

**TOWN of BOWDEN**

**LAND USE BYLAW No. 01/2000**

**Consolidated to March 2009**

**TOWN OF BOWDEN  
BYLAW 01/2000**

Amendment Number	Date of Adoption	Brief Description
05/2000	11-July-00	Redesignate Bowden Mobile Estates to R3 and add skirting requirement to R3 (2) Manufacture Home Subdivision Standards.
09/2000	8-Aug-00	Add truck tractor regulations to Section 2(2) of Schedule B.
03/2001	10-Apr-01	Redesignate part of the NE ¼ 14; 34-1-5 from UR to R1
05/2001	22-May-01	Redesignate from Lots 3-6, Block 1, Plan 3942J from C1 to R3
03/2005	17-Jun-05	Block A, Plan 2754ID and Lot 10, Block 18, Plan 761 0215 from C1 to R2.
09/2005	12-Dec-05	Amend Section 2.3(3) – permission for Development to provide the Development Officer with more power to approve Home Occupations
05/2007	23-Apr-07	Add mini-storage units to the HC District and the definition to the Bylaw
15/2007	10-Dec-07	Adding R1A District, R4 District and LC Districts into the bylaw including definitions for gas bar, multi-attached building, neighbourhood shopping centre and parcel width. Redesignating part of the N.E. ¼ 14; 34-1-5 from R1 to R1A, R2, R4, LC and PFR.
01/2009	23-Mar-09	Amend Section 2.2 - Schedule B Subsection (b) & (d). Add “hard surface pad” to the definition section, replace Section 2.6 in Part 2, add #2-6 in Section 2.8 in Part 2 and add Schedule D – Penalties for Offences under the LUB.

**TOWN of BOWDEN**  
***Land Use Bylaw No. 01/2000***

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## **BYLAW NO. 01/2000**

### **BEING A BYLAW TO REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS IN THE TOWN OF BOWDEN**

WHEREAS the *Municipal Government Act*, being Chapter M-26.1 of the Revised Statutes of Alberta, 1994, and amendments thereto, authorize the Council of a Municipality to enact a *Land Use Bylaw* to prohibit or regulate and control the use and development of land and buildings within the Municipality.

NOW THEREFORE the Council of the Town of Bowden in the Province of Alberta, enacts as follows:

### **PART ONE: GENERAL**

#### **1.1 Short Title**

This Bylaw may be cited as "The Town of Bowden *Land Use Bylaw*."

#### **1.2 Purpose**

The purpose of this Bylaw is to, amongst other things,

- (1) divide the municipality into districts;
- (2) prescribe and regulate the use for each district;
- (3) establish the office of the Development Officer;
- (4) establish a method of making decisions on applications for development permits including the issuance of development permits;
- (5) provide the manner in which notice of the issuance of a development permit is to be given;
- (6) implement the statutory plans of the Town of Bowden.

### 1.3 Definitions

In this *Land Use Bylaw*,

“**accessory building**” means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same parcel of land;

“**accessory residential building**” means a building accessory to a residence, and includes such things as garages, garden sheds and greenhouses;

“**accessory suite**” means a separate and subordinate dwelling unit contained within a detached dwelling;

“**accessory use**” means a use customarily incidental and subordinate to the main use and is located on the same parcel of land with such main use;

“**accommodation unit**” means one or more rooms that provide(s) sleeping accommodation and bathroom facilities for not more than two persons, but is not equipped with self-contained cooking facilities;

“**adjacent land**” means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream;

“**adult care residence**” means a building with two or more accommodation units designed to provide long term housing wherein the adult residents, who because of their circumstances cannot or do not wish to maintain their own households, are provided with meal services and may receive such services as housekeeping and personal care assistance;

“**apartment**” means a residential building consisting of at least 3 dwelling units, but shall not include buildings containing units with separate exterior entranceway(s);

“**area redevelopment plan**” means a plan adopted by the Council as an area redevelopment plan pursuant to the *Municipal Government Act*;

“**area structure plan**” means a plan adopted by the Council as an area structure plan pursuant to the *Municipal Government Act*;

“**auction market**” means a parcel and/or a building used for the temporary storage of goods, which are to be sold on the premises by public auction from time to time;

“**auto wrecking yard**” means land and buildings that are used for the storage and dismantling of old or wrecked cars or trucks for the purpose of recycling their components;

“**awning sign**” means a sign inscribed on or affixed flat upon the covering material of an awning;

“**basement**” means a habitable portion of a building which is partly underground, but which has more than 50 per cent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation;

**“bed and breakfast establishment”** means an owner occupied detached dwelling where temporary accommodation is provided in three or less guest rooms and meals are supplied on a daily basis to registered guests.

**“better agricultural land”** means land having a Canada Land Inventory Soil Capability for Agriculture rating of Class 1, 2, 3 or 4 or lands having a farmland assessment rating greater than 28 percent, or their equivalent as determined by government agencies or independent consultants, and at the discretion of the Municipal Planning Commission may include other cultivated or improved land or potentially irrigable land. Better agricultural land excludes:

- (a) cut-off parcels which are regarded by the local municipality as being of insufficient size to farm, and
- (b) land which the Municipal Planning Commission determines is so badly fragmented by existing use or ownership that the land has a low agricultural capability or cannot logically be used for agricultural purposes;

**“billboard”** means a sign to which advertising copy is affixed to permit its periodic replacement;

**“boarding and rooming house”** means a detached dwelling in which a proprietor supplies for a fee sleeping accommodations, with or without meals, for at least three (3) but not more than six (6) persons, exclusive of the proprietor’s family;

**“building”** includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge forming part of a highway or road;

**“building demolition”** means the pulling down, tearing down or razing of a building;

**“bus depot”** means a facility providing for departure and arrival of passengers and freight carried by bus;

**“cartage and freight terminal”** means a facility accommodating the storage and distribution of freight shipped by air, rail or highway transportation;

**“cellar”** means a portion of a structure which is mainly underground, and which has less than 50 per cent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation;

**“cemetery”** means a use of land or a building for interment of the deceased;

**“commercial recreation and entertainment facility”** means a facility or establishment which provides for recreation or entertainment for a gain or a profit;

**“Council”** means the Council of the Town of Bowden;

**“day care facility”** means a facility that provides care and supervision for 7 or more children for more than 3 but less than 24 consecutive hours in each day that the facility is operating, and is intended to be operated for at least 12 consecutive weeks per year;

**“detached dwelling”** means a residential building containing one dwelling unit, which is physically separate from any other residential building, and does not include a manufactured home;

**“development”** means

- (a) an excavation or stockpile and the creation of either of them, or
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

**“development authority”** means the person or persons appointed pursuant to the *Municipal Government Act*;

**“Development Officer”** means a person appointed as a Development Officer pursuant to this *Land Use Bylaw*;

**“development permit”** means a document authorizing a development issued pursuant to this *Land Use Bylaw*;

**“discretionary use”** means a use which may be compatible with other uses in the District, for which a development permit may be issued upon an application having been made;

**“District”** means Land Use District;

**“district shopping centre”** means a group of commercial establishments planned, owned, developed and managed as a unit with off street parking established on the same site which serves the needs of the urban centre and surrounding municipalities;

**“drive-in business”** means an establishment with facilities for on site service to customers who remain in their motor vehicles, but does not include a drive-in theatre;

**“drive-in theatre”** means a theatre in which customers view motion pictures from their motor vehicles;

**“driveway”** means a vehicle access route between the carriageway of a road and a use on a parcel;

**“duplex”** means a separate residential building consisting of two separate dwelling units located side by side, each above grade and having exterior entrances;

**“dwelling unit”** means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

**“dwelling unit for the occupancy of the owner, operator or caretaker”** means a dwelling unit which is accessory to other development on the parcel;

**“eaveline”** means the horizontal line that marks the intersection of the roof and the wall of a building;

**“existing residence and other related improvements”** means a detached dwelling or manufactured home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and access to the satisfaction of the Development Officer/Municipal Planning Commission;

**“facia sign”** means a sign attached to, marked or inscribed on and parallel to the face of a building wall but does not include a billboard;

**“feed mills and grain elevators”** means buildings in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared;

**“floor area”** means

- (a) for residential buildings, the total area of all floors in a building measured from the outside of exterior walls including a basement, but excluding floor areas of cellars, attached garages, sheds, carports, or open porches in all residential buildings, or
- (b) for commercial buildings, the total floor area of all floors in a building measured from the outside of exterior walls including basements and cellars but excluding mall areas;

**“four-plex”** means a building containing four dwelling units, each unit comprising two floor levels and sharing a common party wall with two other units;

**“freestanding sign”** means a sign that is supported independently of a building wall or structure but does not include a portable sign;

**“front parcel boundary”** means, in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel, means the shorter of the two boundaries which abut a street [see sketch in Schedule B];

**“front yard”** means a yard extending across the full width of a parcel measured perpendicularly from the front boundary of the parcel to the front wall(s) of the main building situated on the parcel [see sketch in Schedule B];

**“funeral home”** means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services can be held;

**“garden suite”** means a relocatable factory built detached dwelling limited to occupancy by the parent(s), grandparent(s), or dependant or partly dependant adult relative(s) of the registered owner(s) of a residential parcel and located on the same parcel as an existing single detached dwelling occupied by the registered owner(s);

**“gas bar”** means a site or portion thereof used for the sale of gasoline, propane and other fuels, the sale of lubricating oils and other automotive fluids or motor vehicle accessories but does not include service stations or automotive repair establishments; [15/2007]

**“greenhouse, commercial”** means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are sold directly from the parcel at retail or wholesale and may include the accessory sale of related supplies;

**“hard landscaping”** means the use of non-vegetative material, other than monolithic concrete, asphalt or gravel, as part of a landscaped area;

**“hard surface pad”** means a pad constructed out of concrete or asphalt or paving stones, and may also mean two (2) full length strips of concrete or asphalt or paving stones for the wheelpath area of a vehicle or trailer, the width of which shall be calculated as being measured from the outside edge of one strip to the outside edge of the other strip.

