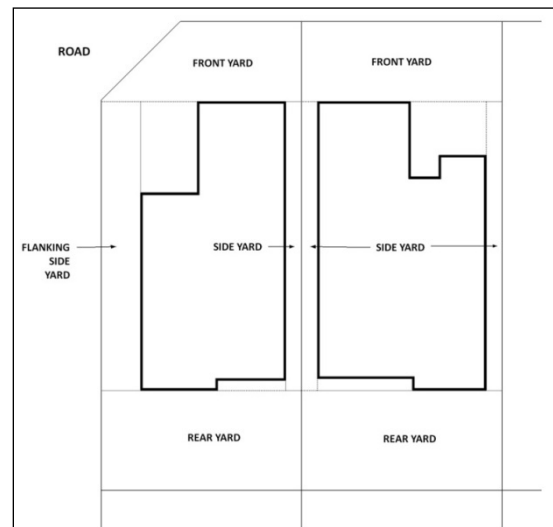
**Figure 4 – Corner Sites and Double-Fronting Sites**

*For illustrative purposes only (not drawn to scale)*

- 3.97. **“site, double-fronting”** means a site which abuts two roads and which is not a corner site;
- 3.98. **“site, internal”** means a site which is bordered by only one (1) road;
- 3.99. **“storefront”** means commercial developments which are oriented to a road, with parking areas located at the side or rear of a building, such that access to the principal entrances of a building from the front line is not transected by a parking area, or any front yard that is of a size which is not compatible in scale and character with adjacent developments;
- 3.100. **“storey”** means the space between one floor of a multi-storey building and the next floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall not be considered a storey;
- 3.101. **“structural alteration”** means the addition to, deletion from, or change to any building which modifies any foundation, floor area, exterior wall and/or roof, and includes any changes in permanent material to those respective parts of the building;



- 3.102. **“Subdivision and Development Appeal Board”** means the *Intermunicipal Subdivision and Development Appeal Board* established pursuant to the Act;
- 3.103. **“Subdivision Authority”** means the Subdivision Authority established pursuant to the Act through the Municipality’s *Municipal Planning Commission Bylaw*;
- 3.104. **“substandard lot”** means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;
- 3.105. **“temporary building”** means a building that has been allowed to be located and/or used for a limited time only. Temporary buildings include construction shacks used for administrative and/or storage purposes during construction of a large-scale development;
- 3.106. **“use”** means the purpose or activity for any and all of which a development, subdivision, site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained, and includes principal and accessory uses;
- 3.107. **“yard”** means a part of a site which is unoccupied and unobstructed by any building or portion of a building above the ground level, unless otherwise allowed by this Bylaw;
- 3.108. **“yard, flanking side”** means a side yard abutting the road of a corner site;
- 3.109. **“yard, front”** means a yard extending across the full width of a site from the front line to the nearest point on the exterior of the principal building situated on the site, except any portion of a building that this Bylaw permits to be located in a yard, measured at right angles to the front line. In the case of a curved front line, the front yard will also form a curve;
- 3.110. **“yard, rear”** means a yard extending across the full width of a site from the rear line to the nearest point on the exterior of the principal building situated on the site, except any portion of a building that this



**Figure 5 – Front, Side, Flanking Side and Rear Yards**

*For illustrative purposes only (not drawn to scale)*

Bylaw permits to be located in a yard, measured at right angles to the rear line. In the case of a curved rear line, the rear yard will also form a curve;

3.111. **“yard, side”** means a yard extending from the side line to the nearest point on the exterior of the principal building situated on the site, except any portion of a building that this Bylaw permits to be located in a yard, and lying between the front and rear yards on the site, measured at right angles to the side line. In the case of a curved side line, the side yard will also form a curve;

3.112. **“zero lot line development”** means the concept of residential subdivision design whereby attached and detached dwellings are located on narrow lots on which one side yard is either minimised or eliminated altogether. In zero lot line developments, dwellings will be constructed either at or very near the lot line and appurtenances to the building such as eaves will often overhang into an adjacent lot;

and all other words and expressions have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law.

## Land Use Classifications

4.0 In this Bylaw:

4.1. **“adult entertainment establishment”** means:

- i. development or part thereof where, for any consideration, live performances are held, the central feature of which is any real or perceived sexual act, female breasts or male or female pubic area or buttocks;
- ii. any cinema where adult motion pictures, video tapes, DVDs, Blu-ray disks, video disks, computer disks, or similar electronic, photographic, or computer software reproductions are shown or displayed, the central feature of which is any real or perceived sexual act, female breasts or male or female pubic area or buttocks;
- iii. any adult video stores which are developments where the main feature of more than 50% of the inventory of the business is used to sell or rent adult video tapes, DVDs, Blu-ray disks, or other electronic devices where the central feature of which is any real or perceived sexual act, female breasts or male or female pubic area or buttocks, or items which stimulate or are reproductions of any female breasts or male or female pubic area or buttocks; or
- iv. love boutiques/shops which are retail or wholesale developments where the main feature of more than 50% of the inventory of the business is

used for which the principal activity is the display and sale of non-clothing merchandise and/or products intended to be used for sexual pleasure.

Typical uses include adult mini theatres, strip clubs or shows, peepshows, erotic dance clubs, adult massage parlours, exotic lounges, adult novelty stores, adult print media, escort services, and adult video stores.

- 4.2. **“alcohol sales”** means a development used for the retail sale to the public of any and all types of alcoholic beverages, including hard liquor, wine and beer, whether or not the beverages are refrigerated and may include the retail sales of related products such as soft drinks and snack foods;
- 4.3. **“amusement establishment – indoor”** means a development where the principal use is the provision of mechanical, table or electronic games for the purpose of providing entertainment or amusement to the public for a fee. Typical uses include billiard parlours, indoor miniature golf courses, laser tag, and games arcades, but does not include a casino and gaming establishment, a recreational facility, or an adult entertainment establishment;
- 4.4. **“amusement establishment – outdoor”** means a development providing recreational facilities outdoors played by patrons for entertainment. Typical uses include amusement parks, go-cart tracks, and miniature golf courses, but does not include drive in motion picture theatres, carnivals, or circuses;
- 4.5. **“animal shelters”** means a development used for the temporary accommodation and care or impoundment of small animals within an enclosed building. This use does not include small animal breeding and boarding establishments or veterinary clinic and hospitals;
- 4.6. **“apartment”** means a dwelling containing three (3) or more dwelling units having a common entrance from the exterior, but shall not mean ground-oriented multiple unit dwellings. Typical uses include dwellings commonly referred to as triplexes, fourplexes, sixplexes, apartments, apartment hotels, and the like;
- 4.7. **“art studio”** means a development used for the production of various forms of art, such as painting, sculpting, and photography. This use does not include adult entertainment establishments;
- 4.8. **“auctioneering establishment”** means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. This use does not include flea markets or the auctioning of animals or livestock;

- 4.9. **“automotive and equipment repair shop”** means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Typical uses include transmission shops, muffler shops, tire shops, and automotive glass shops, but does not include automotive body repair and paint shops;
- 4.10. **“automotive and minor recreational vehicles sales/rentals establishment”** means a development where new or used automobiles, light trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented, together with incidental maintenance services and sale of parts. Typical uses include automobile dealerships, car rental agencies, and motorcycle dealerships, but does not include dealerships for the sale of trucks with a gross vehicle weight rating greater than 5500 kg (12,125 lbs.), or the sale of recreational vehicles with either a gross vehicle weight rating greater than 6000 kg (13,227.7 lbs.) or a length greater than 6.7 m (22.0 ft.);
- 4.11. **“automotive body repair and paint shop”** means a development where the bodies of automobiles, motorcycles, snowmobiles, watercraft, recreational vehicles, and similar vehicles are serviced and repaired. This use does not include the dismantling, salvaging, or wrecking of any or all of those vehicles;
- 4.12. **“bed and breakfast establishment”** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public;
- 4.13. **“boarding and lodging house”** means a development, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Typical uses include student co-operative housing, and lodges for senior citizens, but does not include group homes;
- 4.14. **“business support services establishment”** means a development providing support services to businesses. Business support services establishments are characterised by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments;

- 4.15. **“cannabis production facility”** means an industrial activity involving the indoor growing, processing, cleaning, packing, distribution, and/or storage of cannabis and cannabis products. This use does not include cannabis sales;
- 4.16. **“cannabis sales”** means a development licensed by the Province of Alberta used for the retail sale to the public of cannabis, as defined in the *Cannabis Act* (Canada) and its regulations as amended from time to time, and may include the retail sales of related accessory products;
- 4.17. **“car wash”** means a building or structure for use by the general public containing facilities for the washing of motor vehicles for a fee, either by production line methods employing mechanical devices or by hand;
- 4.18. **“casino and gaming establishment”** means a development where games of chance or percentage are the principal use of the facility. Typical uses include bingo halls, but does not include amusement establishments or other facilities that house a bingo or casino on an infrequent basis;
- 4.19. **“cemetery”** means a development for the entombment of the deceased, which may include the following accessory developments: crematories, cineraria, columbaria, and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance;
- 4.20. **“child care facility”** means a development where care and supervision, but not overnight accommodation, is provided to seven (7) or more infants, pre-school children, kindergarten children, and/or school-aged children as defined in the *Alberta Child Care Licensing Regulation*, as amended. Typical uses include day care programs, out of school care programs, pre-school programs and other programs where the primary purpose is the care and supervision of children, but does not include child day homes, group homes, group care facilities, or public education facilities;
- 4.21. **“child day home”** means a child care facility within and accessory to a single detached, stacked duplex or side-by-side duplex dwelling unit or manufactured home unit where care and supervision, but not overnight accommodation, is provided to, including any resident children, not more than a total of ten (10) infants, pre-school children, kindergarten children, and/or school-aged children as defined in the *Alberta Child Care Licensing Regulation*, as amended;
- 4.22. **“commercial school”** means a development where training and instruction in a specific trade, skill or service is provided. Typical uses include secretarial, business, hairdressing, cosmetology, dancing, martial arts, and music schools, but does not include public education facilities;

- 4.23. **“community centre”** means a municipally-owned development providing community, cultural, multi-purpose, government administration/office, auditorium, banquet, convention, exhibition, commercial kitchen, meeting, program, seminar and theatre facilities with associated food and beverage preparation and consumption, and may include limited on-site sales in relation to all aforementioned activities;
- 4.24. **“community recreation service”** means a development without fixed seats and with an occupancy capacity of less than five hundred (500) persons, primarily intended for local community purposes, where recreational, social, or multipurpose activities occur and may include the on-site preparation of food and beverages for consumption by users of the service. Typical uses include community halls and community league buildings operated by a local residents’ organization;
- 4.25. **“contractor services – general”** means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal use only;
- 4.26. **“contractor services – limited”** means a development where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be sold, where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles;
- 4.27. **“drive-through business”** means a development or part of a development which serves customers travelling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Typical uses include service stations, gas bars, drive-in restaurants, financial services, recycling depots, and car washes;
- 4.28. **“duplex – side-by-side”** means a dwelling containing two (2) dwelling units which share a common wall, and which are located one entirely beside the other;
- 4.29. **“duplex – stacked”** means a dwelling containing two (2) dwelling units which are located at least in part above and below each other, or in-front and behind each

other, and which may share a common wall. This use does not include a secondary suite;

- 4.30. **“equipment rental establishment”** means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. This use does not include developments where motor vehicles or industrial equipment are rented or serviced;
- 4.31. **“exhibition and convention facility”** means a development which provides permanent facilities for meetings, seminars and conventions, product and trade fairs, carnivals and other exhibitions. Typical uses include exhibition grounds, convention centres, banquet halls, and catering facilities;
- 4.32. **“extended medical treatment facility”** means a development which provides room, board and surgical or other medical treatment for the sick, injured, or infirm, and which may include out-patient services and accessory staff residences. Typical uses include hospitals, sanatoriums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres;
- 4.33. **“financial services”** means the provision of financial and investment services by a bank, brokerage company, credit union, finance company, investment dealer, treasury branch, trust company or similar institution;
- 4.34. **“Fitness and wellness facility”** means a development providing facilities within an enclosed building for sports, fitness, wellness, personal training and recreation activities where patrons are predominantly participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs; health and fitness clubs; yoga and other similar studios, dance studios, racquet clubs, and other similar uses. Fitness and wellness facilities may also provide for the sale of refreshments on a small scale, a typical example of which being a juice or sandwich bar, as well as the sale of health and fitness related products, also on a small scale, including food and clothing items.
- 4.35. **“fleet services”** means a development which administers a number of vehicles which deliver people, goods, or services, and where such vehicles are not available for sale or long term lease. Fleet services may include the storage and servicing of administered vehicles. Typical uses include ambulance services, taxi services, bus lines, and messenger and courier services, but does not include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3000 kg (6613.9 lbs.);

- 4.36. **“funeral services”** means a development where the dead are prepared for burial or cremation and where funeral services are held. Typical uses include funeral homes and undertaking establishments;
- 4.37. **“gas bar”** means a development where gasoline, lubricating oils, and other automotive fluids and automobile accessories are bought and sold. This use does not include facilities for the servicing or repairing of motor vehicles or service stations;
- 4.38. **“government services”** means a development where municipal, provincial, or federal government services are provided directly to the public. Typical uses include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices, but does not include protective and emergency services, major and minor utility services, and public education facilities;
- 4.39. **“greenhouse and plant nursery”** means a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, fertilizers and garden care products and may include gift shops as an accessory use. This does not include cannabis sales;
- 4.40. **“ground-oriented multiple unit dwelling”** means a single building containing at least three (3) dwelling units with each unit having direct access at grade to the outside, but shall not mean “apartment”;
- 4.41. **“group care facility”** means a development which provides resident care services to seven (7) or more individuals. These individuals may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. Typical uses include supervised uses such as group homes (all ages), halfway houses, resident schools, resident facilities, foster or boarding homes, and psychiatric care facilities, but does not include major institutional care facilities such as hospitals;
- 4.42. **“group home”** means a development which provides resident care or rehabilitation service in a dwelling unit to six (6) or fewer children, adolescents or adults. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. Typical uses include foster or boarding homes for children;
- 4.43. **“health service”** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical



uses include medical, chiropractic, and dental offices, health clinics, and counselling services;

- 4.44. **“home occupation – major”** means a business carried on as a use accessory to the residential use of a site, and which does not change the principal use or character of the building in which it is located or have any exterior evidence of such accessory use other than a small sign, including outdoor storage and outdoor business activity. Typical uses include limited contractor services, personal, professional, health and support services, craft making, product sales, minor repairs to household equipment, music and/or dance instruction, and tutoring, but does not include a minor home occupation. A major home occupation may have noticeable impacts on adjacent parcels of land but not more than that which is characteristic with the District in which it is located, up to one (1) non-resident employee or business partner, and a maximum six (6) clients or customers on-site at any time;
- 4.45. **“home occupation – minor”** means a business carried on as a use accessory to the residential use of a site, and which does not change the principal use or character of the building in which it is located or have any exterior evidence of such accessory use including signage, outdoor storage and outdoor business activity. Typical uses include limited contractor services, personal, professional, health and support services, craft making, product sales, minor repairs to household equipment, music and/or dance instruction, and tutoring, but does not include a major home occupation. A minor home occupation has no adverse impacts on adjacent parcels of land, no non-resident employees, no more than five (5) client or customer visits per week, and no utility trailer used in conjunction with the use;
- 4.46. **“home office”** means an accessory development within a dwelling unit for a business that involves a professional or service office operated by a permanent resident and which does not involve any external signage, keeping of products or goods related to the business on-site, client or customer visitations including deliveries, and employees;
- 4.47. **“hotel/motel”** means a development containing at least three units for accommodation, mainly used for the purpose of catering to the needs of the travelling public by providing sleeping accommodation, and includes a motel or motor hotel. This use does not include a bed and breakfast establishment. Accessory developments that may be approved as part of a hotel development include exhibition and convention facilities, personal service shops, and restaurants;
- 4.48. **“household repair service”** means a development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Typical uses

include radio, television, appliance, and electronics repair shops, and furniture refinishing and upholstery shops, but does not include personal service shops. Household repair services shall not have any outdoor storage associated with the principal use;

- 4.49. **“industrial use – general”** means a development used for manufacturing, assembly, warehousing, processing of raw materials, or distributing, which does not produce significant toxic or noxious by-products, and where any actual or potential adverse impacts, such as those considered office as defined in this Bylaw, are contained within an enclosed building;
- 4.50. **“industrial use – medium”** means a development which would be considered to be a general industrial use except that any actual or potential impacts, provided they are not offensive as defined in this Bylaw, may extend beyond the boundaries of the site;
- 4.51. **“industrial vehicle and equipment sales/rentals establishment”** means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. This use does not include farm implement dealerships, truck and recreational vehicle sales/rental establishments, or automotive and minor recreational vehicles sales/rental establishments;
- 4.52. **“libraries and cultural exhibits”** means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Typical uses include libraries, museums, and art galleries;
- 4.53. **“licenced drinking establishment”** means a development where the primary purpose is the sale of alcoholic beverages for consumption on-site, where a licence for the sale of liquor that prohibits minors on the premises or a designated portion of the premises at any time is issued by the Alberta Gaming and Liquor Commission, and may also include related purposes such as entertainment, dancing, music and the preparation and sale of food for consumption. This use does not include a restaurant or adult entertainment establishment;
- 4.54. **“live/work unit”** means a building containing and designed to be used concurrently as one (1) dwelling unit and as one (1) commercial use; and for which a total of two (2) dwelling units and two (2) commercial uses within a

building may also be located one entirely beside the other sharing a common wall on the same site;

- 4.55. **“manufactured home park”** means any site on which two (2) or more occupied manufactured home units are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment required for the operation of such manufactured home park;
- 4.56. **“manufactured home unit”** means a dwelling which is normally constructed off-site and then transported on its own wheels or by other means to its site. Upon arriving at the site for location, apart from incidental operations such as placement on a foundation and connection of utilities, it is ready for year round use as residential accommodation for one (1) dwelling unit. However, a manufactured home unit may be entirely constructed on-site. A manufactured home unit shall include a dwelling that would otherwise be considered to be a single detached dwelling:
- i. if the roof pitch were equal to or greater than 1:4,
  - ii. if the depth of eaves were greater than 45 cm (18 in.),
  - iii. if the ratio of depth vs. width (or width vs. depth) were less than 2.5:1, and
  - iv. if it were supported on a permanent foundation extending below grade.
- if the roof pitch is less than 1:4, if the depth of eaves is less than 45 cm (18 in.), if the ratio noted above is more than 2.5:1, or if it is not supported on a permanent foundation extending below grade, the dwelling shall be considered to be a manufactured home unit;
- 4.57. **“mixed-use development”** means a development comprising a ground-level commercial use or uses and a residential use or uses, all within the same building. This use does not include live/work units;
- 4.58. **“office use”** means a development where government, professional, management, administrative, and consulting services may be provided. Typical uses include the offices of lawyers, accountants, engineers, architects, and realtors, insurance firms, clerical, secretarial, employment and telephone answering and similar office support services, the offices of governmental and public agencies, and private agencies such as real estate and travel agents;
- 4.59. **“off-street parking lot”** means a parking area which is located on a parcel of land and not accessory to a particular use or development;

- 4.60. **“outdoor storage”** means a development or an outdoor area forming part of a development used for the storage of goods, materials, products, or equipment that are or may be placed outside of a building on a more or less permanent or continuous basis;
- 4.61. **“personal service shop”** means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Typical uses include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, laundromats, and facilities used to provide electrolysis, tattooing, body piercing, manicures, pedicures, and therapeutic massage, but does not include health services;
- 4.62. **“pet store and grooming”** means a development for the sale, indoor care and supervision but not overnight accommodation, and/or grooming of small domestic animals normally considered to be household pets. Typical uses include pet stores, pet day care centres, and pet grooming activities such as bathing, cutting of hair, trimming of nails, and other similar services, but does not include animal shelters, small animal breeding and boarding establishments, or veterinary clinics and hospitals;
- 4.63. **“place of worship”** means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms, and dormitories. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries;
- 4.64. **“private club”** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor hotel or motel rentable units. Typical uses include facilities for food and beverage preparation and consumption, and rooms for assembly, but does not include adult entertainment establishments;
- 4.65. **“protective and emergency services”** means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Typical uses include police stations, detention centres, fire stations, and ancillary training facilities;
- 4.66. **“public education facility”** means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Typical uses include the administration offices, storage, and maintenance operations of the School

Division, public and separate schools, community colleges, universities, technical and vocational schools, and private academies or “charter schools”, and their administrative offices, storage, and maintenance facilities;

- 4.67. **“public park”** means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields;
- 4.68. **“public use”** means a development where public services are provided by the Municipality, by any local board or agency of the Municipality, by any department, commission or agency of the Government of Alberta or of Canada, or by any public utility. This use does not include office uses, protective and emergency services, and major and minor utility services;
- 4.69. **“public utility”** means a public utility, as defined in the Act. A public utility building means a building in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in conjunction with the public utility;
- 4.70. **“recreational facility”** means a development for sports and active recreation. Typical uses include bowling alleys, ice arenas, curling rinks, equestrian centres, golf courses, and swimming pools;
- 4.71. **“recycling depot”** means a development where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed building or an enclosed compound;
- 4.72. **“restaurant”** means a development where food and beverages are prepared and offered for retail sale to the public for immediate consumption either on or off the premises. This use does not include a licenced drinking establishment;
- 4.73. **“retail store – convenience”** means a development where goods required on a day to day basis are bought and sold. The floor area of a convenience retail store shall not exceed 275.0 m<sup>2</sup> (2,960.1 sq. ft.), excluding the floor areas of mechanical rooms, utility rooms, and public washrooms. Typical uses include small food stores, drug stores, and variety stores selling confectionary, tobacco,

groceries, beverages, pharmaceutical and personal care items, hardware, and/or printed matter. This does not include cannabis sales;

- 4.74. **“retail store – general”** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. This use does not include warehouse sales, or developments where gasoline, new or used motor vehicles, alcohol, cannabis, heavy agricultural and/or industrial equipment are sold or rented;
- 4.75. **“retail store – specialty”** means a bookstore, florist, craft store, art shop, photographic shop, delicatessen, butcher shop, bakery, or specialty food store. This does not include cannabis sales;
- 4.76. **“secondary suite”** means an accessory self-contained dwelling unit, contained within a principal dwelling or in an accessory building, which is located on the same parcel of land registered under the same land title as the principal dwelling unit. Typical uses include such dwelling units commonly referred to as basement suites, in-law suites, garage suites, and garden suites;
- 4.77. **“self-service storage facility”** means a development where varying sizes of individual, compartmentalised, and controlled access lockers are provided within a fenced compound or within a building for the storage of a customer’s goods or wares. The maximum height of lockers shall be 3.0 m (9.8 ft.). This use does not include any outdoor storage;
- 4.78. **“service station”** means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Typical uses include facilities for the servicing or repairing of motor vehicles, and a towing service dispatch point, but does not include automotive body repair or paint shops;
- 4.79. **“shopping centre”** means a development consisting of a building or a group of buildings, comprising general retail stores, personal service shops, office uses, and similar uses, with shared off-street parking facilities, and which may be managed as a single unit;
- 4.80. **“show home”** means a dwelling unit which is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of a neighbourhood or development in which the

show home is located. Show homes may contain offices for the sale of other lots or dwelling units in the Municipality and must be located within a dwelling which is either a permitted or a discretionary use in the District in which they are located;

4.81. **“single detached dwelling”** means a dwelling consisting of one (1) dwelling unit, and, if the provisions of this Bylaw allow, a secondary suite. A single detached dwelling is a dwelling which is normally constructed on-site. However, a single detached dwelling may be constructed in pieces off-site, with the pieces being transported to the site for assembly on-site. A single detached dwelling shall include a dwelling that would otherwise be considered to be a manufactured home unit:

- i. if the roof pitch were less than 1:4,
- ii. if the depth of eaves were less than 45 cm (18 in.),
- iii. if the ratio of depth vs. width (or width vs. depth) were more than 2.5:1, or
- iv. if it were not supported on a permanent foundation extending below grade.

If the roof pitch is equal to or more than 1:4, if the eaves is more than 45 cm (18 in.), if the ratio noted above is less than 2.5:1, and if it is supported on a permanent foundation extended below grade, the dwelling shall be considered to be a single detached dwelling;

4.82. **“small animal breeding and boarding establishment”** means a development where small animals normally considered to be household pets are boarded, bred, cared for, raised for remuneration or sale, or trained. Typical uses include kennels, but does not include veterinary clinics and hospitals;

4.83. **“supportive housing”** means housing of a multiple dwelling unit form that allows residents who have some need for support services to maintain their social and functional independence while having access to common support services such as meals, laundry and house-keeping services within a group living arrangement. Typical uses include assisted living;

4.84. **“surveillance suite”** means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and safety of the development. A surveillance suite will be attached to or within the exterior walls of the principal building;

4.85. **“temporary use”** means a use that has been allowed to be located and/or operate for a limited time only. Typical uses include pipe, vehicle, or heavy

equipment storage compounds, or special events such as circuses, carnivals, and rodeos;

- 4.86. **“theatre”** means a facility within an enclosed building specifically for live theatrical, cultural, musical or dance performances as well as the showing of motion pictures, but does not include adult entertainment establishments. Typical uses include auditoriums, cinemas, playhouses, and theatres;
- 4.87. **“truck and recreational vehicle sales/rentals establishment”** means a development where new or used trucks with a gross vehicle weight rating of 4000 kg (8818.5 lbs.) or greater, motor homes, and recreational vehicles with a gross vehicle weight rating of 6000 kg (13,227.7 lbs.) or greater or a length greater than 6.7 m (22.0 ft.) are sold or rented, together with incidental maintenance services and sale of parts. Typical uses include truck dealerships, recreational vehicle dealerships, and truck and recreational vehicle rental agencies, and may include refuelling and/or washing facilities as an integral part of the operation;
- 4.88. **“utility services – major”** means a development of a public utility or a public utility building or a government service function which, in the opinion of the Development Authority, is likely to have a major impact on the environment or on adjacent uses by virtue of its potential emissions or effects or its appearance. Typical uses include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, incinerators, and waste recycling plants;
- 4.89. **“utility services – minor”** means a development of a public utility or a public utility building or a government service function which, in the opinion of the Development Authority, is not likely to have a major impact on the environment or on adjacent uses by virtue of potential emissions or effects or appearance. Typical uses include vehicle, equipment and material storage yards for utilities and services, snow dumping sites, surface reservoirs or storm water management facilities, water towers, water treatment plants, power terminal and distributing substations, and gate stations for natural gas distribution;
- 4.90. **“veterinary clinic and hospital”** means a development where animals are cared for and treated. Veterinary clinics and hospitals primarily involve outpatient care and minor medical procedures involving hospitalisation for fewer than four (4) days. Typical uses include pet clinics, small animal veterinary clinics, and veterinary offices, but does not include animal shelters or small animal breeding and boarding establishments;
- 4.91. **“veterinary clinic and hospital – small animal”** means a development where small animals are cared for and treated. Veterinary clinics and hospitals primarily



involve outpatient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Typical uses include pet clinics, small animal veterinary clinics, and veterinary offices, but does not include animal shelters or small animal breeding and boarding establishments;

- 4.92. **“warehouse sales establishment”** means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Typical uses include furniture stores, carpet stores, major appliance stores, and building materials stores;

### **Date of Receipt**

- 5.0 Where a subdivision or development permit approval or refusal, subdivision or development appeal notice, notice to reclassify lands, notice of contravention including Stop Orders, or notice of appeal hearing is sent, given or served by mail, and the document is properly addressed and sent by prepaid regular mail, unless the contrary is proven, the service shall be presumed to be effected seven (7) days from the date of mailing if the document is mailed in Alberta to an address in Alberta. In the event of a dispute, the *Interpretation Act*, as amended, shall apply.

### **Metric and Imperial Measurements**

- 6.0 Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures. As a result, the metric measurement shall take precedence for the purposes of interpretation of this Bylaw.

### **Transitional Provisions**

- 7.0 No provisions of previous bylaws with respect to land use classifications, development control and development schemes shall hereafter apply to any part of the Municipality described in this Bylaw.
- 8.0 Any reference in this Bylaw to other bylaws, provincial or federal statutes and regulations shall be a reference to the bylaw, statute or regulation then in effect and shall include all amendments and any successor legislation.

### **Agencies**

#### **Development Authority**

- 9.0 For the purposes of this Bylaw, the Development Authority shall be:

- 9.1. the Development Officer,
  - 9.2. the Municipal Planning Commission, and
  - 9.3. only within the applicable DC Districts, the Council,
- with their duties and responsibilities as described elsewhere in this Bylaw.
- 10.0 If the Development Officer is to be acting in accordance with this Bylaw, the term “Development Authority”, when used in this Bylaw, shall be the Development Officer.
  - 11.0 If the Municipal Planning Commission is to be acting in accordance with this Bylaw, the term “Development Authority”, when used in this Bylaw, shall be the Municipal Planning Commission.
  - 12.0 If the Council is to be acting in accordance with this Bylaw, the term “Development Authority”, when used in this Bylaw, shall be the Council.

**Development Officer**

- 13.0 The Chief Administrative Officer, or a designate, shall exercise the powers, duties and functions of the Development Officer specified in this Bylaw.
- 14.0 The Development Officer shall perform such duties that are specified in Part One, Sections 15.0 and 16.0 and elsewhere in this Bylaw.
- 15.0 The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions thereon.
- 16.0 For the purposes of Section 542 of the Act, both the Development Officer and the Municipality’s Peace Officer are hereby declared to be the designated officers.

**Municipal Planning Commission**

- 17.0 The Municipal Planning Commission shall perform such duties that are specified for it in this Bylaw.

**Council**

- 18.0 The Council shall perform such duties that are specified for it in this Bylaw.

**Land Use Districts**

- 19.0 The Municipality is divided into land use Districts as established in Part Eight – Land Use Districts of this Bylaw.

- 20.0 The boundaries of the Districts established in Part Eight – Land Use Districts are as delineated in Schedule A - Land Use District Map.
- 21.0 Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:
- 21.1. Where District boundaries are shown to approximate the following, they shall be deemed to be:
- i. the lot boundaries,
  - ii. the municipal boundaries, or
  - iii. the centre lines of the right-of-way of a road or lane.
- 21.2. In circumstances not covered by Part One, Subsection 21.1, the location of the boundary shall be determined:
- i. where dimensions are set out on the Land Use District Map, by the dimensions so set, or
  - ii. where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map by the Development Authority.
- 22.0 Where Districts have been established in accordance with a proposed subdivision of land, the boundaries of the District shall be understood to conform to the boundaries of the certificate of title or as shown on the Plan of Survey or Descriptive Plan when it is registered in a Land Titles Office. Prior to the registration, the District boundaries shall be determined on the basis of the dimensions stated in the proposed plan of subdivision or on the scale of the Land Use District Map where dimensions are not provided.

### **Regulatory Overlays**

- 23.0 Regulatory Overlays shall be as set forth in Schedule B – Regulatory Overlay Provisions.
- 24.0 Within Regulatory Overlay areas, the uses and regulations indicated within the various Districts are modified in accordance with the regulations of the Regulatory Overlay.
- 25.0 Part One, Sections 21.0 and 22.0 also apply to the Regulatory Overlay areas and their prescribed boundaries as set forth in Schedule B – Regulatory Overlay Provisions.

### **Contravention/Enforcement**

- 26.0 Where a Development Authority finds that a development or use of land or buildings is not in accordance with:
- 26.1. The Act or the regulations made thereunder;

26.2. A development permit or subdivision approval;

26.3. Terms of a Development Agreement; or

26.4. This Bylaw;

the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:

- i. stop the development or use of the land or buildings in whole or in part as directed by the notice; or
- ii. demolish, remove, or replace the development; or
- iii. take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval, or this Bylaw;

as the case may be, and may provide a date by when the order must be complied with.

27.0 A stop order issued by the Development Authority may be appealed to the Subdivision and Development Appeal Board pursuant to the Act through the Municipality's *Subdivision and Development Appeal Board Bylaw*.

28.0 Where a person fails or refuses to comply with an order directed to them under Part One, Section 26.0 or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Sections 542 and 646 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.

29.0 Any person who fails to comply with an order issued under Part One, Section 26.0, or an order of the Subdivision and Development Appeal Board, within the time period prescribed by the order is guilty of an offence and liable, upon summary conviction, for the fine of:

29.1. \$250.00 for a first offence; or

29.2. \$500.00 for a second offence or subsequent offences in the same calendar year.

30.0 Any person who fails to comply with a development permit, subdivision approval, or this Bylaw is guilty of an offence and liable, upon summary conviction, for the fine for the offence, as set out in this Bylaw.

31.0 Violation Ticket

- 31.1. Subject to the entry notice provisions of the Act, a designated officer of the Municipality, bearing proper identification, may enter onto the land to conduct an inspection in order to determine whether or not this Bylaw is being complied with.
- 31.2. A Peace Officer may issue a Violation Ticket to any person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 31.3. A Violation Ticket issued with respect to a violation of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended.
- 31.4. The Person to whom the Violation Ticket has been issued may plead guilty by making a voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided as set out in Part One, Section 29.0.
- 31.5. When a clerk records in the Court records the receipt of a voluntary payment pursuant to Section 5.1(5)(d) and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the specified penalty.
- 31.6. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established in this Part for each such day.

**Land Use Bylaw Amendment**

General

- 32.0 A person may apply to have this Bylaw amended, by applying in writing to the Municipality, in care of the Development Authority, in the Form of Application required under Part One, Section 33.0.
- 33.0 Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an application therefore.
- 34.0 In the case where an application to amend this Bylaw has been refused by Council, at its discretion, the Development Authority may or may not accept the submission of another application for an amendment for the same or similar reasons, for the same site

if the application is specific to a parcel or parcels of land, by the same or any other applicant for six (6) months after the date of refusal.

**Form of Application**

35.0 All applications for amendment to this Bylaw shall be made on the form as determined by the Development Authority, and shall be accompanied by:

35.1. an application fee as established by Council for each application;

35.2. information specifying reasons in support of the application; and

35.3. in the case of an application for amendment specific to a parcel or parcels of land:

- i. a recent title search of the land affected or other documents satisfactory to the Development Authority showing the applicant's interest in the said land;
- ii. drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable; and
- iii. where the applicant is an agent acting for the owner, a letter from the owner(s) authorising the agent to make the application.

36.0 Where the amendment is to change the District applicable to a site, the Development Authority may require that the applicant undertake and provide an environmental screening of the site as part of the amendment application.

**Amending Bylaws**

37.0 All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act.

38.0 At the discretion of Council, the person applying for the amendment may be required, before first reading is granted to the proposed amending bylaw, to engage all owners of land within a distance of the subject site determined by Council.

**Amendment Notice Signs**

39.0 The person referred to in Part One, Section 32.0 shall erect a Notice of Proposed Redistricting Sign within fourteen (14) days of making an application to amend this Bylaw to change the District governing any land, or a text amendment to a provision of this Bylaw specific to a particular parcel or parcels of land, excepting those applications that propose to redistrict lands in conformity with an area structure plan or conceptual

scheme, and shall within seven days of the erection of the sign submit to the Development Authority a letter indicating that the sign has been erected.

- 40.0 The Notice of Proposed Redistricting Sign shall be erected at a prominent location on the site, be legible from a distance of 15.0 m (49.2 ft.), and be maintained in a reasonable condition until such time as the application to amend the Bylaw is dealt with by Council or withdrawn all being to the satisfaction of the Development Authority.
- 41.0 The Notice of Proposed Redistricting Sign shall be a maximum height of 3.0 m (9.8 ft.) above grade, a minimum area of 1.0 m<sup>2</sup> (10.8 sq. ft.), a maximum area of 3.0 m<sup>2</sup> (32.3 sq. ft.), and contain the following information:
- 41.1. the present District applicable to the site;
  - 41.2. the District proposed by the applicant;
  - 41.3. a general description of the uses which could develop within the proposed District and including a note that the description is not exhaustive;
  - 41.4. the total area of the site; and
  - 41.5. contact information for the Development Authority and a note indicating that more information respecting the application may be obtained from the Development Authority.
- 42.0 All Notice of Proposed Redistricting Signs shall be removed no later than thirty (30) days following the date of the matter being dealt with by Council.

## **Control of Development**

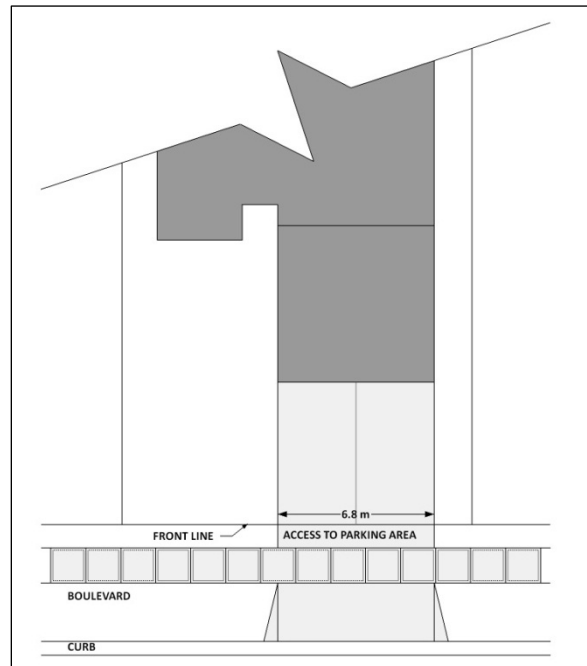
- 1.0 No development other than that indicated in Part Two, Section 2.0 of this Bylaw shall be undertaken within the Municipality unless an application for it has been approved and a development permit has been issued and is deemed valid.