[01/2009]

**“heavy equipment assembly, sales and service”** means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial or agricultural activities;

**“heavy manufacturing”** means the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land;

**“home occupation”** means any occupation, trade, or profession, carried on by an occupant of a residential building as a use secondary to the residential use of the building;

**“indoor merchandise sales”** means the indoor sale or display of merchandise, including indoor storage of merchandise in quantities limited to the needs of the outlet;

**“landscaped area”** means an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, ornamental plantings, fences, walls and associated earthworks; however, it shall not include areas occupied by garbage containers, storage, parking lots or driveways;

**“Land Use Bylaw”** means Bylaw No. 01/2000 and amendments thereto;

**“Land Use District”** means an area as described in Schedule C and shown in Schedule A of this *Land Use Bylaw*;

**“land use policies”** means policies established by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*;

**“lane”** means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office;

**“light manufacturing”** means the manufacture of products, the process of which does not create and emit fumes, gases, smokes, vapours, vibrations, noise or glare or other factors which are regarded as nuisances which would cause adverse effects to the users of adjacent land;

**“livestock auction market”** means a facility where agricultural related items including cattle are bought and sold by public auction;

**“m”** means metres (“m<sup>2</sup>” means square metres)

**“main building”** means a building in which is conducted the main or principal use of the parcel on which it is erected;

**“main use”** means the principal purpose for which a building or parcel is used;

**“manufactured home”** means a residential building containing one dwelling unit built in a factory in one or more sections, suitable for long term occupancy designed to be transported on either its own wheels and chassis or other means to a suitable site.

**“manufactured home park”** means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of manufactured homes on a long-term basis;

**“mechanized excavation, stripping and grading”** means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements;

**“mini-storage warehouse”** means a building containing separate, individual self-storage units divided from floor to ceiling by a wall with an independent entrance from either the exterior or interior of the building, designed to be rented or leased for the storage of household items, personal goods, materials and equipment; [05/2007]

**“multi-attached building”** means a residential building containing five or more dwelling units, each unit separated by common or party walls and having a separate access to the outside grade; [15/2007]

**“multiple housing development”** means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development;

**“municipality”** means the Town of Bowden;

**“municipal development plan”** means a plan adopted by Council as a municipal development plan pursuant to the *Municipal Government Act*;

**“Municipal Government Act”** means the *Municipal Government Act*, S.A. 1994, c. M-26.1, as amended;

**“Municipal Planning Commission”** means a Municipal Planning Commission established pursuant to the *Municipal Government Act*;

**“municipal shop and storage yard”** means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment;

**“natural environment preservation area”** means an environmentally sensitive area or otherwise

locally significant area that is to be preserved because of its natural or amenity value to the Town;

**“neighbourhood convenience store”** means a commercial establishment with off street parking established on the same site which serves the convenience shopping needs of the immediate neighbourhood only;

**“neighbourhood shopping centre”** means a group of retail and personal service uses deigned, developed and managed as a single unit and characterized by the sharing of common parking areas and driveways and serving the needs of the immediate neighbourhood; [15/2007]

**“non-conforming building”** means a building

- (a) that is lawfully constructed or lawfully under construction at the date a *Land Use Bylaw* affecting the building or land on which the building is situated becomes effective, and
- (b) that on the date a *Land Use Bylaw* becomes effective does not, or when constructed will not, comply with the *Land Use Bylaw*;

**“non-conforming use”** means a lawful specific use

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a *Land Use Bylaw* affecting the land or building becomes effective, and
- (b) that on the date a *Land Use Bylaw* becomes effective does not, or in the case of a building under construction will not, comply with this *Land Use Bylaw*;

**“non-renewable resource extraction”** means the mining or removal from the ground of deposits of coal, sand, gravel, clay and other minerals;

**“occupancy permit”** means a document authorizing the use of a development undertaken in accordance with a development permit issued pursuant to this *Land Use Bylaw*;

**“office”** means a facility providing for the administration of business, or government, or the provision of professional services;

**“open storage yard”** means land that is used for the storage of products, goods or equipment;

**“owner”** means the person who is registered under the Lands Titles Act as the owner in fee simple estate of the land;

**“parcel”** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

**“parcel of land”** means

- (a) where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office;
- (b) where a building affixed to the land that would without special mention be transferred

- by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks;
- (c) a quarter section of land according to the system of surveys under the *Surveys Act* or any other area of land described on a certificate of title;

**“parcel coverage”** means the area covered by buildings, parking facilities, driveways, storage areas and display areas;

**“parcel width”** means the distance between the side parcel boundaries connecting points located at the minimum required front yard measured along each side parcel boundary of a parcel;

[15/2007]

**“parking facility”** means a structure or an area providing for the parking of motor vehicles;

**“parks and playgrounds”** means areas of public land known for their natural scenery and/or preservation for public recreation either active or passive;

**“permanent foundation”** means:

- (a) a foundation meeting CSA Z240.10.1 standard, or
- (b) an engineer approved wood foundation, or
- (c) a poured concrete basement, or
- (d) a concrete block foundation;

**“permitted use”** means a use which is compatible with other uses in the District and for which a development permit shall be issued provided it otherwise conforms with this *Land Use Bylaw*;

**“personal service”** means the provision of a service to individuals on a commercial basis, and includes such services as photographers, travel agencies, beauty salons, restaurants and dry cleaners;

**“portable sign”** means a sign which is not in a permanently installed or affixed position;

**“projecting sign”** means a sign which projects from a structure or a building face;

**“public and quasi-public use”** means a use of land or a building for purposes of public administration and service and shall also include a building for the purpose of assembly, instruction, culture, recreation or other community activity;

**“public utility”** means a public utility as defined in Part 17 of the *Municipal Government Act*;

**“public utility building”** means a building in which the proprietor of a public utility

- (a) maintains its offices, or
- (b) maintains or houses equipment used in connection with the public utility;

**“railway uses”** means a use of land or a building directly related to the building or operation of a railroad system;

**“rear yard”** means a yard extending across the full width of a parcel measured perpendicularly

from the rear wall(s) of the main building situated on the parcel to the rear property boundary of the parcel [see sketch in Schedule B];

**“recreation facilities”** means a public building and grounds for community entertainment, relaxation, social activity and other leisure needs;

**“repair services”** means the restoration and maintenance of objects, which are compatible with other uses in the District;

**“road”** means land:

- (a) shown as a road on a plan of survey that has been filed or registered in Land Titles Office, or
- (b) used as a public road;

**“row housing”** means a group of three or more dwelling units, each unit separated by a common or party wall and having a separate front and rear access to the outside grade;

**“sales and service outlet for automobiles, trucks, recreation vehicles or manufactured homes”** means a facility providing for the sale, rental, service and repair of automobiles, trucks, recreation vehicles or manufactured homes;

**“sales and service outlet for farm equipment”** means a facility providing for the sale, rental, service or repair of farm equipment;

**“screen”** means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas;

**“seed cleaning plant”** means a building for the storage and preparation of seed used in agriculture;

**“service for the travelling public”** means the provision of overnight accommodation, meals, or vehicular service or repair normally required by travellers;

**“set back”** means a distance additional to minimum yard requirements which may be required on parcels adjacent to the roads;

**“side yard”** means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the wall of main building thereon [see sketch in Schedule B];

**“sight triangle”** means an area at the intersection of roads or roads and railways in which all buildings, fences, vegetation and finished ground elevations shall be less than 1 m (3.28 ft.) in height above the average elevation of the carriageways/rails, in order that vehicle operators may see approaching vehicles in time to avoid collision;

**“sign”** means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure;

**“social care residence”** means a dwelling unit wherein the occupants are provided with specialized care, such as supervisory, medical, counselling or psychiatric services, on a short term basis;

**“soft landscaping”** means the use of vegetative material as part of a landscaped area;

**“solid waste transfer station”** means a facility for the collection and temporary holding of solid waste in a storage container;

**“statutory plan”** means a Municipal Development Plan, Intermunicipal Development Plan, an area structure plan or an area redevelopment plan adopted by a bylaw of the municipality, or any one or more of them;

**“street”** means any category of road except a lane;

**“structural alterations”** means altering the main building components which support a building;

**“Subdivision and Development Appeal Board”** means the board established pursuant to the *Municipal Government Act*;

**“Subdivision and Development Regulation”** means the *Subdivision and Development Regulation* (AR 212/95), as amended;

**“use”** means a building or an area of land and the function and activities therein or thereon;

**“veterinary clinic”** means a facility for the medical care and treatment of animals, and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures;

**“veterinary hospital”** means a facility for the medical care and treatment of animals and includes provision for their accommodation and confinement in outdoor pens, runs and enclosures;

**“warehousing”** means a facility for the indoor storage of goods and merchandise;

**“yard”** means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein.

All other words and expressions have meaning respectively assigned to them in Part 17 of the *Municipal Government Act* and the *Subdivision and Development Regulation*.

**1.4 Establishment of Development Officer**

- (1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.
- (2) The Development Officer shall perform such duties that are specified in this *Land Use Bylaw*, including among other things
  - (a) keeping and maintaining for the inspection of the public during all reasonable hours, a copy of this *Land Use Bylaw* and all amendments thereto, and
  - (b) keeping a register of all applications for development, including the decisions thereon and the reasons therefore.

**1.5 Municipal Planning Commission**

deleted

**1.6 Development Appeal Board**

deleted

**1.7 Establishment of Forms**

- (1) For purposes of administering this *Land Use Bylaw*, the Development Officer shall prepare such forms and notices as he or she may deem necessary.
- (2) Any such forms or notices are deemed to have the full force and effect of this *Land Use Bylaw* in the execution of the purpose for which they were designed, authorized and issued.

**1.8 Establishment of Supplementary Regulations**

Supplementary Regulations as set forth in Schedule “B” hereto, are hereby adopted by reference to be part of this *Land Use Bylaw*, and to be amended in the same manner as any other part of this *Land Use Bylaw*.

**1.9 Establishment of Land Use District Regulations**

Land Use District Regulations as set forth in Schedule “C” hereto, are hereby adopted by reference to be part of this *Land Use Bylaw*, and to be amended in the same manner as any other part of this *Land Use Bylaw*.