## **Development Not Requiring a Permit**

- 2.0 The following development shall not require a development permit:
- 2.1. the carrying out of works of maintenance, repair, or renovation to any building, provided that such works do not include structural alterations;
  - 2.2. the completion of a building which was lawfully under construction at the date of approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of said approval;
  - 2.3. the use of any such buildings as referred to in Part Two, Subsection 2.2 for the purpose for which construction was commenced;
  - 2.4. the construction, completion, alteration, maintenance, or repair of public uses, public parks, and public utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
  - 2.5. temporary uses, limited specifically to community special events such as circuses, carnivals and rodeos, carried out by or on behalf of federal, provincial and municipal public authorities;
  - 2.6. the construction, completion, alteration, maintenance or repair of a road, lane or utility, undertaken upon a road right-of-way, utility easement or other lands or undertaken to connect the same with any lawful use of buildings or land, provided that the road, lane or utility has been approved by the authority having jurisdiction;
  - 2.7. the erection or placement of a temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw, provided the temporary building is removed within thirty (30) days of substantial completion of the erection or alteration of the building for which a permit has been issued, or as determined by the Development Authority;



- 2.8. the erection, construction, or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure, unless the gate, fence, wall, etc. exceeds the regulations indicated in Part Three, Sections 8.0 – 16.0;
- 2.9. the development of a use in the C-1 District where the developer has submitted a detailed written submission describing the proposed development, and where the Development Authority determines that the use:
- i. is listed under the permitted uses column of the C-1 District,
  - ii. conforms to the applicable regulations of this Bylaw,
  - iii. is situated within an existing approved building and will not result in any structural alteration to that building, and
  - iv. would not, in the opinion of the Development Authority, require conditions to be attached to the approval of the use as part of the normal development process;
- 2.10. hard-surfacing of any yard area in a Residential District for the purpose of providing vehicular access from a road to an on-site parking space, provided that such hard-surfacing does not exceed 6.8 m (22.3 ft.) in width (see Figure 6);
- 2.11. an accessory building which is accessory to a dwelling and which is less than 10.0 m<sup>2</sup> (107.5 sq. ft.) in area and 3.0 m (9.8 ft.) in building height, provided that it:
- i. complies with side and rear yard setbacks provided in Part Four, Sections 1.0 - 11.0, unless it is not attached to a permanent foundation and is designed to be readily removed or relocated without structural alteration,
  - ii. complies with all other provisions of Part Four, Sections 1.0 - 11.0, and
  - iii. does not create a hazard pursuant to the *Alberta Building Code*;



**Figure 6 – Residential Accesses**

*For illustrative purposes only (not drawn to scale)*

- 2.12. a patio in a Residential District that meets the minimum required yard requirements outlined in Part Three, Sections 27.0 – 30.0 related to Projections into Required Yards;
- 2.13. development within a basement of a dwelling which does not change or add to the uses within the dwelling;
- 2.14. boarding and foster care within a dwelling unit, provided the use, in the opinion of the Development Authority, is not a boarding and lodging house, a child day home, a child care facility, a group home, or a group care facility;
- 2.15. the provision of child care which would be classified a child day home except that it only provides child care for up to four (4) children and its hours of operation are solely limited to during periods before and after school, during the lunch hour, when schools are closed, and casual babysitting on an infrequent basis not exceeding twelve (12) hours per week, provided that it is not a Provincially licenced child care program;
- 2.16. home offices within a dwelling unit, provided they are listed as a permitted use in the District in which the site is located;
- 2.17. landscaping where it will not affect the grading or drainage of the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit; and
- 2.18. the demolition or removal of any building or structure for the erection of which a development permit would not be required pursuant to Part Two, Subsections 2.3 through 2.16.

### **Non-Conforming Buildings and Uses**

- 3.0 Section 643 of the Act and any amendments thereto shall be adhered to in dealing with non-conforming uses and buildings. For the purposes of Section 643(5) of the Act, the following shall apply:
  - 3.1. If a building located on a site does not conform with the requirements of this Bylaw, the owner, applicant, purchaser, vendor or occupant, as the case may be:
    - i. may request that the Development Authority acknowledge and provide for the non-conformances in accordance with Sections 643(1) through (4) of the Act and, pursuant to Section 643(5)(b) of the Act, allow for routine maintenance, as the Development Authority considers necessary, in the case of a non-conforming building; or,
    - ii. may submit a development permit application to the Development Authority in accordance with Part Two, Sections 5.0 – 9.0 of this Bylaw for

the purpose of making a building located on a site conform with the requirements of this Bylaw.

- 4.0 The development permit applications referred to in Part Two, Subsection 3.1ii. shall be processed and decided upon in accordance with Part Two, Sections 5.0 – 9.0 of this Bylaw.

**Application for Development Permit**

- 5.0 An application for a development permit shall be made to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
- 5.1. a site plan in triplicate, drawn to scale and dimensioned showing:
    - i. the civic address, legal description and boundary lines of the site including any lots that may make up the site,
    - ii. location of all existing and proposed utilities, easements and right-of-ways,
    - iii. all of the existing and proposed buildings on the site,
    - iv. the minimum required front, rear, and side yards, if any,
    - v. location and name of adjacent roads, lanes, sidewalks, trails, access and egress points to the site, street hardware and curbs,
    - vi. any provision for off-street loading, vehicle standing, and parking areas, and
    - vii. adjacent land uses;
  - 5.2. an indication of the proposed uses; and
  - 5.3. written consent from the owner(s) of the parcel or parcels of land making up the site, and the interest of the applicant therein in the case where they are not the owner.
- 6.0 Each application for a development permit shall be accompanied by a fee as established by Council. No application for a development permit will be considered as complete until the date that the application fee is paid in full.
- 7.0 The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
- 7.1. a copy of recent title of all parcels of land that make up the site, and copies of any non-monetary instruments registered on those titles;
  - 7.2. digital copies of all plans and drawings that are provided as part of the application in a format acceptable to the Development Authority;

- 7.3. the location of existing and proposed municipal and private storm and sanitary sewage collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;
- 7.4. the height and horizontal dimensions of all existing and proposed buildings;
- 7.5. outlines of roof overhangs on all buildings;
- 7.6. existing and proposed grades on the site and on adjacent sites, roads and lanes;
- 7.7. floor plans, elevations and sections of any proposed buildings, including the lowest floor elevation in either the basement or on the main floor in the principal and accessory buildings;
- 7.8. landscaping plans, including the location of existing and proposed trees, shrubs, grassed areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevards within road rights-of-way;
- 7.9. drainage plans;
- 7.10. in a Residential District, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
- 7.11. future development plans for a site which is to be partially developed through the applicable development permit;
- 7.12. in the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week, among other relevant matters;
- 7.13. in the case of the placement of an already constructed or partially constructed building on a site, information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including an inspection report from an approved agency and/or photographs of the building;
- 7.14. in the case of new, non-residential development, an outdoor lighting concept plan, including photometric mapping and specification information for all lighting fixtures;
- 7.15. any other information or tests required by the Development Authority, at its discretion, respecting the site or adjacent lands, including but not limited to an environmental screening of the site, sun/shadow diagram, noise study, or light illumination/spillage plan, and such information or tests may be required to be prepared, signed and/or sealed, and finalized by qualified professionals; and

7.16. a statutory declaration indicating that the information supplied is accurate.

**8.0 Insufficient Information and Deemed Refusal**

8.1. The Development Officer shall, within the prescribed time period after the receipt of an application for a development permit pursuant to Section 683.1 of the Act, determine whether or not the application is complete. If, in the opinion of the Development Officer, the information supplied by the applicant in accordance with Part Two, Sections 5.0 and 7.0 hereof is insufficient or of insufficient quality to properly evaluate the application, the Development Officer shall issue to the applicant a notice in writing that the application is incomplete. The notice shall be in the form satisfactory to the Development Officer and state:

- i. the deficiencies in the application and information required in accordance with Part Two, Sections 5.0 and 7.0 hereof to properly evaluate the application; and,
- ii. the date by which the applicant shall submit the required information.

8.2. The applicant shall, pursuant to the notice described in Part Two, Section 8.1 above, submit the information required by a date set out in the notice or a later date agreed on between the applicant and the Development Officer in order for the application to be considered complete. If the applicant fails to submit all required information by the date herein described, the application shall be deemed to be refused. If an application is deemed to be refused, the Development Officer shall issue to the applicant a notice of the refusal in accordance with Part Two, Sections 15.0 to 20.0.

**9.0 Deemed Complete**

9.1. The Development Authority may make a decision on a development permit application if, regardless of not receiving all possible information as required by Part Two, Subsection 5.1 hereof, the Development Officer, in its sole discretion, determines the information supplied by the applicant is sufficient to treat the application as complete.

9.2. If the Development Officer determines that an application for a development permit is complete in accordance with Part Two, Subsections 8.1, 8.2 or 9.1 hereof, as the case may be, they shall notify the applicant in writing in the form satisfactory to the Development Officer acknowledging that the application is complete. The time period for consideration of a development permit application shall not commence until the Development Officer is satisfied, in its sole opinion, that the development permit application is complete and the applicant has received the acknowledgement described herein.

- 9.3. Notwithstanding Part Two, Subsection 9.2, an application for a development permit shall, at the option of the applicant, be deemed to be complete when an acknowledgment of a complete application referred to in Part Two, Subsection 9.2 hereof is not provided within the prescribed time period.

## **Decision Process**

### **10.0 Authority**

- 10.1. The Development Officer shall review all applications for development permits and, notwithstanding Part Two, Sections 5.0 – 9.0, in the course of reviewing the application, may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
- 10.2. The Development Officer shall review each application for a development permit to determine what type of use the development constitutes.
- 10.3. The Development Authority may, at its discretion, prior to deciding upon a development permit application for a discretionary use or a variance in regards to either a permitted use or discretionary use, provide public notice through means and to whom it considers necessary that a decision regarding the application is to be made, that an opportunity will be afforded to any interested person to make representation on the application, and that the Development Authority shall take into account but shall not be bound by any such representations made when giving final consideration to the said application. The said public notice shall, at a minimum, provide information regarding the nature of the proposed development, specify the requirements for submitting a representation, identify the deadline for submissions and any other information deemed necessary by the Development Authority.
- 10.4. The Development Authority may consider a development permit application for an enlargement, addition, demolition, removal, or structural alteration to be a permitted use only in a situation where:
- i. the principal use on the site has a valid development permit at the time of the application under this Subsection;
  - ii. the existing development would not be considered a non-conforming use, pursuant to s. 643 of the Municipal Government Act;
  - iii. the principal use of the site has not been discontinued for a period of six (6) consecutive months or more;
  - iv. the Development Authority is satisfied that the enlargement, addition, demolition, removal, or structural alteration would not result in any change or intensity of any authorized use on the site; and

- v. the Development Authority is satisfied that, from a planning perspective, it is appropriate to proceed under the provisions of this Subsection.
- 10.5. Subject to the provisions of Part Two, Section 11.0 and any other variance provisions of this Bylaw, the Development Authority shall refuse an application that does not conform to this Bylaw.
- 10.6. The Development Officer shall issue a development permit for a permitted use with or without conditions if the application conforms to this Bylaw.
- 10.7. The Development Officer may issue a development permit, with or without conditions, for a use that is identified as “Discretionary Use – Development Officer” if the application conforms to this Bylaw.
- 10.8. The Development Officer may refer to the Municipal Planning Commission, with recommendations, any application for a development permit:
  - i. For a use that is identified as “Discretionary Use – Development Officer” and the Municipal Planning Commission may issue a development permit, with or without conditions, if the application conforms to this Bylaw; or
  - ii. For a variance that does not exceed the limitations set out in Part Two, Subsection 11.3, and the Municipal Planning Commission may approve a development permit for a variance, with or without conditions.
- 10.9. The Development Officer shall refer any application identified as “Discretionary Use – Municipal Planning Commission” to the Municipal Planning Commission, with recommendations, which may issue a development permit, with or without conditions, if the application conforms to this Bylaw.
- 10.10. The Development Officer shall refer any applications for development within a Direct Control District to Council, with recommendations, unless otherwise indicated in this Bylaw, and Council may issue a development permit, with or without conditions.
- 10.11. The Development Authority may refuse a development permit application for a discretionary use even though it may conform to this Bylaw.
- 10.12. Where a proposed use does not conform to the wording of any land use definition or generally conforms to the wording of two or more land use definitions, the Development Officer may determine that the use is similar to the land use definition that the Development Officer considers to be the most appropriate in character, purpose, intent, and/or impact. In such instances, the use shall be considered a discretionary use regardless of whether or not the

similar land use definition is a permitted or discretionary use within the subject land use district.

- 10.13. An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision is not made within 40 days of receipt of the notice acknowledging that the application is complete pursuant to Part Two, Subsection 9.2, or, if said notice was not provided, within 40 days after the prescribed time period which deemed the application to be complete pursuant to Part Two, Subsection 9.3, unless the applicant has entered into a written agreement with the Development Officer to extend the time period beyond the 40-day period.

#### 11.0 Variances

Notwithstanding the provisions of Part Two, Section 10.0, the Development Authority may grant a variance from any development standard prescribed in this Bylaw, subject to the following:

- 11.1. The Development Authority may grant a variance and approve a development permit, with or without conditions, where:
- i. the proposed development would not, in the opinion of the Development Authority:
    - a. unduly interfere with the amenities of the neighbourhood; or
    - b. materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
  - ii. the development conforms to the use prescribed for the subject land or building in this Bylaw.
- 11.2. In addition to the provisions of Part Two, Subsection 11.1, in considering any proposed variance the Development Authority may consider, if relevant to the variance request, any of the following:
- i. the development is consistent with the purpose of the Land Use District;
  - ii. there are practical difficulties in complying with the affected regulation or regulations that are peculiar to the use, character or situation of land or a building which are generally not common to other sites in the same Land Use District;
  - iii. potential impacts on adjacent developments and measures to mitigate such impacts; and
  - iv. approval of the variance would not cause non-compliance with the *Alberta Building Code* or any other legislation.
- 11.3. The Development Officer shall refer to the Municipal Planning Commission any proposed variance:



- i. to any regulations of this Bylaw governing building height, gross floor area, floor area ratio, or density; or
  - ii. that exceeds 25%.
- 11.4. The Municipal Planning Commission may approve a variance referred to it per Part Two, Subsection 11.3. In exercising such discretion, the Municipal Planning Commission shall have regard to the provisions of Part Two, Subsection 11.1 and may also consider the provisions of Part Two, Subsection 11.2.
- 11.5. The Development Authority may approve, with or without conditions and subject to the provisions of Part Two, Subsection 11.3, an enlargement, addition to, rebuilding of, or structural alteration to a legal non-conforming building if the non-conforming building complies with the uses prescribed for that land in this Bylaw and the proposed development would not, in the opinion of the Development Authority:
  - i. unduly interfere with the amenities of the neighbourhood; or
  - ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

### **Development Permit Conditions and Notes**

#### **12.0 Standard Conditions**

- 12.1. The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the Municipality:
  - i. to construct or pay for the construction of a road required to give access to the development;
  - ii. to construct or pay for the construction of:
    - a. a pedestrian walkway system to serve the development, or
    - b. pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
  - iii. to install or pay for the installation of public utilities or works, that are necessary to serve the development;
  - iv. to construct or pay for the construction of:
    - a. off-street or other parking facilities, and
    - b. loading and unloading facilities;and/or
  - v. to pay an off-site levy or redevelopment levy.

- 12.2. Any Development Agreement entered into in accordance with Part Two, Subsection 12.1 may at the discretion of the Development Authority be subject to the following requirements:
- i. all construction to be completed to the satisfaction of the Development Authority;
  - ii. all drawings to be submitted under the seal of a Professional Engineer;
  - iii. following construction, record drawings to be submitted to the Development Authority including digital copies; and
  - iv. that a caveat be registered by the Municipality in respect of the Development Agreement against the Certificate of Title for the parcel of land that is the subject of the development. The said caveat shall be discharged when all requirements of the said Agreement have been complied with to the satisfaction of the Development Authority.
- 12.3. The Development Authority may require that as a condition of issuing a development permit, the applicant provide security to ensure the applicant complies with this Bylaw, a development permit, an agreement under Part Two, Subsection 12.1 or a statutory plan enacted by the Municipality, which security may include, but is not limited to an irrevocable letter of credit or charge against the title to the site.
- 12.4. The Development Authority may require that as a condition of issuing a development permit for new construction, the applicant provide a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application, be submitted by the developer upon completion of the building foundation or footing stage as circumstances warrant, or siting in the case of prefabricated structures on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.
- 12.5. The Development Authority may require that as a condition of issuing a development permit, the applicant undertake and complete construction in accordance with the site plans, landscaping plans, drainage plans, and grading plans submitted, and undertake any remedial measures recommended or required by any engineering or environmental screening reports provided to the Development Authority during the development permit application process.
- 12.6. The erection of a building on any site may be prohibited where it would otherwise be allowed under this Bylaw when, in the opinion of the Development Authority, satisfactory arrangements have not been made by the developer for the supply of required improvements as specified under Part Two, Subsection 12.1, including payment of the costs of installing or constructing any such facilities by the developer.

- 12.7. In addition to the provisions of Part Two, Subsections 12.1 - 12.5, the Development Authority may impose such conditions as deemed appropriate, having regard to the regulations of this Bylaw and the provisions of any statutory plan including, but not limited to the following conditions:
- i. regulating intensity of the use, including hours of operation and number of patrons;
  - ii. establishing landscaping requirements;
  - iii. requiring noise attenuation;
  - iv. requiring special provisions be made for parking beyond the minimum standards as outlined in Part Six to ensure compatibility with surrounding development;
  - v. regarding the location, character and appearance of a building;
  - vi. regarding the grading of a site or such other procedures as are necessary to protect the site from other developments or to protect other developments from the site;
  - vii. establishing the period of time during which a development may continue;
  - viii. any other conditions necessary to ensure the development is compatible with surrounding development; and
  - ix. any other conditions necessary to ensure the development complies and is compatible with the general development regulations or the land use district regulations of this Bylaw.

13.0 Compliance with Other Legislation

- 13.1. A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with, or carrying out and shall ascertain, comply or carry out development in accordance with:
- i. the requirements of any other federal, provincial or municipal enactment or any other law;
  - ii. without limiting the generality of the foregoing, the requirements of the *Safety Codes Act* and regulations including but not limited to the *Alberta Building Code* and *Alberta Fire Code*, *Public Highways Development Act*, *Environmental Protection and Enhancement Act*, and *Natural Resources Conservation Board Act*; and
  - iii. the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
- 13.2. The Municipality is not responsible for nor does the Municipality have any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.

- 13.3. The applicant for a development permit shall be responsible for compliance with all federal, provincial and municipal enactments and any other law applicable to the use and development of the land and buildings. It is hereby deemed a condition of every development permit, whether or not expressly stated therein that the applicant is responsible for ascertaining and shall comply with all applicable federal, provincial and municipal enactments and any other law with respect to the use and development of the land and buildings and shall as and when required thereunder obtain any and all permits, licences and approvals.

14.0 Commencement of Development and Development Permit Validity

14.1. Validity of a Development Permit

- i. A Development Permit granted pursuant to this Part shall not be valid unless and until:
  - a. any conditions of approval, save those of a continuing nature, have been fulfilled; and
  - b. no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the prescribed time periods pursuant to the Act. Any development proceeded with by the applicant prior to the expiry of this period is prohibited.
- ii. Where an appeal is made to the Subdivision and Development Appeal Board pursuant to Part Two, Section 23.0 of this Bylaw, a Development Permit which has been approved shall not be valid unless and until:
  - a. the Subdivision and Development Appeal Board has given its decision of an appeal in writing and the permit has been confirmed, modified or nullified thereby; and
  - b. any conditions of approval, save those of a continuing nature, have been fulfilled.
- iii. Upon service on the Municipality of an application for leave to appeal the decision of the Subdivision and Development Appeal Board, under the Act, the Development Authority shall suspend the development permit issued by the Subdivision and Development Appeal Board.
- iv. The development permit issued by the Subdivision and Development Appeal Board and suspended pursuant to the Act, remains suspended until:
  - a. the Alberta Court of Appeal denies leave to appeal; or
  - b. the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination by the Alberta Court of Appeal has been finally determined.

14.2. Expiration of Development Permit Validity

- iii. A development permit shall cease to be valid twelve (12) months after the date on which it was issued unless, prior to the expiry of that time, the developer has commenced development or the Development Authority grants an extension of time, except as provided for in Part Two, Subsection 14.2iii..
- iv. The Development Officer may grant an extension of a development permit for a period of not more than two (2) consecutive one (1) year extensions beyond the expiry date of the initial permit, provided that the proposed development still complies with the provisions of this Bylaw. Notwithstanding the foregoing, the Development Officer may refer an extension request to the Municipal Planning Commission, if deemed necessary or advisable by the Development Officer, whom may grant an extension of a development permit for a maximum of two (2) consecutive one (1) year extensions beyond the expiry date of the initial permit, provided that the development still complies with the provisions of this Bylaw. If the developer has not commenced development within the extended time period, the development permit ceases to be valid.
- v. Once work has been initiated in connection with a project approved by a development permit, the permit remains valid until the work is completed, provided that the project is carried out with reasonable diligence and substantially completed within two (2) years of the date the permit was initially issued or within two (2) years of the date that any extension of the permit is granted. If the work is not substantially completed within that time, then the permit shall be deemed to have expired.

14.3. If after the issuance of a development permit, it becomes known to the Development Authority that:

- iii. the application for the development permit contains a misrepresentation;
- iv. facts have been disclosed which should have been disclosed at the time of consideration of the application for the development permit; or
- v. the development permit was issued in error,

the Development Authority may rescind the approval of the development permit by notice in writing to the applicant. In such a circumstance, the appeal period provided for under Part Two, Section 23.0 of this Bylaw begins from the date the applicant is advised that the permit approval has been rescinded.

### **Development Permit Notices**

15.0 When a development permit has been issued for a permitted use and no variance to any regulation has been granted as provided for by Part Two, Section 11.0, the Development

Authority shall immediately post a notice of the decision conspicuously in the Municipality's office.

16.0 When a development permit has been issued for a discretionary use or for a permitted use where a variance to a regulation has been granted as provided for by Part Two, Section 11.0, the Development Authority shall immediately, in addition to the requirements of Part Two, Section 17.0:

16.1. mail a notice in writing to all owners of land within at least 60.0 m (196.8 ft.) of the subject site for a discretionary use, or at least 30.0 m (98.4 ft.) of the subject site for a permitted use where a variance has been granted, or a greater distance deemed necessary by the Development Authority due to the nature of the use and/or the nature or extent of the variance being granted, and to those other owners of land who, in the sole opinion of the Development Authority, may be affected; and/or,

16.2. post a notice on the Municipality's internet website; and/or,

16.3. require the applicant to immediately post a notice which is legible from a distance of 15.0 m (49.2 ft.), located prominently on the site, and then maintain the sign in a reasonable condition for a period of no less than the prescribed time period referred to in Part Two, Subsection 14.1; and/or,

16.4. publish a notice of the decision in a newspaper circulating in the Municipality.

17.0 The notice indicated in Part Two, Sections 17.0 and 18.0 shall state:

17.1. the legal description and the street address of the site of the proposed development,

17.2. the uses proposed for the subject development,

17.3. any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority when the development permit was approved,

17.4. the date the development permit was issued, and

17.5. how an appeal might be made to the Subdivision and Development Appeal Board and the deadline for such appeal.

18.0 The decision of the Development Authority on an application for a development permit shall be given in writing and a copy of the decision, together with a written notice

specifying the date on which the decision was made and containing any other required information, sent to the applicant on the same day the decision is made, and, if applicable, any person whom made representation per Part Two, Subsection 10.3.

- 19.0 When the Municipal Planning Commission or Council, carrying out their powers as Development Authority in accordance with this Bylaw, carries a motion regarding the decision of a development permit application, the Development Officer shall have signing authority and be bound to decide upon and issue the notice of decision in accordance with the passed motion.
- 20.0 When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

### **Reapplication**

- 21.0 Following refusal of a development permit application:
- 21.1. The Development Officer shall not accept an application for development permit for the same or similar use from the same or any other applicant for the same site within six (6) months of the date of refusal by the Development Officer, Municipal Planning Commission or the Subdivision and Development Appeal Board, whichever is later.
- 21.2. Notwithstanding the provisions of Part Two, Subsection 22.1, the Development Officer is authorized to accept a new or revised application for the same or similar use for the same site prior to six months having elapsed from the date of refusal when, in the opinion of the Development Officer, the aspects of the application which caused it to be refused have been sufficiently modified or resolved.
- 21.3. An application for a permitted use on the same site, which complies with all applicable provisions of this Bylaw, may be submitted prior to six months having elapsed from the date of refusal.
- 22.0 Section 21.0 hereof does not apply in the case of an application that was deemed to be refused pursuant to Part Two, Subsection 8.2.

### **Development Appeals**

- 23.0 The decision of the Development Authority may be appealed to the Subdivision and Development Appeal Board pursuant to the Act through the Municipality's *Subdivision and Development Appeal Board Bylaw*.

**Subdivision of Land and Substandard Lots**

- 1.0 All provisions of this Part may, as applicable, apply to applications for subdivisions.
- 2.0 Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has been registered at the Land Titles Office.
- 3.0 Subject to Part Three, Section 4.0, any application to subdivide land in the Municipality shall conform to the Act, regulations made pursuant to the Act, and this Bylaw and any notice, acknowledgement or other thing required to be issued by the Subdivision Authority pursuant to Section 653.1 of the Act regarding determining the completeness of an application for subdivision shall be in writing in the form satisfactory to the Subdivision Authority.
- 4.0 The Subdivision Authority may approve an application for subdivision or a bare land condominium plan even though the proposed subdivision or bare land condominium plan does not comply with the regulations of this Bylaw if, in the opinion of the Subdivision Authority:
  - 4.1. the proposed subdivision or bareland condominium plan would not:
    - i. unduly interfere with the amenities of the neighbourhood, or
    - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
  - 4.2. the proposed subdivision or bareland condominium plan conforms to the use prescribed for that land or building in this Bylaw.
- 5.0 With the approval of the Development Authority the minimum site area, site depth, and site width may be less in the case of existing substandard lots which are held in separate title from abutting substandard lots as of the date of the approval of this Bylaw.
- 6.0 The Subdivision Authority may require that as a condition of approving an application for subdivision, the applicant enter into an agreement with the Municipality as provided for in Part Two, Section 12.0, and any other matters the Subdivision Authority considers necessary to ensure it does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

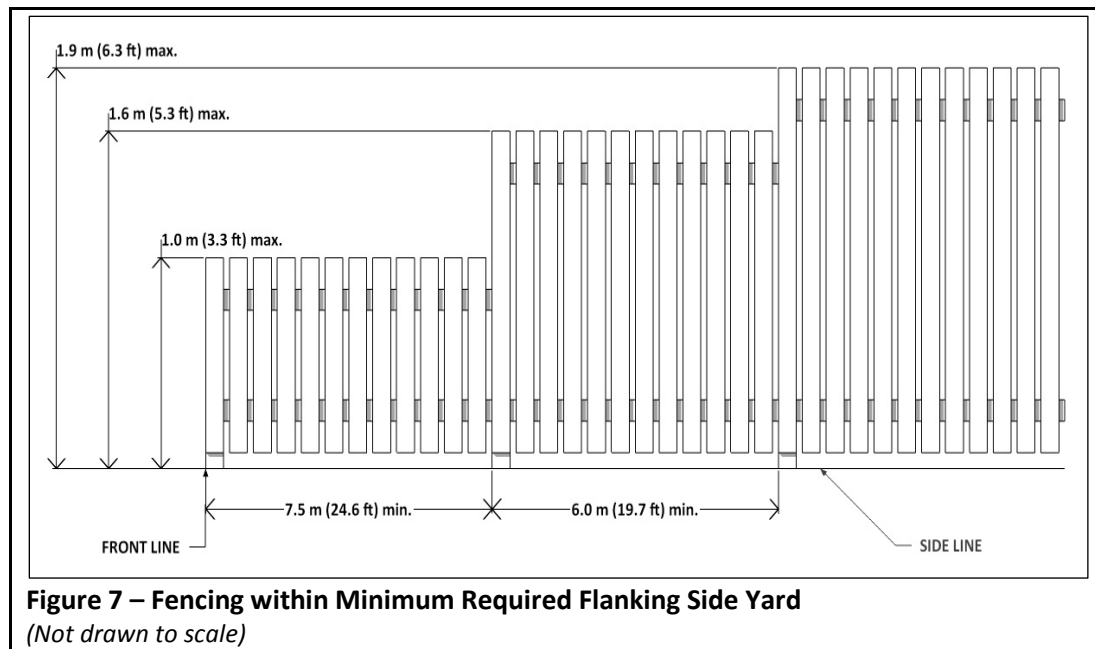
**Dwelling Units on a Parcel**

- 7.0 In the single dwelling land use districts, no permit shall be granted for the erection of more than one (1) dwelling unit on a single parcel of land, or if a secondary suite is approved within the dwelling on the parcel of land, more than two (2) dwelling units.



## Fencing

- 8.0 Notwithstanding any regulation respecting required minimum yard to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a site.
- 9.0 Unless otherwise provided in this Bylaw, no fence or hedge shall be:
- 9.1. higher than 1.9 m (6.3 ft.) above grade in side yards and rear yards; or
  - 9.2. higher than 1.0 m (3.3 ft.) above grade in front yards; or
  - 9.3. higher than 2.4 m (7.9 ft.) above grade at the highest point of a gate that is not more than 2.5 m (8.2 ft.) in length; or
  - 9.4. higher than 1.0 m (3.3 ft.) above grade within the sight line protection area as provided in Part Three Sections 34.0 – 37.0.
- 10.0 Notwithstanding Part Three, Subsection 9.0, in the case of a corner site, a fence or hedge shall be allowed no higher than shown in Figure 7 within the minimum required flanking side yard.



- 11.0 Notwithstanding Part Three, Subsection 9.0, the height of a fence in the C-3, RM and UR Districts shall be as determined by the Development Authority.
- 12.0 All fences shall be made of a permanent material satisfactory to the Development Authority and of sturdy construction by being adequately anchored and fixed to the ground, such that they are freestanding and not supported by any other building.

- 13.0 No fences comprised of barbed wire shall be allowed, except, at the discretion of the Development Authority, in the RM and UR Districts. If barbed wire is allowed, it shall not be allowed below a height of 1.8 m (5.9 ft.) unless the Development Authority, at its sole discretion, allows barbed wire at a lower height where, in its opinion, dwellings would not be in proximity to the fence proposed.
- 14.0 No electrification of fences or razor wire fences shall be allowed.
- 15.0 The Development Authority may require that a fence or hedge be provided to a height of at least 1.5 m (4.9 ft.) surrounding the following where they would be visible from a road or from an adjacent dwelling:
- 15.1. outdoor storage areas,
  - 15.2. garbage and/or recycling collection areas, and
  - 15.3. loading or vehicle service areas.
- 16.0 Outdoor storage areas shall be screened from adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences, hedges, and/or other landscaping.

### **Landscaping**

#### **17.0 General Requirements**

- 17.1. Landscaping in all developments shall be to the satisfaction of the Development Authority and in accordance with the Municipality's landscaping standards; and any landscaping activities on public property shall be done in accordance with the Municipality's *Community Standards Bylaw*.
- 17.2. Where a landscaping plan is required, no landscaping shall commence prior to the plan being approved in writing by the Development Authority. After approval is given in writing, all landscaping work shall be done in accordance with the approved plans. Any proposed revisions to an approved landscaping plan must be submitted in writing as an addendum to an approved landscaping plan and authorized in writing by the Development Authority prior to the revisions being undertaken.
- 17.3. Subject to Part Three, Section 17.4, the Development Authority may require landscaping plans with any application for a development permit, and landscaping plans shall be required with an application for a development permit within:
- i. The R-2, R-3, R-4, RGO and RMU Districts,
  - ii. Comprehensive site-planned developments,

- iii. POS District,
- iv. PPS District,
- v. Commercial Districts, and
- vi. Industrial Districts.

17.4. Notwithstanding Part Three, Section 17.3, where a development permit application applies only to renovations, structural alterations, a change of use, or change in intensity of use that does not alter the floor area or exterior of the building, a landscaping plan may not be required.

#### 18.0 Landscaping Plan Contents

18.1. Landscaping plans shall include, at the discretion of the Development Authority, the following information:

- i. site plan contents as required in Part Two, Section 5.1;
- ii. location and description or illustrations of all existing or proposed physical features, identifying height of physical features above grade, including but not limited to ground cover, fences, walls, flower beds, gardens, berm contours, outdoor furniture, decorative paving, water features, and surface utilities;
- iii. location of all existing plant materials, labelled with a key, cross-referenced with a descriptive list identifying the common and botanical name, noting whether they will be retained or removed;
- iv. location of all proposed plant materials, labelled with a key, cross-referenced with a descriptive list identifying the common and botanical name, quantity, size and method of planting, or grass mix for sod and/or seed;
- v. playground equipment and public seating areas if the area forms part of a communal amenity area; and
- vi. any other information the Development Authority considers necessary to ensure the development does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels.

#### 19.0 Landscaping Standards

##### ***General Requirements***

19.1. The areas to be landscaped shall include all abutting boulevards and site areas not previously landscaped or covered with buildings, sidewalks and parking areas, unless it can be demonstrated that these areas are necessary for the day-to-day utilization of the site in accordance with the approved use.

- 19.2. Where at the time of development the area between the front line and the curb and/or the curb and sidewalk is not landscaped, this area shall be landscaped.
- 19.3. Where a specified site area is required for landscaping by any use or land use district, the abutting boulevard area may, at the discretion of the Development Authority, be used in partial fulfillment of landscape area requirements subject to the provisions of this Bylaw if it can be shown the requirement cannot be provided on site.
- 19.4. At a minimum, all landscape areas shall be seeded or sodded with grass unless specified otherwise. Aesthetically pleasing alternative landscape areas are encouraged to include xeriscaping or other forms of low maintenance and drought-resistant landscaping techniques which allow for reduced water usage and naturalised stormwater management. However, in no case shall hard-landscaping features, such as decorative paving or other impervious surfaces, exceed 25% of the required landscaped area.
- 19.5. In all landscape areas in the R-2, R-3, R-4, C-1, C-2, C-4 PPS, POS Districts, and Comprehensive Site-Planned developments, including a manufactured home park:
- i. Trees shall be planted at a minimum ratio of one (1) tree per 45.0 m<sup>2</sup> (484.4 sq. ft.) of landscaped area, and
  - ii. Shrubs shall be planted at a minimum ratio of one (1) shrub per 20.0 m<sup>2</sup> (215.3 sq. ft.) of landscaped area.
- 19.6. Existing trees and shrubs shall be retained to the greatest extent possible. Any such trees or shrubs which are retained following development may be considered in assessing fulfilment of the landscaping requirements provided construction activity has not, in the opinion of the Development Authority, impacted the ability of the existing trees or shrubs to survive a two (2) year maintenance period. Any trees or large shrubs which are removed shall be replaced with a tree or shrub of similar species.

***Parking Areas***

- 19.7. Curbed islands or peninsulas shall be provided in off-street parking areas as follows:
- i. Parking spaces must be separated by an island or peninsula at the rate of at least one (1) per each row of twelve (12) consecutive parking spaces (single-row parking) or twenty-four (24) consecutive parking spaces (double-row parking).
  - ii. Trees shall be planted at a ratio of one (1) tree per five (5) parking spaces (single-row parking) or one (1) tree per ten (10) parking spaces (double-

- row parking) in the islands or peninsulas, or within 3.0 m (9.8 ft.) of the periphery of the parking area.
- iii. Where practical, islands and peninsulas shall be placed at ends of parking rows or along designated pedestrian areas. Planted medians within off-street parking areas may be considered as an alternative to islands and peninsulas.
- iv. Each island, peninsula or median shall be:
  - a. designed to protect all plant material from damage,
  - b. a minimum width and length of a standard parking space,
  - c. raised at least 15 cm (5.9 in.) above grade, and
  - d. finished with tree grates, ground cover vegetation, and/or hard landscaping.

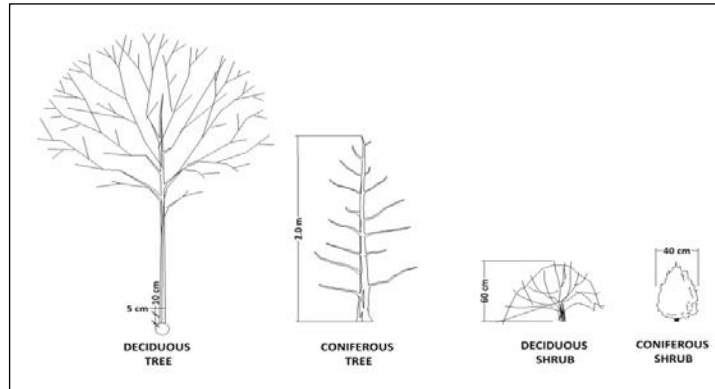
### ***Buffers***

- 19.8. When no lane separates commercial or industrial development from a residential use or land use district, a landscaped buffer shall be required along the full length of any yard in the commercial or industrial development site adjacent to the residential use or land use district. This landscaped buffer may be required where a lane separates such uses.
- 19.9. The minimum width of the buffer shall be 3.0 m (9.8 ft.) or as otherwise required by the Development Authority.
- 19.10. Trees that are a minimum of 6.0 m (19.7 ft.) in height at maturity shall be planted on all buffers that, in the opinion of the Development Authority, would be sufficient to screen the residential use or district from the commercial or industrial development.

### ***Plant Material Specifications***

- 19.11. Unless otherwise specified, all plant materials shall meet the following:
  - i. be hardy to the Municipality and the proposed site (the *Canadian Standards for Nursery Stock* by the Canadian Nursery Landscape Association may be used as a reference guide in selecting plants);
  - ii. where possible and practical, deciduous trees should be planted to shade interior building spaces to allow the winds to cool down the building during summer and allow direct sunlight in the winter, and coniferous trees should be planted on the prevailing winter wind side;

- iii. deciduous trees must have a minimum calliper width of 5 cm (1.9 in.) measured 10 cm (3.9 in.) above the root ball;
- iv. coniferous trees must be a minimum height of 2.0 m (6.6 ft.) at the time of planting; and
- v. shrub material, if deciduous, must have a minimum height of 60 cm (23.6 in.) when planted and, if coniferous, must have a minimum spread of 40 cm (15.7 in.) when planted.



**Figure 8 – Plant Material Specifications**

*For illustrative purposes only (not drawn to scale)*

### ***Installation and Maintenance***

- 19.12. All landscaping shall be completed to the satisfaction of the Development Authority within twelve (12) months from the date of issuance of a Building Permit Services Report pursuant to the *Safety Codes Act*, or commencement of the use of the building, whichever occurs first, although the Development Authority has discretion to extend this period and may take into consideration adverse weather conditions that have impacted timelines.
- 19.13. The owner of the site or its successors or assignees shall be responsible for proper maintenance of the landscaping.
- 19.14. The quality and extent of the landscaping on a site shall be the minimum standard to be maintained on the site for the life of the development.
- 19.15. If plant material is deemed inappropriate or does not survive, it must be replaced with plant material of similar type and size.

## **20.0 Landscaping Security**

- 20.1. The Development Authority may require, as a condition of development permit approval, either in addition to, or as part of, other security being required for the development, that the developer provide security in the form and amount required by the Development Authority, to ensure that such landscaping is carried out with reasonable diligence.

- 20.2. Acceptable securities are a cash deposit or irrevocable and automatically renewable Letter of Credit up to 100% of the estimated landscaping costs, including materials and labour, provided by the developer and acceptable to the Development Authority.
- 20.3. Upon receipt of a written request for inspection from the developer, the Development Authority shall schedule a landscaping inspection within thirty (30) days of receipt of the request, or within thirty (30) days following the cessation of adverse weather conditions that have impacted timelines, and shall notify the other party in writing within fifteen (15) days following the inspection whether the landscaping is accepted, or noting deficiencies to be corrected.
- 20.4. Upon acceptance of the landscaping as complete in accordance with approved plans, the Development Authority may release up to 85% of the security.
- i. Two (2) years following acceptance of the landscaping, although the Development Authority may take into consideration adverse weather conditions that have impacted timelines, the Development Authority shall conduct a follow-up inspection to verify all plant materials have survived a maintenance period and notify in writing the developer of its findings. Upon determining all plant materials have survived, or replaced to the satisfaction of the Development Authority, the Development Authority shall release all remaining securities.
  - ii. Notwithstanding the foregoing, the Development Authority may, at its sole discretion, release the securities in full upon acceptance of the landscaping as complete in accordance with approved plans and waive the two (2) year maintenance period.
- 20.5. In the event that landscaping is not completed in accordance with this Bylaw or a development permit approval, or the developer of the site fails to maintain the landscaping during the maintenance period, then the cash or the proceeds from the Letter of Credit shall be available to the Municipality for its use in completing or replacing the required landscaping.
- 20.6. The Development Authority may, at its sole discretion, negotiate alternative provisions for the terms and requirements of landscaping security in Part Three, Sections 20.3 - 20.5, if the Development Authority is of the opinion that Part Three, Sections 20.3 - 20.5 are not sufficient for the circumstances of a particular development.

### **Architectural Standards**

- 21.0 The design, character, and appearance of all buildings shall:
- 21.1. be compatible with other buildings in the vicinity,
  - 21.2. be suited to the purpose of the District in which it is located, and
  - 21.3. comply with the provision of any plan or document approved by Council applicable to the design, character or appearance of the building.
- 22.0 Unless forming part of a single Comprehensive Site-Planned development which has been designed and approved per one development permit application, no principal buildings of identical or, in the opinion of the Development Authority, similar roof or front elevations and fronting on either side of a road shall be located within four (4) sites from each other in any District.
- 23.0 Any development located in a commercial district is encouraged to design any elevation facing the PPS District, POS District, or public roadway in such a way that it does not give the appearance of a predominantly blank wall. If, in the opinion of the Development Authority, the elevation has the appearance of a blank wall, the building shall be setback sufficiently to accommodate landscaping along the entirety of the wall to the satisfaction of the Development Authority, or the use of architectural elements such as columns, ribs, recesses, changes in building finishes or colours will be encouraged.
- 24.0 The exterior finish on all buildings shall be of a permanent material, and be of a character and quality satisfactory to the Development Authority. Permanent materials shall be of a colour commonly used in building construction, with the use of predominantly natural colours.
- 25.0 The exterior finish of a building shall be completed to the satisfaction of the Development Authority within twelve (12) months from the date of issuance of a Building Permit Services Report pursuant to the *Safety Codes Act*, or commencement of the use of the building, whichever occurs first, although the Development Authority has discretion to extend this period and may take into consideration adverse weather conditions that have impacted timelines.
- 26.0 Any addition or structural alteration to a principal building or accessory building, or development of a new accessory building, shall be compatible with or complement the design of the existing principal building, incorporating similar features such as window and door detailing, exterior cladding materials and colours, and roof lines; with the exception of prefabricated buildings and accessory buildings less than 10.0 m<sup>2</sup> (107.5 sq. ft.) in ground floor area.



### **Projections into Yards**

27.0 Except as provided in this Section, and except for fences as noted in Part Three, Subsection 8.0, no portion of a building shall be located or project into a minimum required yard. Notwithstanding any provision of this Section, any proposed projection shall comply with the requirements of the *Alberta Building Code*.

#### **28.0 Minimum Required Front Yards**

The following features may project into a required minimum front yard:

- 28.1. steps, ramps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- 28.2. patios, decks, and porches, provided they are not enclosed and are no closer than 4.5 m (14.8 ft.) from the front line;
- 28.3. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
- 28.4. exterior balconies on apartments provided that:
  - i. they are cantilevered and not enclosed, and designed as an integral part of the building, and
  - ii. they do not project more than 2.0 m (6.6 ft.) into the required minimum front yard; and
- 28.5. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

#### **29.0 Minimum Required Side Yards**

The following features may project into a required minimum side yard; except where a side yard of 3.0 m (9.8 ft.) is required for vehicular passage:

- 29.1. Decks, steps and ramps, provided such projection does not exceed fifty percent (50%) of the width of the required minimum side yard;
- 29.2. patios, which can project to the side line;
- 29.3. eaves, gutters, sills, bay, oval or bow windows, chimneys, or other similar projections, provided such projections do not exceed 0.6 m (2.0 ft.), and enclosed cantilever projections do not exceed 3.1 m (10.2 ft.) in length;

- 29.4. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
- 29.5. exterior balconies on apartments provided that:
  - i. they are cantilevered and not enclosed, and designed as an integral part of the building, and
  - ii. they do not project more than 1.0 m (3 ft.) into a required side yard and in no case are closer than 2.0 m (6.6 ft.) to a side line; and
- 29.6. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

**30.0 Minimum Required Rear Yards**

The following features may project into a required minimum rear yard:

- 30.1. steps, ramps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- 30.2. porches, provided such projection does not exceed 2.1 m (6.9 ft.), or where the building height of the porch is not more than 4.5 m (14.8 ft.), they may project up to 3.6 m (11.8 ft.);
- 30.3. decks, provided such projection does not exceed 3.6 m (11.8 ft.);
- 30.4. patios no closer than 1.0 m (3.3 ft.) to the rear line;
- 30.5. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
- 30.6. exterior balconies on apartments provided that:
  - i. They are cantilevered and not enclosed, and designed as an integral part of the building, and
  - ii. they do not project more than 2.0 m (6.6 ft.) into the required minimum rear yard and in no case is closer than 2.0 m (6.6 ft.) to a rear line; and
- 30.7. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

**Corner and Double-Fronting Sites**

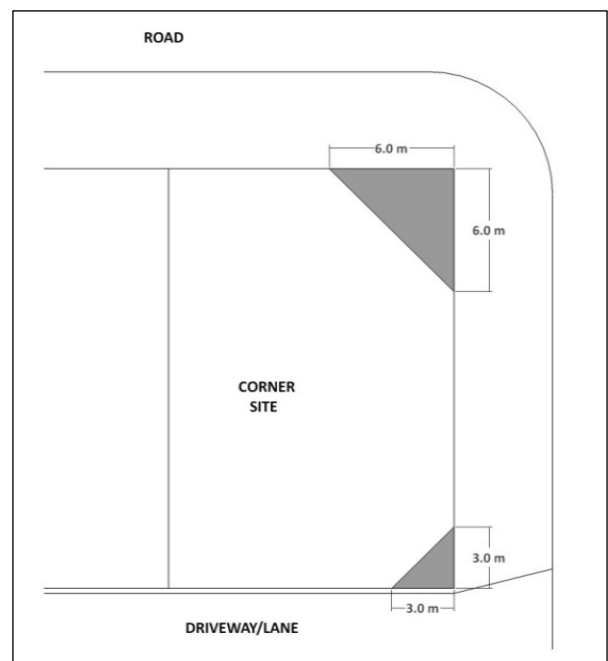
- 31.0 In the case of double-fronting sites, the front yard shall be that portion of the site abutting the road on which the front yards of adjacent lots face. If adjacent lots have

front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard.

- 32.0 Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner site or on a double-fronting site provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.
- 33.0 Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum front yard is not required on a corner site, the minimum required flanking side yard shall not be less than 3.0 m (9.8 ft.).

### **Sight Line Protection**

- 34.0 On corner sites, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) and a straight line joining points on the road right-of-way lines 6.0 m (19.7 ft.) from their intersection.
- 35.0 At the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight line joining points on the road or lane right-of-way lines or the edge of the driveway 3.0 m (9.8 ft.) from their intersection.



**Figure 9 – Sight Line Protection**

*For illustrative purposes only (not drawn to*

- 36.0 This Section does not apply in the C-1 District, except where an existing building is set back from the boundary line sufficient to allow for the regulations provided by Part Three, Sections 34.0 and 35.0. In no case shall the area protected for sight line be obstructed as determined by the Development Authority.
- 37.0 Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the areas defined in Part Three, Sections 34.0 and 35.0 such that any part of the sign is between the heights of 1.0 m (3.3 ft.) and 4.0 m (13.1 ft.) above grade.

### **Utility Easements**

- 38.0 No development other than landscaping or a fence shall be constructed or placed on or over a utility easement unless, in the opinion of the Development Authority, the development does not restrict access to the utility easement for the purpose of installation and maintenance of the utility.
- 39.0 If deemed appropriate by the Development Authority, a developer may be required to obtain the written consent of the owner of the easement or affected party to the easement, for any development proposed to encroach on or over a utility easement, other than a fence or landscaping.

### **Amenity Areas**

Where required in any land use district, private and/or communal amenity areas shall be provided in accordance with the following:

- 40.0 Private outdoor amenity areas shall be designed for the occupants of an individual dwelling unit and shall:
- 40.1. be located immediately adjacent to, and with direct access from, the dwelling it is intended to serve,
  - 40.2. be located in a yard other than a front yard,
  - 40.3. be landscaped and surfaced for convenient use for outdoor activities,
  - 40.4. be of a width and length of at least 4.0 m (13.2 ft.), and
  - 40.5. be developed as open space unencumbered by any accessory buildings or future additions.
- 41.0 Notwithstanding Part Three, Subsection 40.4, balconies may be considered private outdoor amenity areas provided they are unenclosed and have a minimum depth of 2.0 m (6.6 ft.).
- 42.0 Communal amenity areas shall be designed for the recreational use of all residents of the development or for the use and enjoyment of the public in the case of a non-residential development. The area may be indoor or outdoor space, or a combination thereof, including but not limited to landscaped courtyards, public seating areas, swimming pools, fitness rooms, party rooms, games rooms, and children's play areas complete with equipment.
- 43.0 In multi-unit dwelling developments of 15 dwelling units or more, a minimum communal amenity area of 2.5 m<sup>2</sup> (26.9 sq. ft.) per dwelling unit shall be provided and

be developed as children's play space or other communal recreation space, and be aggregated into areas of not less than 50.0 m<sup>2</sup> (528.2 sq. ft.).

- 44.0 In multi-unit dwelling developments, at least ten percent (10%) of the open space area required on the site shall be provided for recreational purposes; and in multi-unit dwelling developments of 15 units or more, recreational equipment shall be provided on this area to the satisfaction of the Development Authority. In accordance with the provisions of Part Two, Section 11.0 this requirement may be relaxed at the discretion of the Development Authority where indoor recreational facilities are provided.

### **Relocation of Buildings**

- 45.0 In making its decision on a development permit application to relocate an already constructed or partially constructed building, the Development Authority shall, in addition to all other applicable requirements and standards of the District which the site is located within, and having regard to Part Three, Sections 21.0 - 26.0, consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be located, and may refuse a development permit if the building, in its sole opinion, is or will be incompatible with the neighbourhood.

### **Site Grading and Drainage**

- 46.0 Site grading and drainage, including the placing and spreading of topsoil, shall be designed and built in accordance with the Municipality's engineering standards.
- 47.0 In all cases, site grades shall not allow drainage from public property onto private property, or one site to drain onto an adjacent site, except where that drainage conforms to an approved grading and drainage plan and all appropriate easements are registered.

### **Temporary Buildings and Uses**

- 48.0 Where, in the opinion of the Development Authority, an application for a development permit is for a building or use that is intended to be temporary or is inherently temporary, the Development Authority may impose conditions limiting the duration of the validity of the Development Permit.
- 49.0 Where an application for a development permit is for the temporary erection of a prefabricated building pursuant to Part Three, Section 48.0, the Development Authority shall not approve the development permit for a period of more than six (6) months.
- 49.1. If an extension to the six (6) month period is desired, an application for a new development permit shall be submitted to the Development Authority. In such a case, the Development Authority shall not approve the development permit for a period exceeding a further six (6) months. In no case shall the Development

Authority approve a subsequent development permit such that the development would cumulatively exceed a period of five (5) years.

- 50.0 Notwithstanding Part Three, Subsection 49.0, the Development Authority may issue, and subsequently consider for extension upon expiry, a temporary approval within the PPS District for a period of time at their discretion provided it does not exceed five (5) years.
- 51.0 If a development permit is conditionally approved limiting the duration of its validity, the Development Authority shall impose a condition that the use or building be entirely removed from the site and that the site be restored to its previous condition upon expiration of the development permit, subject to reapplication.

**Excavation, Stripping and Grading**

- 52.0 Any stripping and grading activities or proposed excavations shall be subject to a development permit and considered as a discretionary use at the Development Officer's discretion in any land use district. The Development Officer may refer the application to the Municipal Planning Commission in accordance with Part Two, Section 10.8. In reviewing an application, the Development Authority will take the following into consideration in rendering a decision:
- 52.1. Impact on adjacent land uses and the need to restrict the hours of operation;
- 52.2. Provision for adequate dust control;
- 52.3. Duration of the exposure of loose soil;
- 52.4. Measures to prevent tracking of mud onto adjacent roadways; and
- 52.5. Any other matters the Development Authority considers necessary to ensure it does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels.

**On-Site and Off-Site Services and Improvements**

- 53.0 Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a developer shall not begin the excavation for the foundation nor commence the development until the Development Authority is satisfied that an agreement is entered into with the Municipality pursuant to Part Two, Section 12.0 to undertake such services or improvements.
- 54.0 No development permit shall be issued for a development to be serviced by private sewer and water systems until the systems have been approved by the appropriate agency.

**Comprehensive Site Planning**

55.0 Prior to the granting of approval of a subdivision application or a development permit for a comprehensive site planning development, as the case may be, the developer shall provide the Municipality with a proposed site development and landscaping plan and enter into an agreement with the Municipality specifying the respecting obligations of the developer and the Municipality, in addition to those requirements of Part Two, Sections 7.0 and 12.0, regarding all of the following as are applicable:

55.1. the establishment, operation and maintenance of facilities for:

- i. storm water management,
- ii. sanitary sewage collection and disposal,
- iii. water, power and gas supply,
- iv. alternative energy technology, if proposed,
- v. access via roads, sidewalks, walkways and curbs,
- vi. snow removal,
- vii. garbage collection, including garbage collection areas and buffering of same,
- viii. fire protection,
- ix. parks, playgrounds, buffers and other amenity areas,
- x. landscaping and fencing, and
- xi. any other facility deemed necessary by the Development Authority;

55.2. the standards of construction for same and the provision of security to ensure completion of any or all of them;

55.3. the manner in which costs of same are to be met or recovered;

55.4. the period of time agreed upon for completion of construction or installation of the facilities;

55.5. the provision to the Municipality of as-built site and utility plans showing the boundaries of all lots and the location of all buildings and services; and

55.6. such other matters as may be deemed necessary by the Development Authority.

56.0 In considering a condominium plan or a bareland condominium plan, the following shall apply:

56.1. except as provided for in Part Three, Section 58.0, the development regulations of the District in which the condominium plan or bareland condominium plan is located shall apply;

- 56.2. roadway and municipal engineering standards may, at the discretion of the Development Authority, be relaxed within the condominium plan or the bareland condominium plan provided that:
- i. adequate emergency vehicle access, legal road access, and municipal servicing is provided and maintained to the satisfaction of the Development Authority, and
  - ii. the developer and its heirs and assigns or the condominium corporation assumes all responsibility for the construction, maintenance, repair and replacement of all such roads and services within the condominium plan or bareland condominium plan.
- 57.0 The site area, site sizes, site coverage and density within a comprehensive site planning development shall adhere to the regulations of the District in which the comprehensive site planning development is located, except that the site size, site coverage, and density may be relaxed in part of the development where the minimum site area is achieved and the maximum density on the site is not exceeded. The Development Authority shall adhere to the provisions of Part Two, Section 11.0 when considering a relaxation to these regulations.
- 58.0 Internal separation space between buildings within a comprehensive site planning development shall be to the satisfaction of the Development Authority, based on site design considerations and the need for access between buildings. In no case shall such separation space be less than 2.4 m (7.9 ft.) where building height is 2 storeys or less and 4.25 m (13.9 ft.) where building height exceeds 2 storeys.
- 59.0 The Development Authority may require that all plans for parking areas within a comprehensive site planning development be submitted under the seal of a Professional Engineer.
- 60.0 No person shall construct or be permitted to construct a fence, including barricades or a gate, that would prohibit or otherwise restrict primary vehicular access to a parking area of a comprehensive site planning development. This section does not apply to parkades.

### **Objectionable or Restricted Developments**

#### **61.0 Nuisances**

- 61.1. No activity may be undertaken which, in the opinion of the Development Authority, constitutes a nuisance on a private or public site by reason of the generation of noise, vibration, heat, humidity, glare, smoke, dust, other particulate matter, or odour exceeding those measures prescribed in applicable municipal bylaws, or Federal or Provincial statutes or regulations.



- 61.2. Garbage shall be stored in weather-proof and animal-proof containers and screened from adjacent sites, and roads, and shall be in a location easily accessible for pick-up.

**62.0 Environmental Assessments**

- 62.1. Where the potential for prior contamination of a site exists, the Development Authority may require that a Phase I Environmental Site Assessment be conducted according to the guidelines of CSA Z768-01 or its successor, in order for a development permit application to be considered complete. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of the development permit.

**63.0 Hazardous Substances and Pesticides**

- 63.1. No anhydrous ammonia (AA) or liquefied petroleum gas tank or (LPG) storage tank with a water capacity exceeding 9080 L (2000 gal.) shall be allowed within the Municipality.
- 63.2. All developments which store, manufacture, utilize, emit, or discharge hazardous substances or pesticides shall comply with Provincial and Federal legislation and regulations.
- 63.3. All commercial or industrial developments involving hazardous substances or pesticides shall submit a written description of the materials and operations being undertaken on the site at the time of development permit application or at the time the operation begins using the hazardous substances or pesticides.

**Noise Sensitive Land Use**

- 64.0 Hospitals, schools, residential areas and other noise-sensitive land use shall not be located adjacent to sources which are likely to emit annoying levels of noise. The Development Authority may specify the construction of special features such as buffering and landscaping as part of the development in order to mitigate noise levels to acceptable levels.

**Boarders and Lodgers**

- 65.0 In any land use district which provides for residential use(s), there shall not be more than two (2) boarders or lodgers in any residential development(s) other than in a boarding or lodging home.

**House Number**

- 66.0 Every residence shall have its house number clearly displayed using letters a minimum of 10.0 cm (4.0 in) high and contrasted in such a manner so that they are kept easily visible from the street.

**Hazard Lands**

- 67.0 For the purposes of this Section, "top-of-bank" is as determined by the Development Authority in consultation with Alberta Environment.
- 68.0 Notwithstanding the yard requirements prescribed in the land use districts, no permanent buildings shall be permitted within 20.0 m (65.6 ft) of the top-of-bank of any waterbody or watercourse and no development shall be permitted within 20.0 m (65.6 ft) of the top or bottom of an escarpment bank or slope where the grade exceeds 15% (fifteen percent).
- 69.0 The Development Authority may require a greater setback than is prescribed in Part Three, Section 68.0.
- 70.0 Notwithstanding that a proposed development conforms in all respects with this Bylaw, including Part Three, Sections 68.0 - 69.0, where the application is for development on lands that are or may be subject to subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate, by means of an engineering report bearing the seal and signature of a professional engineer registered in the Province of Alberta, that preventive engineering and construction measures can be instituted to make the parcel suitable for the proposed development.
- 71.0 Further to Part Three, Section 70.0, the Development Authority may require that the development site and buildings be designed by a professional engineer registered in the Province of Alberta.
- 72.0 Subject to Part Three, Sections 70.0 - 71.0, the Development Authority may reduce the setback requirements established pursuant to Part Three, Sections 68.0 - 69.0 if the applicant provides satisfactory proof of bank stability.

**Limited Access to Major Roads**

- 73.0 No access for vehicles will be permitted from an arterial road, as designated in the Municipal Development Plan, Transportation Study or any area structure plan, to:
- 73.1. any residential parcel, unless the access serves more than four dwelling units;
- 73.2. any parcel, unless turning space is provided on the parcel such that vehicles entering upon the parcel may turn before re-entering the street; and

- 73.3. any parcel where, in the opinion of the Development Authority, there would be an excessive number of access points onto the street.
- 74.0 Access to Highway No. 40 shall be limited to those access points approved by Alberta Transportation, in consultation with the Town.

**Emergency Access to Buildings**

- 75.0 The Development Authority shall ensure that parcels are designed such that safe, unrestricted access for fire fighting vehicles and equipment is afforded to all buildings and parcels in accordance with municipal and provincial fire authorities having jurisdiction.

**Curb Cuts**

- 76.0 The Development Authority shall ensure that curb cuts are located in a manner such that they provide for the safe and efficient movement of vehicles and pedestrians.
- 77.0 Unless otherwise specified by the Development Authority, the maximum curb cut shall not exceed 9.1 m (30.0 ft) in industrial land use districts and 7.6 m (25.0 ft) in all other land use districts.
- 78.0 In determining curb cuts pursuant to Part Three, Sections 76.0 - 77.0, the Development Authority shall ensure that the amount of curb space lost for use as on-street parking is kept to an absolute minimum.

**Municipal Lands and Boulevards**

- 80.0 Except as exempted under Part Two, Subsection 2.4 and Part Seven, Section 82.0 of this Bylaw, all developments on lands owned by the Town including boulevards, municipal and environmental reserve lands and utility parcels shall require a development permit.
- 81.0 The requirement for a development permit, as referred to in Part Three, Section 80.0, applies also to the Town as developer/owner.
- 82.0 The developer/owner, as the case may be, of a parcel abutting a boulevard shall develop and maintain the boulevard abutting their parcel by excavating, backfilling, levelling or consolidating to final grade, then seeding or performing other works that may be necessary to develop and maintain a turf boulevard, including weed control, with all development and maintenance of the boulevard being entirely at the developer's/owner's expense.
- 83.0 The fencing of public walkways that are adjacent to private property, and the maintenance of the fencing thereon or attached thereto, shall be entirely at the

expense of the adjacent owner(s) unless a cost-sharing arrangement is established between the adjacent property owner(s) and the Town.

**Public Utilities and Public Utility Facilities**

- 84.0 Notwithstanding other regulations in this Bylaw, a person erecting a public utility facility or placing utility equipment on a parcel shall cause it to be placed in a location and with yard setbacks which are satisfactory to the Town.
- 85.0 Utility parcels, utility buildings and publicly owned buildings may be permitted in any land use district except as specifically regulated elsewhere in this Bylaw.
- 86.0 Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:
- 86.1. in the opinion of the Town, the said structure is of a temporary nature and does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and
- 86.2. written consent has been obtained from the person for whose use the easement has been granted.

**Outside Storage and Display**

- 88.0 The following shall apply in the C-1 Town Centre District:
- 88.1. No person shall permanently store goods, products, materials or equipment outside of a building.
- 88.2. No person shall permanently display goods, products, materials or equipment outside of a building except with the written permission of the Municipal Planning Commission.
- 89.0 The following shall apply in the C-2 and C-3 District:
- 89.1. There shall be no outside storage of goods, products, materials or equipment permitted within the front yard setback prescribed in the above-noted land use districts.
- 89.2. Outside storage of goods, products, materials or equipment shall be kept in a clean and orderly condition at all times and shall be screened by means of a solid wall or fence from public thoroughfares and adjacent residential uses to the satisfaction of the Development Authority.

89.3. No storage or activity may be undertaken that would in the opinion of the Development Authority:

- i. unduly interfere with the amenities of the district, or
- ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties,

by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.

89.4. When part of the site is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner and shall not, in the opinion of the Municipal Planning Commission:

- i. unduly interfere with the amenities of the district, or
- ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

90.0 The following shall apply in the C-4 District:

90.1. No person shall store goods, products, materials or equipment outside of a building.

90.2. Subject to approval being granted by the Municipal Planning Commission, part of the site may be used for the temporary outdoor display of goods or products for sale, lease or hire. Such display shall be arranged and maintained in a neat and tidy manner and shall not, in the opinion of the Municipal Planning Commission:

- i. unduly interfere with the amenities of the district, or
- ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties.

#### **Zero Lot Line Developments**

91.0 Where developments are proposed which are permitted to have a zero side yard, the regulations of this Section and the regulations of the land use district in which the development is proposed shall apply.

92.0 Prior to the approval of any zero side yard development, plans showing grading and drainage on adjacent parcels must be submitted and must be acceptable to the Development Authority.

**93.0 Easements Required**

- 93.1. Where a zero side yard is permitted, an easement shall be provided on the parcel abutting that side yard, the full width of the side yard required on the adjacent property, for the maintenance of all principal and accessory buildings, and for any overhang of principal or accessory buildings onto that adjacent parcel. The Development Authority may require that an easement plan be registered in addition to the normal plan of subdivision.
- 93.2. Where an accessory building is permitted to have a zero side yard abutting a parcel, the applicant will be responsible for the negotiation and registration of any easements required pursuant to Part Three, Subsection 93.1 prior to the issuance of a development permit for the zero side yard development proposal.

**94.0 Provisions for Future Zero Side Yard Development**

Where a plan is accepted for a zero side yard project or zero side yard parcel, and where that plan indicates the location or alternative locations for future accessory buildings (including garages) on the parcel, easements required under Part Three, Section 93.0 shall be provided for all possible alternative future locations of accessory buildings at, or prior to, the time of the development of the principal building.

**95.0 Side Yard Setbacks**

Side yard setbacks shall be as prescribed below:

- 95.1. Zero for one side, except where a parcel in which the principal or accessory buildings are permitted to have a zero side yard abuts another land use district, in which case the minimum side yard setback from the boundary abutting the adjacent district shall be 1.5 m (5.0 ft).
- 95.2. 3.0 m (10.0 ft) except that where a parking space is provided in the required side yard and adjacent to a zero side yard of another unit, the minimum side yard setback where the parking space is provided shall be 3.5 m (11.5 ft).
- 95.3. No part of any structure or building shall be erected within 5.0 m (16.5 ft) of the road boundary on the flanking front yard side of a zero side yard parcel.

**96.0 Surveyed Boundaries**

- 96.1. Notwithstanding other Sections of this Bylaw, at the discretion of the Development Authority, approval may be given and a development permit may be issued on a zero side yard development prior to the registration of a plan of subdivision for the development, if the development is in conformance with a parcel plan that proposes future subdivision to accommodate the zero side yard development provided that:

- i. subdivision approval has been previously given on the proposed parcel by the Subdivision Authority;
- ii. a preliminary survey plan has been undertaken and applied to the land to establish the location of buildings proposed;
- iii. after the registration of the linen plan, the development will be in conformance with all regulations of this Bylaw; and
- iv. the developer will be held responsible under Part Two, Section 22.0 of this Bylaw for any development that is undertaken which is not in conformance with the Bylaw prior to, or after the registration of the linen plan of subdivision.

96.2. Where Part Three, Subsection 96.1 is enforced, the plan of subdivision must be prepared and registered immediately upon the completion of foundations and, at the discretion of the Development Authority, prior to any further development taking place on the parcel.

### **Communication Structures**

97.0 Communication, radio communication and broadcasting systems are regulated by Industry Canada. In making its decision regarding the communication tower and related facilities Industry Canada considers the following:

- 97.1. The input provided by the Development Authority;
- 97.2. Compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
- 97.3. Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and
- 97.4. An environmental assessment may be required in order to comply with the *Canadian Environmental Assessment Act*.

98.0 An applicant proposing to locate a communication, radio communication or broadcast antenna system within the Settlement or Corporate boundaries of Grande Cache, which does not meet the exclusion criteria (Section 6 of the *Radiocommunication and Broadcasting Antenna Systems*) or communication structures that are not regulated by Industry Canada shall be subject to the following provisions:

- 98.1. Communication structures over 6.7 m (22.0 ft.) above grade at its highest point shall require a development permit and any other permits as required and must meet all applicable provincial codes, regulations and standards including the *Alberta Building Code* and any other municipal requirements.

- 98.2. In addition to the general requirements for a site plan outlined in Part Two, Section 5.0, a site plan for a communication structure will identify the boundary lines, tower, guy wire anchors, existing and proposed structures, and uses and structures on the site and abutting properties.
- 98.3. Communication structures shall not be located within front or side yards.
- 98.4. Unless demonstrated to be impractical, transmission antennae shall be mounted on existing structures (including buildings or towers).
- 98.5. Communication structures and guy wire anchors shall conform to the setback regulations respecting accessory buildings and structures, meet the setback requirements of the applicable land use district and be satisfactory to the Development Authority.
- 98.6. The maximum height of a communication structure shall be 18.5 m (60.7 ft.) at its highest point.
- 98.7. Antennas shall not be illuminated unless required by Transport Canada regulations and, except for a manufacturer's logo, shall not exhibit or display any advertising.
- 98.8. No person shall erect more than one freestanding antenna or two roof top antennas on a residential site.
- 98.9. Communication structures shall be encouraged to be camouflaged or screened and as far as possible respect the appearance and aesthetics of the buildings permitted in the applicable land use district to mitigate any adverse visual impact on its surroundings.
- 98.10. An application for a development permit for an amateur radio antenna located within a residential district shall be subject to a landowner consultation process. The applicant shall provide notice of proposed development in accordance with Part Two, Section 10.0 by mailing to adjacent landowners, ask for comments and input and submit a summary of the outcome of the consultation to the Development Authority. The Development Authority shall ensure the applicant is given an opportunity to respond to comments and input that may form part of the basis for its decision.
- 98.11. Any communication structure requiring a development permit pursuant to Part Three, Subsection 98.1 shall be considered as a discretionary use in any land use district.
- 98.12. In reviewing an application for a communication structure, the Development Authority shall consider that:



- i. Preferred locations for the siting of communication structures, either freestanding or attached to a building, include Commercial Districts and Industrial Districts, and
- ii. Discouraged locations for the siting of communication structures, either freestanding or attached to a building, include Residential Districts and public areas such as parks.

### **Alternative Energy Technology**

#### **99.0 General Requirements**

- 99.1. All alternative energy technologies will be reviewed to ensure the proposal will not negatively impact the surrounding area in which it is located and decisions on all applications will be at the discretion of the Development Authority.
- 99.2. The proposed installation of any alternative energy system, device or structure shall first require the issuance of a development permit, and any other permits that may be required and the system, device or structure must meet all applicable provincial codes, regulations and standards including the building code and any other municipal requirements.
- 99.3. In addition to the general requirements for development permit applications in Part Two, Section 5.0, technical drawings or studies relating to the proposed alternative energy structure may be required by the Development Authority.
- 99.4. There shall be no aboveground portion of an alternative energy structure located in a front or side yard, with the exception of solar panels being ground mounted in a side yard, provided the structure complies with the minimum side yard requirements of the applicable land use district.
- 99.5. Any aboveground portion of an alternative energy structure, including but not limited to guy wires and anchors, which is accessory to a principal building shall comply with the applicable regulations of Part Four of this Bylaw.
- 99.6. When practical, methods of screening shall be used to ensure that all alternative energy technologies visually blend with the surrounding natural and built environment in which they are situated.
- 99.7. No advertising, except for a manufacturer's logo, shall be visible on any alternative energy technology.

100.0 Small Wind Energy Systems (SWES)

100.1. In addition to the general requirements for development permit applications in Part Two, Section 5.0, applications for small wind energy systems shall include the manufacturer's specifications indicating:

- i. the SWES rated output in kilowatts;
- ii. safety features and sound characteristics;
- iii. type of material used in tower, blade, and/or construction;
- iv. turbine height;
- v. blade diameter and rotor clearance;
- vi. Canadian Standards Association (CSA) approval, if applicable;
- vii. potential for electromagnetic interference;
- viii. nature and function of over speed controls which are provided;
- ix. specifications on the foundations and/or anchor design, including location and anchoring of any guy wires;
- x. information demonstrating that the system will be used primarily to generate on-site electricity; and
- xi. location of existing buildings or improvements.

100.2. Prior to making a decision on a development permit application for a small wind energy system, the Development Authority may refer and consider the input of the following agencies and departments:

- i. Alberta Energy and Utilities Board,
- ii. Transport Canada, and
- iii. Navigation Canada.

100.3. Notwithstanding the maximum height provisions applicable to a site, the total height of a small wind energy system may exceed the maximum building height of the land use district by a maximum of 2.0 m (6.6 ft.).

100.4. The blade clearance of any small wind energy system shall not be less than 4.6 m (15.1 ft.) above grade.

100.5. Small wind energy systems shall be setback from any boundary line a minimum distance equal to the height of the structure. In addition, small wind energy systems must comply with the minimum yard requirements of the land use district.

100.6. The maximum diameter of the wind turbine blades shall be 3.0 m (9.8 ft.).

100.7. The property owner shall be responsible to ensure that the small wind energy system is properly maintained including but not limited to the general

appearance of the structure and that its ongoing operation does not become a nuisance due to noise.

100.8. Small wind energy systems shall comply with the following standards:

- i. There shall be a limit of one (1) small wind energy system per site in single detached residential land use districts and the limit in all other land use districts shall be at the discretion of the Development Authority;
- ii. The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licenced mechanical, structural or civil engineer;
- iii. The system shall be operated such that no electro-magnetic interference is caused; and
- iv. The system's maximum power shall not exceed 5 kW.

101.0 Solar Collectors

101.1. A solar collector may be located on the roof or wall of a building or structure, or ground mounted in a side yard provided the structure complies with the minimum side yard requirements of the land use district. Notwithstanding the foregoing and Part Three, Subsection 99.4, if the optimal solar orientation of a solar collector would be located in a front yard, the Development Authority may consider an exception on a case-by-case basis.

101.2. A solar collector mounted on a roof with a pitch of less than 4:12, may project:

- i. A maximum of 0.5 m (1.6 ft.) from the surface of a roof, when the solar collector is located 5.0 m (16.4 ft.) or less from a side line, measured directly due south from any point along the side line; and
- ii. In all other cases, a maximum of 1.3 m (4.3 ft.) from the surface of a roof.

101.3. A solar collector mounted on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m (4.3 ft.) from the surface of a roof.

101.4. A solar collector mounted on a roof must not extend beyond the outermost edge of the roof or above the peak of the roof.

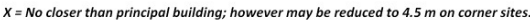
101.5. A solar collector that is mounted on a wall may project a maximum of:

- i. 1.5 m (4.9 ft.) from the surface of that wall, when the wall is facing a rear line; and
- ii. in all other cases, 0.6 m (2.0 ft.) from the surface of that wall.

**Accessory Buildings**

- 1.0 All accessory buildings and uses shall comply with all relevant provisions of this Bylaw.
- 2.0 No person shall use, or permit an accessory building to be used as a dwelling unit, except as a surveillance suite or secondary suite, where allowed in this Bylaw.
- 3.0 Accessory buildings shall be constructed either simultaneously with, or after, the construction of the principal building on a site or the commencement of the principal use on a site, and not before the principal building is constructed or the principal use commences.
- 4.0 Where a building is attached to a principal building by an open or enclosed roofed structure, or where the building cannot be removed or relocated without structural alteration to the principal building, it is to be considered a part of the principal building and not an accessory building, and all the minimum yard requirements of the principal building shall apply.
- 5.0 Where an accessory building is attached to another accessory building, they are to be considered to be combined as one accessory building, and the floor area of the building shall be the total of all attached portions of that building.
- 6.0 No person shall construct or permit the construction of an accessory building, or group of accessory buildings, such that, individually or collectively, the gross floor area of the accessory building or buildings would:
  - 6.1. along with the principal building, exceed the maximum site coverage allowed on the site, or
  - 6.2. exceed twelve percent (12%) of the site area.
- 7.0 Accessory buildings shall not be located in a front yard or flanking side yard.
- 8.0 Accessory buildings shall not be located on an easement or a utility right-of-way, unless otherwise provided for in Part Three, Sections 38.0 – 39.0.
- 9.0 Accessory buildings shall comply with Part Three, Sections 21.0 – 26.0 unless otherwise noted in this Bylaw.
- 10.0 In Residential Districts:
  - 10.1. Unless otherwise provided for in this Bylaw, an accessory building shall not exceed 5.0 m (16.5 ft.) in building height. Where a variance is being sought related to the above prescribed maximum height, the following shall be considered:

- i. the prescribed maximum height for any principal building within the applicable land use district of this Bylaw as well as any relevant provisions of any applicable area structure plan;
  - ii. the topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building;
  - iii. the height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area; and,
  - iv. the fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of firefighting equipment and personnel.
- 10.2. No person shall construct or permit the construction of an accessory building, or group of accessory buildings, such that, individually or collectively, the gross floor area of the accessory building or buildings would exceed the floor area of the principal building on the site.
- 10.3. Accessory buildings (see Figure 10) shall be located:
- i. if a detached garage or carport, no closer than 1.2 m (4.0 ft.) from the dwelling;
  - ii. no closer than 1.2 m (4.0 ft.) from the side line, excepting where a party wall is constructed along the boundary line, in which case accessory buildings may be built up to the side line along the party wall;
  - iii. no closer than 1.2 m (4.0 ft.) from the rear line; and
  - iv. such that no roof overhang is located within 0.45 m (1.5 ft.) of a side or rear line.
- 10.4. Notwithstanding Part Four, Section 7.0, in the case of double fronting or corner sites, the minimum required front yard from one front line, or the minimum required flanking side yard, may be reduced to 4.5 m (14.8 ft.) where, in the opinion of the Development Authority, any adjacent developments would not be adversely affected.