### 1.10 **Establishment of Districts**

- (1) For the purpose of this *Land Use Bylaw*, the Town of Bowden is divided into the following Districts:
- R1 LOW DENSITY RESIDENTIAL DISTRICT
  - R1A NARROW LOT SINGLE FAMILY DISTRICT
  - R2 GENERAL RESIDENTIAL DISTRICT
  - R3 MANUFACTURED HOME DISTRICT
  - R4 RESIDENTIAL MULTI-FAMILY DISTRICT
  - C1 CENTRAL COMMERCIAL DISTRICT
  - C2 HIGHWAY COMMERCIAL DISTRICT
  - LC LOCAL COMMERCIAL DISTRICT
  - I1 LIGHT INDUSTRIAL DISTRICT
  - I2 HEAVY INDUSTRIAL DISTRICT
  - PFR PUBLIC FACILITY AND RECREATION DISTRICT
  - UR URBAN RESERVE DISTRICT
- (2) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto. All roads, water courses and lakes are excluded from the Land Use Districts.
- (3) Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
- (a) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
  - (b) a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
  - (c) a boundary location which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

### 1.11 **Amendment of the *Land Use Bylaw***

- (1) The Council on its own initiative may give first reading to a Bylaw to amend this *Land Use Bylaw*.
- (2) A person may make application to the Development Officer for amendment to this *Land Use Bylaw*. The application shall include:
- (a) a statement of the specific amendment requested;
  - (b) the purpose and reasons for the application;
  - (c) if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
  - (d) the applicant's interest in the lands; and

- (e) an application fee of \$75.00 of which \$50.00 will be refunded if the proposed amendment is not given first reading and advertised.
- (2.1) If the amendment is for a redesignation of land, the Development Officer may require:
- (a) an outline plan for the area to be redesignated, to the level of detail specified by the Development Officer; and
  - (b) payment of a fee equal to the costs incurred by the Village to review the proposed redesignation and/or related outline plan, or if necessary to prepare an outline plan.
- (3) Upon receipt of an application for amendment to this *Land Use Bylaw*, the Development Officer shall determine when the application will be placed before the Council and shall issue not less than five (5) days' notice to the applicant advising that he may appear before the Council at that time, and speak to the application. An application for amendment shall be placed before the Council within 60 days of its receipt by the Development Officer.
- (4) The Council, in considering an application for an amendment to this *Land Use Bylaw*, may at its sole discretion:
- (a) refuse the application; or
  - (b) refer the application for further information; or
  - (c) pass first reading to a bylaw to amend this *Land Use Bylaw*, with or without conditions or amendments; or
  - (d) defeat first reading of a bylaw to amend this *Land Use Bylaw*; or
  - (e) pass first reading of an alternative amendment to this *Land Use Bylaw*, with or without conditions.
- (5) Following first reading of an amending bylaw, the Council shall
- (a) establish the date, time and place for a public hearing on the proposed bylaw;
  - (b) if a bylaw to establish procedures for public hearings has not been passed
    - (i) outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and
    - (ii) outline the procedure by which the public hearing will be conducted.

- (6) Following first reading of an amending bylaw, the Development Officer must give notice of the public hearing by
  - (a) publishing notice at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates, or
  - (b) mailing or delivering notice to every residence in the area to which the proposed bylaw relates.
- (7) A notice of a public hearing must be advertised at least 5 days before the public hearing occurs.
- (8) A notice must contain
  - (a) a statement of the general purpose of the proposed bylaw and public hearing,
  - (b) the address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected,
  - (c) the date, place and time where the public hearing will be held.
- (9) In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of subsection (6),
  - (a) include in the notice
    - (i) the municipal address, if any, and the legal address of the parcel of land, and
    - (ii) a map showing the location of the parcel of land,
  - (b) give written notice containing the information described in clause (a) and subsection (6) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and
  - (c) give written notice containing the information described in clause (a) and subsection (6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- (10) If the land referred to in subsection (9)(c) is in the County of Red Deer, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of the County of Red Deer.
- (11) Notwithstanding subsection (5), the *Land Use Bylaw* may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the *Land Use*

*Bylaw* in principle or substance.

- (12) In the public hearing, the Council
  - (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by the Council, and
  - (b) may hear any other person who wishes to make representations and whom the Council agrees to hear.
- (13) After considering the representations made to it about the proposed bylaw at the public hearing and after considering any other matter it considers appropriate, the Council may
  - (a) pass the bylaw,
  - (b) refer it for further information or comment,
  - (c) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing, or
  - (d) defeat the bylaw.
- (14) Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal that initiated the application for amendment.
- (15) After third reading of the proposed Bylaw, the Development Officer shall send a copy of it to
  - (a) the applicant;
  - (b) the registered owner of the land if not the applicant;
  - (c) the County of Red Deer, if it received a copy of the proposed bylaw pursuant to subsection (10).
- (16) The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by the Council, for a period of 3 months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

- (17) In this section,
- (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes
    - (i) land that would be contiguous if not for a highway, road, river or stream, and
    - (ii) any additional land identified by the Development Officer;
  - (b) “owner” means the person shown as the owner of land on the assessment roll prepared pursuant to the *Municipal Government Act*.

**1.12 Sections Found Invalid**

If one or more provisions of this *Land Use Bylaw* are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.



**PART TWO: DEVELOPMENT PERMITS, CONTRAVENTION AND APPEAL****2.1 Purpose of Development Permits**

Development permits are required to ensure that all development is achieved in an orderly manner.

**2.2 Development Not Requiring a Development Permit**

All development undertaken in the municipality requires an approved development permit prior to commencement, except;

- (a) the carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
- (b) the completion of any development which has lawfully commenced before the passage of this *Land Use Bylaw* or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within 12 months of the date of commencement;
- (c) the use of any such development as is referred to in subsection (b) for the purpose for which development was commenced;
- (d) the erection or construction of gates, fences, walls or other means of enclosure less than 1 m (3.28 ft.) in height in front yards and less than 2 m (6.56 ft.) in other yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- (e) a temporary building, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this *Land Use Bylaw*;
- (f) a temporary use of a parcel not exceeding 6 months for the sole purpose of mobile commercial sales (e.g. fish trucks, fruit trucks, etc.), providing a business license is obtained from the municipality and the location of the business is to the satisfaction of the Development Officer;
- (g) the installation, maintenance and repair of utilities;
- (h) any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this *Land Use Bylaw*;
- (i) one accessory building used as a garden or tool shed on a residential parcel, such building not to exceed 9.5 m<sup>2</sup> (102.26 sq. ft.) in floor area and 2.5 m (8.2 ft.) in height;

- (j) development specified in Section 618 of the *Municipal Government Act*, which includes:
  - (i) a highway or road,
  - (ii) a well or battery within the meaning of the *Oil and Gas Conservation Act*,
  - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline, or
  - (iv) any other action, person, or thing specified by the Lieutenant Governor in Council by regulation;
- (k) the erection of one unilluminated sign of the following nature and size for each use within a building or on a parcel, provided such signs do not resemble or conflict with traffic signs:
  - (i) a fascia sign for the purpose of identification, direction and warning not exceeding 0.2 m<sup>2</sup> (2.15 sq. ft.),
  - (ii) a fascia sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m<sup>2</sup> (3.23 sq. ft.),
  - (iii) a fascia or freestanding sign relating to a religious, educational, cultural, recreational or similar institution, or to an apartment not exceeding 1 m<sup>2</sup> (10.76 sq. ft.),
  - (iv) a portable sign or notice, relating to the sale or lease of land or buildings, sale of goods or livestock by auction, carrying out of construction, or the announcement of any local event of a religious, educational, cultural, political, or governmental nature not exceeding 3.0 m<sup>2</sup> (32.29 sq. ft.) and limited in display to the period of completion of the sale, lease, construction or event,
  - (v) a flag attached to a single upright flag-pole.
- (l) one satellite dish antenna, less than 1.0 m (3.3 ft.) in diameter, per parcel provided it is sited to the satisfaction of the Development Officer.
- (m) demolition of a building less than 25.0 m<sup>2</sup> (269.1 sq. ft.).

**2.3 Permission for Development**

- (1) (a) An application for a development permit shall be made to the Development Officer in writing on the form prescribed by Council and shall be accompanied by:
    - (i) a scaled site plan in duplicate showing the treatment of landscaped areas if required, the legal description, the front, rear, and side yards, if any; any provision for off-street loading and vehicle parking and access and egress points to the parcel;
    - (ii) scaled floor plans, elevations and sections in duplicate;
    - (iii) a statement of existing and proposed uses;
    - (iv) a copy of the Certificate of Title to the land and, if the applicant is not the owner, a statement of the applicant's interest in the land together with the written consent of the owner to the application;
    - (v) the estimated commencement and completion dates;
    - (vi) the estimated cost of the project or contract price, and;
    - (vii) such other plans and information as the Development Officer/Municipal Planning Commission may consider necessary to properly evaluate the proposed development.
  - (b) The Development Officer/Municipal Planning Commission may refuse to accept an application for a development permit where the information required by subsection 2.3 (1)(a) has not been supplied or where, in the opinion of the Development Officer/Municipal Planning Commission, the quality of the material supplied is inadequate to properly evaluate the application.
  - (c) The Development Officer/Municipal Planning Commission may deal with an application and make a decision without all of the information required by subsection 2.3 (1)(a), if it is the opinion of the Development Officer/Municipal Planning Commission that a decision on the application can be properly made without such information.
- (2) Each application for a development permit shall be accompanied by a non-returnable processing fee, the amount of which shall be determined from time to time by resolution of Council.
  - (3) The Development Officer shall:

- (a) receive all applications for a development permit; and
  - (a.1) refer all applications for development which would result in permanent overnight accommodation, including dwellings, or public facilities to the Alberta Energy and Utilities Board , if any of the land which is the subject of the application is within 1.5 km (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Officer, an infill development, and
  - (b) consider and decide on applications for a development permit for those uses, listed in Schedule C, which constitute a permitted use in a District; and
  - (c) refer with his/her recommendations, the Municipal Planning Commission for its consideration and decision applications for a development permit for those uses listed in Schedule C which constitute a discretionary use; and
  - (d) at his/her discretion refer to the Municipal Planning Commission any application which in his/her opinion should be decided by the Municipal Planning Commission; and
  - (e) refer any application to an adjacent municipality or any other agency or person which in his opinion may provide relevant comments or advice respecting the application.
  - (f) Consider and decide on applications for a Home Occupation permit for all residential districts. [09/2005]
- (4) For a permitted use in any District,
- (a) the Development Officer/Municipal Planning Commission shall approve, with or without conditions, an application for a development permit where the proposed development conforms in every respect to this *Land Use Bylaw*,
- or
- (b) subject to the provisions of subsection (6), the Development Officer/Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this *Land Use Bylaw*.
- (5) For a discretionary use in any District,
- (a) the Municipal Planning Commission may approve an application for a development permit
    - (i) with or without conditions,
    - (ii) based on the merits of the proposed development including its relationship to any approved statutory plan or approved policy affecting the site,
    - (iii) where the proposed development conforms in every respect to this *Land*

*Use Bylaw, or*

- (b) the Municipal Planning Commission may refuse an application for a development permit based on the merits of the proposed development, even though it meets the requirements of this *Land Use Bylaw*, or
  - (c) subject to the provisions of subsection (6), the Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this *Land Use Bylaw*.
- (6) The Development Officer or Municipal Planning Commission, as the case may be, may:
- (a) approve, with or without conditions, an application for a development permit, or
  - (b) advise that a real property report appears to conform with the *Land Use Bylaw*, or
  - (c) recommend approval of an application for subdivision approval,
- notwithstanding that the proposed development or subdivision does not comply with the Bylaw or is a non-conforming building, if in the opinion of the Development Officer/Municipal Planning Commission the proposed development or subdivision or non-conforming building
- (i) would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
  - (ii) conforms with the use prescribed for that land or building in this *Land Use Bylaw*.
- (7) The Development Officer/Municipal Planning Commission may require with respect to a development that, as a condition of issuing a development permit, the applicant enter into an agreement with the municipality to do all or any of the following:
- (a) to construct or pay for the construction of a road required to give access to the development, or
  - (b) to construct or pay for the construction of pedestrian walkway systems, or
  - (c) to install or pay for the installation of utilities, other than telecommunications systems or works, that are necessary to serve the development, or
  - (d) to construct or pay for the construction of

(i) off-street or other parking facilities, and

(ii) loading and unloading facilities,

or

(e) to pay an off-site levy or redevelopment levy imposed bylaw.