*For illustrative purposes only (not drawn to scale)*

### Prefabricated Structures (including shipping containers and fabric structures)

- i. Prefabricated structures shall only be used for storage of material that would normally be found in other forms of accessory buildings (garages, garden sheds, etc.) normally found on lots in residential land use districts;
- ii. Prefabricated structures shall be adequately anchored, but not permanently fixed to the ground;
- iii. Prefabricated structures shall be maintained in good condition and periodically refurbished;
- iv. Notwithstanding any minimum yard requirements, prefabricated structures shall be sited in relation to side and rear lines such that the

- Development Authority is satisfied that it is accessible for maintenance, repair and removal if required;
- v. The exterior finish of a shipping container must be altered such that it does not in any manner resemble a shipping container as originally constructed and, instead, matches or complements the exterior finish and roof pitch of the dwelling on the site;
  - vi. Notwithstanding any other provision of this Bylaw to the contrary, prefabricated structures with an exterior fabric material shall be located no closer than 2.4 m (8.0 ft.) from any boundary line or other building on the subject site or an adjacent site, and may only be placed on a site from April 1<sup>st</sup> to October 31<sup>st</sup> of any calendar year; and/or,
  - vii. Any other matters the Development Authority considers necessary to ensure the prefabricated structure does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

11.0 In Districts other than Residential Districts:

- 11.1. The setbacks and height of accessory buildings shall be determined by the Development Authority who may use as a guide the regulations in Part Four, Section 10.0, unless otherwise indicated in this Bylaw; however, in no case shall the Development Authority allow accessory buildings to exceed the building height of the principal building on the site or the maximum building height allowed in the District in which the site is located.
- 11.2. Prefabricated structures in Districts other than Residential Districts shall be maintained in good condition and periodically refurbished, and adequately anchored.
- 11.3. Except in the C-3, RM, UR-1 and UR-2 Districts, the exterior finish of a shipping container shall be painted or sided to match or complement the exterior finish of the principal building on the site, in order to mask any shipping labels or other similar markings or signs of wear and tear to the satisfaction of the Development Authority. Shipping containers shall be maintained in good condition. The Development Authority may, at their discretion and to their satisfaction, also require shipping containers be screened where the shipping container would be visible from a road or from an adjacent dwelling with fences, hedges, or other landscaping, unless the shipping container is altered such that it does not resemble a shipping container as originally constructed and, instead, matches or complements the exterior finish and roof pitch of the principal building on the site.

**Private Swimming Pools and Hot Tubs**

- 12.0 Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of a private swimming pool or hot tub.
- 13.0 Private swimming pools and hot tubs shall not be located within a front yard.
- 14.0 Every private swimming pool or hot tub shall be secured against entry by the public other than owners, tenants, or their guests. Notwithstanding any provision of Part Four, Sections 12.0 – 17.0, any proposed private swimming pool or hot tub shall comply with the requirements of the Safety Codes Act.
- 15.0 No private swimming pool may be constructed except within an enclosed building unless it is entirely fenced, except that a wall of a building may be considered to replace any part of the required fence provided that the wall is a minimum of 1.8 m (6.0 ft.) in height for the length that it replaces the fence.
- 16.0 Every fence enclosing a private swimming pool or a hot tub constructed outside of an enclosed building shall be 1.8 m (6.0 ft.) in height or, at the discretion of the Development Authority, higher, and shall be of appropriate design to limit the ability of persons to use the fence parts to climb the fence or to crawl through or under the fence. Gates shall be equipped with a self-latching device and a lock mechanism located on the inside of the gate.
- 17.0 No barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be allowed.

**Secondary Suites**

- 18.0 Secondary suites shall be accessory to a principal dwelling unit and shall not be allowed on a site unless specifically listed as a permitted or as a discretionary use in the District within which the site is located. Part Two, Subsection 10.12 shall not apply to any use that may be considered similar to secondary suites.
- 19.0 Only one secondary suite may be permitted on a parcel of land, and only where the principal dwelling unit does not have an approved development permit for a bed and breakfast establishment, child day home, group home or major home occupation. Notwithstanding the foregoing, a side-by-side duplex may contain one secondary suite in each dwelling unit.
- 20.0 A secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling, and the exterior finish shall comply with Part Three, Sections 21.0 – 26.0.



- 21.0 For an accessory building containing a secondary suite:
- 21.1. Notwithstanding any other provision of this Bylaw to the contrary, the use of an accessory building containing a secondary suite shall not be allowed on a site unless the site abuts a lane or is a corner site,
  - 21.2. The minimum site area shall be 445.9 m<sup>2</sup> (4,800 sq. ft.),
  - 21.3. The minimum required side and rear yards shall be 1.2 m (4.0 ft.), unless a greater distance is required pursuant to Part Four, Section 10.0,
  - 21.4. The minimum internal separation space between the principal building and any accessory building containing a secondary suite shall be 2.4 m (8.0 ft.),
  - 21.5. Notwithstanding Part Four, Subsection 10.1, where a secondary suite is located above a detached garage the accessory building shall not exceed the height of the principal building and shall have a roof pitch of at least 4:12, but in no case shall the building exceed 7.0 m (23.0 ft.),
  - 21.6. Windows shall be placed and sized such that they minimize visibility into yards and windows of adjacent properties through offsetting, screening with landscaping or fencing, and facing large windows away from abutting parcels of land, and
  - 21.7. No deck, balcony or any similar unenclosed structure shall be allowed on roofs, and where a secondary suite is located above a detached garage the structure may only face a lane or flanking road abutting the site and, notwithstanding any other provision of this Bylaw to the contrary, shall be included in the calculation of ground floor area.
- 22.0 For a side-by-side duplex dwelling unit containing a secondary suite, the minimum site area shall be 327.0 m<sup>2</sup> (3,520 sq. ft.), except where greater is required for an accessory building containing a secondary suite per Part Four, Subsection 21.2.
- 23.0 A secondary suite shall have a minimum floor area of 30.0 m<sup>2</sup> (322.9 sq. ft.), and a maximum floor area of 92.9 m<sup>2</sup> (1,000 sq. ft.) provided the floor area does not exceed the floor area of the principal dwelling. For the purposes of this Part Four, Section 23.0, floor area does not include shared mechanical areas, common areas, or the area covered by stairways. In the case of a duplex dwelling containing a secondary suite, for the purposes of Part Four, Section 23.0, the principal dwelling shall be considered the duplex dwelling unit with the smaller floor area.
- 24.0 Secondary suites shall be constructed in accordance with the requirements of all applicable codes and regulations pursuant to the *Safety Codes Act*.

- 25.0 Parking shall be provided for a secondary suite in accordance with Part Six of this Bylaw.
- 26.0 Secondary suites should be considered in the calculation of densities in statutory plans and in the Town's Engineering Standards.

**Home Occupations**

- 27.0 Home occupations shall not be allowed on a site unless a dwelling unit is located on the site on which the home occupation is to be located and the principal operator of the home occupation is a permanent resident of the dwelling unit.
- 28.0 In addition to the development permit requirements of Part Two, Sections 5.0 – 9.0, for a development permit application for a proposed home occupation located within a condominium plan, the applicant shall submit a letter of authorization from the Condominium Association.
- 29.0 Home occupations shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial or Industrial District, having regard for the overall compatibility of the use with the residential character of the area, including but not limited to considerations such as potential pedestrian or vehicular traffic and/or parking associated with the proposed use generated in excess of that which is characteristic of the area.
- 30.0 The Development Authority may, in its sole discretion, regulate the hours of operation of a home occupation and place time limits on the period for which a development permit for a home occupation is valid.
- 31.0 All home occupations shall comply with the following requirements:
- 31.1. No home occupation shall change the principal character or external appearance of the dwelling involved or of any accessory buildings.
  - 31.2. Home occupations shall be incidental and subordinate to the principal use of the dwelling.
  - 31.3. Storage related to the business activity and the business activity itself may be allowed in either the dwelling or accessory buildings. Where a home occupation is permitted to operate in a garage, it shall not prevent the continued use of the garage for its primary intended purpose of the storage of motor vehicles unless sufficient parking is provided elsewhere on-site.
  - 31.4. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the home occupation allowed on the site.

- 31.5. There may be a limited display of products and goods in the interior of the dwelling or accessory buildings and a limited volume of on-premise sales, provided that the product is incidental and related to the business provided by the home occupation.
- 31.6. No more than one (1) vehicle, no larger than a pickup truck with a single rear axle and dual rear wheels, nor in excess of a gross vehicle weight of 2,725 kg (~6,000 lbs) shall be used in conjunction with the home occupation, or parked or maintained on the site or on the road in proximity to the site.
- 31.7. Parking shall be provided for the home occupation in accordance with Part Six of this Bylaw.
- 31.8. In addition to the general requirements of this Bylaw related to objectionable or restricted developments under Part Three, Sections 61.0 – 63.0, the home occupation shall not create any nuisance by way of noise, vibration, dust, odour, or smoke, or anything of an offensive or objectionable nature that may be heard or felt beyond the property.
- 31.9. Home occupations shall not involve activities that use or store hazardous material in quantities exceeding those typically found in a normal household.
- 32.0 A major home occupation shall also comply with the following regulations:
  - 32.1. One (1) utility trailer, of a length not exceeding 6.0 m (19.7 ft.), used in conjunction with the major home occupation may be kept on-site. Storage of equipment may be kept in the trailer, provided it is kept in a neat and tidy manner to the satisfaction of the Development Authority and not outside on the site.
  - 32.2. The number of non-resident employees or business partners working on-site shall not exceed one (1) at any time.
  - 32.3. The number of clients or customers on-site shall not exceed six (6) at any time.
  - 32.4. The dwelling in which a major home occupation is located may have one wall sign placed on the dwelling, inside a window of the dwelling, or by the entrance of an accessory building approved for such use, provided that the sign does not exceed 0.4 m<sup>2</sup> (4.3 sq. ft.) in area.
- 33.0 A minor home occupation shall also comply with the following regulations. If it does not, it shall be considered to be a major home occupation:
  - 33.1. No person shall be employed on-site other than a resident of the dwelling unit.

- 33.2. There shall be no more than five (5) client or customer visits to the minor home occupation per week, which includes drop-offs, pick-ups, and deliveries.
- 33.3. There may not be a utility trailer used in conjunction with the minor home occupation.
- 33.4. There may not be a sign relating to a minor home occupation.
- 33.5. A minor home occupation shall have no adverse impacts on adjacent parcels of land.

**Bed and Breakfast Establishments**

- 34.0 Bed and breakfast establishments shall be accessory to a principal dwelling unit and always be considered as a discretionary use within the applicable land use districts in this Bylaw.
- 35.0 A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of four (4) sleeping bedrooms.
- 36.0 Cooking facilities shall not be located within the sleeping units.
- 37.0 In addition to Part Four, Sections 34.0 – 36.0, a bed and breakfast establishment shall also comply with Part Four, Sections 27.0 and 30.0 and Part Four, Subsections 31.7, 31.8, 32.2, 32.3 and 32.4.

**Surveillance Suites**

- 38.0 Surveillance suites shall always be considered as a discretionary use within the applicable land use districts in this Bylaw.
- 39.0 A development permit for a surveillance suite shall only be issued if the surveillance suite is clearly compatible with and subordinate to the principal use of the subject parcel. Moreover, the surveillance suite shall be compatible with all existing, principal development/land uses on adjacent parcels and shall not interfere with the future principal development/land uses on adjacent parcels.
- 40.0 The Development Authority may, in its sole discretion, place time limits on the period for which a development permit for a surveillance suite occupation is valid.
- 41.0 A surveillance suite which is not located attached to or within the principal building shall be located:
  - 41.1. a minimum of 2.0 m (6.6 ft.) from any buildings;

- 41.2. a minimum of 3.0 m (9.8 ft.) from the rear and side lines; and
- 41.3. no closer to the front line than the principal building.
- 42.0 The maximum floor area of a surveillance suite shall be 86.0 m<sup>2</sup> (960.0 sq. ft.).
- 43.0 A surveillance suite may be a manufactured home unit. Where it is a manufactured home unit, the manufactured home unit shall be secured to a foundation and properly skirted to the satisfaction of the Development Authority.
- 44.0 The design and quality of the exterior treatment of the surveillance suite shall be in accordance with Part Three, Sections 21.0 – 26.0.

### **Adult Entertainment Establishments**

- 1.0 In considering an application for approval of an adult entertainment establishment, the Development Authority shall require the development to meet the following:
  - 1.1. the gross floor area for the adult entertainment establishment shall not exceed 278.7 m<sup>2</sup> (3,000.0 sq. ft.);
  - 1.2. be located on a site at least 200.0 m (656.2 ft.) away from the nearest Residential District;
  - 1.3. be located on a site at least 150.0 m (492.1 ft.) away from the nearest recreational facility, public education facility, place of worship, child care facility, group care facility, community recreation service or public park; and
  - 1.4. be located at least 50.0 m (164.0 ft.) from the nearest site upon which there is another adult entertainment establishment.
- 2.0 In order to protect surrounding uses from the potential adverse effects of adult entertainment establishment, the Development Authority shall require the following design guidelines:
  - 2.1. There shall be no exterior display of nudity or partial nudity in respect of any adult entertainment offered within the premises;
  - 2.2. All exterior advertising shall be minimal and meet the character of the surrounding developments; and
  - 2.3. Methods of shading shall be used on all windows and doors to ensure that there is restricted visibility into the facility from the outside.
- 3.0 The Development Authority may require lighting, signage and screening measures, including landscaping, in addition to the other requirements of this Bylaw that, in its sole opinion, will make a proposed adult entertainment establishment development reasonably compatible with existing residential or commercial uses which are either adjacent or nearby.

### **Alcohol Sales and Licensed Drinking Establishments**

- 4.0 The Development Authority may require hours of operation, lighting, signage and screening measures, including landscaping, in addition to the other requirements of this Bylaw that, in its sole opinion, will make a proposed alcohol sales or licenced drinking establishment development reasonably compatible with existing residential or commercial uses which are either adjacent or nearby.

**Animal Care and Related Uses**

- 5.0 These regulations shall apply to all animal care and related uses, including: animal shelters, small animal breeding and boarding establishments, veterinary clinics and hospitals, veterinary clinics and hospitals – small animal, and pet stores and grooming.
- 6.0 The Development Authority shall require that development of these uses pay particular attention to Part Three, Section 61.0, specifically noise and odour which may cause nuisance or negative external impact. Noise generated by pens, rooms, and runs shall be adequately mitigated.
- 7.0 A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other uses.
- 8.0 The location of patron access to/from a pet grooming component of a general retail store shall be to the satisfaction of the Development Authority to minimize any associated incompatibilities with adjacent businesses.

**Cannabis Sales**

- 8A Cannabis sales shall not be permitted if they have any part of an exterior wall that is located within 100.0 m (328.1 ft.) of any use or parcel of land prescribed by Alberta's *Gaming, Liquor and Cannabis Regulation*, as amended or replaced from time to time.
- 8B Notwithstanding Part Two, Section 11.0, the Development Authority shall not grant a variance to the requirements of Part Five, Section 8A.
- 8C The Development Authority may require lighting, signage and screening measures, including landscaping, in addition to the other requirements of this Bylaw that, in its sole opinion, will make a proposed cannabis sales development reasonably compatible with existing uses which are either adjacent or nearby.
- 8D The Development Authority shall impose a condition on any development permit issued for cannabis sales requiring that the development shall not commence until authorized by, and compliant with, provincial or federal legislation and any regulations pertaining thereto.

**Child Care Facilities and Commercial Schools**

- 9.0 In considering a development permit application for a Child Care Facility or Child Day Home, the Development Authority may consider, among other matters, if the development would be suitable for the proposed location, taking into account, among other matters, potential traffic, proximity to park and recreation areas, isolation of the site from dwellings, buffering or other techniques limiting interference with other uses

and the peaceful enjoyment of nearby dwellings, and consistency in term of intensity of use with other development in the area.

- 10.0 The maximum number of children for which care may be provided in a Child Care Facility or Child Day Home shall be in accordance with the *Alberta Child Care Licensing Regulation*. The maximum number of patrons to a Commercial School at any one time shall be at the discretion of the Development Authority, having regard for the nature of the facility and the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the vicinity of the development.
- 11.0 Outdoor play space shall be provided for a Child Care Facility or Child Day Home in accordance with the *Alberta Child Care Licensing Regulation*, and any on-site outdoor play spaces shall be adequately screened to the satisfaction of the Development Authority.
- 12.0 Parking shall be provided for a Child Care Facility or Commercial School in accordance with Part Six of this Bylaw. In addition, a drop-off/pick-up zone shall be provided:
- 12.1. at the rate of one (1) drop-off / pick-up zone for every ten (10) patrons on-site;
  - 12.2. with each drop-off / pick-up zone complying with minimum parking space dimensions found in Part Six of this Bylaw and being adequately signed for such use; and
  - 12.3. within 30.0 m (98.4 ft.) from the entrance of the Child Care Facility or Commercial School.
- 13.0 For the purposes of this Section, a Child Day Home shall be considered a Major Home Occupation and comply with all applicable provisions of Part Four, Sections 27.0 – 33.0, with the following exceptions:
- 13.1. the provision of outdoor business activity may be allowed for outdoor play space;
  - 13.2. there may not be a utility trailer used in conjunction with a Child Day Home; and
  - 13.3. the maximum number of clients or customers on-site at one time shall be at the discretion of the Development Authority, taking into consideration the maximum number of children for which care may be provided.

#### **Drive Through Businesses**

- 14.0 Drive-through businesses shall not be allowed on a site unless the use of the drive-through business is specifically listed as a permitted or discretionary use in the District within which the site is located.



15.0 Location

- 15.1. A drive-through business may be located only where it can be shown, to the satisfaction of the Development Authority, that the development would not:
- i. impede safe traffic movement entering and exiting the site;
  - ii. interfere with the functioning of surrounding roads or the enjoyment of any neighbouring residential uses; and
  - iii. create unsafe traffic circulation on the site.
- 15.2. A drive-through business may be located in a shopping centre or other multiple use development at the discretion of the Development Authority.

16.0 The minimum required separation distances for drive-through developments shall be:

- 16.1. the minimum building setback requirement of the underlying land use district, in accordance with any front, side or rear yard, shall be applicable from the boundary line to the outer edge of any drive-through aisle;
- 16.2. 6.0 m (19.7 ft.) from any site line or parking areas to all pump islands;
- 16.3. 3.0 m (9.8 ft.) from any site line to canopies over pump islands or drive-through aisles; and
- 16.4. for a drive-through development adjacent to a residential use or Residential District:
- i. 10.0 m (32.8 ft.), or
  - ii. in the case of a car wash, 25.0 m (82.0 ft.), or
  - iii. such greater distance that the Development Authority deems necessary in order to buffer the residential use or District from noise, traffic or other impacts of the drive-through development.

17.0 Queuing Space

Queuing space and traffic circulation shall be provided in accordance with the following:

- 17.1. in addition to the space occupied by a vehicle receiving service or using a drive through, a minimum of five (5) inbound queuing spaces and one (1) outbound queuing space shall be provided,
- 17.2. notwithstanding the provisions of Part Five, Subsection 16.1, the Development Authority may require a differing number of queuing spaces based on the nature of the use and taking into consideration on-site constraints and traffic circulation,

- 17.3. queuing spaces must be a minimum of 6.0 m (19.7 ft.) long and 3.0 m (9.8 ft.) wide,
- 17.4. queuing spaces must allow for vehicle turning and maneuvering, and
- 17.5. pump islands must be located to allow a through traffic lane with a minimum width of 6.0 m (19.7 ft.).

**18.0 Site and Building Requirements**

- 18.1. All parts of the site to which vehicles may have access shall be hard-surfaced and drained to the satisfaction of the Development Authority and in accordance with the Municipality's engineering standards.
- 18.2. Drive-through aisles shall be clearly delineated as such and separated from any adjacent landscaped areas by poured-in-place concrete curbing.
- 18.3. The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.
- 18.4. Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.
- 18.5. A minimum of ten percent (10%) of the site area of a drive-through business shall be landscaped to the satisfaction of the Development Authority.
- 18.6. In addition to the fencing, landscaping, and environmental protection requirements indicated in Part Three of this Bylaw, a berm and/or fence and/or hedge shall be erected and maintained by the developer of a drive-through business along any site lines abutting or across a lane or walkway from a Residential District.
- 18.7. If a car wash is located on a site which abuts a residential use or a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority. Such measures may include but not be limited to the provision of buffering, restricting vacuums to indoor usage only, and requiring doors to be closed during operation of drying equipment.
- 18.8. The location and orientation of features such as menu boards and outdoor speakers shall be determined by the Development Authority, having regard to potential impacts on adjacent developments.

**Hotels/Motels**

- 19.0 Notwithstanding the provisions of the District in which it is located, a hotel/motel shall have a minimum required front yard of 6.0 m (19.7 ft.).
- 20.0 Notwithstanding any other provisions of this Bylaw to the contrary, a minimum of 10% of the site area of a hotel/motel development shall be landscaped in accordance with Part Three, Sections 17.0 – 20.0.

**Industrial Uses**

- 21.0 These regulations shall apply to all industrial related uses, including but not limited to: agricultural industry, general contractor services, general industrial uses, medium industrial uses, and major utility services.
- 22.0 Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the industrial use activities. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors.
- 23.0 The Development Authority shall pay particular attention to Part Three, Section 61.0 when making a decision for any industrial uses.
- 24.0 If, in the opinion of the Development Authority, the pollution, hazard or nuisance level of an industrial use being a Discretionary Use in any District is of such an intensity which may render it incompatible with adjacent development, and where such pollution, hazard or nuisance level cannot be adequately mitigated through reasonable means, the Development Authority shall evaluate the proposal in terms of its land use compatibility and may refuse an application for a development permit for such an industrial use.

**Live/Work Units**

- 25.0 Live/Work Units shall comply with all applicable regulations of the underlying land use district in which they are located as well as the provisions governing signage and parking as they pertain to each component of a unit.
- 26.0 A maximum of two people may be employed in addition to the resident of the live/work unit.
- 27.0 The commercial component of the unit shall not exceed 50% of the gross floor area of the residential dwelling unit.

- 28.0 Each component of a live/work unit shall have individual access at grade and a direct access shall also be provided between the commercial and residential units.

**Mixed Use Developments**

- 29.0 Any development that includes a dwelling unit or units above ground floor commercial development shall comply with the following requirements:
- 29.1. The residential use must have a separate entrance from the entrance to the commercial component of the development.
  - 29.2. Minimum parking shall be provided in accordance with Part Six of this Bylaw and the residential parking shall be clearly delineated from the commercial parking and signed accordingly.
  - 29.3. Residential visitor parking and commercial parking must be accessible to the public and as such will not be permitted to be located within a privately secured parkade.
  - 29.4. The registration of any condominium plan and potential titling of parking spaces must not affect public access to residential visitor parking and commercial parking spaces.
  - 29.5. Separate garbage and recycling containment areas must be provided for the residential and commercial components of the development.
  - 29.6. The Development Authority shall give careful consideration to any proposed discretionary commercial uses within a mixed use development to ensure such uses are reasonably compatible with the residential use, having regard to potential conflicts arising from nuisance or traffic generation.
  - 29.7. Dwelling units shall comply with maximum density, minimum floor area, landscaping, and amenity area requirements for dwelling units in the R-3, R-4 RGO and RMU Districts.

**Places of Worship**

- 30.0 The site on which a place of worship is situated shall have a frontage of not less than 30.0 m (98.4 ft.) and an area of not less than 900.0 m<sup>2</sup> (9,688 sq. ft.) except in the case where a building for a clergyperson's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 1,440.0 m<sup>2</sup> (15,500 sq. ft.).
- 31.0 Minimum front, side and rear yards shall be those required within the District in which the place of worship is located.

- 32.0 A place of worship may be located in any District if it is an accessory use to a permitted or discretionary use in that District.
- 33.0 Notwithstanding any other provision of this Bylaw to the contrary, a portion of the required minimum number of parking spaces may be located on a site other than that of the subject place of worship if it is demonstrated to the satisfaction of the Development Authority that such off-site parking spaces are available for the use of the patrons of the place of worship.
- 34.0 All places of worship shall abut a road which is designated an arterial road or a major collector road in the Municipal Development Plan, or an arterial road, a major collector road or a minor collector road in an Area Structure Plan.

### **Shopping Centres**

- 35.0 The maximum building height shall be 10.7 m (35.1 ft.) or two (2) storeys, whichever is greater.
- 36.0 Notwithstanding any other provision of this Bylaw to the contrary, the maximum floor area ratio shall be 1.0.
- 37.0 All shopping centres shall satisfy the Development Authority as to:
- 37.1. the orientation, exterior design, and architectural appearance of buildings,
  - 37.2. the location of development in relation to adjacent land uses,
  - 37.3. vehicular traffic flow patterns within and access to and from the site,
  - 37.4. safe pedestrian access/egress within the site and from any pedestrian way, and
  - 37.5. the location of exterior signs.
- 38.0 A shopping centre shall only contain those uses listed as permitted or discretionary uses within the District in which the shopping centre is located. Unless specifically exempted under Part Two, Section 2.0, a development permit shall be required for any changes to a shopping centre that would constitute a development.
- 39.0 The Development Authority may require any other matters, regulations, or conditions relating to the development as, in its opinion, are necessary, having regard to the nature of the proposed shopping centre development, adjacent land uses and compatibility of uses within the shopping centre.

### **Show Homes**

40.0 In addition to the requirements of Part Two, Sections 5.0 – 9.0, a development permit application for a show home shall be accompanied by information indicating:

40.1. the location and area intended as the site for the show home, and

40.2. proposed parking, exterior lighting and signs.

41.0 Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.

42.0 The appearance of the building shall, in the opinion of the Development Authority, be compatible with the character of other buildings in the vicinity.

### **Manufactured and Modular Dwellings**

43.0 Each manufactured and modular dwelling shall have current Canadian Standards Association and Alberta Labour certification or the equivalent to the satisfaction of the Development Authority. Proof of this shall be submitted with the Development Permit application.

44.0 The undercarriage of each manufactured dwelling shall be screened from view by skirting or such other means satisfactory to the Development Authority, within thirty (30) days of placement of the manufactured dwelling.

45.0 All accessory buildings and structures associated with the manufactured or modular dwelling on a lot such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereof, so that the appearance, design and construction will complement the manufactured or modular dwelling itself as well as adjacent dwellings.

46.0 In accordance with Part Three, Sections 21.0 – 26.0, the design, siting, external finish, architectural appearance of each manufactured or modular dwelling, including any accessory building or structure, shall be to the satisfaction of the Development Authority who shall ensure that there is general conformity in such matters with respect to adjacent dwellings.

47.0 Pursuant to Part Five, Section 45.0, and in addition to the provisions of Part Three, Sections 21.0 – 26.0, the Development Authority may require that specific detailed architectural and landscape control guidelines be adopted in accordance with but not limited to Part Three, Sections 21.0 – 26.0.

### **Multi-Unit Dwellings**

48.0 General Provisions:

48.1. At the discretion of the Development Authority, the applicant for a multi-unit dwelling development shall provide with the application for development site plans, design plans and working drawings including elevations which have been endorsed by a registered architect or professional engineer.

48.2. The site plans shall indicate:

- i. the location and position of all buildings and structures on the site;
- ii. the location and design of signage on the site, including any "for rent" signs;
- iii. the location and number of parking spaces, access and egress onto the site from public thoroughfares;
- iv. the location of an access to refuse storage areas;
- v. the location and design of fencing on the site; and
- vi. detailed landscaping plans for the site.

49.0 Separation Space:

In the case of buildings adjacent to each other and the relationship of those buildings to each other and their relationship to the land on which they are constructed, the following separation spaces relating to multi-unit dwelling development shall apply:

49.1. Principal Living Room Windows:

Shall have a minimum separation space of 8.0 m (26.25 ft) except where the window faces a street, walkway or on-site parking or circulation area in which case 7.0 m (22.96 ft) may be permitted.

49.2. Habitable Room Windows:

Shall have a minimum separation space of 3.2 m (10.5 ft) except where windows are in walls of more than two storeys in which case 5.0 m (16.4 ft) separation space must be provided.

49.3. Non-Habitable Room Windows:

Shall have a minimum separation of 1.52 m (5.0 ft) plus 0.3 m (1.0 ft) for each storey above the first. No separation space is required where a non-habitable room window faces a street, walkway or on-site parking or circulation space.

49.4. Distance Between Buildings:

The minimum required distance between two dwellings facing each other shall be the sum of the minimum separation spaces calculated separately for the opposing

windows or openings except where there are two walls with no windows or openings in which case the minimum distance between the dwellings shall be 3.2 m (10.5 ft).

50.0 Separation space for windows as required in Part Five, Subsections 48.1 – 48.3, shall be effective for the full length of the exterior wall of the room in which the window is located.

51.0 Notwithstanding the foregoing regulations pertaining to separation space, the Development Authority may reduce the required separation space where special aspects of design ensure equivalent or better light, ventilation, privacy or visibility from dwellings.

52.0 Design Requirements:

52.1. The design of multi-unit dwelling developments will require consideration of the exterior treatment of colours, materials and textures as well as setback orientations, massing, floor plans, roof lines and wall openings.

52.2. The site design shall ensure a satisfactory relationship of buildings to circulation patterns and surrounding developments along with well oriented, landscaped amenity areas.

52.3. Such items as mentioned in Part Five, Subsections 51.1 – 51.2 will be at the discretion of the Development Authority.

### **Staff Accommodation**

53.0 The Development Authority, at its discretion, may require that:

53.1. Any major tourism or resort development employing more than fifty (50) staff (full or part time) provide staff accommodation for fifty percent (50%) of the staff. This staff accommodation must be provided on-site;

53.2. Notwithstanding any conflicting part of this Bylaw, parking for staff accommodation will be provided at a rate of one (1) parking space per staff accommodation unit; and

53.3. Staff accommodation may be located on a site away from the main buildings but no further than 0.8 km (0.5 mi.) from those buildings.

### **Work Camps**

54.0 An application for a development permit for a work camp must provide the following information:



- 54.1. the location, type and purpose of the camp;
  - 54.2. location and standard of access to the camp;
  - 54.3. adjacent uses;
  - 54.4. the method of supplying water, sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the *Alberta Private Sewage Treatment and Disposal Regulation* 2009, and amendments thereto, and be to the satisfaction of the Health Authority;
  - 54.5. the number of persons proposed to live in the camp;
  - 54.6. location of any propane tanks or other petroleum storage on the site;
  - 54.7. method of power generation on site (i.e. generators);
  - 54.8. the start date for development, date of occupancy by residents, and projected removal date for the camp;
  - 54.9. reclamation measures once the camp is no longer needed;
  - 54.10. letters of support from the adjacent landowners or residents, or relevant agencies (e.g. RCMP) when required by the Development Authority.
- 55.0 As a condition of approval, the Development Authority may include conditions to uphold all conditions in this Bylaw, and may also include the following:
- 55.1. requirement for public road upgrading (if required) or entering into a road use agreement with respect to impact on the public road such as dust control and other matters;
  - 55.2. temporary issuance of permit for one year period, at which time it may be extended by reapplying with permit fee;
  - 55.3. requirements to limit noise to daytime hours (generally 7 a.m. to 11 p.m.), with the exception of generator noise, which must be mitigated by shielding or other method when it is found to be detrimental to an adjacent property;
  - 55.4. requirement to maintain any existing natural buffers (trees, etc.);
  - 55.5. requirement to mitigate traffic impact by using vans or buses for transporting workers to and from job sites.

**Retail Gasoline Sales and Bulk Fuel Depots**

56.0 Lot Location:

Notwithstanding the regulations prescribed in the land use districts, a use pursuant to this Section shall not be located on lot which, in the opinion of the Development Authority, would be considered unsafe in terms of internal vehicle circulation or access to and egress from the lot. To this end, the Development Authority must consider, but not be limited to considering, the nature of the proposed use and uses on adjacent lots, anticipated volumes of traffic and types of vehicles during peak and off-peak business periods, any available standards or guidelines, off-street parking and loading as well as landscaping requirements

57.0 Lot Area:

57.1. The minimum lot area for retail gasoline and petroleum products sales shall be 1,500.0 m<sup>2</sup> (16,146.4 ft<sup>2</sup>)

57.2. Where retail gasoline and petroleum products sales is combined with a convenience retail store, the minimum lot area for the total lot shall in no case be less than 1,950.0 m<sup>2</sup> (20,990.3 ft<sup>2</sup>).

57.3. The minimum lot area for retail gasoline and petroleum products sales or a bulk fuel depot including a vehicle washing establishment shall be 2,700.0 m<sup>2</sup> (29,063.5 ft<sup>2</sup>).

58.0 Lot Coverage:

The maximum building coverage for a use under this Section shall be 25% of the lot area.

59.0 Lot and Building/Structure Requirements:

59.1. Any application for retail gasoline and petroleum products sales or a bulk fuel depot shall be referred to the Town's Fire Chief and Manager of Public Works and Utilities for their review.

59.2. Unless the land use district in which the retail gasoline and petroleum products sales establishment or bulk fuel depot is located or the *Alberta Safety Codes Act*, and regulations pursuant thereto, and any amendments made from time to time, stipulates greater setbacks, the front yard setback shall be a minimum of 12.0 m (39.37 ft), with no pump being located closer than 6.0 m (19.7 ft) from the front lot line, and the side yard and rear yard setbacks shall be no less than 6.0 m (19.68 ft).

- 59.3. In addition to siting requirements of Part Five, Subsection 59.2 and of the land use district in which the retail gasoline and petroleum products sales establishment or bulk fuel depot is located, the siting of all buildings and structures, including all fuel and other flammable liquid storage tanks, shall be in accordance with the requirements of all pertinent federal and provincial acts and regulations and any amendments thereto.
- 59.4. No development permits will be issued for the installation of fuel or any other flammable liquid storage tanks prior to the Town receiving certified copies of the required permits from the Alberta Government. All applicable petroleum tanks shall be registered with the Petroleum Tank Management Association of Alberta and comply with the requirements of the Alberta Fire Code Regulation any amendments thereto.
- 59.5. Where adjoining residential land use districts, any lighting proposed to illuminate the lot shall be located and arranged so that all direct rays of light are directed upon the lot only and not on any residential lot.

#### **Vehicle Washing Establishments**

60.0 **Lot Location:**

Notwithstanding the regulations prescribed in the land use districts, a use pursuant to this Section shall not be located on lot which, in the opinion of the Development Authority, would be considered unsafe in terms of internal vehicle circulation or access to and egress from the lot. To this end, the Development Authority must consider, but not be limited to considering, the nature of the proposed use and uses on adjacent lots, anticipated volumes of traffic and types of vehicles during peak and off-peak business periods, off-street parking and loading as well as landscaping requirements.

61.0 **Lot Area:**

The minimum lot area shall be 1,200.0 m<sup>2</sup> (12,917.1 ft<sup>2</sup>) and the lot shall contain storage space for at least twelve vehicles or a minimum of four vehicles per car wash bay, whichever is greater, prior to their entry into any part of the cleaning process for which they are bound. Where a vehicle washing establishment is associated with retail gasoline and petroleum sales or a bulk fuel depot, the minimum lot area shall be 2,700.0 m<sup>2</sup> (29,063.5 ft<sup>2</sup>).

62.0 **Lot and Building Requirements:**

All lot, building and setback requirements pertaining to drive-through businesses per Part Five, Sections 14.0 – 18.0 shall also apply to vehicle washing establishments.

### **Interpretative Provisions**

- 1.0 In the case of a use not specifically mentioned, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority.
- 2.0 Where a development contains more than one use, the required number of parking spaces shall be the sum of the requirements for each of the uses.
- 3.0 Where a fractional number of parking spaces are required, the next highest number of spaces shall be provided.

### **On-Site Parking Requirements**

- 4.0 Unless otherwise approved by the Development Authority, each development shall provide on its site a parking area containing, at a minimum, the number of parking spaces as calculated in Table 1 below.