(f) to give security to ensure that the terms of the agreement under this section are carried out, or;

(g) to pay to the Town the costs paid by the Town to any Engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal and planning costs and expenses to which the municipality is put in connection with the Development Agreement and the Agreement relates.

(8) Prior to imposing any condition upon the issue of a development permit pursuant to subsection (7), the Development Officer/Municipal Planning Commission shall consult with the Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition in the development permit.

(9) The municipality may register a caveat pursuant to the provisions of the *Land Titles Act* and the *Municipal Government Act* in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.

(10) In the case where an application for a development permit has been refused pursuant to this Part of ultimately after appeal, to the Subdivision and Development Appeal Board the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least 6 months after the date of the final decision unless in the opinion of the Development Officer the reasons for refusal have been inadequately addressed or the circumstances of the application have changed significantly.

**2.4 Development Permits and Notices**

- (1)
  - (a) A permit issued pursuant to this Part does not come into effect until 14 days after the date on which notice of issuance of the permit is given under subsection 3 (b) or (c) or 21 days after the date on which notice of issuance of the permit is given, if such notice is given under subsection 3(a) by ordinary mail, whichever last occurs. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
  - (b) The date of issue of any permit shall be the date of notification pursuant to subsection (3).
- (2) Where an appeal is made pursuant to the Subdivision and Development Appeal Board, a development permit which has been issued shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) On the same date a development permit is issued, the Development Officer shall publicize a notice of issuance of the permit in any or all of the forms described as follows:
  - (a) mail a notice of the decision to all persons whose use, enjoyment or value of property may, in the opinion of the Development Officer/Municipal Planning Commission, be affected; and/or
  - (b) post a notice of the decision conspicuously on the property for which the application has been made; and/or
  - (c) publish in a newspaper circulating in the municipality a notice of the decision.
- (4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or the date of decision of the Subdivision and Development Appeal Board upon appeal, nor carried out with reasonable diligence as determined by the Development Officer/Municipal Planning Commission, the permit ceases to be effective, unless an extension to this period, being no longer than an additional 12 months, has previously been granted by the Development Office/Municipal Planning Commission.
- (5) A decision of the Development Officer/Municipal Planning Commission on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (6) When the Development Officer/Municipal Planning Commission refuses an application for a development permit, the decision shall contain reasons for the refusal.

## 2.5 **Cancellation**

The Municipal Planning Commission may cancel a development permit if

- (1) the permit was issued in error, or
- (2) the permit was issued on the basis of incorrect information.

## 2.6 **Contravention and Enforcement**

[01/2009]

- (1) The provisions of this Bylaw may be enforced by way of stop order, injunction, specified penalty or such other relief as may be available under the *Municipal Government Act*.
- (2) A Designated Officer may inspect premises and lands in accordance with the provisions of the *Municipal Government Act* where there are reasonable grounds to believe that the premises are being used in contravention of this Bylaw. Without limiting the generality of the foregoing, such reasonable grounds would include:
  - (a) Complaints from the public that premises are being used contrary to the Bylaw,
  - (b) The observations of a designated officer that there is excessive traffic, parking problems, accumulated debris in a yard or any other apparent breach of this Bylaw.
- (3) For the purpose of inspecting premises pursuant to this bylaw and the *Municipal Government Act*, the following shall be Designated officers:
  - (a) A Bylaw Enforcement Officer,
  - (b) A Development Officer or anyone designated by the Development Officer,
  - (c) The Chief Administrative Officer or anyone designated by the Chief Administrative Officer.
- (4) If the Development Officer/Municipal Planning Commission find that a development, land use or use of a building is not in conformity with
  - (a) The *Land Use Bylaw, Part 17 of the Municipal Government Act* or *Subdivision and Development Regulation*, or
  - (b) A development permit or subdivision approval, the Development Officer/ Municipal Planning Commission may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to
  - (c) Stop the development or use of the land or building in whole or in part as directed by the notice,
  - (d) Demolish, remove or replace the development, or
  - (e) Carry out other actions required by the notice so that the development or use of the land or building complies with the *Land Use Bylaw, Part 17 of the Municipal Government Act* or *Subdivision and Development Regulation*, a development permit or subdivision approval, and in such order establish a time for reasonable compliance with such order.
- (5) If a person fails or refuses to comply with an order under subsection (4) or an order of the Subdivision and Development Appeal Board made pursuant to

Part 17 of the *Municipal Government Act*, the municipality may enter on the land or building and take any action necessary to carry out the order.

- (6) The municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection (4) against the certificate of title for the land that is the subject of the order, but if it does so the municipality must discharge the caveat when the order has been complied with.

## **2.7 Appeal Procedure**

An appeal of an order, a decision or a failure to make a decision of the Development Officer/Municipal Planning Commission may be made in writing to the Subdivision and Development Appeal Board in accordance with the provisions set forth in the Subdivision and Development Appeal Board Bylaw.

## **2.8 Offences and Penalties**

- (1) A person who contravenes or does not comply with
- (a) the *Land Use Bylaw*,
  - (b) Part 17 of the *Municipal Government Act*,
  - (c) the *Subdivision and Development Regulation*,
  - (d) an order under Section 2(6)(1) of this Bylaw,
  - (e) a development permit or subdivision approval, or a condition therein,
  - (f) a decision of the Subdivision and Development Appeal Board, or
  - (g) who obstructs or hinders any person in the exercise or performance of his powers or duties under this *Land Use Bylaw*,
- is guilty of an offence.
- (2) A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to the specified penalty set out in Schedule D, or in the case of an offence for which there is no specified penalty, to a fine of not less than \$250.00 and not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment. [01/2009]
- (3) Where a Designated Officer reasonably believes that a person has contravened any provision of this Bylaw, the Designated Officer may, in addition to any other remedy at law, serve upon the person a violation ticket, in the form provided under the *Provincial Offences Procedures Act*, allowing payment of the specified penalty for the offence as provided in Schedule D of this Bylaw, and the recording of such payment by the Provincial Court of Alberta shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty. [01/2009]
- (4) The levying and payment of any penalty, or the imprisonment for any period as provided

for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which he is liable under the provisions of this Bylaw or the *Municipal Government Act*. [01/2009]

- (5) Where a person is convicted of a second, third or subsequent offence under a particular section of this Bylaw, and where that offence has occurred within 12 months after the date of the occurrence of the first offence under that section of this Bylaw the specified penalties applicable upon conviction for such second, third or subsequent offence shall be the amount set out in Schedule D. [01/2009]
- (6) This section shall not prevent any Designated Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, or from the laying of information in lieu of issuing a violation ticket or enforcement by way of stop order, injunction, specified penalty or such other relief as may be available under the *Municipal Government Act*. [01/2009]

## **2.9 Occupancy Permits**

- (1) No development which has been undertaken in accordance with a development permit shall be used until an occupancy permit has been obtained.
- (2) An application for an occupancy permit shall be made to the Development Officer. The Development Officer shall issue an occupancy permit on the form prescribed by the Council, if he is satisfied that
  - (a) the development has been completed in accordance with the approved plans and development permit, or
  - (b) the development will, subject to such conditions as may be appropriate in the circumstances, be completed in accordance with the approved plans and development permit.

## **2.10 Compliance with other Legislation**

Compliance with the requirements of this *Land Use Bylaw* does not exempt any person from

- (a) the requirements of any federal, provincial or municipal legislation; and
- (b) complying with any easement, covenant, agreement or contract affecting the development.

**2.11 Repeal**

*Land Use Bylaw No. 731 is hereby repealed.*

READ A FIRST TIME THE \_\_\_\_\_ day of \_\_\_\_\_, 2000

READ A SECOND TIME THE \_\_\_\_\_ day of \_\_\_\_\_, 2000

READ A THIRD TIME and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2000

MAYOR

MUNICIPAL ADMINISTRATOR



**SCHEDULE A: LAND USE DISTRICT MAP**



**SCHEDULE B: SUPPLEMENTARY REGULATIONS****1. Buildings****1(1) Accessory Buildings****(a) Residential Districts**

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
- (ii) An accessory building on an interior parcel shall be situated so that the exterior wall is at least 1 m (3.28 ft.) from the side and rear boundaries of the parcel.
- (iii) An accessory building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 1 m (3.28 ft.) to the other side parcel boundary or the rear parcel boundary.
- (iv) An accessory building shall not be more than 4.5 m (14.76 ft.) in height, and shall not exceed the height of the main building.
- (v) Notwithstanding subsections (ii) and (iii) of this Section, an accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
- (vi) An accessory building erected or placed on a parcel shall not be used as a dwelling.

**(b) Other Districts**

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.

**1(2) Building Orientation and Design**

The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the Development Officer/Municipal Planning Commission having due regard to

- (i) amenities such as daylight, sunlight and privacy
- (ii) the character of existing development in the District, and
- (iii) its effect on adjacent parcels.

**1(3) Number of Buildings on a Parcel**

- (a) A development permit shall not be issued for more than one main building on an unsubdivided parcel, except where it is proposed to develop more than one main building to form a single, unified group of buildings.
- (b) the number of dwelling units permitted on a parcel shall be limited to one, except where
  - (i) in the opinion of the Development Officer/Municipal Planning Commission, either
    - (A) the building is clearly designed to be divided into more than one dwelling, or
    - (B) the development of the parcel is clearly designed to include more than one dwelling, and
  - (ii) the use conforms to the uses prescribed in Schedule 'C' for the District in which the parcel is located, and
  - (iii) subject to section 2.3(6), the development complies with the provisions of this *Land Use Bylaw*, and
  - (iv) a development permit is issued for the use.