RESIDENTIAL USES	MINIMUM NUMBER OF PARKING SPACES
Apartments and dwelling units contained in mixed-use buildings	1 space per bachelor suite; plus 1.25 spaces per 1 bedroom unit; plus 1.5 spaces per 2 bedroom unit; plus 2 spaces per 3 or more bedroom unit; plus 1 space per 7 dwelling units for visitor parking
Duplexes – Stacked Duplexes – Side-by-side	2 spaces per dwelling unit, plus, if deemed necessary by the Development Authority, 1 space per 7 dwelling units for visitor parking if located within a Comprehensive Site Planning development
Ground-oriented multiple unit dwellings	2 spaces per dwelling unit plus, if deemed necessary by the Development Authority, 1 space per 7 dwelling units for visitor parking
Home offices	Not required
Manufactured home parks and/or units	2 spaces per unit plus 1 space per 3 units for visitor parking
Secondary suites	1 space in addition to the parking required for the principal dwelling unit
Single detached dwellings	2 spaces per unit

Supportive housing	1 space per dwelling unit or 1 space per 5 non-self-contained units; plus 1 space per 7 dwelling units or non-self-contained units for visitor parking
<b>COMMERCIAL</b>	<b>MINIMUM NUMBER OF PARKING SPACES</b>
Adult entertainment establishments Animal shelters Art studios Automotive and equipment repair shops Automotive and minor RV sales/rental establishments Business support service establishments Commercial schools Contractor services – Limited Equipment rental establishments Financial services Health services Household repair services Office uses Personal service shops Pet stores and grooming Retail stores – Convenience Retail stores – General Retail stores – Specialty Service stations Veterinary clinics and hospitals Veterinary clinics and hospitals – Small animal Warehouse sales establishments	1 space per 45 m <sup>2</sup> of gross floor area
Alcohol sales Amusement establishments – Indoor / Outdoor Cannabis sales	1 space per 30 m <sup>2</sup> of gross floor area
Auctioneering establishments	1 space per 3.5 seats or 1 space per 20 m <sup>2</sup> of gross floor area; whichever is greater
Bed and breakfast establishments	1 space per guest room
Casinos and gaming establishments	1 space per 2.5 seats
Vehicle washing establishments	1 space per 100 m <sup>2</sup> of gross floor area; minimum of 3 spaces
Other drive-through businesses	No additional spaces are required beyond what is required for the principal use associated with the drive-through

Fleet services Greenhouse and plant nurseries Show homes Temporary uses	As required by the Development Authority
Home occupations – Major	In addition to the parking required for the residential use, 1 space unless the Development Authority determines additional spaces are required
Home occupations – Minor	No additional spaces required, aside from that required for the residential use
Hotels / Motels	1 space per guest room plus additional spaces in accordance with this table for any other use forming part of the development
Licenced drinking establishments Restaurants Theatres	1 space per 4 seats
Live/Work units	2 spaces for the residential use plus 1 space per 45 m <sup>2</sup> of gross floor area for the commercial use, unless the Development Authority determines a differing number of spaces are required, based on the nature of the commercial use
Shopping centres with less than 1,000 m <sup>2</sup> of gross floor area	1 space per 45 m <sup>2</sup> of gross floor area plus 1 space per 8 seats for any casino and gaming establishment, licenced drinking establishment or theatre located within a shopping centre
Shopping centres with 1,000 m <sup>2</sup> – 4,000 m <sup>2</sup> of gross floor area	1 space per 30 m <sup>2</sup> of gross floor area plus 1 space per 8 seats for any casino and gaming establishment, licenced drinking establishment or theatre located within a shopping centre
Shopping centres with greater than 4,000 m <sup>2</sup> of gross floor area	1 space per 25 m <sup>2</sup> of gross floor area plus 1 space per 8 seats for any casino and gaming establishment, licenced drinking establishment or theatre located within a shopping centre
<b>INDUSTRIAL USES</b>	<b>MINIMUM NUMBER OF PARKING SPACES</b>
Industrial uses – General Industrial uses – Medium	1 space per 100 m <sup>2</sup> of gross floor area, minimum of 3 spaces, unless the Development Authority determines

	additional spaces are required based on the number of employees
Automotive body repair and paint shops Contractor services – General Industrial vehicle and equipment sales/rentals establishments Small animal breeding and boarding establishments Truck and recreational vehicle sales/rentals establishments	1 space per 45 m <sup>2</sup> of gross floor area
Recycling depots	1 space per 100 m <sup>2</sup> of gross floor area; minimum of 3 spaces
Self-service storage facilities	As required by the Development Authority
Surveillance suites	1 space
<b>PUBLIC RELATED USES</b>	<b>MINIMUM NUMBER OF PARKING SPACES</b>
Cemeteries	10 spaces per hectare
Community centres Community recreation services Exhibition and convention facilities Private clubs	1 space per 5 seats or 1 space per 20 m <sup>2</sup> of gross floor area; whichever is greater
Funeral services	1 space per 5 seats plus 1 space per funeral vehicle
Government services Libraries and cultural exhibits	1 space per 45 m <sup>2</sup> of gross floor area
Public parks Public uses Public utilities (no office or workshop) Utility services – Major and Minor	As required by the Development Authority
Places of worship	1 space per 8 seats or 1 space per 45 m <sup>2</sup> of gross floor area; whichever is greater
Protective and emergency services	1 space per 30 m <sup>2</sup> of gross floor area
Public education facilities	Administrative uses: 1 space per 45 m <sup>2</sup> of gross floor area  Elementary or Junior High schools: 2 spaces per classroom plus 1 space per 45 m <sup>2</sup> of gross floor area used for administrative purposes  High Schools: 5 spaces per classroom or 1 space per 5 students based on school capacity; whichever is greater, plus 1

	space per 45 m <sup>2</sup> of gross floor area used for administrative purposes
Recreational facilities	1 space per 5 seats for areas with fixed seating; plus 1 space per 10 m <sup>2</sup> of gross floor area for uses without fixed seating. The Development Authority may require additional or differing parking requirements based upon the nature of the use and individual components of the recreational facility
<b>CARE RELATED FACILITIES</b>	<b>MINIMUM NUMBER OF PARKING SPACES</b>
Boarding and lodging houses	1 space per 2 sleeping units
Child care facilities	4 spaces or 1 space per 2 employees; whichever is greater
Child day homes	1 space unless the Development Authority determines additional spaces are required
Extended medical treatment facilities	1 space per 100 m <sup>2</sup> of gross floor area or 1 space per 4 beds, whichever is greater
Group homes	1 space unless the Development Authority determines additional spaces are required
Group care facilities	1 space per 120 m <sup>2</sup> of gross floor area

**On-Site Loading Requirements**

- 5.0 Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for loading and unloading shall be provided and maintained on site.
- 6.0 A loading space shall be designed and located such that the vehicles using it can be parked and maneuvered entirely within the limits of the site.
- 7.0 A loading space may not be located within a minimum required yard.
- 8.0 Loading spaces in any commercial district adjacent to a residential use or district shall be screened in accordance with Part Three, Sections 8.0 – 16.0.
- 9.0 A loading space shall be a minimum of 8.0 m (26.2 ft.) in length, 4.0 m (13.1 ft.) in width unless alternative dimensions are more appropriate due to the scale and character of the development at the discretion of the Development Authority and have overhead clearance of not less than 4.3 m (14.1 ft.).



- 10.0 The minimum number of loading spaces shall be in accordance with Table 2 below (where a fractional number of loading spaces are required, the next highest number of spaces shall be provided).

TYPE OF USE	MINIMUM NUMBER OF LOADING SPACES
Commercial, industrial, or similar uses	1 space for a building of less than 1,000 m <sup>2</sup> of gross floor area, plus 1 space for the next 1,000 m <sup>2</sup> of gross floor area, plus 1 space for each additional 2,000 m <sup>2</sup> of gross floor area
Office, place of public assembly, institutional, educational or similar uses	1 space for a building of less than 3,000 m <sup>2</sup> of gross floor area, plus 1 space for each additional 3,000 m <sup>2</sup> of gross floor area
Multi-unit dwelling developments with 20 or more dwelling units	1 space per building, excluding accessory buildings
Any other building or use	As required by the Development Authority

**Bicycle Parking**

- 11.0 Where any new development is proposed, including new development, change of use of existing development, or substantial enlargement of existing development, an on-site bicycle parking station(s) shall be provided and maintained by the property owner that:
- 11.1. is constructed of theft-resistant material and is securely anchored to the ground or a fixed structure;
  - 11.2. is designed such that it can support the bicycle frame and accommodate locking;
  - 11.3. is in a location that is convenient and safe for the users; and,
- 12.0 provides a minimum number of bicycle stalls in accordance with Table 3 below.

TYPE OF USE	MINIMUM NUMBER OF BICYCLE STALLS
Educational uses	10% of the required on-site vehicular parking
Multi-unit dwellings with 20 or more dwelling units and shopping centres	5% of the required on-site vehicular parking
Any other uses	As may be required by the Development Authority

**Barrier-Free Parking**

- 13.0 Unless otherwise stated in the *Alberta Building Code*, barrier-free parking shall be provided in accordance with Table 4 below. Barrier-free parking spaces shall be a minimum width of 3.7 m (12.0 ft.) and must be clearly identified as parking for disabled persons through appropriate signage. Barrier-free spaces are included as part of the on-site parking requirements and not in addition to the minimum number of parking spaces.

REQUIRED NUMBER OF PARKING SPACES	REQUIRED BARRIER-FREE PARKING SPACES
0-10	0
11-25	1
26-50	2
51-100	3
for each additional increment of 100	1 additional space

**Differing Parking Requirements**

- 14.0 In accordance with the provisions of Part Two, Section 11.0, the parking requirements of Part Six, Sections 4.0 - 12.0 may be varied if it can be shown to the satisfaction of the Development Authority that the standard is not applicable to the development due to:
- 14.1. the relationship of the development to other parking areas;
  - 14.2. differing hours of demand for parking; or,
  - 14.3. the scale and character of the development.
- 15.0 Notwithstanding the minimum on-site parking requirements of this Part, at the option of an applicant, a Parking Study, under the seal of a qualified Professional Engineer, may be submitted with a development permit application to justify a differing amount of parking. The Development Authority may use such a study to ultimately determine the parking required for a development and in such instances, approval of a development permit will be considered as a variance to the parking that would otherwise be required and be subject to the requirements of Part Two, Section 15.0.
- 16.0 In the C-1 District, the following provisions shall apply:
- 16.1. in the case of major renovations and architectural modifications to an existing building, no parking spaces in addition to those existing prior to undertaking the renovations or modifications shall be required;

- 16.2. in the case of expansion to the floor area of an existing building, additional parking spaces shall be required based on the size and use of the expansion only;
- 16.3. in the case of a change in the use of an existing building, no parking spaces in addition to those existing prior to the change in use shall be required provided that no alteration to the floor area of the building occurs; and,
- 16.4. the Development Authority shall pay particular attention to Part Six, Section 14.0.
- 17.0 At the discretion of the Development Authority, two or more uses may share parking spaces. A maximum of 20% of the required parking may be combined or shared parking, provided:
  - 17.1. the uses are located no greater than 100.0 m (328.1 ft.) apart;
  - 17.2. there are differing hours of demand for parking for each of the uses that are to share parking; and,
  - 17.3. if on separate parcels of land, an Agreement is entered into between the property owners and registered on the subject Certificates of Title.
- 18.0 The Development Authority may authorize the use of off-site parking in place of on-site parking for a commercial or industrial use provided:
  - 18.1. there is a convenient walkway from the off-site parking to the development that is the subject of the development permit application;
  - 18.2. the owner of the development proposing to use an off-site parking area has control of the site where the parking is proposed and has dedicated the site to parking for the benefit of the development in question; and,
  - 18.3. an Agreement is entered into between the property owners and registered on the subject Certificates of Title, unless the off-site parking is publicly owned.
- 19.0 At the sole option of the Development Authority, an owner of land proposed for development may pay money to the Municipality in lieu of providing parking spaces. The amount of money required will be determined by resolution of Council and shall be based on the amount needed to acquire land and construct the required number of parking spaces on land owned or proposed to be purchased by the Municipality. Money so received by the Municipality will be used only for the development of municipal, off-street parking facilities.

## **Parking Standards**

### **20.0 Design and Construction**

- 20.1. All parking areas shall be clearly marked, entirely hard-surfaced, adequately lit with lighting directed away from adjacent sites, adequately graded and drained to manage storm water, and contain the necessary curb cuts.
- 20.2. Notwithstanding Part Six, Subsection 20.1, where the access to or egress from a parking area is from a graveled road or lane; or, where the development involves an accessory building or the expansion of an existing building on a site where the existing parking area is not hard-surfaced; the parking area may, at the discretion of the Development Authority, be graveled to its satisfaction.
- 20.3. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority.

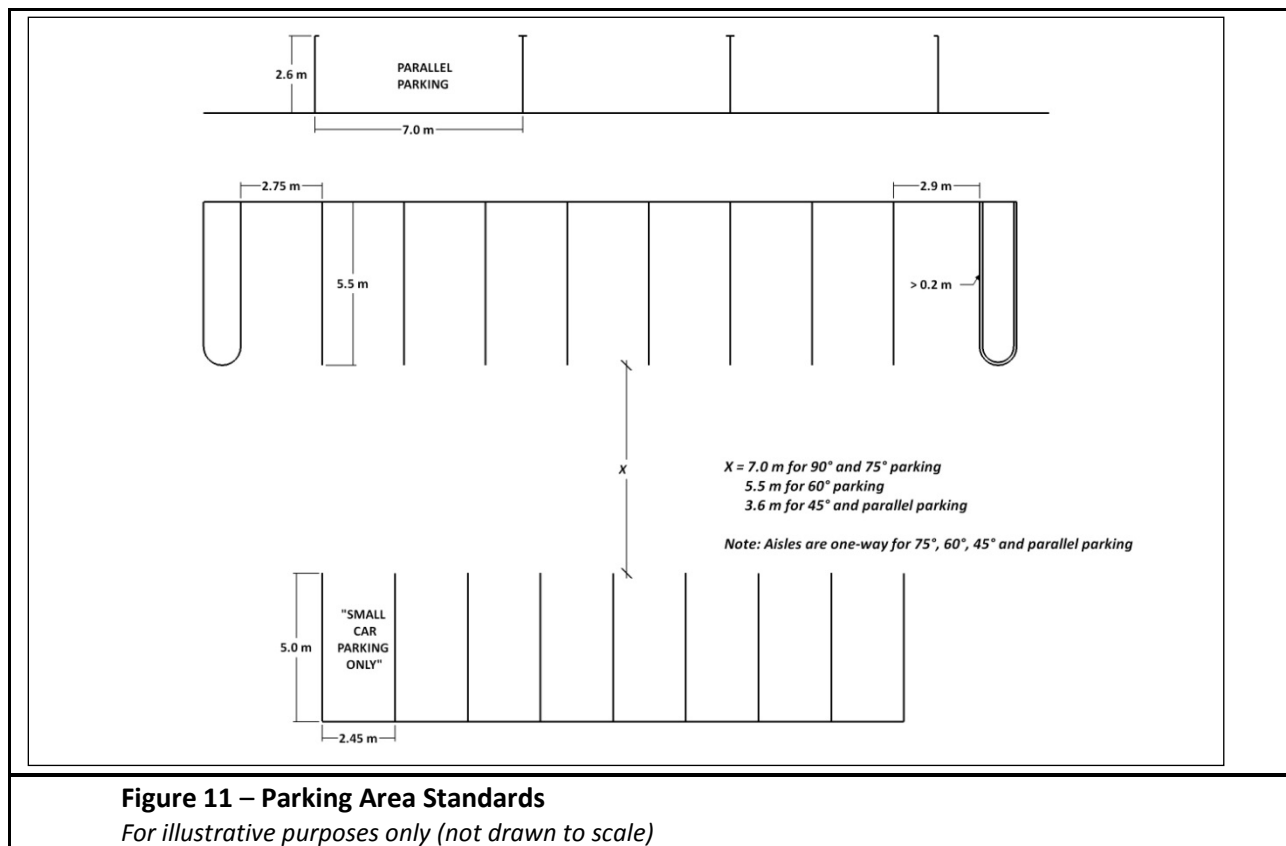
### **21.0 Landscaping: parking areas shall be landscaped where required by the Development Authority in accordance with the provisions of Part Three, Sections 17.0 – 20.0.**

### **22.0 Parking Space and Drive Aisle Dimensions (as depicted in Figure 11 below):**

- 22.1. Parking spaces must be a minimum of 2.75 m (9.0 ft.) wide and 5.5 m (18.0 ft.) deep;
- 22.2. Parallel parking spaces must be a minimum of 2.6 m (8.5 ft.) wide and 7.0 m (23.0 ft.) deep;
- 22.3. Parking spaces adjacent to walls, columns or curbing over 0.2 m (0.6 ft.) in height must be a minimum of 2.9 m (9.5 ft.) wide;
- 22.4. Up to 20% of the required parking for a development may be designated for small car parking. All small car parking spaces must be a minimum of 2.45 m (8.0 ft.) wide and 5.0 m (16.4 ft.) deep and designated with signs reading “small car parking only”; and,
- 22.5. Drive aisles must be a minimum of 7.0 m (23.0 ft.) wide for 90° and 75° parking, 5.5 m (18.0 ft.) wide for 60° parking, and 3.6 m (11.8 ft.) wide for 45° and parallel parking. Drive aisles are for one-way traffic for 75°, 60°, 45°, and parallel parking.

### **23.0 Parking requirements for residential development in single dwelling and two dwelling land use districts:**

- 23.1. In the case of road and lane systems, a parking area shall be provided to the rear or side of the dwelling;
- 23.2. In the case of laneless systems, a parking area shall be provided to the front, rear or side of the dwelling; and/or,
- 23.3. If no garage is provided, the parking area shall be paved to the satisfaction of the Development Authority.



- 24.0 Parking spaces may be provided in tandem for single detached dwellings, duplex dwellings, manufactured home units, and ground-oriented multiple unit dwellings where the group of tandem parking spaces are dedicated to the same dwelling unit.

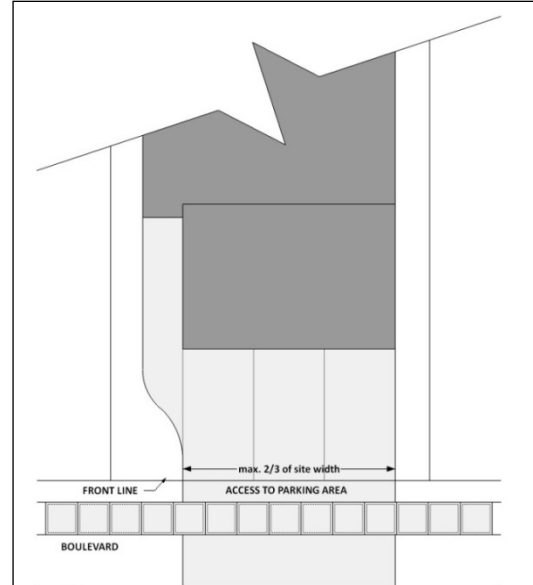
## 25.0 Access

- 25.1. No direct access for vehicles will be allowed from an arterial road, as designated by the Municipality, or any other road which, in the opinion of the Development Authority, is designed to accommodate major vehicular traffic flows, to:

- i. any residential use, unless the access serves three (3) or more dwelling units;
  - ii. any site unless sufficient turning space is provided on the site such that vehicles entering upon the site may turn before re-entering the road; or,
  - iii. any site where, in the opinion of the Development Authority, there would be an excessive number of access points onto the road.
- 25.2. With regard to applicable land use district regulations, only one access may be allowed per site, except for multiple-residential or non-residential uses, where additional accesses may be allowed at the discretion of the Development Authority, depending on the nature, size, configuration and/or traffic generation of the development. Where more than one access from a single road to a site is allowed, the total width of all accesses from that road must comply with Part Six, Subsection 25.9.
- 25.3. Provision of shared access between adjacent sites is encouraged, which shall be obtained through a registered mutual access agreement between landowners running with the land.
- 25.4. Where access to a site is from the front line or the side line in the case of corner sites, the access shall be hard-surfaced.
- 25.5. No direct access shall be allowed from a road to a parking space in a parking area containing more than three (3) spaces.
- 25.6. No direct access shall be allowed from a lane to a parking space in a parking area containing more than three (3) spaces unless special circumstances are judged by the Development Authority to warrant it. In such a case, the front of the parking space shall be no less than 7.0 m (23.0 ft.) from the closest boundary of the lane.
- 25.7. Where a lane is located adjacent to a site used for residential purposes, access to the site shall be from the lane.
- 25.8. All necessary curb cuts, location and spacing between accesses shall be designed and constructed in accordance with the Municipality's engineering and transportation standards.

25.9. Width of Accesses (see Figure 12)

- i. Accesses to a parking area may, at the discretion of the Development Authority, be allowed up to a maximum width of two-thirds ( $2/3$ ) of the site width, including access over the side line adjacent to the road in the case of a corner site, up to 11.0 m (36.1 ft.) in residential districts, 12.2 m (40.0 ft.) in commercial districts, and 15.2 m (49.9 ft.) in industrial districts.



**Figure 12 – Width of Accesses**

- ii. When considering an application for a development permit for access to a parking area on a site, the Development Authority shall take into consideration the character of the neighbourhood in which the site is located, the location and width of nearby accesses, and its location with respect to street hardware, corners, curves, and cul-de-sacs.

25.10. All parking areas shall be designed to provide:

- i. adequate access to and egress from the parking area for the vehicles it is intended to serve with adequate turning space and clearly defined aisles; and,
- ii. adequate access to and egress from each parking space at all times by means of clearly defined manoeuvring aisles designed to the satisfaction of the Development Authority.

25.11. In the C-3 District, each site shall have direct access to a road designed and constructed to have regard for continuity of traffic flow, safety of vehicles, and avoidance of dangerous intersections, all in the opinion of the Development Authority.

**Purpose**

- 1.0 The purpose of this Part is to regulate the number, size, type, form, appearance and location of signs in order to:
  - 1.1 Accommodate adequate and flexible means of identification for commercial and industrial enterprises and certain residential and institutional uses;
  - 1.2 Balance the need for signs and expression with the requirement for the orderly and safe flow of vehicular and pedestrian traffic; and
  - 1.3 Enhance the aesthetics of the Municipality by preventing sign proliferation and encouraging signs that complement, rather than detract from, the streetscape.

**Applicability**

- 2.0 This Part shall apply to all signs that are posted, placed or erected on both private property and/or public property, with the exception of highways.
- 3.0 The Municipality's *Traffic Bylaw* regulates signage that is posted, placed or erected within any Highway as defined in said bylaw.
- 4.0 This Part does not apply to:
  - 4.1 signs posted, placed or erected by the Municipality or signage erected under a contractual arrangement with the Municipality;
  - 4.2 any sign required to be displayed under the provisions of federal, provincial or municipal legislation;
  - 4.3 name or number signs for the purposes of identification of buildings or parcels of land;
  - 4.4 signs associated with any drive-through business for the sole purpose of identifying goods or services sold or offered on-site to a vehicle using the drive-through; or
  - 4.5 window signs or any sign located within a building or structure not intended to be displayed to the outside public.

**Definitions Related to Signs**

- 5.0 In this Part:



- 5.1. **“a-frame sign”** means a temporary sign formed by two boards which are hinged at one end;
- 5.2. **“awning sign”** means a sign that is painted or affixed flat to the exterior surface of an awning;
- 5.3. **“banner sign”** means a temporary sign constructed from a non-rigid material that is attached to a pole or other structure;
- 5.4. **“billboard”** means a third-party sign consisting of a large flat panel surface on a standard or column permanently attached to the ground and which is not connected in any way to a building, designed to provide for outdoor advertising and, that is typically located adjacent to high traffic areas or streets;
- 5.5. **“business frontage”** means:
  - i. any boundary line of a site or building which abuts a road, or
  - ii. in the case of individual business or tenants within a building, any business which has separate access to a road;
- 5.6. **“canopy sign”** means a sign which is part of or attached to a canopy;
- 5.7. **“construction sign”** means a temporary sign erected on a site incidental to construction taking place on the site, intended to provide guidance or warning to persons, or to identify the construction project and those parties having a role or interest in the construction;
- 5.8. **“copy”** means the message on a sign face;
- 5.9. **“development marketing sign”** means a temporary sign placed or erected for the purpose of drawing attention to new home areas, vacant lots, or show homes;
- 5.10. **“digital sign”** means any sign that is remotely changed on or off site and incorporates a technology or method allowing the sign to change copy without having to physically or mechanically replace the sign face or its components but does not include an electronic message sign;
- 5.11. **“electronic message sign”** means a sign or part of a sign that is comprised of a device which displays text or scrolling text through electronically controlled changing lights;
- 5.12. **“fascia sign”** means a sign attached, etched or painted on a building but does not include a projecting sign, wall sign, or window sign;

- 5.13. “**freestanding sign**” means a sign on a standard or column permanently attached to the ground and which is not connected in any way to a building;
- 5.14. “**inflatable sign**” means a temporary air-inflated sign of any sort which is tethered to the ground or to a building and supported by buoyant gas or air pressure;
- 5.15. “**neighbourhood identification sign**” means a sign that marks the entrance into a residential subdivision or business park or identifying the name of a multi-unit dwelling, comprehensive site planning development or manufactured home park;
- 5.16. “**portable sign**” means a temporary sign fixed to its own self-contained base and designed to be readily relocated;
- 5.17. “**projecting sign**” means a sign which is attached to a building so that part of the sign projects more than 0.3 m (1 ft.) from the face of the building;
- 5.18. “**real estate sign**” means a temporary sign erected or placed for the purpose of advertising property for sale, lease or rent;
- 5.19. “**roof sign**” means a sign placed on or over a roof or on top of or above the parapet wall of a building;
- 5.20. “**sign**” means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any building or portion thereof which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without the generality of the foregoing, a sign includes posters, notices, panels, boardings, and banners;
- 5.21. “**sign area**” means the areas of a sign that are available for copy. The sign area of a multi-faced sign is the area of one face;
- 5.22. “**sign height**” means the vertical distance measured at right angles from the highest point of the sign or sign structure to the grade directly below;
- 5.23. “**temporary sign**” means a sign, not permanently installed or in a fixed position, that advertises a business, site, event or activity for a limited period of time;
- 5.24. “**third-party sign**” means a sign that advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located;

- 5.25. “**traffic control device**” means any sign, signal, marking or device placed, marked or erected by the Municipality for the purpose of regulating, warning or guiding traffic;
- 5.26. “**under-canopy sign**” means a sign which is attached to the bottom face of a canopy;
- 5.27. “**wall sign**” means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m (1.0 ft.) from the building. Wall signs may include signs painted on buildings;
- 5.28. “**window sign**” means a sign either placed painted on or inside a window that faces outward and is intended to be viewed from outside the premises.

**Information Requirements for a Development Permit for a Sign**

- 6.0 No sign, unless otherwise provided for in this Part, shall be allowed unless it is accessory to an existing use.
- 7.0 A development permit is required to erect, relocate or structurally alter or enlarge any sign unless exempted under Part Two, Section 2.0. Furthermore, in addition to the signs listed under Part Seven, Section 4.0, the following types of signs do not require a development permit provided they comply with the provisions of Part Seven, Sections 9.0 – 21.0:
  - 7.1. A-Frame Signs;
  - 7.2. Awning Signs;
  - 7.3. Banner Signs;
  - 7.4. Canopy and Under-Canopy Signs;
  - 7.5. Construction Signs;
  - 7.6. Development Marketing Signs;
  - 7.7. Fascia Signs;
  - 7.8. Projecting Signs;
  - 7.9. Real Estate Signs; and
  - 7.10. Wall Signs.

- 8.0 In addition to the requirements of Part Two, Sections 5.0 – 9.0, a development permit application for a sign shall include the following information:
- 8.1. two copies of the sign drawings with dimensions, thickness, and copy area of the sign,
  - 8.2. materials, finishes, colours, size of lettering and graphics,
  - 8.3. method of illumination, if applicable,
  - 8.4. mounting details or method of support, if applicable,
  - 8.5. a site plan showing any existing signs and the proposed sign location in relationship to boundary lines, parking areas and buildings,
  - 8.6. for freestanding signs, an elevation drawing depicting the height of the sign in relation to the height of the principal building,
  - 8.7. mounting height or clearance to grade, and
  - 8.8. the amount of projection of the sign from a building, if any.

**General Sign Regulations**

- 9.0 A sign shall not be erected, operated, used or maintained if, in the opinion of the Development Authority:
- 9.1. its position, size, shape, colour, format or illumination obstructs the view of, or may be confused with a traffic control device or other official sign, or otherwise poses a potential hazard to vehicular or pedestrian traffic,
  - 9.2. it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, or other emergency vehicles,
  - 9.3. its illumination would cause excessive light pollution or light spillage onto adjacent sites, or
  - 9.4. it would be situated within a sight line protection area defined in Part Three, Sections 34.0 – 37.0.

- 10.0 The following are specifically prohibited:
- 10.1. digital signs as defined in this Part and any signs that employ video display, motion picture, or an audible component;
  - 10.2. third-party signs including billboards;
  - 10.3. devices or signs that move or assume motion, including but not limited to flexible automatons, unless otherwise specifically permitted in this Part;
  - 10.4. signs that use chasing borders or movement of any kind unless otherwise specifically permitted in this Part; and/or
  - 10.5. any sign that has ribbons, pennants, streamers, balloons, flags, spinners, or similar devices attached to it.
- 11.0 A sign shall be integrated with the development on which it is to be located and compatible with the general architectural lines and forms of the nearby buildings or of adjoining developments.
- 12.0 Where possible, signs shall not cover architectural details such as arches, sills, mouldings, cornices and transom windows.
- 13.0 Wiring and conduits for electrified signs must be concealed from view.
- 14.0 No part of a sign or sign structure may encroach onto or over an adjacent site, road or lane unless a registered agreement between landowners running with the land is obtained.
- 15.0 Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 18.0 m<sup>2</sup> (193.8 sq. ft.).
- 16.0 A maximum of five (5) signs may be allowed on a site, including temporary signs and portable signs, but does not include fascia signs or signs less than 0.15 m<sup>2</sup> (1.6 sq. ft.) in area.
- 17.0 Signs will not be allowed on fences in residential or commercial land use districts, with the exception of a regulatory, warning or notice sign provided that it does not exceed 0.15 m<sup>2</sup> (1.6 sq. ft.) in area, unless the regulatory, warning or notice sign is temporary in nature for a public announcement, notice, event, or other similar thing, then in such cases the maximum size shall not exceed that provided for in Subsection 15.0 above.
- 18.0 Election signs are permitted uses in all districts and no development permits are required provided that:

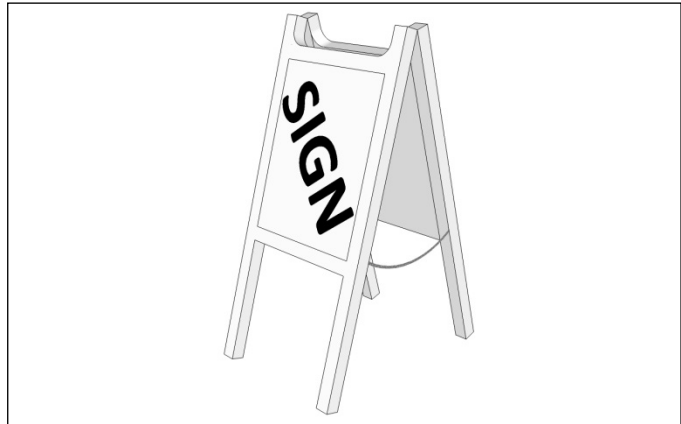
- 18.1. the signs are posted:
    - i. with respect to municipal and school elections, only between 12:00 noon on nomination day and 24 hours after the closing of polling stations; and
    - ii. with respect to provincial and federal elections, only between 12:00 noon on the day when an election writ is handed down and 24 hours after the closing of polling stations;
  - 18.2. the signs may not be placed or erected where they would obstruct or impair vision or traffic;
  - 18.3. the signs do not exceed 5.0 m<sup>2</sup> (53.8 sq. ft.) in sign area or 2.5 m (8.2 ft.) in sign height;
  - 18.4. the signs are not attached to fences, trees or utility poles; and
  - 18.5. the signs may not be posted on or within any municipally-owned or occupied facility, or on or within any site upon which a municipally-owned facility is situated.
- 19.0 Notwithstanding the applicability provisions of Part Seven, any signs, plaques or similar structures erected by the Municipality or an agency in conjunction with a property of historical significance shall have regard for the visual harmony and compatibility of the proposed sign with the architectural character and finish of the development and with the design, location and appearance of other signs on the development.
- 20.0 An approved major home occupation may display a sign, not larger than 0.4 m<sup>2</sup> (4.3 sq. ft.) on the dwelling or approved accessory building. If located outside, the sign shall be placed flat against the wall of the dwelling. Alternatively, the sign may be displayed from the inside of a window of the dwelling.
- 21.0 In any district where a place of worship or a public education facility or another institutional use is allowed, one (1) sign of not more than 5.0 m<sup>2</sup> (53.8 sq. ft.) in area shall be allowed to be erected on the site occupied by the place of worship, public education facility, or other institutional use.

## **Sign Regulations by Type**

### **A-Frame Signs**

22.0 An A-Frame sign is a permitted use in any commercial or industrial land use district and no development permit is required, provided it complies with the following requirements:

- 22.1. The maximum area of each A-Frame sign face shall be 0.7 m<sup>2</sup> (2.3 sq. ft.);
- 22.2. The maximum height of an A-Frame sign shall be 1.0 m (3.3 ft.);
- 22.3. No more than one (1) A-Frame sign shall be allowed per business frontage;
- 22.4. Where the back of an A-Frame sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority;
- 22.5. The area around an A-Frame sign shall be kept clean. All vegetation shall be cleared away to a distance of at least 1.5 m (4.9 ft.) around the A-Frame sign; and

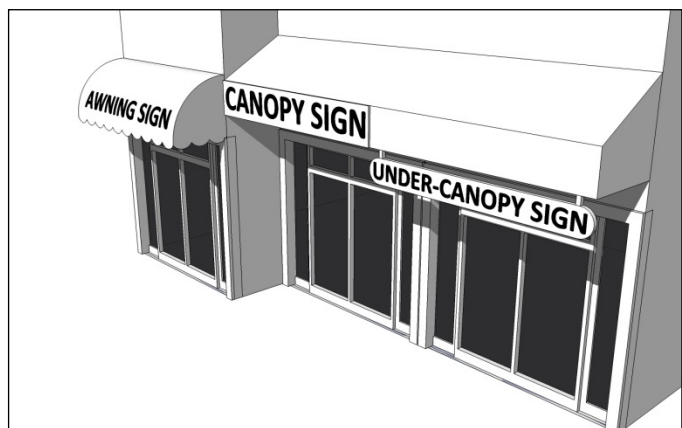


**Figure 13 – A-Frame Sign**

*For illustrative purposes only (not drawn to scale)*

### **Awning, Canopy and Under-Canopy Signs**

- 23.0 Awning, canopy and under-canopy signs are a permitted use in all non-residential land use districts and no development permit is required provided that:
- 23.1. The sign provides a minimum vertical clearance of 2.5 m (8.2 ft.) between



**Figure 14 – Awning, Canopy and Under-Canopy Signs**

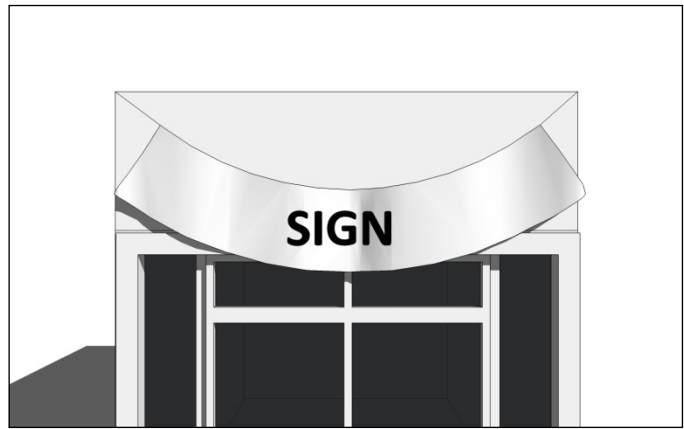
the bottom of the awning or canopy and the sidewalk or ground below;

- 23.2. The sign does not exceed a vertical dimension of 1.5 m (4.9 ft.);
- 23.3. The sign does not project over a road or lane; and
- 23.4. The sign is erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guide wires or similar support elements are visible from a road or lane.

### Banner Signs

24.0 A banner sign is a permitted use in all non-residential land use districts and no development permit is required provided that:

- 24.1. If it is used to advertise a non-profit or charity event it may be displayed for a period of 14 days; or
- 24.2. If it is used for other purposes it may be displayed for up to 30 days.



**Figure 15 – Banner Sign**

*For illustrative purposes only (not drawn to scale)*

### Billboard Signs

25.0 Billboard signs shall not be allowed within the Corporate limits of the Town of Grande Cache.



**Figure 16 – Billboard Sign**

*For illustrative purposes only (not drawn to scale)*



### Construction Signs

26.0 A construction sign is a permitted use in all land use districts and no development permit is required, provided that:

26.1. The sign does not exceed 5.0 m<sup>2</sup> (53.8 sq. ft.) in sign area or 3.0 m (9.8 ft.) in sign height;

26.2. There are no more than two (2) construction signs on a site; and

26.3. The sign or signs are removed within 7 days of development completion or as determined by the Development Authority.



**Figure 17 – Construction Sign**

*For illustrative purposes only (not drawn to scale)*

### Development Marketing Signs

27.0 A development marketing sign is a permitted use in all land use districts and no development permit is required within the subject subdivision only or on the site that is being marketed, or a discretionary use in the UR-1 and UR-2 Districts on any other site, provided that:

27.1. The sign is self-supported;

27.2. The sign, if it is located within the subject subdivision or on the site that is being marketed, shall not exceed 3.0 m<sup>2</sup> (32.3 sq. ft.) in sign area or 3.0 m (9.8 ft.) in sign height;

27.3. The sign, if it is located on a site other than within the subject subdivision or on the site that is being marketed, shall clearly provide direction to the subject area, to the satisfaction of the Development Authority, and:



**Figure 18 – Development Marketing Sign**

*For illustrative purposes only (not drawn to scale)*

- iii. not exceed 30.0 m<sup>2</sup> (322.9 sq. ft.) in sign area,
  - iv. not exceed 8.0 m (26.2 ft.) in sign height,
  - v. not be located less than 30.5 m (100.0 ft.) from an intersection, and
  - vi. not be located within 300.0 m (984.3 ft.) from any other development marketing sign or billboard facing the same direction;
- 27.4. The sign is located only during the duration while the subject area is actively under development; and
- 27.5. There are no more than two (2) development marketing signs per site.