**1(4) Relocation of Buildings**

- (a) No person shall
  - (i) place on a parcel a building which has previously been erected or placed on a different parcel, or
  - (ii) alter the location on a parcel of a building which has already been constructed on that parcel

unless a development permit has been issued by the Municipal Planning Commission.
- (b) In addition to the requirements of Section 2.3(1), PART TWO, the Municipal Planning Commission may require an application for a development permit to be accompanied by
  - (i) recent colour photographs showing all sides of the building;
  - (ii) a statement on the age, size and structural condition of the building; and
  - (iii) a statement of proposed improvements to the building.

- (c) An application for a development permit may be approved by the Municipal Planning Commission if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- (d) Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Municipal Planning Commission may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- (e) All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

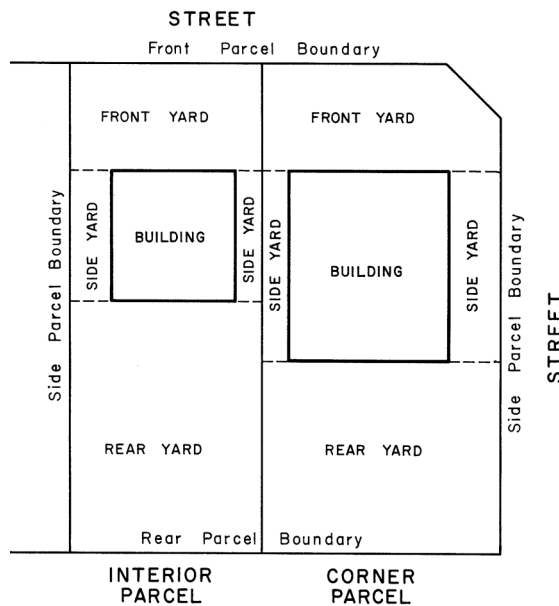
**1(5) Building Demolition**

An application to demolish a building shall not be approved without a statement or plan which indicates

- (a) how the operation will be carried out so as to create a minimum of dust or other nuisance, and
- (b) the final reclamation of the parcel

which is satisfactory to the Municipal Planning Commission

**2. Yards**



**2(1) Projections Over Yards**

Projections on foundation walls and footings, or on piles are deemed to be part of the building, and shall not be considered as a projection over a yard.

- (a) In a residential District the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:
  - (i) Side Yards
 

Any projection, including unenclosed steps or eaves, not exceeding one-half of the minimum sideyard required for the building, except in laneless subdivisions where Section 2(4)(a) of Schedule B shall apply;
  - (ii) Front Yards
 

Any projection not exceeding 1.5 m (4.92 ft.) over or on the minimum front yard;
  - (iii) Front and Rear Yard
 

Unenclosed steps, if they do not project more than 2.5 m (8.20 ft.) over or on a minimum front or rear yard;
  - (iv) Rear Yards
 

Any projection not exceeding 3 m (9.84 ft.) over the minimum rear yard.
- (b) In all other Districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:
  - (i) any projection not exceeding 1.5 m (4.92 ft.) into a front or rear yard;
  - (ii) any projection not exceeding 0.6 m (1.97 ft.) into a side yard;
  - (iii) any projection that is an exterior fire escape not exceeding 1.2 m (3.94 ft.) in width.
- (c) No portion of a building other than eaves, signs or canopies shall project into a public or private right-of-way.

**2(2) Objects Prohibited or Restricted in Yards**

- (a) No person shall allow a motor vehicle which is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in a residential District, unless it is suitably housed or screened to the satisfaction of the Development Officer/Municipal Planning Commission.
  - (b) A maximum of one (1) holiday trailer or motor home or camper or non-commercial trailer, or off-road vehicle (including snowmobiles), or boat, or bus may be parked on a hard surface pad or driveway in the front yard of a residence provided that:
    - (i) the unit must be parked so as to be fully contained on a hard surface pad or driveway; and
    - (ii) no portion of the unit is situated closer than 1.5 m (4.92 ft.) from the interior edge (property side) of the roadway curb; and
    - (iii) where there is a sidewalk, no portion of the unit shall be closer than 0.3 m (1.0 ft.) to the edge of the sidewalk; and
    - (iv) the unit shall not be situated closer than 1 m (3.28 ft.) from the side boundary of the parcel; and
    - (v) that the unit on a corner parcel shall not be situated closer to the street than the main building on the side of the parcel that is not the front parcel boundary; and
    - (vi) that the combined full width of the constructed hard surface pad and driveway in the front yard of a residence does not exceed 10 m (32.28 ft.).
- [01/2009]
- (c) A holiday trailer, motor home or camper parked in a residential District may be used for living and sleeping accommodation only by bona fide tourists for a maximum period of 30 days per annum.
  - (d) Other than one tractor truck unit which may be parked in a rear yard, no commercial motor vehicle exceeding 5,897 kg (13,000 lbs GVW) or commercial trailer exceeding 6.5 m (21.3 ft.) in length may remain or be parked in a residential district for longer than is necessary to load or unload. [01/2009]
  - (e) A Truck Tractor unit shall be deemed to be parked in a residential district when the operator is off duty and no Truck Tractor unit in a residential district shall be allowed to run for more than 30 minutes on start up. [09/2000]

**2(3) Satellite Dish Antennas**

- (a) A satellite dish antenna shall only be located in a rear yard, or a side yard which does not abut a street.
- (b) On an interior parcel, a satellite dish antenna shall be situated so that no part of it is closer than 1 m (3.28 ft.) from the side or rear boundaries of the parcel.
- (c) On a corner parcel, a satellite dish antenna shall be situated so that no part of it is closer to the street than the main building, or closer than 1 m (3.28 ft.) from the other side parcel boundary or the rear parcel boundary.

- (d) Where any part of a satellite dish antenna is more than 4 m (13.12 ft.) above grade level, or when it is located other than described in subsection 2(3) (a) above, it shall be both screened and located to the satisfaction of the Development Officer/Municipal Planning Commission.
- (e) No advertising other than the manufacture’s name/logo shall be allowed on a satellite dish antenna.
- (f) The illumination of a satellite dish antenna is prohibited.
- (g) Subject to Section 2.2(l) of PART TWO, a satellite dish antenna is an accessory use which requires an approved development permit.

**2(4) Laneless Subdivisions**

- (a) In a laneless subdivision in a residential District, one side yard shall not be less than
  - (i) 1.5 m (4.92 ft.), in the case of a detached dwelling with attached garage, or
  - (ii) 3 m (9.84 ft.), in the case of a detached dwelling without attached garage;
 and both side yards shall not be less than
  - (i) 1.5 m (4.92 ft.), in the case of a duplex with attached garages, or
  - (ii) 3 m (9.84 ft), in the case of a duplex without attached garages.
- (b) In a laneless subdivision in a commercial or industrial District one side yard shall be not less than 6 m (19.69 ft.). This does not apply to an accessory building where such building is located to the rear of the main building and separated therefrom by a minimum distance of 12 m (39.37 ft.).

**2.5 Setback on Future Major Roadways**

Where a parcel abuts a street for which a setback is established, the minimum yard requirement shall be increased by the amount of the applicable setback shown below.

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Existing Right-of-Way</u>	<u>Setback Required</u>
20 Street (West Side)	17 Avenue	26 Avenue	20.1 m (65.93 ft.)	3.7 m (12.14 ft.)

**3. Vehicles**

**3(1) Parking**

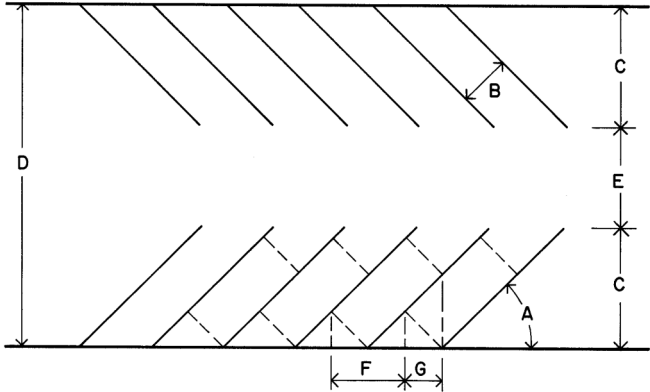
- (a) The following minimum number of parking spaces shall be provided and maintained upon the use of a parcel or building in any District as described in Schedule C of this *Land Use Bylaw*. Any calculation of the number of parking spaces which produces a requirement for part of a space shall be rounded up to the next highest integer.

<b><u>Uses</u></b>	<b><u>Parking Spaces</u></b>	
<b>Commercial</b>		
Indoor merchandise sales		
District shopping centres	5.0/100 m <sup>2</sup>	(1,076.4 sq. ft.)
Neighbourhood shopping centres	4.0/100 m <sup>2</sup>	(1,076.4 sq. ft.)
Other	3.5 /100 m <sup>2</sup>	(1,076.4 sq. ft.)
Offices	2.5 /100 m <sup>2</sup>	(1,076.4 sq. ft.)
Motels	1.0/guest room	
Personal services	2.5 /100 m <sup>2</sup>	(1,076.4 sq. ft.)
Repair services	2.0 /100 m <sup>2</sup>	(1,076.4 sq. ft.)
Restaurants, lounges and taverns	1.0/4 seats	
Vehicle and equipment sales	2.0/100 m <sup>2</sup>	(1,076.4 sq. ft.)
<b>Industry</b>		
Manufacturing industry		
Minimum provision	6.0	
Office area	2.0/100 m <sup>2</sup>	(1,076.4 sq. ft.)
Other area	1.0/100 m <sup>2</sup>	(1,076.4 sq. ft.)
Warehousing and Storage		
Minimum provision	4.0	
Office area	2.0/100 m <sup>2</sup>	(1,076.4 sq. ft.)
Storage area	0.7/100 m <sup>2</sup>	(1,076.4 sq. ft.)
<b>Public</b>		
Hospitals and nursing homes	1.0/4 beds and 1.0/2 workers	
Places of worship	1.0/4 seats	
Public assembly buildings	1.0/4 seats	
Schools		
Elementary and junior high	1.0/1 worker	
Senior high	1.0/1 worker and 1.0/20 students	
<b>Residential</b>		
Apartments, fourplexes and multiple housing developments	1.75/dwelling	
Adult Care Residences	2.0 / 3 accommodation units	
Accessory suites	1.0 / suite	
Bed & breakfast establishments	1.0 / guest room	
Boarding & rooming house	1.0 / 2 boarders	
Garden suite	1.0 / suite	
All other	2.0/dwelling	

**Uses not listed above**

The number of spaces shall be determined by the Municipal Planning Commission having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.