### Electronic Messaging Signs

- 28.0 Subject to the issuance of a development permit, electronic message signs are a discretionary use in any land use district where freestanding signs are allowed provided they are integrated into a freestanding sign and provided the electronic message portion:



- 28.1. Is less than 1.0 m (3.3 ft.) in height;
- 28.2. Is located a minimum of 300.0 m (984.3 ft.) from any other electronic message sign facing the same direction;
- 28.3. Displays only text messages consisting of letters, numerals, or symbols, but no other graphics or images shall be allowed except for a corporate logo;
- 28.4. The transition of sign copy between static or scrolling text messages shall be instantaneous and each sign copy shall be displayed for a minimum period of six (6) seconds; and
- 28.5. Particular attention is given to Part Seven, Section 9.0.

**Figure 19 – Electronic Messaging Sign**

*For illustrative purposes only (not drawn to scale)*

### Fascia Signs

29.0 A fascia sign is a permitted use in all non-residential land use districts and no development permit is required, provided that:

29.1. The sign does not exceed 1.5 m (4.9 ft.) in height, measured from the bottom of the display area to the top of the display area;

29.2. The sign does not exceed the width of the building or unit that the sign identifies; and

29.3. The sign does not project beyond the roof or parapet wall of the building it is attached to.



**Figure 20 – Fascia Sign**

*For illustrative purposes only (not drawn to scale)*

### Freestanding Signs

30.0 Subject to the issuance of a development permit, a freestanding sign is a permitted use in all non-residential land use districts, subject to the following:

30.1. One (1) freestanding sign per business frontage may be erected on a site having a minimum business frontage of 15.0 m (49.2 ft.) at road level;

30.2. Notwithstanding Part Seven, Subsection 30.1, a maximum of one (1) freestanding sign may be allowed per site except:

- i. where a site has more than a 90.0 m (295.3 ft.) frontage, one (1) additional freestanding sign may be erected for each additional 90.0 m



**Figure 21 – Freestanding Sign**

*For illustrative purposes only (not drawn to scale)*

- (295.3 ft.) or portion thereof of frontage abutting the developed portion of the said site; or
- ii. where a site is considered by the Development Authority to be a double fronting site, each frontage may have freestanding signs providing that the freestanding signs are at least 90.0 m (295.3 ft.) apart;
- 30.3. The total sign area of all freestanding signs on a site shall not exceed 0.3 m<sup>2</sup> (3.3 sq. ft.) in area for each lineal metre of frontage, to a maximum of 12.0 m<sup>2</sup> (129.2 sq. ft.);
- 30.4. Notwithstanding the provisions of Part Seven, Subsection 30.3, any freestanding sign employing a changeable copy component may exceed the maximum sign area by 20% and this increase in allowable sign area will replace the option of a portable sign being allowed on the subject site;
- 30.5. The maximum height of a freestanding sign shall be 7.0 m (23.0 ft.);
- 30.6. Where a freestanding sign and a projecting sign are located along the same frontage of a site, a minimum distance of 10.0 m (107.6 ft.) shall be maintained between the signs;
- 30.7. Any support structure for a freestanding sign shall be set back a minimum of 0.3 m (1.0 ft.) from any site line and no part of the freestanding sign itself shall encroach onto or overhang an adjacent site, road or lane; and
- 30.8. Any freestanding sign that integrates an electronic message component shall comply with the requirements of Part Seven, Section 28.0.

### Inflatable Signs

- 31.0 Subject to the issuance of a development permit, an inflatable sign is a permitted use in all non-residential land use districts, subject to the following:
- 31.1. The Development Authority may specify the period of time the permit is valid and, following expiration of the permit, also specify the period of time the site shall remain clear of inflatable signs;



**Figure 22 – Inflatable Sign**

*For illustrative purposes only (not drawn to scale)*

- 31.2. A ground-mounted inflatable sign shall not exceed 8.0 m (26.2 ft.) in height and shall be located a minimum of 1.5 m (4.9 ft.) from any boundary line;
- 31.3. A roof-mounted inflatable sign shall not exceed the maximum building height allowed in the district;
- 31.4. An inflatable sign may not be illuminated; and
- 31.5. An inflatable sign must be located a minimum of 150.0 m (492.1 ft.) from any other inflatable sign.

### Neighbourhood Identification Signs

- 32.0 Subject to the issuance of a development permit, a neighbourhood identification sign is a permitted use in all land use districts, provided that:

- 32.1. The sign is self-supported;
- 32.2. The sign does not exceed 6.0 m<sup>2</sup> (64.6 sq. ft.) in sign area;
- 32.3. The sign does not exceed 3.0 m (9.8 ft.) in sign height;



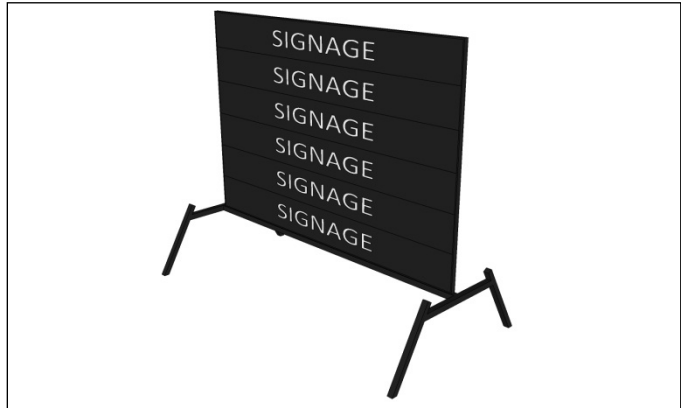
**Figure 23 – Neighbourhood Identification Sign**

*For illustrative purposes only (not drawn to scale)*

- 32.4. The sign is not internally illuminated, though it may be lit from the front;
- 32.5. Neighbourhood identification signs must predominantly identify the District Name adopted by Council where applicable and appropriate; and
- 32.6. The sign may incorporate the logo of the subject developer.

## Portable Signs

33.0 Subject to Part Seven, Subsection 30.4 and the issuance of a development permit, a portable sign is a permitted use in all non-residential districts, subject to the following:



**Figure 24 – Portable Sign**

*For illustrative purposes only (not drawn to scale)*

- 33.1. A development permit issued for a portable sign is valid for a maximum of 90 days;
- 33.2. Any support structure for a portable sign shall be set back a minimum of 0.5 m (1.6 ft.) from any site line and no part of a portable sign shall encroach onto or overhang an adjacent site, road or lane;
- 33.3. No more than one (1) portable sign shall be located on a site;
- 33.4. Notwithstanding Part Seven, Subsection 33.3, one (1) portable sign may be allowed for each business in a multiple-occupancy development provided that no portable sign is located within 30.0 m (98.4 ft.) of another portable sign;
- 33.5. All portable signs shall be double-faced;
- 33.6. No portable sign shall exceed a height of 2.5 m (8.2 ft.) above grade;
- 33.7. Portable signs shall not be located within 3.0 m (9.8 ft.) of a permanent self-supporting sign on the same site;
- 33.8. Portable signs shall not be placed on a site so as to conflict with or take up space for parking, loading, or walkways;
- 33.9. Portable signs shall not be allowed on otherwise vacant sites unless advertising the sale of the property on which the portable sign is located, or for a public announcement, notice, event, or other similar thing;
- 33.10. No portable sign shall be allowed at any location where the intent is to have the portable sign seen from Highway 40 or the direct access or egress from Highway 40.

- 33.11. No portable sign shall be attached, affixed or displayed on any parked vehicle or trailer not normally used in the daily activity of the business and that is visible from a road so as to act as a sign for the advertisement of products or to direct people to a business or activity.

### Projecting Signs

- 34.0 A projecting sign is a permitted use in all non-residential land use districts and no development permit is required, provided that:

- 34.1. The sign has a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade;
- 34.2. No more than one (1) projecting sign of 0.5 m<sup>2</sup> (5.4 sq. ft.) in size shall be allowed for each frontage of a commercial or industrial use; and



**Figure 25 – Projecting Sign**

*For illustrative purposes only (not drawn to scale)*

- 34.3. All projecting signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires, or similar support elements are visible from a road.

### Real Estate Signs

- 35.0 A real estate sign is a permitted use in all districts and no development permit is required provided that:

- 35.1. The sign is self-supported or wall-mounted;
- 35.2. The sign does not exceed 3.0 m (9.8 ft.) in height unless otherwise noted in Part Seven, Section 36.0;
- 35.3. The sign does not exceed 3.0 m<sup>2</sup> (32.3 sq. ft.) in sign area;



**Figure 26 – Real Estate Sign**

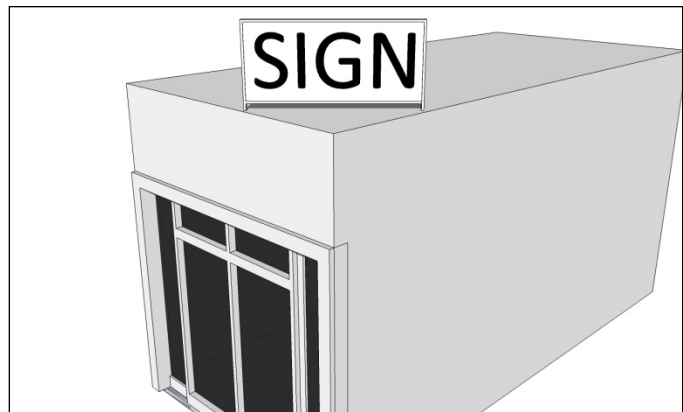
*For illustrative purposes only (not drawn to scale)*

- 35.4. The sign advertises only the site upon which the sign is located;
  - 35.5. The sign is setback a minimum of 3.0 m (9.8 ft.) from any road right-of-way;
  - 35.6. The number of signs on a site shall not exceed two (2); and
  - 35.7. The sign is removed within one (1) day after the sale or rental agreement has been entered into respecting the land.
- 36.0 In addition to the requirements of Part Seven, Section 35.0, real estate signs in residential land use districts must:
- 36.1. Not be illuminated;
  - 36.2. Not exceed 1.5 m<sup>2</sup> (16.1 sq. ft.) in sign area; and
  - 36.3. One (1) sign is permitted per property, or two (2) on corner sites, although for multi-unit dwelling developments, a single real estate sign may incorporate multiple panels, provided that the sum total of each panel area does exceed 3.0 m<sup>2</sup> (32.3 sq. ft.).

### Roof Signs

- 37.0 Subject to the issuance of a development permit, a roof sign is a permitted use in commercial and industrial land use districts, subject to the following:

- 37.1. Roof signs must be manufactured and erected in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself;



**Figure 27 – Roof Sign**

*For illustrative purposes only (not drawn to scale)*

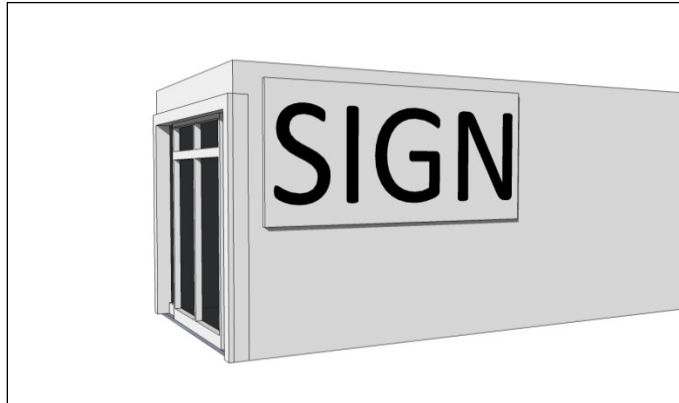
- 37.2. No supporting structure for a roof sign shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority; and



- 37.3. All roof signs shall be set back a minimum of 1.0 m (3.3 ft.) from the edge of the building on which the roof sign is located.

### Wall Signs

- 38.0 A wall sign is a permitted use in all non-residential land use districts and no development permit is required, provided that:



**Figure 28 – Wall Sign**

*For illustrative purposes only (not drawn to scale)*

- 38.1. The sign is created, erected, and/or finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself;
- 38.2. The sign is not illuminated if it faces an adjacent residential use or district; and
- 38.3. The sign does not exceed an area of more than 25% of the wall to which it is applied.

### Care and Maintenance of Signs

- 39.0 All signs shall be maintained in good and safe structural condition and shall be periodically refinished.
- 40.0 Where the Development Authority determines that a sign is abandoned or in an overall state of disrepair it may, by notice in writing to the owner of the land on which the sign is located and, if it is indicated on the sign, the owner or operator of the sign, require the owner of the land and the owner or operator of the sign to:
- 40.1. remove the sign and all related structure components within what the Development Authority deems to be a reasonable period of time, or
- 40.2. take such measures as he may specify in the notice to alter and/or refurbish and/or repair the sign.
- 41.0 Failure to remove the sign or to comply with the measures specified in the notice described in Part Seven, Section 40.0 may result in the issuance of a violation ticket as described in Part One, Section 31.0.

- 42.0 The notice described in Part Seven, Section 40.0 may, at the sole discretion of the Development Authority, be considered a Stop Order for the purposes of provisions contained under Part One, Sections 25.0 – 31.0.

**Residential Land Use Districts**

- 1.0 For the purposes of this Bylaw, the following Districts shall be considered Residential Districts:
  - 1.1. Single Detached Residential R-1A District
  - 1.2. Single Detached Residential R-1B District
  - 1.3. Single Detached Residential R-1C District
  - 1.4. Single Detached Compact Residential R-1D District
  - 1.5. Two-Unit Residential R-2 District
  - 1.6. Medium Density Residential R-3 District
  - 1.7. Medium/High Density Residential R-4 District
  - 1.8. Manufactured Home Subdivision R-MHS-V District
  - 1.9. Manufactured Home Subdivision R-MHS-VI District
  - 1.10. Manufactured Home Community R-MHC District
  - 1.11. Manufactured Home Park Residential R-MHP District
  - 1.12. Riverview Narrow Lot Single Detached Residential RNL District
  - 1.13. Riverview Ground-Oriented Multiple Dwelling Residential RGO District
  - 1.14. Riverview Mixed-Use RMU District
- 2.0 For the purposes of this Bylaw, the DC-R(VI) Direct Control Residential (Stage VI) District any other Direct Control Residential District shall also be considered Residential Districts.
- 3.0 All relevant Sections of this Bylaw shall apply to all Residential Districts unless otherwise noted in this Part.

#### 4.0 **Single Detached Residential R-1A District**

##### 4.1. **Purpose**

The purpose of this District is to provide for residential development in the form of large single detached housing on large lots.

##### 4.2. **Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home occupations – Minor.	Child day homes.	
Home offices.	Public utilities (no office/workshop)	Bed and breakfast establishments.
Public parks.	Show homes.	Home occupations – Major.
Secondary suites.	Buildings and uses accessory to discretionary uses.	
Single detached dwellings.		
Buildings and uses accessory to permitted uses.		

##### 4.3. **Subdivision Regulations**

Minimum site depth	35.56 m (116.66 ft.)
Minimum site width	Internal sites – 18.29 m (60.0 ft.) Corner sites – 19.8 m (65.0 ft.)
Minimum required frontage	12.2 m (40.0 ft.)
Minimum site area	650.3 m <sup>2</sup> (7,000.0 sq. ft.)

##### 4.4. **Development Regulations**

Maximum site coverage	40%
Minimum required front yard	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 6.1 m (20.0 ft.)
Minimum required side yard	10% of site width with per side; or 1.22 m (4.0 ft.) where a carport is attached; or 3.05 m (10.00 ft.) on one side yard where a site has vehicular access from the front only and no attached garage or carport is provided; or As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	7.62 m (25.0 ft.)

Maximum building height	10.7 m (35.0 ft.) and 2-½ storeys
Minimum floor area	Single detached dwellings – 167.23 m <sup>2</sup> (1,800 sq. ft.) Other uses – at the discretion of the Development Authority

## 5.0 Single Detached Residential R-1B District

### 5.1. Purpose

The purpose of this District is to provide for residential development in the form of single detached housing on lots allowing for higher density than in the R-1A District.

### 5.2. Permitted and Discretionary Uses

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home occupations – Minor.	Child day homes.	
Home offices.	Public utilities (no office/workshop).	Bed and breakfast establishments.
Public parks.	Show homes.	Home occupations – Major.
Secondary suites.	Buildings and uses accessory to discretionary uses.	
Single detached dwellings.		
Buildings and uses accessory to permitted uses.		

### 5.3. Subdivision Regulations

Minimum site depth	35.35 m (116.0 ft.)
Minimum site width	Internal sites – 15.24 m (50.0 ft.) Corner sites – 16.75 m (55.0 ft.)
Minimum required frontage	7.62 m (25.0 ft.)
Minimum site area	538.82 m <sup>2</sup> (5,800.0 sq. ft.)

### 5.4. Development Regulations

Maximum site coverage	40%
Minimum required front yard	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 6.1 m (20.0 ft.)
Minimum required side yard	10% of site width with per side; or 1.22 m (4.0 ft.) where a carport is attached; or 3.05 m (10.00 ft.) on one side yard where a site has vehicular access from the front only and no attached garage or carport is provided; or As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	7.62 m (25.0 ft.)

Maximum building height	10.7 m (35.0 ft.) and 2-½ storeys
Minimum floor area	Single detached dwellings – 92.9 m <sup>2</sup> (1,200 sq. ft.) Other uses – at the discretion of the Development Authority

## 6.0 Single Detached Residential R-1C District

### 6.1. Purpose

The purpose of this District is to provide for residential development in the form of single detached housing on lots allowing for higher density than in the R-1B District.

### 6.2. Permitted and Discretionary Uses

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home occupations – Minor.	Child day homes.	Bed and breakfast establishments.
Home offices.	Public utilities (no office/workshop).	Group homes.
Public parks.	Show homes.	Home occupations – Major.
Secondary suites.	Buildings and uses accessory to discretionary uses.	
Single detached dwellings.		
Buildings and uses accessory to permitted uses.		

### 6.3. Subdivision Regulations

Minimum site depth	30.5 m (100.0 ft.)
Minimum site width	Internal sites – 15.24 m (50.0 ft.) Corner sites – 16.75 m (55.0 ft.)
Minimum required frontage	7.62 m (25.0 ft.)
Minimum site area	464.5 m <sup>2</sup> (5,000.0 sq. ft.)

### 6.4. Development Regulations

Maximum site coverage	40%
Minimum required front yard	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 6.1 m (20.0 ft.)
Minimum required side yard	10% of site width with per side; or 1.22 m (4.0 ft.) where a carport is attached; or 3.05 m (10.00 ft.) on one side yard where a site has vehicular access from the front only and no attached garage or carport is provided; or As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	7.62 m (25.0 ft.)



Maximum building height	10.7 m (35.0 ft.) and 2-½ storeys
Minimum floor area	Single detached dwellings – 92.9 m <sup>2</sup> (1,000 sq. ft.) Other uses – at the discretion of the Development Authority

## 7.0 **Single Detached Compact Residential R-1D District**

### 7.1. **Purpose**

The purpose of this District is to provide for residential development in the form of single detached housing on lots allowing for higher density than in the R-1C District.

### 7.2. **Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home occupations – Minor.	Child day homes.	Bed and breakfast establishments.
Home offices.	Public utilities (no office/workshop).	Group homes.
Public parks.	Show homes.	Home occupations – Major.
Secondary suites.	Buildings and uses accessory to discretionary uses.	
Single detached dwellings.		
Buildings and uses accessory to permitted uses.		

### 7.3. **Subdivision Regulations**

Minimum site depth	30.5 m (100.0 ft.)
Minimum site width	Internal sites – 12.2 m (40.0 ft.) Corner sites – 13.75 m (45.1 ft.)
Minimum required frontage	6.1 m (20.0 ft.)
Minimum site area	371.6 m <sup>2</sup> (4,000.0 sq. ft.)

### 7.4. **Development Regulations**

Maximum site coverage	40%
Minimum required front yard	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 6.1 m (20.0 ft.)
Minimum required side yard	10% of site width with per side; or 1.22 m (4.0 ft.) where a carport is attached; or 3.05 m (10.00 ft.) on one side yard where a site has vehicular access from the front only and no attached garage or carport is provided; or As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	7.62 m (25.0 ft.)

Maximum building height	10.7 m (35.0 ft.) and 2-½ storeys
Minimum floor area	Single detached dwellings – 83.61 m <sup>2</sup> (900.0 sq. ft.) total and 32.52 m <sup>2</sup> (350.0 sq. ft.) per storey Other uses – at the discretion of the Development Authority

## 8.0 **Two-Unit Residential R-2 District**

### 8.1. **Purpose**

The purpose of this District is to provide for residential development in the form of duplex and semi-detached housing.

### 8.2. **Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Duplexes – Side-by-side.	Child day homes.	
Duplexes – Stacked.	Group homes.	Bed and breakfast establishments.
Home occupations – Minor.	Public utilities (no office/workshop).	Group care facilities.
Home offices.	Secondary suites (accessory to Side-by-side duplexes only).	Home occupations – Major.
Public parks.	Show homes.	
Buildings and uses accessory to permitted uses.	Single detached dwellings (if in existence prior to adoption of this Bylaw).	
	Buildings and uses accessory to discretionary uses.	

### 8.3. **Subdivision Regulations**

Minimum site depth	33.5 m (110.0 ft.)
Minimum site width	Duplex – Stacked Internal sites – 12.2 m (40.0 ft.) Corner sites – 13.7 m (45.0 ft.) Duplex – Side-by-side Internal sites – 7.62 m (25.0 ft.) Corner sites – 10.25 m (33.7 ft.)
Minimum required frontage	6.1 m (20.0 ft.)
Minimum site area	Duplex – Stacked 408.7 m <sup>2</sup> (4,400.0 sq. ft.) Duplex – Side-by-side Internal sites – 255.3 m <sup>2</sup> (2,747.8 sq. ft.) Corner sites – 343.4 m <sup>2</sup> (3,696.5 sq. ft.)

Where a duplex dwelling is situated on one parcel of land and a subdivision is being considered to subdivide the dwelling into two titles, the Subdivision Authority may require as a condition of the approval of the subdivision that an easement be registered in the form of a caveat on the certificates of titles of both of the new lots concurrent with registration of the instrument implementing the subdivision to provide for maintenance and repairs to the structure and/or exterior of the building.

#### 8.4. Development Regulations

Maximum site coverage	40%
Minimum required front yard	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 6.1 m (20.0 ft.)
Minimum required side yard	20% of site width with at least 1.22 m (4.0 ft.) per side, except in a comprehensive site planning development, it shall be at the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; however, in no case shall the Development Authority allow a side yard of less than 1.25 m (4.2 ft.); or 1.22 m (4.0 ft.) where a carport is attached; or 3.05 m (10.00 ft.) on one side yard where a site has vehicular access from the front only and no attached garage or carport is provided; or As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	7.62 m (25.0 ft.)
Maximum building height	10.7 m (35.0 ft.) and 2-½ storeys
Minimum floor area	Duplexes – 83.61 m <sup>2</sup> (900 sq. ft.) Other uses – at the discretion of the Development Authority
Amenity Areas	Where more than two (2) dwelling units are to be provided on a comprehensive site planning development site, amenity areas shall be provided in accordance with Part Three, Sections 40.0 – 44.0 for amenity areas.

## 9.0 Medium Density Residential R-3 District

### 9.1. Purpose

The purpose of this District is to provide for residential development, predominantly in the form of medium density, ground oriented, multiple dwelling developments, but with the possibility of some apartment density at fairly low densities for apartments.

### 9.2. Permitted and Discretionary Uses

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Duplexes – Side-by-side.	Apartments.	
Duplexes – Stacked.	Group homes.	Boarding and lodging houses.
Ground-oriented multiple unit dwellings.	Home occupations – Minor.	Group care facilities.
Home offices.	Public utilities (no office or workshop)	Home occupations – Major.
Public parks.	Show homes.	
Buildings and uses accessory to permitted uses.	Supportive housing.	
	Buildings and uses accessory to discretionary uses.	

### 9.3. Subdivision Regulations

Minimum site area	760.0 m <sup>2</sup> (8,180.6 sq. ft.)
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### 9.4. Development Regulations

Maximum site coverage	40%
Maximum density	54.0 dwelling units per hectare (22.0 du/ac.)
Minimum required front yard	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than 7.62m (25.0 ft.); or 3.05 m (10.00 ft.) where no front attached garages or parking spaces in the front yard are provided.
Minimum required side yard	2.3 m (7.6 ft.); or As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in

	which the site is located; but no less than 7.62 m (25.0 ft.)
Maximum building height	<p>14.0 m (46.0 ft.) or 4 storeys, whichever is lesser.</p> <p>When the R-3 district is applied to land with the Riverview Area Structure Plan, the height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:</p> <ul style="list-style-type: none"> <li>a) Any relevant provisions of the Riverview Area Structure Plan.</li> <li>b) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.</li> <li>c) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.</li> <li>d) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of firefighting equipment and personnel.</li> </ul>
Minimum floor area, per dwelling unit	<p>Ground-oriented multiple unit dwellings – 51.1 m<sup>2</sup> (550.0 sq. ft.)</p> <p>Apartments and Supportive housing – 41.8 m<sup>2</sup> (450.0 sq. ft.)</p> <p>Other uses – at the discretion of the Development Authority</p>
Minimum landscaping	35% of site area
Amenity Areas	Where more than two (2) dwelling units are to be provided, amenity areas shall be provided in accordance with Part Three, Sections 40.0 – 44.0 for amenity areas.

**10.0 Medium/High Density Residential R-4 District****10.1. Purpose**

The purpose of this District is to provide for residential development in the form of high density dwelling developments, with the possibility of incorporating some minor, convenience types of retailing to serve the occupants of the development and the immediate neighbourhood.

**10.2. Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Apartments. Home offices. Public parks. Supportive housing. Buildings and uses accessory to permitted uses.	Ground-oriented multiple unit dwellings. Group homes. Home occupations – Minor. Public utilities (no office/workshop). Retail stores – Convenience. Show homes.. Buildings and uses accessory to discretionary uses.	Boarding and lodging houses. Group care facilities. Home occupations – Major.

**10.3. Subdivision Regulations**

Minimum site area	815.0 m <sup>2</sup> (8,772.6 sq. ft.)
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**10.4. Development Regulations**

Maximum site coverage	40%
Maximum density	125 dwelling units per hectare (50.6 du/ac.), except that where a convenience retail store is developed within an apartment or another residential development, the maximum number of dwelling units on a site shall be reduced by one (1) for each convenience retail store. When the R-4 district is applied to land with the Riverview Area Structure Plan, unit density shall not exceed 60 units/ha (24 du/ac.).
Maximum floor area ratio	1.2



Maximum building height	<p>18.0 m (59.0 ft.) or 5 storeys, whichever is lesser</p> <p>When the R-4 district is applied to land with the Riverview Area Structure Plan, the height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:</p> <ul style="list-style-type: none"> <li>a) Any relevant provisions of the Riverview Area Structure Plan.</li> <li>b) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.</li> <li>c) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.</li> <li>d) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of firefighting equipment and personnel.</li> </ul>
Minimum required front yard	<p>1 and 2 storey buildings – 7.6 m (24.9 ft.)</p> <p>3 storey buildings – 9.1 m (30.0 ft.)</p> <p>4+ storey buildings – 10.67 m (35.0 ft.)</p>
Minimum required side yard	<p>One-half (½) building height or 4.5 m (14.8 ft.), whichever is greater; or</p> <p>As required per Part Three, Sections 31.0 – 33.0 for corner sites.</p>
Minimum required rear yard	<p>7.62m (25.0 ft.)</p>
Minimum floor area, per dwelling unit	<p>Dwelling unit – 37.2 m<sup>2</sup> (400.0 sq. ft.)</p> <p>Other uses – at the discretion of the Development Authority</p>
Minimum landscaping	<p>35% of site area</p>
Amenity Areas	<p>Where more than two (2) dwelling units are to be provided, amenity areas shall be provided in accordance with Part Three, Sections 40.0 – 44.0.</p>

Notwithstanding the above, the minimum required yard may be reduced at the sole discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located, the type and scale of the development proposed, the dimensions of the site, and the District and/or type of development on adjacent sites.

## 11.0 Manufactured Home Subdivision R-MHS-V District

### 11.1. Purpose

This district is generally intended to provide for double-wide manufactured homes and modular homes, whether or not on perimeter foundations, on subdivided lots in Stage V. The regulations of this land use district require comparatively larger minimum-standard residential buildings on larger lots. This district shall be applied in those areas where there will be no negative impact on adjacent existing land uses. Such subdivisions shall also be accessible to the type of community services and facilities normally available in residential areas. For the purposes of this district, the following definitions apply to the corresponding land uses described Section 11.2. All other uses and terms are as defined under Part One - Administrative Provisions.

**“Manufactured home, double-wide”** means a prefabricated building that is manufactured in two parts with each of the two parts being moved from one point to another individually and put together on lot to form a single unit and which provides completely self-contained, year-round residential accommodation, and meets Canadian Standard Association (CSA) standards. A double-wide manufactured home does not include a single detached dwelling, modular home, modular home on a perimeter foundation, single-wide manufactured home, a holiday trailer or recreational vehicle;

**“Manufactured home, single-wide”** means a prefabricated building that is manufactured to be moved from one point to another as a single unit and which provides completely self-contained, year-round residential accommodation, and meets Canadian Standard Association (CSA) standards. A single-wide manufactured home herein defined does not include, a single detached dwelling, modular home, modular home on a perimeter foundation, double-wide manufactured home, a holiday trailer or recreational vehicle;

**“Modular home”** means a residential building which is prefabricated or factory built with load bearing walls and floors designed for and capable of bearing the full weight of the dwelling when placed on a perimeter foundation, which is assembled on the lot in sections, which may be stacked side-by-side or vertically. A modular home herein defined does not include, a single detached dwelling, modular home on a perimeter foundation, single-wide manufactured home, double-wide manufactured home, a holiday trailer or recreational vehicle;

**“Modular home on a perimeter foundation”** means a residential building which is prefabricated or factory built, with eaves a minimum of 0.3 m (1 ft.) deep and load bearing walls and floors designed for and capable of bearing the full weight of the dwelling when placed on a perimeter foundation, which is assembled on the lot in sections, which may be stacked side-by-side or vertically. The modular home must be placed on a perimeter foundation and the running gear and wheels and/or a steel underframe or chassis that may have been in place and used to transport the modular home sections to the site must be removed. The resulting modular home must have a ratio of width vs. depth (or depth vs. width) of less than 3:1. A modular home on a perimeter foundation herein defined does not include a single detached dwelling,

modular home, single-wide manufactured home, double-wide manufactured home, a holiday trailer or recreational vehicle;

## 11.2. Permitted and Discretionary Uses

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home offices.		
Home occupations – Minor.	Child day homes.	Bed and breakfast establishments.
Manufactured home, double-wide.	Public utilities (no office/workshop).	Child care facility.
Manufactured home, single-wide.	Buildings and uses accessory to discretionary uses.	Home occupations – Major.
Modular home.		
Modular home on a perimeter foundation.		
Public park.		
Single detached dwelling.		
Buildings and uses accessory to permitted uses.		

## 11.3. Subdivision Regulations

Minimum site area	538.84 m <sup>2</sup> (5,000 ft <sup>2</sup> .)
Minimum site width	15.24 m (50 ft.)
	30.02 m (98.5 ft.) for interior lots where a double-wide or single-wide manufactured home cannot be sited lengthwise on a lot due to topographic constraints and must be sited widthwise.

Lots located on curves or cul-de-sacs shall maintain a minimum frontage of 10 m (33 ft.) with the maximum front width of the dwelling at the 6.1 m (20 ft.) or 7.62 m (25 ft.) front setback line being limited by the minimum side yard setback requirements. For units sited widthwise, the setback in these

situations shall be at the discretion of the Development Authority.

#### 11.4. Development Regulations

Maximum site coverage	42% including accessory buildings.
Minimum required front yard	<p>7.62 m (25 ft.) for double-wide and single wide manufactured homes sited widthwise on a lot, modular homes and single detached dwellings.</p> <p>6.1 m (20 ft.) for all other uses.</p> <p>At the discretion of the Development Authority, the front yard setback may be varied for corner or through lots or where a double-wide or single-wide manufactured home situated widthwise on a lot needs to be shifted forward due to excessive slope in the rear yard.</p>
Minimum required side yard	<p>3 m (10 ft.) for long side containing entrance door of double-wide or single-wide manufactured home.</p> <p>1.52 m (5 ft.) for other side of double-wide or single-wide manufactured home, or 1 storey portion of single detached dwelling or modular home, or double-wide or single-wide manufactured home sited widthwise on a lot.</p> <p>1.91 m (6.25 ft.) for 1.5 storey or 1.5 storey portion of single detached dwelling or modular home.</p> <p>2.29 m (7.5 ft.) for 2 storey or 2 storey portion of single detached dwelling or modular home or 10% of the lot width, whichever is greater.</p> <p>Where a lot has vehicular access from the front only, one side yard setback must be a minimum of 3 m (10 ft.) unless a garage or carport is attached to the principal building in which case the side yard on the garage side may be reduced to no less than 0.91 m (3 ft.).</p>
Minimum required rear yard	<p>10.21 m (33.5 ft.) for double-wide manufactured home.</p> <p>6.1 m (20 ft.) for single-wide manufactured home.</p>

	7.62 m (25 ft.) for double-wide or single-wide manufactured homes located widthwise on a lot, single detached dwelling or modular home. May be varied to a maximum of 10% if lot is located on a curve or cul-de-sac.
Maximum building height	5.3 m (16.5 ft.) for manufactured homes. 10.7 m (35.0 ft.) for all other uses.
Minimum floor area	111.48 m <sup>2</sup> (1,200 ft <sup>2</sup> ) - 1 storey, modular home, double-wide manufactured home, or bi-level (upper floor) 92.9 m <sup>2</sup> (1,000 ft <sup>2</sup> ) – 1.5 storey – lower floor, 130.06 m <sup>2</sup> (1,400 ft <sup>2</sup> ) – total. 78.97 m <sup>2</sup> (850 ft <sup>2</sup> ) – 2 storey – lower floor, 148.64 m <sup>2</sup> (1,600 ft <sup>2</sup> ) – total. 83.24 m <sup>2</sup> (896 ft <sup>2</sup> ) - single-wide manufactured home. 7.32 m (24 ft.) – minimum unit width for double-wide manufactured home. 83.24 m (14 ft.) – minimum unit width for single-wide manufactured home.

#### 11.5. Additional Requirements

- 1.1. Each development permit application for a dwelling in this land use district shall be accompanied by a landscaping and development plan to the satisfaction of the Development Authority.
- 1.2. In accordance with Part Three, Sections 21.0 – 26.0 of this Bylaw, the design, siting, external finish, architectural appearance of each dwelling, including any accessory building or structure, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent dwellings or residential buildings and that there may be adequate protection afforded to the amenities of adjacent properties.
- 1.3. In accordance with Part Three, Sections 21.0 – 26.0 of this Bylaw, the Development Authority may require that specific detailed architectural and landscape control guidelines regarding the development located within this land use district.

## 12.0 Manufactured Home Subdivision R-MHS-VI District

### 12.1. Purpose

This land use district is generally intended to provide for current, industry-standard manufactured housing in the form of single and double-wide manufactured homes and modular homes, whether or not on perimeter foundations, on subdivided lots in Stage VI. Such subdivisions shall be accessible to the type of community services/facilities normally available in other residential areas. For the purposes of this district, the following definitions apply to the corresponding land uses described Section 12.2. All other uses and terms are as defined under Part One - Administrative Provisions.

**“Manufactured home, double-wide”** means a prefabricated building that is manufactured in two parts with each of the two parts being moved from one point to another individually and put together on lot to form a single unit and which provides completely self-contained, year-round residential accommodation, and meets Canadian Standard Association (CSA) standards. A double-wide manufactured home does not include a single detached dwelling, modular home, modular home on a perimeter foundation, single-wide manufactured home, a holiday trailer or recreational vehicle;

**“Manufactured home, single-wide”** means a prefabricated building that is manufactured to be moved from one point to another as a single unit and which provides completely self-contained, year-round residential accommodation, and meets Canadian Standard Association (CSA) standards. A single-wide manufactured home herein defined does not include, a single detached dwelling, modular home, modular home on a perimeter foundation, double-wide manufactured home, a holiday trailer or recreational vehicle;

**“Modular home”** means a residential building which is prefabricated or factory built with load bearing walls and floors designed for and capable of bearing the full weight of the dwelling when placed on a perimeter foundation, which is assembled on the lot in sections, which may be stacked side-by-side or vertically. A modular home herein defined does not include, a single detached dwelling, modular home on a perimeter foundation, single-wide manufactured home, double-wide manufactured home, a holiday trailer or recreational vehicle;

**“Modular home on a perimeter foundation”** means a residential building which is prefabricated or factory built, with eaves a minimum of 0.3 m (1 ft.) deep and load bearing walls and floors designed for and capable of bearing the full weight of the dwelling when placed on a perimeter foundation, which is assembled on the lot in sections, which may be stacked side-by-side or vertically. The modular home must be placed on a perimeter foundation and the running gear and wheels and/or a steel underframe or chassis that may have been in place and used to transport the modular home sections to the site must be removed. The resulting modular home must have a ratio of width vs. depth (or depth vs. width) of less than 3:1. A modular home on a perimeter foundation herein defined does not include a single detached dwelling, modular home, single-wide manufactured home, double-wide manufactured home, a holiday trailer or recreational vehicle;

**12.2. Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home offices. Home occupations – Minor. Manufactured home, double-wide. Manufactured home, single-wide. Modular home. Modular home on a perimeter foundation. Public park. Buildings and uses accessory to permitted uses.	Child day homes. Public utilities (no office/workshop). Buildings and uses accessory to discretionary uses.	Bed and breakfast establishments. Child care facility. Home occupations – Major.