- (b) When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use.
- (c) The parking space requirement on a parcel which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.
- (d) Any loading space provided pursuant to subsection 3(2) of this Schedule may be used as parking space.
- (e) Each parking space shall have dimensions of not less than 2.75 m (9.02 ft.) by 5.5 m (18.04 ft.).
- (f) The dimensions of parking areas shall be as set out in the following diagram and table



<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
Parking Angle	Stall Width	Stall Depth	Overall Depth	Manoeuvring Space	Curb Length	Row End Length
0°	2.75 m (9.02 ft.)	2.75 m. (9.02 ft.)	9.00 m (29.53 ft.)	3.50 m (11.48 ft.)	6.70 m (21.98 ft.)	0.00 m
30°	2.75 m (9.02 ft.)	5.13 m. (16.83 ft.)	13.76 m (45.14 ft.)	3.50 m (11.48 ft.)	5.50 m (18.04 ft.)	0.64 m (2.09 ft.)
45°	2.75 m (9.02 ft.)	5.83 m. (19.13 ft.)	15.66 m (51.38 ft.)	4.00 m (13.12 ft.)	3.88 m (12.73 ft.)	1.94 m (6.36 ft.)
60°	2.75 m (9.02 ft.)	6.16 m (20.21 ft.)	17.80 m (58.39 ft.)	5.50 m (18.04 ft.)	3.17 m (10.40 ft.)	1.96 m (6.42 ft.)
90°	2.75 m (9.02 ft.)	5.50 m (18.04 ft.)	18.00 m (59.06 ft.)	7.00 m (22.97 ft.)	2.75 m (9.02 ft.)	0.00 m

- (g) A minimum standard of 24.75 m<sup>2</sup> (266.4 sq. ft.) per parking space shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility,
- (h) In commercial Districts, in lieu of providing parking spaces and subject to the approval of the Council, a payment may be made to the Municipality at a rate per space which the Council shall determine.
- (i) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Municipal Planning Commission, the spaces may be located on another parcel within 50 m (164.0 ft.) walking distance, provided that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (j) Hard surfacing of the parking area shall be required, where a parking area enters a paved road otherwise, the surfacing shall be all-weather.

**3(2) Loading Spaces**

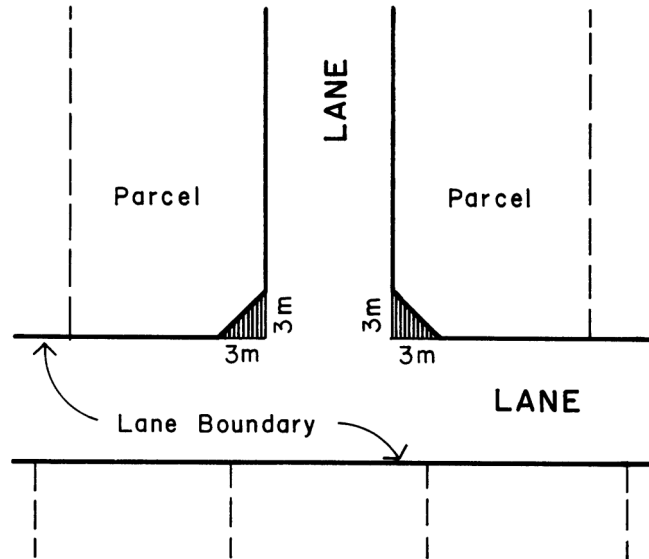
- (a) Loading spaces shall be required for all non-residential development and apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a road.
- (c) Loading spaces shall be located in rear and side yards only.
- (d) A loading space shall be at least 3.5 m x 8 m (11.48 ft. x 26.25 ft.) with an overhead clearance of at least 4.6 m (15.09 ft.)
- (e) Hard surfacing of the loading space shall be required, where a loading space enters a paved road, otherwise, the surfacing shall be all-weather.

**3(3) Vehicle Access to Buildings**

- (a) Any building into which a vehicle may enter shall have a driveway on the parcel at least 6 m (19.69 ft.) in length, except where the driveway enters a lane, where it shall be either 1 m (3.28 ft.) or at least 6 m (19.69 ft.).

**3(4) Sight Lines at Intersections of Roadways**

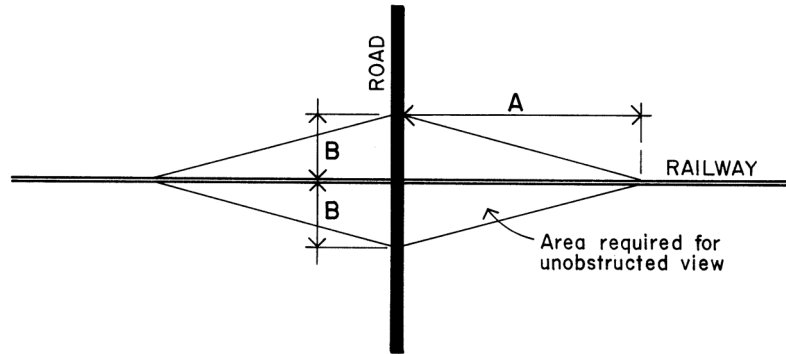
- (a) At the intersection of lanes, a 3 m (9.84 ft.) sight triangle shall be provided (see diagram below)



- (b) At the intersection of other roads, the Development Officer/Municipal Planning Commission may require the calculation of sight triangles where:
- (i) one or more rights-of-way is less than 15 m (49.21 ft.), or
  - (ii) regulated vehicle speed exceeds 50 Km/h., or
  - (iii) one of the carriageways is not centred in its right-of-way, or
  - (iv) an intersection leg is curved or skewed, or
  - (v) an intersection leg is sloped at 2% or greater.
- (c) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roads.

**3(5) Sight Triangles at Road and Rail Intersections**

- (a) At the intersections of roadways and railways, which are unprotected by automatic warning signals, sight triangles shall be determined using the diagram and table below.



Maximum Train Speed		Sight Distance A From Crossing		Maximum Vehicle Speed			Sight Distance B From Crossing		
kmh	(mph)	m	(ft)	kmh	(mph)	m	(ft)*	m	(ft)**
32.19	(20)	91.44	(300)	32.19	(20)	32.00	(105)	18.29	(60)
48.28	(30)	137.16	(450)	48.28	(30)	53.34	(175)	28.96	(95)
64.37	(40)	182.88	(600)	64.37	(40)	79.25	(260)	44.20	(145)
80.47	(50)	228.60	(750)	80.47	(50)	112.78	(370)	64.01	(210)
96.56	(60)	274.32	(900)	96.56	(60)	150.88	(495)	85.34	(280)
112.65	(70)	320.04	(1,050)	112.65	(70)	192.02	(630)	111.25	(365)
128.74	(80)	365.76	(1,200)						
144.84	(90)	411.48	(1,350)						
160.93	(100)	457.20	(1,500)						

\* distances based on level approach grade and good traction

\*\* panic stop distances

- (b) At the intersections of roads and railways, which are protected by automatic warning signals, the Development Officer/Municipal Planning Commission may require the calculation of sight triangles where:
- (i) one or more of the rights-of-way is less than 15 m (49.42 ft.), or
  - (ii) regulated vehicle speed exceeds 50 Km/h, or
  - (iii) either the carriage way or the railway is not centred in its right-of-way, or
  - (iv) an intersection leg is curved or skewed, or
  - (v) an intersection leg is sloped at 2% or greater.

- (c) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways, with the provision that distance between the nearest rail and the front of the stopped motor vehicle be between 5 m (16.4 ft.) and 15 m (49.21 ft.) as required by the *Highway Traffic Act*.

### **3(6) Driveways**

- (a) At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than
  - (i) 6 m (19.69 ft.) where the driveway serves not more than four dwelling units, or
  - (ii) 15 m (49.21 ft.) for all other uses,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (b) The maximum width of a driveway shall be 10 m (32.28 ft.).
- (c) The minimum distance between driveways shall be:
  - (i) nil, where the driveways serve single dwelling units,
  - (ii) 6 m (19.69 ft.), where the driveways serve any other use,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (d) The minimum angle for a driveway to a use which generates high traffic volumes shall be 70°.
- (e) To ensure that the movement of traffic is both safe and efficient, driveways are not allowed on the streets identified on Schedule A, unless alternative access is unavailable.

### **4. Non-conforming Buildings and Uses**

- (a) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the *Land Use Bylaw* then in effect.
- (b) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- (c) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (d) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

- (i) to make it a conforming building,
  - (ii) for routine maintenance of the building, if the Development Officer/Municipal Planning Commission considers it necessary, or
  - (iii) in accordance with the provisions of section 2.3(6) of Part Two.
- (e) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the market value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this *Land Use Bylaw*.
- (f) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

## **5. Signs**

### **5(1) General Provisions**

- (a) A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings or be liable to create a cluttered appearance to the streetscape.
- (b) No sign shall project higher than the roof-line of the building to which it is attached.
- (c) A sign shall not project closer than 0.75 m (2.46 ft.) to the existing or future curb line.
- (d) Where a sign projects over public property, a minimum clearance of 2.5 m (8.20 ft.) above grade level shall be maintained.
- (e) Notwithstanding subsection (d), where a sign is located in or projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.6 m (15.09 ft.) above grade level shall be maintained.
- (f) A sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- (g) A sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.

**5(2) Facia and Projecting Signs**

- (a) No facia or projecting sign shall be lower than 2.5 m (8.20 ft.) above grade, except in the case of signs intended solely for the information of pedestrians in which case the height shall be determined by the Municipal Planning Commission having regard, amongst other things, to clarity and safety.
- (b) No facia or projecting sign on a single storey building shall be higher than the eaveline of the building.
- (c) No facia sign shall project more than 0.4 m (1.31 ft.) over a street or public property.
- (d) No facia or projecting sign on a building two or more storeys in height shall be higher than the sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall.
- (e) The maximum size for projecting signs shall be 1 m<sup>2</sup> (10.76 sq. ft.).
- (f) On corner sites, projecting signs shall be placed at equal angles to the walls that form the corner and on other sites, at right angles to the wall.
- (g) Projecting signs shall not project more than 1 m (3.28 ft.) over a street or public property.
- (h) Only one projecting sign may be erected on each street frontage of a building.

**5(3) Freestanding Signs and Billboards**

- (a) No freestanding sign or billboard shall extend beyond 6 m (19.68 ft.) above grade or be larger than 4.5 m<sup>2</sup> (48.44 sq. ft.) except in a Highway Commercial District where
  - (i) the maximum in all cases other than a district shopping centre, shall be 7 m (22.97 ft.) in height and 9.5 m<sup>2</sup> (102.26 sq. ft.) in area, and
  - (ii) at a district shopping centre, the maximum shall be 8.5 m (27.89 ft.) in height and 14 m<sup>2</sup> (150.70 sq. ft.).
- (b) Only one freestanding sign or billboard may be erected on each of a parcel's boundaries with a street.
- (c) No freestanding sign or billboard shall be erected in such proximity to a Public Recreation or Environmental Open Space District that it would detract from the natural aesthetics of that District.
- (d) Freestanding signs and billboards shall be separated by a minimum distance of 30 m (98.43 ft.) from each other.

- (e) Freestanding signs and billboards shall only be erected on sites to which their display relates except in the case of
  - (i) advance directional signs which may be approved by the Municipal Planning Commission in locations where it considers the free and safe flow of traffic may be enhanced, or
  - (ii) signs used solely by community organizations.

**5(4) Portable Signs**

- (a) Portable signs may only be used to advertise businesses which commence operation on the parcel upon which the sign is erected within 60 days before or after the date of application for a development permit.
- (b) The use of a portable sign shall be limited to a maximum of 60 days following which time the sign shall be removed from the parcel.
- (c) Only one portable sign shall be permitted on a parcel at any one time and a minimum of 30 days shall elapse between the removal of one portable sign and the erection of another on the same parcel.
- (d) No portable sign shall be higher than 2 m (6.6 ft.) above grade or larger than 3 m<sup>2</sup> (32.29 sq. ft.).

**5(5) Awning Signs**

Awning signs shall only be permitted if the awning is a minimum of 2.5 m (8.20 ft.) above grade level.

**5(6) Other Signs**

The Municipal Planning Commission may approve other signs subject to the General Provisions of subsection 5(1).

**5(7) Sign Removal**

Where a sign no longer fulfils its function under the terms of the approved development permit, the Municipal Planning Commission may recommend that the Council resolve to order the removal of such a sign, and the lawful owner of the sign or where applicable, the registered property owner, shall, upon such a resolution,

- (a) remove such a sign and all related structural components within 30 days from the date of receipt of such a removal notice,
- (b) restore the immediate area around the sign to the satisfaction of the Municipal Planning Commission,
- (c) bear all the costs related to such removal and restoration.

**6. Miscellaneous****6(1) Variance Provisions for Subdivision**

deleted

**6(2) Home Occupations**

Home occupations shall comply with the following:

- (a) a home occupation shall not include any use or operation which detracts from the amenities of a residential neighbourhood, by way of creating dangerous or objectionable conditions;
- (b) a home occupation shall be incidental and subordinate to both the residential use and the accessory residential building;
- (c) there shall be no exterior display or advertisement;
- (d) there shall be no outside storage of materials, commodities or finished products;
- (e) no commodity other than the product or service of the home occupation shall be sold on the premises;
- (f) no person other than a resident of the dwelling shall be employed on site;
- (g) a home occupation shall not involve the on site use and/or storage of hazardous or dangerous goods;
- (h) not more than one business vehicle used in or for the home occupation shall be parked on the site or any street adjacent thereto;
- (i) a home occupation licence does not exempt the applicant from compliance with any federal or provincial regulation, or any municipal bylaw or regulation; and
- (j) a permit for a home occupation may be revoked at any time if, in the opinion of the Municipal Planning Commission, the home occupation has become detrimental to the residential nature and amenity of the neighbourhood or otherwise does not meet the criteria or intent of a home occupation.

**6(3) Swimming Pools**

Every private swimming pool shall be secured against entry of the public other than owners, tenants or their guests.

**6(4) Dangerous Goods**

Prior to making any decision on a development application which involves dangerous goods or development on adjacent land or in close proximity to any dangerous goods, the Development Officer/Municipal Planning Commission shall refer the development proposal to the appropriate regulatory authority for comments.

**6(5) Mechanized Excavation, Stripping and Grading of Parcels**

- (a) A temporary fence shall be erected around all excavations which in the opinion of the Development Officer/Municipal Planning Commission may be hazardous to the public.
- (b) Where finished ground elevations are established, all grading shall comply therewith.
- (c) All parcels shall be graded to ensure that storm water is directed to a road without crossing adjacent land, except as permitted by the Municipal Planning Commission.
- (d) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

**6(6) Landscaping, Environmental Conservation and Development**

Unless otherwise specified in Schedule C, the following standard of landscaping shall be required for all areas of a parcel not covered by buildings, driveways, storage and display areas:

- (a) the conservation of existing trees and shrubs to the maximum extent possible;
- (b) the retention, in their natural state, of
  - (i) swamps, gullies and natural drainage courses,
  - (ii) unstable land,
  - (iii) land subject to flooding by a 1:100 year flood,
  - (iv) land with a natural gradient of 15% or greater, and
  - (v) a strip of land not less than 15 m (49.21 ft.) in width along any river, stream, creek or lake, such distance to be measured from the top of the bank;
- (c) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and roads;

**6(7) Municipal Historic Area**

A bylaw designating a part of the municipality as a Municipal Historic Area under the *Historical Resources Act* is deemed to form part of this *Land Use Bylaw*.

**6(8) Decks**

A development permit is required for the construction of a deck if:

- (a) it will be constructed so that the decking is situated more than 0.61 m (2 ft.) above grade, or
- (b) subject to Section 2(1) of Schedule B, any portion of the deck is situated within the applicable minimum yard setback requirement.

**6(9) Accessory Suites**

- (a) Accessory suites may only be situated in a detached dwelling that is occupied by the registered owner.
- (b) The number of accessory suites per detached dwelling is limited to one (1).
- (c) One additional off-street parking space will be provided in accordance with Section 3(1) of Schedule B.
- (d) Accessory suites must meet Alberta Building Code standards

**6(10) Bed and Breakfast Establishments**

- (a) The residential nature of the dwelling and the neighbourhood shall be preserved as much as is reasonably possible.
- (b) A dwelling that is being used for a bed and breakfast establishment shall not be used as a boarding and rooming house at the same time.
- (c) The granting of a development permit for a bed and breakfast establishment does not exempt compliance with any provincial regulations or other permit requirements.

**6(11) Garden Suites**

- (a) shall only be situated in the rear yard of a parcel.
- (b) shall not exceed one storey in height.
- (c) shall be sited so that it is at least:
  - (i) 1.5 m (5 ft.) from the side property boundary except that on a corner parcel, the garden suite shall be no closer to the street than the primary dwelling;
  - (ii) 1.5 m (5 ft.) from the rear property boundary when the garden suite has a blank wall facing that boundary;
  - (iii) 3.0 m (10 ft.) from the rear property boundary when the garden suite has a window opening in the wall facing that boundary;

- (iv) 2.5 m (8 ft.) from the primary dwelling and all other buildings on the parcel.
- (d) shall be placed on prepared cribbings or piers and shall be skirted within 30 days of its placement on the parcel.
- (e) shall be connected to the utilities servicing the primary dwelling.
- (f) shall not, in combination with the primary residence, result in site coverage in excess of 40% of the area of the parcel.
- (g) shall be of a design and appearance that is acceptable to the Municipal Planning Commission.
- (h) shall be removed from a parcel within 60 days of the death or permanent departure of the occupants, or the sale or rental of the primary dwelling.
- (i) shall require a bi-annual renewal of the development permit.

#### **6(12) Drainage**

- (a) All roof drainage from a building shall be directed onto the parcel upon which the building is situated by means satisfactory to the Development Officer.
- (b) Any landscaping and/or re-contouring shall be done so that the finished grade does not direct surface drainage or cause the impounding of drainage onto an adjoining site unless otherwise approved by the Municipal Planning Commission.

#### **6(13) Development in Proximity to Oil and Gas Wells**

In accordance with the *Subdivision and Development Regulation*, no building shall be constructed within 100 m (328.1 ft.) of the well head of a gas or oil well, unless, in the opinion of the Development Officer/Municipal Planning Commission, it may be considered an infill development or is otherwise approved in writing by the Alberta Energy and Utilities Board.

#### **6(14) Development Setbacks from Landfills and Waste Sites**

In accordance with the *Subdivision and Development Regulation*,

- (a) a school, hospital, food establishment or residence must not be approved and a residence must not be constructed if the building site is within the distances from a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the *Subdivision and Development Regulation*, and

- (b) a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, food establishment or residence specified in the *Subdivision and Development Regulation*,

unless the development is approved in writing by the Deputy Minister of the Department of Environmental Protection.

**6(15) Land Use Policies**

Every action undertaken by the municipality and the Development Officer/Municipal Planning Commission must be consistent with any land use policies established pursuant to the *Municipal Government Act*.

**7. Guidelines for Other Land Uses**

All uses which are not covered by specific regulations in Schedule C shall, in accordance with the following guidelines, be

- (a) separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses,
- (b) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan,
- (c) set-back from any parcel boundary abutting a road a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses,
- (d) of a height which will be consistent with that prevailing in the area,
- (e) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent roads, and
- (f) developed in conformance with any applicable statutory plan policies.

**SCHEDULE C: LAND USE DISTRICT REGULATIONS****LOW DENSITY RESIDENTIAL DISTRICT (R1)**

General Purpose:	To provide an area for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory residential buildings Detached dwellings
Discretionary Uses:	Accessory uses Accessory suites Adult care residences Bed and breakfast establishments Building demolition Day care facilities Duplexes existing at the date of passage of this <i>Land Use Bylaw</i> Garden suites Home occupations Manufactured homes Mechanized excavation, stripping and grading Parking facilities for uses in this District Parks and playgrounds Public and quasi-public uses Public utility buildings Signs Social care residence Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

The following regulations apply to detached dwellings:

Minimum Front Yard:	6 m (19.69 ft.)
Minimum Side Yard:	1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard:	6 m (19.69 ft.)
Minimum Parcel Area:	Interior Parcels 450 m <sup>2</sup> (4,843.92 sq. ft.) Corner Parcels 500 m <sup>2</sup> (5,382.13 sq. ft.)
Maximum Parcel Coverage:	55%
Landscaped Area:	In the case of applications for development permits for uses other than detached dwellings, refer to Schedule B.