**12.3. Subdivision Regulations**

Minimum site area	560.02 m <sup>2</sup> (6,028 ft <sup>2</sup> .)
Minimum site width	16.0 m (52.5 ft.) For lots located on curves or cul-de-sacs, lot width shall be measured at the 6.1 m (20 ft.) setback line.

**12.4. Development Regulations**

Maximum site coverage	45% including accessory buildings.
Minimum required front yard	6.1 m (20 ft.).
Minimum required side yard	3 m (10 ft.) for long side containing entrance door of double-wide or single-wide manufactured home. 1.52 m (5 ft.) for other side of double-wide or single-wide manufactured home, or modular home. Where a lot has vehicular access from the front only, one side yard setback must be a minimum of 3 m (10 ft.) unless a garage or carport is attached to the principal building in which case the side yard on the garage side may be reduced to no less than 0.91 m (3 ft.).



Minimum required rear yard	4.5 m (14.75 ft.) for single-wide manufactured home. 6.1 m (20 ft.) for all other uses. May be varied to a maximum of 10% if lot is located on a curve or cul-de-sac.
Maximum building height	7.62 m (25.0 ft.) above grade.
Minimum floor area	92.9 m <sup>2</sup> (1,000 ft <sup>2</sup> ) – double-wide manufactured home, modular home or modular home on a perimeter foundation. 83.24 m <sup>2</sup> (896 ft <sup>2</sup> ) - single-wide manufactured home.

#### 12.5. Additional Requirements

- 1.1. Each development permit application for a dwelling in this land use district shall be accompanied by a landscaping and development plan to the satisfaction of the Development Authority.
- 1.2. In accordance with Part Three, Sections 21.0 – 26.0 of this Bylaw, the design, siting, external finish, architectural appearance of each dwelling, including any accessory building or structure, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent dwellings or residential buildings and that there may be adequate protection afforded to the amenities of adjacent properties.
- 1.3. In accordance with Part Three, Sections 21.0 – 26.0 of this Bylaw, the Development Authority may require that specific detailed architectural and landscape control guidelines regarding the development located within this land use district.

### 13.0 Manufactured Home Community R-MHC District

#### 13.1. Purpose

This land use district is generally intended to provide for manufactured homes on a leasehold basis within an existing manufactured home development or community. This land use district will be applied in those areas where there will be no negative impact on adjacent existing land uses. All such developments shall be serviced by Town water and sewer services and be accessible to the type of community services and facilities normally available in medium density residential land use districts. For the purposes of this district, the following definitions apply to the corresponding land uses described Section 13.2. All other uses and terms are as defined under Part One - Administrative Provisions.

**“Manufactured home, double-wide”** means a prefabricated building that is manufactured in two parts with each of the two parts being moved from one point to another individually and put together on lot to form a single unit and which provides completely self-contained, year-round residential accommodation, and meets Canadian Standard Association (CSA) standards. A double-wide manufactured home does not include a single detached dwelling, modular home, modular home on a perimeter foundation, single-wide manufactured home, a holiday trailer or recreational vehicle;

**“Manufactured home, single-wide”** means a prefabricated building that is manufactured to be moved from one point to another as a single unit and which provides completely self-contained, year-round residential accommodation, and meets Canadian Standard Association (CSA) standards. A single-wide manufactured home herein defined does not include, a single detached dwelling, modular home, modular home on a perimeter foundation, double-wide manufactured home, a holiday trailer or recreational vehicle;

#### 13.2. Permitted and Discretionary Uses

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home offices.		
Manufactured home, double-wide.	Child day homes.	Bed and breakfast establishments.
Manufactured home, single-wide.	Home occupations – Minor.	Child care facility.
Manufactured home community.	Public utilities (no office/workshop).	Home occupations – Major.
Manufactured home community office, common storage/laundry facilities.	Buildings and uses accessory to discretionary uses.	Social centre for the manufactured home community.
		Surveillance suite.

Park and  
playground.  
Buildings and uses  
accessory to  
permitted uses.

### 13.3. Subdivision Regulations

Minimum site area

The minimum site area of a  
manufactured home community  
shall be 2.0 hectares (5.0 acres).

### 13.4. Unit Site and Manufactured Home Community Dimensions

Minimum unit site and area

In the case of a single-wide manufactured  
home, the minimum unit site width  
shall be 12.0 m (40.0 ft.), and 14.5 m  
(48.0 ft.) for double-wide  
manufactured home unit sites.

In the case of a single-wide manufactured  
home, the minimum unit site area shall  
be 409.0 m<sup>2</sup> (4,400.0 ft<sup>2</sup>) and 490.0 m<sup>2</sup>  
(5,280.0 ft<sup>2</sup>) for double-wide  
manufactured home unit site areas.

The boundaries of the unit site area shall  
be marked with permanent markers.

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Maximum unit site coverage

Coverage of the manufactured home and  
all accessory buildings/structures shall  
not exceed 45% of the manufactured  
home unit site upon which it is located  
and all accessory buildings/structures,  
combined, shall not be larger than the  
principal building.

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Minimum required front yard

3.0 m (10.0 ft.), except where a  
manufactured home fronts onto an  
abutting street allowance or public  
space, the front yard shall be 7.62 m  
(25.0 ft.).

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Minimum required side yard

6.0 m (20.0 ft.) to the adjacent  
manufactured home shall be provided  
and in no case shall the side yard be  
less than 3.0 m (10.0 ft.).

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Minimum required rear yard

3.0 m (10.0 ft.), except where a  
manufactured home backs onto a  
public street or thoroughfare, the  
rear yard shall be increased to 7.62 m  
(25.0 ft.).

Maximum building height	The height of a manufactured home shall not exceed 4.5 m (15.0 ft.); the maximum height of accessory buildings/structures shall be in accordance with Part Four, Section 10.0.
Minimum floor area (not including attached garages or carports)	62.0 m <sup>2</sup> (660.0 ft <sup>2</sup> ).

### 13.5. Additional Requirements

- 1.1. Prior to the granting of a development permit for a manufactured home community, the applicant shall enter into an agreement with the Town, specifying the respective obligations to be assumed by the applicant and the Town regarding:
  - a) the establishment, operation and maintenance of services during the life of the manufactured home community, including:
    - i. storm sewers, ditches,
    - ii. sanitary sewers,
    - iii. water, power and gas services,
    - iv. roadways, sidewalks, walkways, curbs and easements,
    - v. landfill,
    - vi. snow clearance,
    - vii. garbage collection,
    - viii. fire-fighting facilities,
    - ix. parks, playgrounds and buffers,
    - x. street lighting,
    - xi. architectural controls, and
    - xii. any other service deemed necessary by the Town;
  - b) the standards of construction for water distribution, fire mains, sewer and storm water systems, utilities, and heating services;
  - c) the manner in which the costs of the above services are to be met or recovered;
  - d) periods of time for the completion of construction or installation of facilities; and
  - e) such other matters as may be deemed necessary by the Town.
- 1.2. Each manufactured home within the manufactured home community shall have C.S.A. certification or the equivalent to the satisfaction of the Development Authority. Proof of this shall be submitted with the application.
- 1.3. Utilities shall be underground and roads shall be hard-surfaced using a material satisfactory to the Development Authority but, at a minimum, packed gravel or

shale, and roads shall also be well drained and maintained to the satisfaction of the Development Authority.

- 1.4. The manufactured homes and all community facilities in a manufactured home community shall be connected by safe, convenient, hard-surfaced pedestrian walkways, using a material satisfactory to the Development Authority but, at a minimum, packed gravel or shale, which shall be at least 1.5 m (5.0 ft.) in width.
- 1.5. For manufactured home communities, two separate means of access shall be provided. In manufactured home communities under one hundred homes, this may be in the form of a boulevard road with a central dividing strip so that in the event of a blockage on one side, the other side is available for two-way emergency traffic.
- 1.6. All internal roads in a manufactured home community shall conform to the following regulations:
  - a) Roads shall be provided in the manufactured home community to allow access to individual manufactured home stands as well as other facilities where access is required;
  - b) These roads shall be privately owned and maintained and form part of the common area;
  - c) The street system shall be designed to be compatible with existing municipal street and public utility systems;
  - d) The street system shall provide convenient circulation by the use of local roads and properly located collector roads within the manufactured home community;
  - e) Minimum Street Width Requirements:

<u>One/Two Way Local/Collector</u>	<u>Minimum ROW Width</u>	<u>Minimum Travel Surface Width</u>
Parking on Both Sides	10.0 m (33 ft.)	8.53 m (28 ft.)
Parking on One Side	8.84 m (29 ft.)	7.32 m (24 ft.)
No Parking on Street	7.62 m (25 ft.)	6.1 m (20 ft.)

- a) All entrance roads will have a minimum right-of-way width of 10.0 m (33.0 ft.) and a minimum carriage-way width of 8.5 m (28.0 ft.);
  - b) Dead end roads shall be discouraged; however, where design alternatives are not available, a minimum of 16.8 m (55.0 ft.) radius for turnarounds shall be provided.
- 1.7. There shall be two off-street parking spaces provided within each manufactured home unit site and a visitor parking area shall be provided under the following circumstances and according to the following formula:

- a) Where there is no provision made for parking on the street, visitor parking shall be provided at a ratio of one off-street parking space for every three manufactured home unit sites.
- c) Where there is provision for parking on one side of the street only, visitor parking shall be provided at a ratio of one off-street parking space for every six manufactured home unit sites.
- d) Where there is provision made for parking on both sides of the street, a visitor parking area is not required.

1.8. Formal site planning should be designed to meet the conditions of each manufactured home unit site. The existing topography, vegetation and drainage should be considered in the design of the community with a view to maintaining the natural environment where possible. Attempts should be made to maintain as much of the existing natural vegetation, trees in particular, as possible. Under no conditions should a manufactured home development be built in a low lying poorly drained area. The site plan and subsequent improvement required should provide facilities and amenities appropriate to the needs of the occupants. The site plan must also provide for adequate means of protection for the manufactured home community occupants from offensive developments by means of screening and spacing. All landscaping and screening of the boundaries of the manufactured home community shall be to the complete satisfaction of the Development Authority.

1.9. Building Appearance and Construction

- a) The principal building shall not be other than a single-wide or double-wide manufactured home.
- b) Each single-wide or double-wide manufactured home must be placed on a perimeter wall foundation or a foundation of concrete blocks, poured concrete or series of piers suitable for carrying the anticipated load, as approved by the Development Authority who shall adhere to the relevant CSA standards.
- c) All accessory buildings and structures such as, patios, porches, additions, skirting, parging and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereof, so that the appearance, design and construction will complement the manufactured home.
- d) The undercarriage of each manufactured home shall be screened from view by skirting or such other means satisfactory to the Development Authority within thirty (30) days of placement of the home.

1.10. Landscaping and Open Space

- a) In a manufactured home community, 10% of the gross site area shall be devoted to recreational use. This recreation space shall be placed in locations convenient to all community residents, free from traffic hazards, shall not be included in areas designated as buffer strips and shall be clearly defined.
- b) All areas of a manufactured home community not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority.
- c) Removal of topsoil - no person shall commence or continue the removal of topsoil without first obtaining a development permit. There shall be provided upon occupancy of the development, a minimum topsoil coverage of 15.0 cm (6.0 in) and the affected area shall be landscaped to the satisfaction of the Development Authority.
- d) As a condition of the development permit, the Development Authority may require the developer to provide a letter of credit to the value of the estimated cost of the proposed landscaping to ensure that such landscaping is carried out with reasonable diligence.
- e) As a condition of the development permit to the satisfaction of the Development Authority, all landscaping and planting must be carried out (weather permitting), within two (2) months of completion, occupancy or commencement of operation of the proposed development.

1.11. Storage

A lighted storage area of 14.0 m<sup>2</sup> (150.0 ft<sup>2</sup>) per manufactured home unit site within the community, separate from the manufactured home unit sites, shall be provided for the storage of seasonal recreational equipment and other equipment not capable of storage on the manufactured home unit site. Such storage areas shall be enclosed and screened by trees, landscape features, or fencing, or a combination thereof.

**14.0 Manufactured Home Park Residential R-MHP District****14.1. Purpose**

The purpose of this District is to provide for future residential development in the form of manufactured home parks, with the possibility of incorporating some minor, convenience types of retailing to serve the occupants of the development and the immediate neighbourhood.

**14.2. Permitted and Discretionary Uses**

<b>1.1. <u>Permitted Uses</u></b>	<b>1.2. <u>Discretionary Uses – Development Officer</u></b>	<b>1.3. <u>Discretionary Uses – Municipal Planning Commission</u></b>
Home offices. Manufactured home units (in manufactured home parks which have an approved development permit). Manufactured home park. Public park. Buildings and uses accessory to permitted uses.	Child day homes. Home occupations – Minor. Public utilities (no office/workshop). Show homes. Buildings and uses accessory to discretionary uses.	Group homes. Home occupations – Major. Retail stores – Convenience.

**14.3. Subdivision Regulations**

Minimum site area	1.0 ha (2.5 ac.)
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**2.0 Development Regulations****2.1. For manufactured home parks:**

Maximum density	20 dwelling units per hectare (8.0 du/ac.)
Minimum required front yard	7.62 m (25.0 ft.)
Minimum required side and rear yards	4.5 m (14.8 ft.); or As required per Part Three, Sections 31.0 – 33.0 for corner and double-fronting sites.
Amenity Areas	Where more than two (2) dwelling units are to be provided in a manufactured home park, amenity areas shall be provided in accordance with Part Three, Sections 40.0 – 44.0 for amenity areas.



- a) A storage area shall be established for the storage of any furniture, domestic equipment, or seasonally used equipment which is not stored inside manufactured home units. This area shall be set aside and screened to the satisfaction of the Development Authority.
- b) All roadways within a manufactured home park shall be built and maintained to the satisfaction of the Development Authority and in accordance with the Municipality's engineering standards. Minimum right-of-way width shall be 9.0 m (29.5 ft.).
- c) A safe, convenient, all season pedestrian walkway of at least 1.8 m (5.9 ft.) in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
- d) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- e) All municipal utilities shall be provided underground to manufactured home units and in accordance with the Municipality's engineering standards.
- f) No part of the manufactured home park shall be used for non-residential purposes except such uses as are required for a convenience retail store and for the management and maintenance of the manufactured home park.
- g) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- h) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- i) Signage shall be in accordance with Part Seven - Sign Provisions.

2.2. For manufactured home stalls:

Maximum stall coverage	40%
Minimum stall area	370.0 m <sup>2</sup> (3,982.6 sq. ft.)
Maximum building height	4.5 m (14.8 ft.) or 1 storey, whichever is lesser
Minimum required front yard	3.1 m (10.0 ft.)
Minimum required side yard	1.2 m (3.9 ft.); or 0.0 m (0.0 ft.) for an interior side yard if the following conditions are met: <ul style="list-style-type: none"> <li>1. The owner or tenant of the adjacent stall grants a 3.0 m (9.8 ft.) private maintenance access</li> </ul>

	<p>easement, including a 0.6 m (2.0 ft.) eave and footing encroachment easement, along the affected side of the stall.</p> <p>2. All roof drainage from the manufactured home unit shall be contained to the stall and diverted to the manufactured home park's storm drainage system by eaves troughs or downspouts or other suitable means. Surface drainage to the adjacent stall will not be allowed.</p> <p>3. The development is designed in a comprehensive manner and is comprised of a minimum of twelve (12) stalls.</p> <p>4. The zero lot line side shall not be located on a side line adjacent to an internal roadway or a road.</p>
Minimum required rear yard	3.0 m (9.8 ft.)
Minimum floor area	<p>Manufactured home unit – 55.5 m<sup>2</sup> (597.4 sq. ft.)</p> <p>Other uses – at the discretion of the Development Authority</p>
Minimum distance between manufactured home units	4.5 m (14.8 ft.)
a)	<p>All accessory structures, such as patios, decks, porches, balconies, additions and skirtings, shall be:</p> <ul style="list-style-type: none"> <li>i. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonise with the manufactured home units,</li> <li>ii. considered as part of the main building, and</li> <li>iii. erected only after obtaining a development permit.</li> </ul>
b)	A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home unit.
c)	Notwithstanding any other provision of this Bylaw to the contrary, no features except for patios may project into any required minimum yard.
d)	No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home stall.
e)	The hitch and wheels are to be removed from the manufactured home unit.

- f) All manufactured home units shall be placed on a foundation in accordance with the *Safety Codes Act*. The manufactured home unit is to be attached by means of bolting or otherwise to the foundation.

**15.0 Riverview Narrow Lot Single Family Dwelling RNL District****15.1. Purpose**

The purpose of this District is to provide attainable housing in the form of narrower lot single detached housing.

**15.2. Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Home offices. Public parks. Single detached dwellings. Buildings and uses accessory to permitted uses.	Child day homes. Home occupations – Minor. Public utilities (no office/workshop). Show homes. Buildings and uses accessory to discretionary uses.	Bed and breakfast establishments.

**15.3. Subdivision Regulations**

Minimum site depth	32.0 m (105.0 ft.)
Minimum site width	10.97 m (36.0 ft.)
Minimum required frontage	6.1 m (20.0 ft.)
Minimum site area	351.0 m <sup>2</sup> (3,775 sq. ft.)

Site Plan: an application for subdivision within this land use district shall be accompanied by a site plan showing the minimum required yards and buildable area for all proposed lots.

**15.4. Development Regulations**

Maximum site coverage	40% for principal buildings, and 15% for accessory building, provided that the combined site coverage for all buildings does not exceed 45%.
Minimum required front yard	6.1 m (20.0 ft.)
Minimum required side yard	1.5 m (5.0 ft.) per side. As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	7.62 m (25.0 ft.)
Maximum building height	10.7 m (35.0 ft.) and 2-½ storeys

Minimum floor area

Single detached dwellings – 83.5 m<sup>2</sup> (900 sq. ft.) in total and 32.5 m<sup>2</sup> (350 sq. ft.) per storey.

Other uses – at the discretion of the Development Authority

#### 15.5. Design Standards

Architectural/design standards for the development within this land use district shall be the responsibility of the developer. In addition to those imposed by the developer, the following shall be regulated by the Town:

- 1.1. All dwellings are to have a front attached garage, and the attached garages shall not have a width exceeding two-thirds (2/3) of the site width.
- 1.2. All dwellings are to have a second storey or roof feature built the entire width and at least halfway over the depth of the attached garage.
- 1.3. Corner sites shall have flanking side treatments similar to the front elevation.
- 1.4. Enclosed cantilever projections into the side yard shall not exceed 3.1 m (10.2 ft.) in length.

## 16.0 Riverview Ground-Oriented Multiple Dwelling RGO District

### 16.1. Purpose

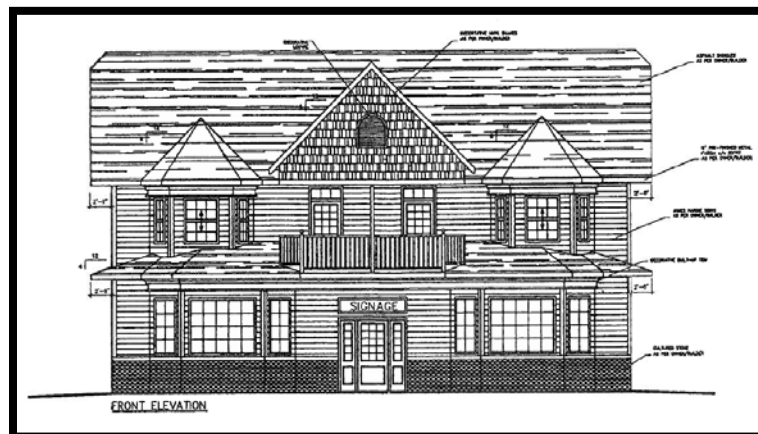
This land use district is intended to provide for innovative, attainable, design-controlled ground-oriented multiple unit dwellings while ensuring that adequate protection is afforded to the amenities of adjacent lands.

For the purposes of this district, the following definitions apply to the corresponding land uses described Section 16.2. All other uses and terms are as defined under Part One - Administrative Provisions

**“Ground-Oriented Multiple Unit Dwelling”** means a dwelling or a number of dwellings, each of which consisting of at least three (3) but no more than eight (8) dwelling units with each dwelling unit having direct access to the exterior at grade level.

**“Amenity Area”** means an area which is developed for the active or passive recreation and enjoyment of the occupants of a dwelling or dwellings which may be for either private or common use.

**“Live-Work Unit”** means a building designed to be used concurrently as one (1) dwelling unit and as one (1) commercial use (the following illustrates two dwelling units atop two commercial uses on ground level).



### 16.2. Permitted and Discretionary Uses

#### 1.1. Permitted Uses

Ground-Oriented Multiple Unit Dwelling.  
Home offices.  
Public parks.  
Buildings and uses accessory to permitted uses.

#### 1.2. Discretionary Uses – Development Officer

Child day homes.  
Home occupations – Minor.  
Public utilities (no office/workshop).  
Show homes.

#### 1.3. Discretionary Uses – Municipal Planning Commission

Bed and breakfast establishments.  
Live/Work Unit.  
Public Utility Building.

Buildings and uses  
accessory to  
discretionary uses.

### 16.3. Subdivision Regulations

Minimum site area	Unless otherwise prescribed in this Bylaw, the minimum site area shall be as prescribed by the Subdivision Authority or Development Authority, as the case may be, who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent land uses and buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and amenity area requirements of this land use district and this Bylaw.
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### 16.4. Development Regulations

Maximum site coverage	Unless specifically prescribed or otherwise affected by provisions in this Bylaw, all developments combined shall not exceed 0.5 times the site area subject to provision being made for off-street parking, loading, storage, amenity area, waste disposal and landscaping to the satisfaction of the Development Authority.
Maximum density	Unit density shall not exceed 40 units/ha (16 du/ac.).
Minimum yards	Unless otherwise prescribed in this Bylaw, the minimum front, side and rear yard setbacks for all uses prescribed in this land use district shall be at the discretion of the Development Authority who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent buildings, the safe and efficient movement of pedestrians and motor vehicles, parking requirements and the appearance, character and design/form of the ground-oriented multiple dwellings which are the focus of this land use district.

Maximum building height

The height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:

- a) Any relevant provisions of the Riverview Area Structure Plan.
- b) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.
- c) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.
- d) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of firefighting equipment and personnel.

**16.5. Application Requirements/Procedures**

The Subdivision Authority or Development Authority, as the case may be, may:

- 1.1. In the case of new construction, impose as a condition of approval that a plot plan (signed by an Alberta Land Surveyor) be submitted by the owner/developer prior to construction of the building foundation, or siting in the case of manufactured and/or portable units on permanent foundations, and/or that a Real Property Report (signed by an Alberta Land Surveyor) be submitted upon completion of the building foundation, or siting in the case of manufactured and/or portable units to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.
- 1.2. Stipulate the times of the day or week during which an approved permitted or discretionary use/development may operate as well as the length of time its approval remains in effect.
- 1.3. Issue a temporary development permit where the Development Authority is of the opinion that the proposed use or building is of a temporary nature.



- 1.4. Refuse a discretionary use development permit if the proposed development will detract from the character or appearance of the lands within this land use district as well as adjacent lands.

**16.6. Design, Character and Appearance**

In keeping with Section 16.1, the Development Authority shall ensure general adherence to the design theme depicted in the photograph immediately below. In determining final design theme, the Development Authority may consider inclusion of alpine design elements such as stone/rock/stucco and timber, elements of open beam, metal or shake-appearance roofing material, and so forth. As a condition of a subdivision approval, the Subdivision Authority, and in the case of a development permit, the Development Authority may require that these standards be registered against the title for these lands.



## 17.0 Riverview Mixed-Use RMU District

### 17.1. Purpose

This land use district is intended to provide for innovative, attainable, design-controlled mixed-use development combining appropriate/compatible commercial uses with housing.

All proposed uses and developments pursuant to this land use district are subject to the regulations below and the policies of the Riverview Area Structure Plan, and any amendments thereto.

### 17.2. Permitted and Discretionary Uses

#### 1.1. Permitted Uses

Child Care Facility.  
Community Service Facility.  
Fitness and wellness facility.  
Government Service.  
Health Facility.  
Home Occupation, Minor.  
Home offices.  
Mixed-Used Development as per Section 17.1.  
Public parks.  
Buildings and uses accessory to permitted uses.

#### 1.2. Discretionary Uses – Development Officer

Financial and Business Service.  
Food and Beverage Establishment, Minor.  
Personal Service Facility.  
Public utilities (no office/workshop).  
Buildings and uses accessory to discretionary uses.

#### 1.3. Discretionary Uses – Municipal Planning Commission

Gas Bar (Excluding Propane Sales).  
Private Club or Lodge.  
Public Utility Building.  
Retail Store - General.

### 17.3. Subdivision Regulations

Minimum site area

Unless otherwise prescribed in this Bylaw, the minimum site area shall be as prescribed by the Subdivision Authority or Development Authority, as the case may be, who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent land uses and buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and amenity area requirements of this land use district and this Bylaw.

**17.4. Development Regulations**

Maximum site coverage	All developments combined shall not exceed 0.5 times the site area subject to provision being made for off-street parking, loading, storage, amenity area, waste disposal and landscaping to the satisfaction of the Development Authority.
Maximum density	Unit density shall not exceed 50 units/ha. (20 du/ac.).
Minimum yards	Unless otherwise prescribed in this Bylaw, the minimum front, side and rear yard setbacks for all uses prescribed in this land use district shall be at the discretion of the Development Authority who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent buildings, the safe and efficient movement of pedestrians and motor vehicles, parking requirements and the appearance, character and design/form of the ground-oriented multiple dwellings which are the focus of this land use district.
Maximum building height	<p>The height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:</p> <ul style="list-style-type: none"><li>a) Any relevant provisions of the Riverview Area Structure Plan.</li><li>b) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.</li><li>c) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.</li></ul>

- d) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and the capacity and availability of firefighting equipment and personnel.

#### **17.5. Application Requirements/Procedures**

The Subdivision Authority or Development Authority, as the case may be, may:

- 1.1. In the case of new construction, impose as a condition of approval that a plot plan (signed by an Alberta Land Surveyor) be submitted by the owner/developer prior to construction of the building foundation, or siting in the case of manufactured and/or portable units on permanent foundations, and/or that a Real Property Report (signed by an Alberta Land Surveyor) be submitted upon completion of the building foundation, or siting in the case of manufactured and/or portable units to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.
- 1.2. Stipulate the times of the day or week during which an approved permitted or discretionary use/development may operate as well as the length of time its approval remains in effect.
- 1.3. Issue a temporary development permit where the Development Authority is of the opinion that the proposed use or building is of a temporary nature.
- 1.4. Refuse a discretionary use development permit if the proposed development will detract from the character or appearance of the lands within this land use district as well as adjacent lands.

#### **17.6. Design, Character and Appearance**

In keeping with Section 17.1 and the Riverview Area Structure Plan, the design, siting, external finish, architectural appearance and landscaping generally, of all buildings, including any accessory buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority. There must be conformity with an overall alpine design theme with exterior treatment containing stone/rock/stucco and timber, elements of open beam, steeper roof pitch, metal or shake-appearance roofing material, and so forth – see the following photo examples. The Development Authority shall ensure conformity with adjacent buildings and that adequate protection is afforded to the amenities of adjacent properties. As a condition of a subdivision approval, the Subdivision Authority, and in the case of a development permit, the Development Authority, may require that these standards be registered against the title for these lands and/or require a letter of guarantee or an irrevocable letter of credit to secure compliance with any requirements imposed.







**Commercial and Industrial Land Use Districts**

- 18.0 For the purposes of this Bylaw, the following Districts shall be considered Commercial and Industrial Districts:
- 18.1. Town Centre Commercial C-1 District
  - 18.2. Highway Corridor Commercial C-2 District
  - 18.3. Commercial and Industrial Service C-3 District
  - 18.4. Neighbourhood Commercial C-4 District
  - 18.5. Rural Industrial RM District
- 19.0 For the purposes of this Bylaw, the DC-FMBP Floyd McLennan Business Park Direct Control District any other Direct Control Commercial District shall also be considered Commercial Districts.
- 20.0 For the purposes of this Bylaw, any Direct Control Industrial District shall also be considered an Industrial District.
- 21.0 All relevant Sections of this Bylaw shall apply to all Commercial and Industrial Districts unless otherwise noted in this Part.

## 22.0 **Town Centre Commercial C-1 District**

### 22.1. **Purpose**

This land use district is generally intended to provide for a wide variety of retail, office and service oriented commercial outlets at higher densities than would normally be found in other parts of Grande Cache. The rationale for the C-1 District is to provide for the reinforcement of the downtown as the primary business district within Grande Cache. The regulations within the C-1 District are also intended to restrict those uses which may be considered obnoxious or those involving excessive outside storage of materials, goods, and equipment.

### 22.2. **Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Art studios.	Alcohol sales.	Bed and breakfast establishments.
Business support service establishments.	Amusement establishments – Indoor.	Boarding and lodging houses.
Financial services.	Cannabis sales.	Exhibition and convention facilities.
Fitness and wellness facility.	Child care facilities.	Recreational facilities.
Government services.	Commercial schools.	
Health services.	Home occupations – Minor.	
Home offices.	Hotels / Motels.	
Libraries and cultural exhibits.	Household repair services.	
Live/Work units.	Licensed drinking establishments.	
Mixed-use developments.	Off-street parking lots.	
Office uses.	Outdoor storage.	
Personal service shops.	Private clubs.	
Pet stores and grooming.	Public uses.	
Public parks.	Public utilities (no office/workshop).	
Restaurants.	Shopping centres.	
Retail stores – Convenience, General & Specialty.	Temporary uses.	
Buildings and uses accessory to permitted uses.	Theatres.	
	Buildings and uses accessory to discretionary uses.	

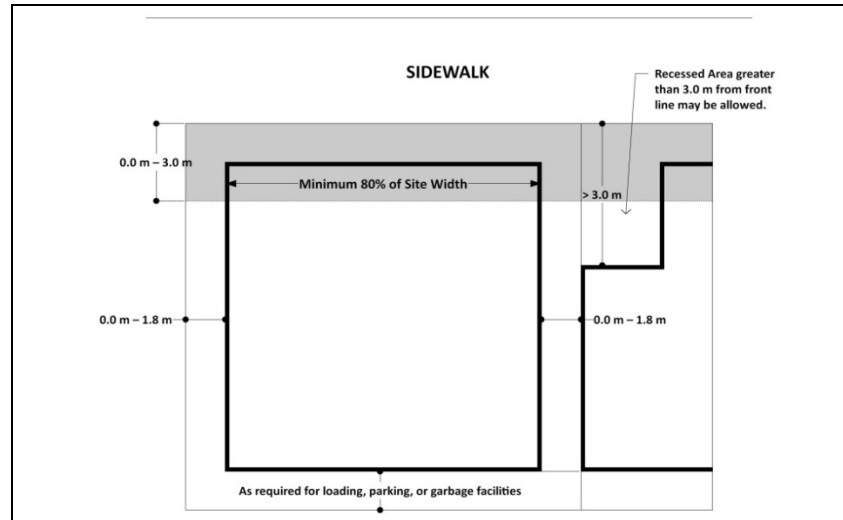


**22.3. Subdivision Regulations**

Minimum site area and dimensions shall be at the discretion of the Subdivision Authority or Development Authority, as the case may be, who, in making their determination, shall consider internal traffic circulation, off-street parking and loading, landscaping, on-site storage, adjacent land uses and the required building setbacks.

**22.4. Development Regulations**

Maximum floor area ratio	2.0
Required front yard (including the entire storefront)	Between 0.0 m (0.0 ft.) and 3.0 m (9.8 ft.) for at least 80% of the site width. A front yard greater than 3.0 m or larger recessed areas within the storefront may be allowed if, in the opinion of the Development Authority, pedestrian-oriented amenities are maintained, and the design of the building façade enhances and maintains the continuity of the streetscape and adjacent developments.
Required side yard	For buildings in existence prior to adoption of this Bylaw – Minimum 0.0 m (0.0 ft.) For all other buildings – Between 0.0 m (0.0 ft.) and 1.8 m (5.9 ft.) on either side, provided the design of the building façade enhances and maintains the continuity of the streetscape and adjacent developments; or Minimum 2.4 m (8.0 ft.) or one-half the height of the building, whichever is the greater, if the site abuts a Residential District.
Minimum required rear yard	0.0 m (0.0 ft.), except as required to provide loading, parking, or garbage facilities.
Maximum building height	15.85 m (52.0 ft.) or four storeys, whichever is less.



**Figure 29 – Required Yards**

*For illustrative purposes only (not drawn to scale)*

### 1.1. Application Requirements

In addition to Part Two, Sections 5.0 – 9.0, an application for a development permit must also be accompanied by diagrams illustrating how the proposed development will be integrated with existing adjacent developments by showing length of yards, building heights, elevations, colours, and building materials, among other related matters, all to the satisfaction of the Development Authority.

### 1.2. Site and Architectural Appearance

Without limiting the applicability of any other provision of this Bylaw, the Development Authority shall, in reviewing an application for a development permit, pay particular attention to Part Three, Sections 21.0 – 26.0; specifically that any proposed development shall be in conformity with the Municipal Development Plan and any other plan or document approved by Council relating to site and architectural appearance.

### 1.3. Landscaping and Screening

- i. When a commercial use is proposed adjacent to a Residential District, a landscaped buffer shall be provided on the site of the commercial use between the commercial use and the Residential District in accordance with Part Three, Sections 19.8 – 19.10.
- ii. All rooftop mechanical, heating, ventilation, and air conditioning units, elevator housing, and other similar equipment shall be screened from street level or be incorporated within the building design.
- iii. All utility boxes shall be placed in inconspicuous locations, or be screened from adjacent sites and roads to the satisfaction of the

Development Authority. Such screening may include fences, hedges, and/or other landscaping.

1.4. Lighting

All outdoor lighting fixtures shall be of a design and style that complement building design and are consistent with the purpose of the C-1 District; providing safety, security, and visual interest.

1.5. Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

1.6. Signs

- i. In addition to Part Seven – Sign Provisions, all signs in the C-1 District shall be consistent with the purpose of this District, complementary to the streetscape, and pedestrian-oriented.
- ii. Notwithstanding Part Seven – Sign Provisions, Portable signs shall not be allowed in the C-1 District.

**23.0 Highway Corridor Commercial C-2 District****23.1. Purpose**

The purpose of this District is to provide a variety of goods and services, predominantly those which are travel-oriented, to the community and the surrounding region. Where this District applies to lands within the Urban Village of the Tower Park Area Structure Plan (ASP), as amended, any land uses indicated on Figure-8 or stipulated in the policies of Section 5 that can be inferred to be permitted uses, are considered to be permitted uses for the purposes of this District. All land uses indicated on Figure-8 or stipulated in the policies of Section 5 of the ASP that can be inferred to be discretionary uses, are considered to be discretionary uses to be decided by the Development Officer for the purposes of this District. As per Part Two, Section 10.8 of this Bylaw, the Development Officer may refer an application to the Municipal Planning Commission for decision.

**23.2. Permitted and Discretionary Uses**

<b>1.1. <u>Permitted Uses</u></b>	<b>1.2. <u>Discretionary Uses – Development Officer</u></b>	<b>1.3. <u>Discretionary Uses – Municipal Planning Commission</u></b>
Automotive and minor RV sales/rental establishments. Car washes. Drive-through businesses. Essential Service. Fitness and wellness facility. Gas bars. Hotels / Motels. Public parks. Restaurants. Retail stores – Convenience. Truck and recreational vehicle sales/rentals establishments. Buildings and uses accessory to permitted uses.	Alcohol sales. Automotive and equipment repair shops. Cannabis sales. Equipment rental. Fleet services. Licenced drinking establishments. Personal service shops. Public uses. Public utilities. Recreational facilities. Service stations. Surveillance suites. Temporary uses. Warehouse sales establishments. Buildings and uses accessory to discretionary uses.	Casinos and gaming establishments. Mixed-use developments.

### 23.3. Subdivision Regulations

Minimum site area and dimensions shall be at the discretion of the Subdivision Authority or Development Authority, as the case may be, who, in making their determination, shall consider internal traffic circulation, off-street parking and loading, landscaping, on-site storage, adjacent land uses and the required building setbacks.

### 23.4. Development Regulations

Maximum site coverage	50%
Maximum floor area ratio	1.0
Minimum required front yard	7.6 m (24.9 ft.)
Minimum required side yard	10% of site width or 4.5 m (14.8 ft.), whichever is less.
Minimum required rear yard	7.6 m (24.9 ft.) adjacent to a Residential District; or 6.1 m (20.0 ft.) at the level of the first storey of the development. Upper storeys of a development may extend to the rear line except in a site abutting a Residential District.
Minimum yards from a highway	15.2 m (50 ft.) notwithstanding any minimum yard requirements hereof.
Maximum building height	15.85 m (52.0 ft.) or four storeys, whichever is less.

#### 1.1. Application Requirements

In addition to Part Two, Sections 5.0 – 9.0, an application for a development permit must also be accompanied by diagrams illustrating how the proposed development will be integrated with existing adjacent developments by showing length of yards, building heights, elevations, colours, and building materials, among other related matters, all to the satisfaction of the Development Authority.

#### 1.2. Site and Architectural Appearance

Without limiting the applicability of any other provision of this Bylaw, the Development Authority shall, in reviewing an application for a development permit, pay particular attention to Part Three, Sections 21.0 – 26.0; specifically that any proposed development shall be in conformity with the Municipal Development Plan and any other plan or document approved by Council relating to site and architectural appearance.

1.3. Landscaping and Screening

- i. When a commercial use is proposed adjacent to a Residential District, a landscaped buffer shall be provided on the site of the commercial use between the commercial use and the Residential District in accordance with Part Three, Sections 19.8 – 19.10.
- ii. All rooftop mechanical, heating, ventilation, and air conditioning units, elevator housing, and other similar equipment shall be screened from street level or be incorporated within the building design.
- iii. All utility boxes shall be placed in inconspicuous locations, or be screened from adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences, hedges, and/or other landscaping.

1.4. Lighting

All outdoor lighting fixtures shall be of a design and style that complement building design and are consistent with the purpose of the C-2 District and its proximity to Highway 40; providing safety, security, and visual interest.

1.5. Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

## 24.0 **Commercial and Industrial Service C-3 District**

### 24.1. **Purpose**

This land use district is generally intended to provide for a wide variety of service oriented commercial outlets, which require larger tracts of land for outside storage and display of goods and services, at lower densities than would be found under the C-1 District. This land use district is also generally intended to establish an area of light industrial uses as well as those commercial uses which provide service to industrial uses. The uses prescribed in this land use district will not cause any objectionable or dangerous conditions beyond the confines of the building and the site upon which they are located. Storage areas must be screened from the view of the general public beyond the boundary of the site.

Purely retail commercial uses may be allowed on a limited basis in this land use district, with restrictions applying to the amount of floor space, if it can be demonstrated to the satisfaction of the Town that this is the most viable location for the business. It must also be demonstrated such uses can co-exist with surrounding industrial uses. Retail commercial uses which would be more appropriately located in the C-1 District shall not be permitted in this land use district.

Where this District applies to lands within the Business Park of the Tower Park Area Structure Plan (ASP), as amended, any land uses indicated on Figure-9 or stipulated in the policies of Section 5 that can be inferred to be permitted uses, are considered to be permitted uses for the purposes of this District. All land uses indicated on Figure-9 or stipulated in the policies of Section 5 of the ASP that can be inferred to be discretionary uses, are considered to be discretionary uses to be decided by the Development Officer for the purposes of this District. As per Part Two, Section 10.8 of this Bylaw, the Development Officer may refer an application to the Municipal Planning Commission for decision.

### 24.2. **Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Automotive and equipment repair shops.	Amusement establishment - indoor.	Adult entertainment
Automotive and minor RV sales/rental establishments.	Cannabis production facility.	Animal shelters.
Automotive body repair and paint shops.	Contractor services – General.	Establishments.
Business support service establishments.	Drive-through businesses.	Auctioneering establishments.
Car washes.		Bulk fuel and chemical storage.
Commercial schools.		Casinos and gaming establishments.

Contractor services – Limited.	Fitness and wellness facility.	Exhibition and convention facilities.
Equipment rental establishments.	Funeral Home.	Recreational facilities.
Fleet services.	Greenhouses and plant nurseries.	Small animal breeding and boarding.
Gas bars.	Industrial uses – General.	
Household repair services.	Licensed drinking establishments.	
Industrial vehicle and equipment sales/rentals establishments.	Public uses.	
Industrial/commercial office, operations facility and/or admin building.	Recycling depots.	
Office uses.	Restaurants.	
Outdoor storage.	Self-service storage facilities.	
Public parks.	Surveillance suites.	
Public utilities.	Temporary uses.	
Service stations.	Utility Services - major and minor.	
Truck and recreational vehicle sales/rentals establishments.	Veterinary clinics and hospitals.	
Warehouse sales establishments.	Buildings and uses accessory to discretionary uses.	
Buildings and uses accessory to permitted uses.		

#### 24.3. Subdivision Regulations

Minimum site area and dimensions shall be at the discretion of the Subdivision Authority, who, in making their determination, shall consider internal traffic circulation, off-street parking and loading, landscaping, on-site storage, adjacent land uses, and the required building setbacks to accommodate the proposed use; however, site area shall not be less than 0.4 ha (1.0 ac.).

#### 24.4. Development Regulations

Maximum site coverage	60%
Minimum required front and rear yards	6.0 m (19.7 ft.), unless a greater yard is deemed necessary by the Development Authority. No loading, parking, or storage area shall be allowed within the required minimum front yard.



Minimum required side yard	6.0 m (19.7 ft.) if on one side if vehicular access is from the front only, otherwise 3.0 m (9.8 ft.).
Maximum building height	At the discretion of the Development Authority, having regard for adjacent land uses and the required building setbacks.

1.1. Application Requirements

In addition to Part Two, Sections 5.0 – 9.0, an application for a development permit must also be accompanied by diagrams illustrating how the proposed development will be integrated with existing adjacent developments by showing length of yards, building heights, elevations, among other related matters, all to the satisfaction of the Development Authority.

1.2. Site and Architectural Appearance

Without limiting the applicability of any other provision of this Bylaw, the Development Authority shall, in reviewing an application for a development permit, pay particular attention to Part Three, Sections 21.0 – 26.0; specifically that any proposed development shall be in conformity with the Municipal Development Plan and any other plan or document approved by Council relating to site and architectural appearance.

1.3. Landscaping and Screening

- i. All yards within the C-3 District are subject to Part Three, Section 17.3.
- ii. All rooftop mechanical, heating, ventilation, and air conditioning units, elevator housing, and other similar equipment shall be screened from street level or be incorporated within the building design.
- iii. All utility boxes shall be placed in inconspicuous locations, or be screened from adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences, hedges, and/or other landscaping.

1.4. Lighting

All outdoor lighting fixtures shall be of a design and style that complement building design and are consistent with the purpose of the C-3 District and its proximity to Highway 40; providing safety, security, and visual interest.

1.5. Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

**Neighbourhood Commercial C-4 District****24.5. Purpose**

The purpose of this District is to establish areas for the clustering of local convenience retail and personal service businesses intended to provide a limited range of goods and services to residents of the immediate neighbourhood on a day-to-day basis.

**24.6. Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Fitness and wellness facility.	Child care facilities.	
Personal service shops.	Gas bars.	Licenced drinking establishments.
Public parks.	Public uses.	Mixed use development.
Restaurants.	Public utilities (no office/workshop).	
Retail stores – Convenience.	Buildings and uses accessory to discretionary uses.	
Buildings and uses accessory to permitted uses.		

**24.7. Subdivision Regulations**

Minimum site area	0.4 ha (1.0 ac.)
Maximum site area	1.0 ha (2.5 ac.)

**24.8. Development Regulations**

Maximum site coverage	50%
Maximum floor area ratio	1.0
Minimum required front yard	7.6 m (24.9 ft.)
Minimum required side yard	10% of site width or 4.5 m (14.8 ft.), whichever is less; or As required per Part Three, Sections 31.0 – 33.0 for corner sites.
Minimum required rear yard	7.6 m (24.9 ft.) adjacent to a Residential District; or 6.1 m (20.0 ft.) at the level of the first storey of the development. Upper storeys of a development may extend to the rear line except in a site abutting a Residential District.
Maximum building height	10.6 m (35.0 ft.) or 2 ½ storeys, whichever is lesser.

1.1. Impact on Adjacent Properties

When, in the sole opinion of the Development Authority, a proposed development may create negative impacts such as noise, vibration, light or odours which may be noticeable on adjacent residential properties, the Development Authority may require conditions specifying the mitigative measures to be applied to a development. Such measures may include, but are not limited to, hours of operation, landscaping, berming, screening, structural soundproofing, and directional lighting.

1.2. Application Requirements

In addition to Part Two, Sections 5.0 – 9.0, an application for a development permit must also be accompanied by diagrams illustrating how the proposed development will be integrated with existing adjacent developments by showing length of yards, building heights, elevations, colours, and building materials, among other related matters, all to the satisfaction of the Development Authority.

1.3. Site and Architectural Appearance

Without limiting the applicability of any other provision of this Bylaw, the Development Authority shall, in reviewing an application for a development permit, pay particular attention to Part Three, Sections 21.0 – 26.0; specifically that any proposed development shall be in conformity with the Municipal Development Plan and any other plan or document approved by Council relating to site and architectural appearance.

1.4. Landscaping and Screening

- i. When a commercial use is proposed adjacent to a Residential District, a landscaped buffer shall be provided on the site of the commercial use between the commercial use and the Residential District in accordance with Part Three, Sections 19.8 – 19.10.
- ii. All rooftop mechanical, heating, ventilation, and air conditioning units, elevator housing, and other similar equipment shall be screened from street level or be incorporated within the building design.
- iii. All utility boxes shall be placed in inconspicuous locations, or be screened from adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences, hedges, and/or other landscaping.

1.5. Lighting

All outdoor lighting fixtures shall be of a design and style that complement building design and are consistent with the purpose of the C-4 District; providing safety, security, and visual interest.

1.6. Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

1.7. Signs

In addition to Part Seven – Sign Provisions, all signs in the C-4 District shall be consistent with the purpose of this District, complementary to the streetscape, and surrounding Residential districts.

## 25.0 **Rural Industrial RM District**

### 25.1. **Purpose**

This land use district is generally intended to provide for industrial uses that are suitable for/require comparatively large tracts of unserviced land.

For the purposes of this district, the following definition applies to the corresponding land use described Section 26.2. All other uses and terms are as defined under Part One - Administrative Provisions.

**“Small animal breeding and boarding establishment”** means a development where, in addition to small animals normally considered to be household pets, working /sled dogs are boarded, bred, cared for, raised for remuneration or sale, or trained. Typical uses include kennels, but does not include veterinary clinics and hospitals;

### 25.2. **Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Contractor services – General.	Auctioneering establishments.	Animal shelters.
Fleet services.	Bulk fuel and chemical storage.	Small animal breeding and boarding.
Industrial uses – General.	Public utilities.	Surveillance suite.
Oilfield support.	Recycling depot.	Waste management.
Outdoor storage.	Buildings and uses accessory to discretionary uses.	
Buildings and uses accessory to permitted uses.		

### 25.3. **Subdivision Regulations**

Minimum site area and dimensions shall be at the discretion of the Subdivision Authority, who, in making their determination, shall consider the nature of the uses provided for in this land use district, internal traffic circulation, parking and loading, landscaping, on-site storage, adjacent land uses, and the required building setbacks to accommodate the proposed use(s); however, site area shall not be less than 0.5 ha (1.2 ac.).

### 25.4. **Development Regulations**

Maximum site coverage	60%
Minimum required front and rear yards	7.6 m (25.0 ft.), unless a greater yard is deemed necessary by the

Development Authority. No loading, parking, or storage area shall be allowed within the required minimum front yard.

Minimum required side yard	6.0 m (19.7 ft.)
Maximum building height	At the discretion of the Development Authority, having regard for adjacent land uses and the required building setbacks.

1.4. Landscaping and Screening

All yards within the RM District are subject to Part Three, Section 17.3.

1.5. Upkeep of Site

The entire site and all buildings shall be maintained in a neat and tidy manner to the satisfaction of the Development Authority. This shall include the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

**Other Land Use Districts**

26.0 For the purposes of this Bylaw, the following Districts shall constitute all other Districts:

26.1. Parks and Open Space POS District

26.2. Public and Private Services PPS District

26.3. Urban Reserve Settlement Area UR-1 District

26.4. Urban Reserve Corporate Limits UR-2 District

26.5. Direct Control DC District

26.6. Direct Control DC-R(VI) Residential (Stage VI) District

26.7. Direct Control DC-FMBP Floyd McLennan Business Park District

27.0 All relevant Sections of this Bylaw shall apply to the above-listed Districts unless otherwise noted in this Part.

**28.0 Parks and Open Spaces POS District****28.1. Purpose**

This land use district is generally intended to provide for development of public parks and other public uses which are supportive of those uses.

**28.2. Permitted and Discretionary Uses****1.1. Permitted Uses**

Campground.  
Golf Course.  
Community recreation services.  
Public parks.  
Buildings and uses accessory to permitted uses.

**1.2. Discretionary Uses – Development Officer**

Child care facilities.  
Places of worship.  
Public uses.  
Recycling depot.  
Temporary uses.  
Buildings and uses accessory to discretionary uses.

**1.3. Discretionary Uses – Municipal Planning Commission**

Cemeteries.  
Exhibition and convention facilities.  
Outdoor storage.  
Recreational facilities.  
Surveillance Suite.

**28.3. Subdivision Regulations**

Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use.

**28.4. Development Regulations**

Maximum site coverage and/or floor area ratio

At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no more than the least restrictive adjacent land use district.

Minimum required front, side and rear yards

At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than the least restrictive adjacent land use district.

Maximum building height

At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no more than the least restrictive adjacent land use district.



- 1.1 The Development Authority shall require that the design, siting, landscaping, screening and buffering of any development minimize and compensate, in its sole opinion, for any objectionable aspects or potential incompatibility with development in abutting land use district.
- 1.2 In considering whether or not to approve a development application for a discretionary use, the Development Authority shall evaluate the proposal in terms of its scale and the extent to which it is, in its sole opinion, consistent with, and not prejudicial to, the overall purpose of this land use district.

## 29.0 **Public and Private Services PPS District**

### 29.1. **Purpose**

The purpose of this District is to provide for development of institutional uses such as governmental, religious, social, health, cultural, heritage, or public services and facilities, or other uses which are supportive or similar to such uses.

### 29.2. **Permitted and Discretionary Uses**

1.1. <u>Permitted Uses</u>	1.2. <u>Discretionary Uses – Development Officer</u>	1.3. <u>Discretionary Uses – Municipal Planning Commission</u>
Child care facilities.	Boarding and lodging houses.	Cemeteries.
Community centres.	Commercial schools.	Exhibition and convention facilities.
Community recreation services.	Extended medical treatment facilities.	Outdoor storage.
Fitness and wellness facility.	Office uses.	Surveillance Suite.
Government services.	Recycling depot.	
Group care facilities.	Restaurants.	
Health services.	Retail stores – Convenience.	
Libraries and cultural exhibits.	Retail stores – Specialty.	
Places of worship.	Temporary uses.	
Private clubs.	Utility services – Minor.	
Protective and emergency services.	Buildings and uses accessory to discretionary uses.	
Public education facilities.		
Public parks.		
Public uses.		
Recreational facilities.		
Buildings and uses accessory to permitted uses.		

### 29.3. **Subdivision Regulations**

Minimum site area shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use.

### 29.4. **Development Regulations**

Maximum site coverage and/or floor area ratio	At the discretion of the Development Authority, having regard for the
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	amenities of the neighbourhood in which the site is located; but no more than the least restrictive adjacent land use district.
Minimum required front, side and rear yards	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no less than the least restrictive adjacent land use district.
Maximum building height	At the discretion of the Development Authority, having regard for the amenities of the neighbourhood in which the site is located; but no more than the least restrictive adjacent land use district.
1.1	The Development Authority shall require that the design, siting, landscaping, screening and buffering of any development minimize and compensate, in its sole opinion, for any objectionable aspects or potential incompatibility with development in abutting land use district.
1.2	In considering whether or not to approve a development application for a discretionary use, the Development Authority shall evaluate the proposal in terms of its scale and the extent to which it is, in its sole opinion, consistent with, and not prejudicial to, the overall purpose of this land use district.

**30.0    Urban Reserve Settlement Area UR-1 District****30.1.    Purpose**

This land use district is intended to reserve those lands within the "Settlement Area", immediately surrounding the built-up area of Grande Cache, for urban development until such time as a subdivision plan has been accepted in principle or approved for other specific uses not provided for in this land use district. The reclassification of land to other land use districts will normally occur subsequent to the acceptance of an area structure plan/conceptual scheme where one is required by Council, and prior to the approval of proposed subdivisions.

**30.2.    Permitted and Discretionary Uses****1.1.    Permitted Uses**

Utility services –  
Minor.

**1.2.    Discretionary Uses –  
Development Officer**

Public parks.  
Public uses.  
Temporary uses  
(which, in the sole  
opinion of the  
Development  
Authority, will not  
prejudice the  
possibility of  
conveniently and  
economically  
subdividing or  
developing the site  
in the future).  
Utility services –  
Major.  
Buildings and uses  
accessory to  
discretionary uses.

**1.3.    Discretionary Uses –  
Municipal Planning  
Commission**

Greenhouses and  
plant nurseries.

**30.3.    Site Standards**

1.1    No subdivision, reclassification of land from UR-1 into any other land use district, or development other than for the permitted or discretionary uses above, shall take place until an area structure plan or conceptual scheme for the area has been approved by Council. This plan or scheme should include but not be limited to identifying the following:

- i)        Municipal service distribution systems (i.e., water, sewer, storm sewer, fire protection, street lighting, utilities and so on);
- ii)       Roads, walkways and easements;

- iii) Allocation of municipal reserve requirements;
  - iv) Periods of time for completion of construction or installation of facilities;
  - v) Densities;
  - vi) The incorporation of natural topography, vegetation and drainage into the design of the development and subdivision; and
  - vii) Any other matters as may be deemed necessary by Council.
- 1.2 All siting, site coverage, densities, yard setbacks and height of buildings shall be at the discretion of the Development Authority.
- 1.3 Water supply and sewage disposal shall be provided in accordance with the applicable regulations and/or requirements of the authorities having jurisdiction.
- 1.4 An applicant may be required to enter into a development agreement with the Town to ensure that the use and development of land and buildings on the site complies with the approved development plan, as a condition of a development permit issued pursuant to the UR-1 Urban Reserve District.
- 1.5 The development agreement shall be registered against the title of the parcel.
- 1.6 The development agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.
- 1.7 A development permit pursuant to this land use district may specify a time period for which it is to remain in effect.
- 1.8 The Development Authority may specify the length of time a use is approved in this land use district having regard to the future servicing and development of the subject land.

### 31.0 **Urban Reserve Corporate Limits UR-2 District**

#### 31.1. **Purpose**

This land use district is intended to reserve those lands surrounding the "Settlement Area", up to the corporate limits of Grande Cache, for urban development until such time as a subdivision plan has been accepted in principle or approved for other specific uses not provided for in this land use district. The reclassification of land to other land use districts will normally occur subsequent to the acceptance of an area structure plan or conceptual scheme where one is required by Council, and prior to the approval of proposed subdivisions.

For the purposes of this district, the following definition applies to the corresponding land use described Section 32.2. All other uses and terms are as defined under Part One - Administrative Provisions

**“Small animal breeding and boarding establishment”** means a development where, in addition to small animals normally considered to be household pets, working /sled dogs are boarded, bred, cared for, raised for remuneration or sale, or trained. Typical uses include kennels, but does not include veterinary clinics and hospitals;

#### 31.2. **Permitted and Discretionary Uses**

##### 1.1. Permitted Uses

Utility services –  
Major.  
Utility services –  
Minor.

##### 1.2. Discretionary Uses – Development Officer

Public parks.  
Public uses.  
Recycling depot.  
Temporary uses  
(which, in the sole  
opinion of the  
Development  
Authority, will not  
prejudice the  
possibility of  
conveniently and  
economically  
subdividing or  
developing the site  
in the future).  
Buildings and uses  
accessory to  
discretionary uses.

##### 1.3. Discretionary Uses – Municipal Planning Commission

Animal shelter.  
Cemeteries.  
Correctional facility.  
Greenhouses and  
plant nurseries.  
Resource extraction  
and processing.  
Small animal  
breeding and  
boarding  
establishment.  
Waste management.  
Work camp.

**31.3. Site Standards**

- 1.1 No subdivision, reclassification of land from UR-2 into any other land use district, or development other than for the permitted or discretionary uses above, shall take place until an area structure plan or conceptual scheme for the area has been approved by Council. This plan or scheme should include but not be limited to identifying the following:
  - i) Municipal service distribution systems (i.e., water, sewer, storm sewer, fire protection, street lighting, utilities and so on);
  - ii) Roads, walkways and easements;
  - iii) Allocation of municipal reserve requirements;
  - iv) Periods of time for completion of construction or installation of facilities;
  - v) Densities;
  - vi) The incorporation of natural topography, vegetation and drainage into the design of the development and subdivision; and
  - vii) Any other matters as may be deemed necessary by Council.
- 1.2 All siting, site coverage, densities, yard setbacks and height of buildings shall be at the discretion of the Development Authority.
- 1.3 Water supply and sewage disposal shall be provided in accordance with the applicable regulations and/or requirements of the authorities having jurisdiction.
- 1.4 An applicant may be required to enter into a development agreement with the Town to ensure that the use and development of land and buildings on the site complies with the approved development plan, as a condition of a development permit issued pursuant to the UR-2 Urban Reserve District.
- 1.5 The development agreement shall be registered against the title of the parcel.
- 1.6 The development agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.
- 1.7 A development permit pursuant to this land use district may specify a time period for which it is to remain in effect.
- 1.8 The Development Authority may specify the length of time a use is approved in this land use district having regard to the future servicing and development of the subject land.

## 32.0 **Direct Control DC District**

### 32.1. **Purpose**

The purpose of this District is to enable a comprehensively planned development on a site in this District to be reviewed and decided upon directly by the Council. All development must be in conformity with all applicable Area Structure Plans, Area Redevelopment Plans, and the Municipal Development Plan.

This District may be applied to a site where a comprehensive, integrated development is anticipated and the Council feels added flexibility and control, as well as standards not found in conventional Land Use Districts are desired; or where a detailed Area Structure Plan or Area Redevelopment Plan for an area is under preparation, and the Council requires control over the area in the interim between the commencement and the completion of the Plan development exercise

### 32.2. **Uses**

As determined by Council pursuant to Section 33.1.

### 32.3. **Development Regulations**

- 1.1. All site regulations shall be at the discretion of the Council, acting as Subdivision and/or Development Authority.
- 1.2. The Council may apply conditions of subdivision or development approval it considers necessary.
- 1.3. For any use approved by Council under this Section, Council delegates future accessory development to the discretion of the Development Officer, who may apply such conditions of approval to an accessory development as considered necessary. The Development Officer may refer such applications to the Municipal Planning Commission.



33.0 **Direct Control DC-R(VI) Residential (Stage VI) District**

33.1. **Purpose**

Pursuant to Section 641 of the Municipal Government Act, the Council wishes to provide for a broad mix (ie: densities, innovative and aesthetically pleasing housing designs, etc.) of multiple household residential subdivision and development within the first phase of Stage VI. This land use district applies to an area containing a range of lots, varying in size and configuration and will be used to achieve consistency in the design and quality of the multiple household housing located in this portion of Stage VI. To this end, the Town wishes to specifically tailor the development that occurs on each the parcels within this land use district to best suit the site-specific conditions of the parcel, most effectively meet the multiple household housing needs of the Town and to ensure that adequate protection is afforded to the amenities of adjacent properties. Proposed developments are subject to the regulations below and such rules with respect to land generally or specifically as Council may make from time to time and as described within the policies of the Municipal Development Plan or any other statutory plan in effect. All proposals will be received, considered and decided upon by Council.

33.2. **Uses**

As determined by Council pursuant to Section 34.1.

33.3. **General Provisions**

1.1 In evaluating a proposed subdivision or development application, the Council:

- e) shall have regard for, but not be limited to:
  - i. the physical conditions of the parcel in question, including the nature and extent of the native vegetation thereon;
  - ii. the general and special regulations as contained elsewhere in this Bylaw, and
  - iii. the existing land uses and regulations of adjoining land use districts; and
- f) shall comply with the Municipal Government Act, Subdivision and Development Regulation, Town of Grande Cache Municipal Development Plan and any statutory plan in effect specifically for the purpose of directing the implementation/administration of this land use district.

1.2 All parcel regulations, shall be as determined by Council who, in determining such regulations shall comply with the general purpose and intent of this land use district, any applicable provisions in the Town of Grande Cache Municipal Development Plan and/or any other statutory plan specifically for the purpose of directing the implementation/administration of this land use district.

1.3 The Council shall ensure that design, siting, landscaping, screening and buffering minimizes and compensates for any objectionable aspects or potential incompatibility with other development in this land use district or abutting land use districts.

1.4 Land Use Agreement

- a) An applicant may be required to enter into a legal land use agreement with the Town of Grande Cache as a condition of a subdivision or development approval issued pursuant to this land use district to ensure that the use, subdivision and development of land and buildings on the parcel(s) complies(y) with the provisions of this land use district and any applicable provisions in the Town of Grande Cache Municipal Development Plan and/or any other statutory plan specifically for the purpose of directing the implementation/administration of this land use district.
- g) The land use agreement referred to in Section 34.3.1.4 shall run as a restrictive covenant against the title(s) of the parcel(s) that is(are) the subject of the agreement.
- h) The land use agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.
- i) An agreement made pursuant to this land use district may specify a time period for which it is to remain in effect.

**34.0     Direct Control DC-FMBP Floyd McLennan Business Park District****34.1.     Purpose**

This land use district is intended specifically to provide for land use(s), subdivision(s) and development(s) consistent with the Floyd McLennan Business Park Area Structure Plan (ASP), Being Bylaw 668, and any amendments thereto. The FMBPDC-District applies to Lot 16, Block 34, Plan 072 6105 and to Lot 6, Block 34, Plan 822 3273 as well as all road closed as per Bylaws 716 and 728. As stipulated in the ASP, a range of commercial and light industrial uses is to be provided ranging from tourist oriented facilities such as hotels, motels, restaurants and retail services to small service commercial shops, regional storage and distribution centres and oilfield/industrial servicing operations. The area will consist of lots with full municipal services and paved road access. Lots adjacent to the Highway 40 corridor will be expected to exhibit a high visual standard of development and landscaping to maintain a positive visual image for the Town.

**34.2.     Permitted and Discretionary Uses****1.1.     Permitted Uses**

Animal shelters.  
Auctioneering establishments.  
Automotive and minor RV sales/rental establishments.  
Automotive and equipment repair shops.  
Business support service establishments.  
Car washes.  
Contractor services – Limited.  
Country Inn.  
Drive-through businesses.  
Equipment rental establishments.  
Financial services.  
Fleet Services.  
Gas bars.  
Household repair services.  
Hotels / Motels.  
Industrial/commercial office, operations

**1.2.     Discretionary Uses –  
Development Officer**

Alcohol sales.  
Cannabis sales.  
Commercial schools.  
Contractor services – General.  
Fitness and wellness facility.  
Funeral Home.  
Government services.  
Greenhouse.  
Libraries and cultural exhibits.  
Private Club or Lodge.  
Utility services – Minor.  
Buildings and uses accessory to discretionary uses.

**1.3.     Discretionary Uses –  
Municipal Planning  
Commission**

Bulk fuel and chemical storage.  
Community recreation services.  
Oilfield support.  
Resort.  
Utility services – Major.  
Waste Management.

facility and/or  
administration  
building.  
Licenced drinking  
establishments.  
Personal service  
shops.  
Protective and  
emergency  
services.  
Public parks.  
Public utilities.  
Recreational facilities.  
Restaurants.  
Retail stores –  
Convenience,  
General and  
Specialty.  
Self-service storage  
facilities.  
Service stations.  
Small animal breeding  
and boarding  
establishment.  
Veterinary clinics and  
hospitals.  
Warehouse sales  
establishments.  
Buildings and uses  
accessory to  
permitted uses.

**34.3. Subdivision Regulations**

Unless otherwise prescribed in this Bylaw, the minimum site area shall be as prescribed by the Subdivision Authority, Development Authority, Municipal Planning Commission or Council, as the case may be, who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent land uses and buildings, the safe and efficient movement of pedestrians and motor vehicles and the landscaping, parking and loading requirements of this Bylaw.

**34.4. Development Regulations**

Maximum site coverage

Unless specifically prescribed or otherwise affected by provisions in this Bylaw, all developments shall not exceed 0.5 times the site area provided that provision has been

	made for off-street parking, loading, storage and waste disposal to the satisfaction of the Development Authority, Municipal Planning Commission or Council, as the case may be.
Minimum required front, side and rear yards	Unless otherwise prescribed in this Bylaw, the minimum front, side and rear yard setbacks for all uses prescribed in this land use district shall be at the discretion of the Development Authority, Municipal Planning Commission or Council who shall take into account the general purpose and intent of this land use district, the location and setbacks of adjacent buildings, the safe and efficient movement of pedestrians and motor vehicles, parking requirements and the appearance, character and function of Highway 40.
Maximum building height	<p>The height of a building shall be at the discretion of the Development Authority who shall take the following into account in determining height:</p> <ul style="list-style-type: none"> <li>a) Any relevant provisions of the Riverview Area Structure Plan.</li> <li>b) The topography of the parcel upon which the building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the building.</li> <li>c) The height of a building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the surrounding area.</li> <li>d) The fire safety provisions of the Alberta Safety Codes Act and regulations thereto, as may be amended from time to time, and</li> </ul>

the capacity and availability of firefighting equipment and personnel.

**34.5. Application Requirements/Procedures**

- 1.1. The Subdivision Authority shall consider and decide all subdivision applications within this land use district.
- 1.2. The Development Authority shall consider and decide all development permit applications within this land use district. The Development Authority may refer the application to Municipal Planning Commission or Council for their review, consideration and/or decision.
- 1.3. Upon receipt of a completed discretionary use subdivision or development permit application pursuant to this land use district, the Subdivision Authority, Development Authority, Municipal Planning Commission or Council may, prior to making a decision, refer the application to the Town's Planning Consultant, any municipal department or any other external agency for comment.
- 1.4. The Subdivision Authority, Development Authority, Municipal Planning Commission or Council in considering a discretionary use subdivision or development permit application referred pursuant to Section 35.5.1.3 will consider but shall not be bound by the comments it receives.
- 1.5. At some point, as determined by the Subdivision Authority, Development Authority, Municipal Planning Commission or Council, prior to deciding upon the application before it, the Subdivision Authority, Development Authority, Municipal Planning Commission or Council will provide public notice, through means and to whom it considers necessary, that a decision regarding a discretionary use subdivision or development permit application pursuant to this land use district is to be made, that an opportunity will be afforded to any interested person to make representation on the application and that the Subdivision Authority, Development Authority, Municipal Planning Commission or Council shall take into account any such representations made when giving final consideration to the said application.
- 1.6. Public notice referred to in Section 35.5.1.5 shall contain a statement to the effect that any written comments or representations received will be considered by the Subdivision Authority, Development Authority, Municipal Planning Commission or Council in deciding the application.
- 1.7. In evaluating a proposed discretionary land use, subdivision or development, the Subdivision Authority, Development Authority, Municipal Planning Commission or Council:
  - a) shall have regard for, but not be limited to:
    - i. the existing use of the land,

- ii. the general and special regulations as contained elsewhere in this Bylaw,
    - iii. the land use regulations of adjoining land use districts; and,
    - iv. the impact of the proposed subdivision or development on municipally provided services.
  - b) may, prior to making a decision, require that the applicant provide a Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application.
- 1.8. The Subdivision Authority, Development Authority, Municipal Planning Commission or Council may also:
- a) as a condition of approval, require that the applicant enter into a development agreement with the Town of Grande Cache pursuant to the Municipal Government Act, the Municipal Development Plan, the Floyd McLennan Business Park Area Structure Plan and this Bylaw to ensure compliance with the conditions in the agreement. The Town may protect itself by way of a caveat registered against titled areas in favour of the Town;
  - b) as a condition of approval, require financial guarantees, in a form and an amount acceptable to the Town, from the applicant to secure performance of any of the conditions of the approval;
  - c) refuse to issue a development permit in the case where satisfactory arrangements have not been made by a developer for a proposed building on any lot, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, sewerage, gas and public road access, or any of them, including payment of the costs of installing or constructing any such utility by the developer.
- 1.9. In the case of new construction, the Development Authority, Municipal Planning Commission or Council may impose as a condition of approval that a plot plan (signed by an Alberta Land Surveyor) be submitted by the owner/developer prior to construction of the building foundation, or siting in the case of manufactured and/or portable units on permanent foundations, and/or that a Real Property Report (signed by an Alberta Land Surveyor) be submitted upon completion of the building foundation, or siting in the case of manufactured and/or portable units to ensure that the building(s) is (are) sited according to the provisions of the development permit and this Bylaw.
- 1.10. The Development Authority, Municipal Planning Commission or Council may stipulate the times of the day or week during which an approved use or development may operate as well as the length of time its approval remains in effect.

- 1.11. As a condition of approval, the Subdivision Authority, Development Authority, Municipal Planning Commission or Council may require that an approved use or development be screened from public thoroughfares and adjacent residential uses by a solid wall, fence or other means in a manner and to a height satisfactory to them.
- 1.12. The Development Authority, Municipal Planning Commission or Council may issue a temporary development permit where the Development Authority, Municipal Planning Commission or Council is of the opinion that the proposed use or building is of a temporary nature.
- 1.13. The Development Authority, Municipal Planning Commission may refuse, or approve with conditions, any development if, in the opinion of the Development Authority, Municipal Planning Commission or Council the proposed development will detract from the character or appearance of the general development in the area.

**34.6. Design, Character and Appearance**

In keeping with Section 35.1 and the Floyd McLennan Business Park Area Structure Plan, the design, siting, external finish, architectural appearance and landscaping generally, of all buildings, including any accessory buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority, Municipal Planning Commission or Council. There must be conformity with an overall alpine design theme with exterior treatment containing stone/rock/stucco and timber, elements of open beam, steeper roof pitch, metal or shake-appearance roofing material, and so forth – see attached photo examples below. The Development Authority, Municipal Planning Commission or Council shall ensure conformity with adjacent buildings and that adequate protection is afforded to the amenities of adjacent properties. As a condition of a development permit, the Development Authority, Municipal Planning Commission or Council may require a letter of guarantee or an irrevocable letter of credit to secure compliance with any requirements imposed.

**34.7. Other Provisions**

- 1.1. No activity may be undertaken that would, in the opinion of the Development Authority, Municipal Planning Commission or Council unduly interfere with the amenities or materially interfere with or affect the use, enjoyment or value of neighbouring properties by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.
- 1.2. The Subdivision Authority, in deciding upon subdivision applications, and the Town, in development agreements associated with subdivision approvals, shall ensure adequate pedestrian (non-motorized) connectivity so that the lands this land use district is applied to are well connected to the adjacent residential property and the commercial area across Highway 40.



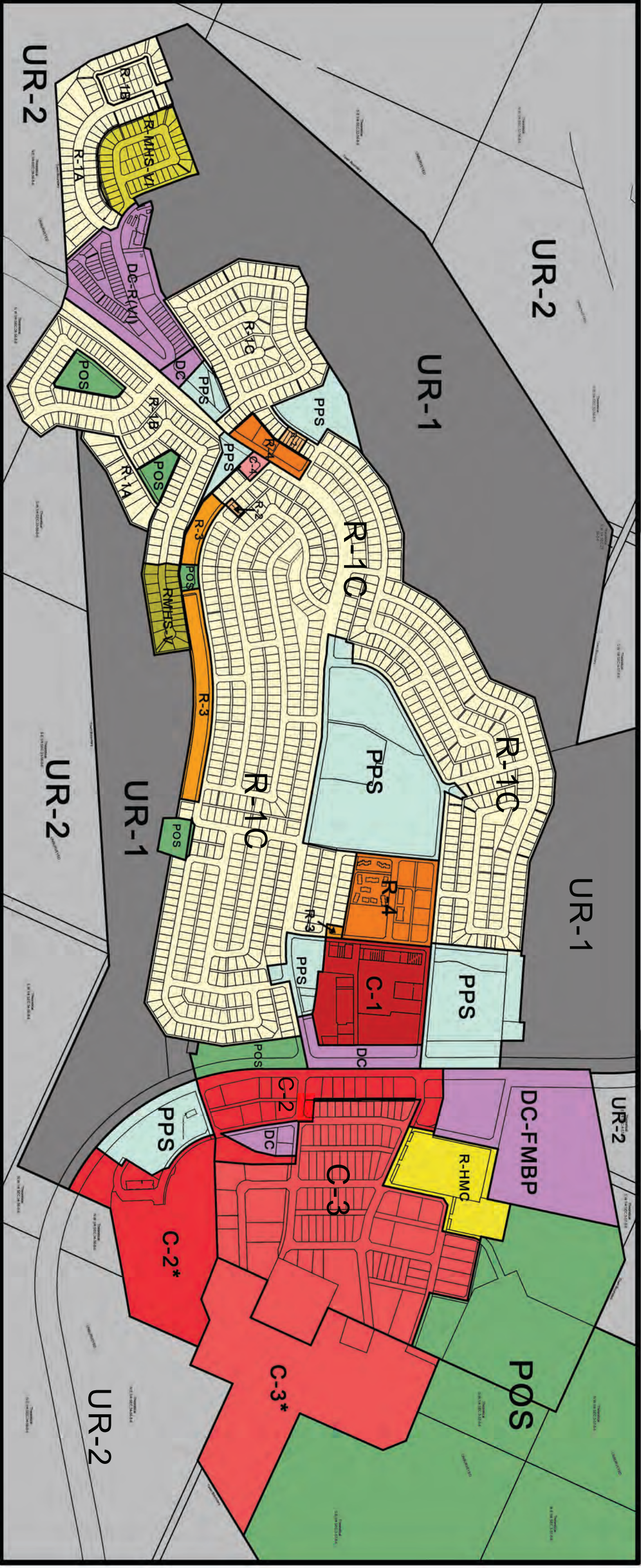












\* C-2 and C-3 Districts to be applied in combination with  
Section 5 of the Tower Park ASP, as amended

Note: RM District applied to

- Single Detached Residential R-1A District
- Single Detached Residential R-1B District
- Single Detached Residential R-1C District
- Single Detached Residential R-1D District
- Two-Unit Residential R-2 District
- Medium Density Residential R-3 District
- Medium/High Density Residential R-4 District

- Manufactured Home Subdivision R-MHS-V District
- Manufactured Home Subdivision R-MHS-VI District
- Manufactured Home Park Community R-MHC District
- Manufactured Home Park Residential R-MHP District
- Riverview Narrow Lot Single Detached Residential RNL District
- Riverview Ground-Oriented Multiple Dwelling Residential RGO District
- Riverview Mixed-Use RMU District

- Town Centre Commercial C-1 District
- Highway Corridor Commercial C-2 District
- Commercial and Industrial Service C-3 District
- Neighbourhood Commercial C-4 District
- Rural Industrial RM District
- Parks and Open Space POS District
- Public and Private Services PPS District

- Urban Reserve UR-1 District
- Urban Reserve UR-2 District
- Direct Control DC District
- Direct Control DC-RCVD Residential CStage VD District
- Direct Control DC-FMBP Floyd Mclellan Business Park District