**LOW DENSITY RESIDENTIAL DISTRICT (R1) (cont'd)**

Maximum Building Height: 7.5 m (24.61 ft.)

Landscaped Area: In the case of applications for development permits for uses other than detached dwellings, refer to Schedule B.

Manufactured Home Design: The external appearance of manufactured homes must be acceptable to the Municipal Planning Commission having regard to compatibility with other buildings in the vicinity and must have:

1. A minimum roof pitch of 2:12
2. A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
3. A minimum roof overhang or eaves of 0.45 m (1.48 ft.) from each external wall
4. A maximum length to width ratio of 3:1
5. A minimum width of 5.5 m (18.0 ft.)
6. A permanent foundation

Adult Care Residence and Social Care Residence Standards: As determined by the Municipal Planning Commission having regard to the design and height of the building and the adjacent uses and buildings

Supplementary Regulations: All uses must comply with the regulations in Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B

**NARROW LOT SINGLE FAMILY DISTRICT (R1A)**

General Purpose: The purpose of this district is to provide areas for low density residential development in the form of detached dwellings and complementary uses on narrow urban lots.

Permitted Uses: Accessory residential buildings  
Detached dwellings

Discretionary Uses: Accessory buildings and uses  
Home occupations  
Parks  
Playgrounds

**DEVELOPMENT STANDARDS:**

Minimum Parcel Area: Detached dwellings  
350 m<sup>2</sup> (3,767 ft<sup>2</sup>) on interior parcel  
403 m<sup>2</sup> (4,338 ft<sup>2</sup>) on corner parcel  
  
All other uses  
At the discretion of the Subdivision Authority

Minimum Parcel Width: Detached Dwellings  
10.0 m (33 ft) for an interior parcel  
11.5 m (38 ft) for a corner parcel  
  
All other uses  
At the discretion of the Subdivision Authority

Minimum Front Yard: 6 m (20 ft)

Minimum Side Yard: 1.5 m (5 ft) except where it abuts a road – 3 m (10 ft)

Minimum Rear Yard: 6 m (20 ft)

Maximum Building Height: 9.5 m (31 ft.) for principal building(s) only

Maximum Parcel Coverage: 55% including all accessory buildings

**NARROW LOT SINGLE FAMILY DISTRICT (R1A) (cont'd)**

**OTHER REQUIREMENTS:**

- (1) The Development Authority has the right to refuse permission for the erection of any building where in their opinion the design or appearance of the building will adversely affect the amenities of the surrounding area or buildings.
- (2) Houses with similar floor plans and exterior elevations shall be separate from each other by three houses, unless the house style, roof pitch, and exterior materials and treatment are substantially different.
- (3) Exposed foundations should be kept to a minimum and must be fully parged.
- (4) It is encouraged that a variety of materials be used on any one street. Generally there will be no restrictions to the type of siding materials used; however, the Development Authority reserves the right to require changes to ensure variety between adjacent homes and as it is deemed in the best interest of the subdivision.
- (5) All driveways, parking pads and areas used for vehicular storage shall be hard surfaced.

[15/2007]

**GENERAL RESIDENTIAL DISTRICT (R2)**

General Purpose:	To provide an area for a variety of dwelling types and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory residential buildings Detached dwellings Duplexes
Discretionary Uses:	All discretionary uses in the R1 District Apartments Boarding and rooming houses Four-plexes Multiple housing developments Neighbourhood convenience stores Row houses Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	Detached dwellings, duplexes, row houses and four-plexes: 6 m (19.69 ft.) Apartments: 7.5 m (24.61 ft.) Multiple housing developments: Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions.
Minimum Side Yard:	Detached dwellings, duplexes, four-plexes, and row houses: 1.5 m (4.92 ft.), except where it abuts a road - 3 m (9.84 ft.) Apartments: 3 m (9.84 ft.), except where it abuts a road - 6.0 m (19.69 ft.), or as required in the Alberta Building Code, whichever is greater. Multiple housing development: Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard:	Detached dwellings, duplexes, row houses, four-plexes and apartments: 6 m (19.69 ft.) Multiple housing developments (incorporating buildings with ground level private access, such as row houses, four-plexes, duplexes and detached dwellings): Each dwelling unit shall have a private, screened yard area of not less than 45 m <sup>2</sup> (484.39 sq. ft.)

**GENERAL RESIDENTIAL DISTRICT (R2) (cont'd)**

Minimum Parcel Area: Detached dwellings:  
     Interior parcels 375 m<sup>2</sup> (4,036.60 sq. ft.)  
     Corner parcels 420 m<sup>2</sup> (4,521.00 sq. ft.)  
 Duplexes:  
     Interior parcels 235m<sup>2</sup> (2,529.60 sq. ft.)  
     Corner parcels 280m<sup>2</sup> (3,014.00 sq. ft.)  
 Row houses:  
     Interior parcels 185 m<sup>2</sup> (1,991.39 sq. ft.)  
     Corner parcels 275 m<sup>2</sup> (2,960.17 sq. ft.)  
 Four-plexes:  
     Interior parcels 180 m<sup>2</sup> (1,937.57 sq. ft.)  
     Corner parcels 185 m<sup>2</sup> (1,991.39 sq. ft.)  
 Apartments:  
     1.3 times the building's total floor area  
 Multiple housing developments:  
     The ground area of non-recreational buildings, of the parking facilities and driveways and the minimum amenity area (described below) shall be totalled.

Minimum Amenity Area\*

- bachelor unit 15 m<sup>2</sup> (161.46 sq. ft.) per unit
- one bedroom unit 20 m<sup>2</sup> (215.29 sq. ft.) per unit
- two bedroom unit 55 m<sup>2</sup> (592.03 sq. ft.) per unit
- three bedroom unit 90 m<sup>2</sup> (968.78 sq. ft.) per unit
- four bedroom unit 110 m<sup>2</sup> 1,184.07 sq. ft.) per unit

\* Minimum amenity area includes hard and soft-landscaped areas, balconies, recreational facilities and communal lounges.

Maximum Parcel Coverage: Detached dwellings, duplexes, four-plexes, and row houses: 55%  
 Apartments: 75%  
 Multiple housing developments:  
     Determined by subtracting the minimum amenity area from the parcel area

**GENERAL RESIDENTIAL DISTRICT (R2) (cont'd)**

Landscape Area:	<p>Detached dwellings:          No specified requirements.</p> <p>Duplexes, row houses, four-plexes, apartments, and all housing types developed as multiple housing developments:          An area 6 m (19.69 ft.) in perpendicular depth and 1 m (3.28 ft.) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Schedule B.</p> <p>For all other development refer to Schedule B.</p>
Maximum Building Height:	<p>Detached dwellings, duplexes, row houses and four-plexes:          7.5 m (24.61 ft.)</p> <p>Apartments:          12 m (39.37 ft.)</p> <p>Multiple housing developments:          As required for the various housing types described above.</p>
Manufactured Home Design:	<p>The external appearance of manufactured homes must be acceptable to the Municipal Planning Commission having regard to compatibility with other buildings in the vicinity and must have:</p> <ol style="list-style-type: none"> <li>1. A minimum roof pitch of 2:12</li> <li>2. A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes</li> <li>3. A minimum roof overhang or eaves of 0.45 m (1.48 ft.) from each external wall</li> <li>4. A maximum length to width ratio of 3:1</li> <li>5. A minimum width of 5.5 m (18.0 ft.)</li> <li>6. A permanent foundation</li> </ol>
Adult Care Residence and Social Care Residence Standards:	<p>As determined by the Municipal Planning Commission having regard to the design and height of the building and the adjacent uses and buildings</p>
Supplementary Regulations:	<p>All uses must also comply with the regulations in Schedule B.</p>
<p>The regulations for all discretionary uses not addressed above shall be as established in Schedule B</p>	



**MANUFACTURED HOME DISTRICT (R3)**

- General Purpose: To provide an area for and to regulate the development and use of land for manufactured homes, and other uses, herein listed, which are compatible with a residential area, either on separately registered parcels or in comprehensively designed parks wherein sites are rented or owned as part of a condominium. The area is to be connected to municipal sewer and water systems.
- Permitted Uses: Manufactured homes  
 Manufactured home park  
 Accessory residential buildings/structures
- Discretionary Uses: All discretionary uses found in the R1 District except Accessory suites, Adult care residences, Bed and breakfast establishments, Garden suites, and Social care residences  
 Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
- Manufactured Home Design: The external appearance of manufactured homes must be acceptable to the Municipal Planning Commission having regard to compatibility with other buildings in the vicinity.

In this District,

“**lot**” means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupant(s);

“**structure**” means a subordinate building which is an addition to or supplements the facilities provided by a manufactured home, such as awnings, storage structures, carports, porches and skirting.

**(1) Manufactured Home Park Standards**

- Maximum Gross Density: 17 manufactured homes per hectare (7 per acre)
- Minimum Park Area: 2 hectares (4.94 acres)
- Recreation Area: A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area.  
 Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Officer/Municipal Planning Commission.
- Roads: All manufactured home park roads shall have at least a 12 m (39.37 ft.) right-of-way and a carriageway no less than 8 m (26.25 ft.) in width.

**MANUFACTURED HOME DISTRICT (R3) (cont'd)**

Walkways:	Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m (4.92 ft.) in width.
Storage Areas:	<p>Common storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the manufactured home lot. Such storage areas shall be screened.</p> <p>Such storage areas shall have an area of not less than 20 m<sup>2</sup> (215.29 sq. ft.) per manufactured home lot.</p>
Utilities:	All utility services and all utility wires and conduits shall be installed underground.
Fences and Lot Lines:	<p>Fences and hedges shall be allowed only if they are erected and maintained by the manufactured home park operator to a uniform standard throughout the manufactured home park.</p> <p>All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system.</p>
Minimum Yard least:	<p>Manufactured homes and their attached structures shall be at Requirements:</p> <ul style="list-style-type: none"> <li>(i) 4.5 m (14.76 ft.) from one another</li> <li>(ii) 7 m (22.97 ft.) from any park boundary</li> <li>(iii) 3 m (9.84 ft.) from any internal access road or common parking area</li> <li>(iv) 1.5 m (4.92 ft.) from any side lot line</li> <li>(v) 4.5 m (14.76 ft.) from any rear lot line</li> </ul>
Minimum Lot Area:	As determined by the size of the manufactured home units and the lot coverage and minimum yard requirements specified in this Section.
Maximum Lot Coverage:	55%
Building Design:	<p>All manufactured homes shall be factory built.</p> <p>Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home development.</p> <p>Each manufactured home shall be levelled, blocked and skirted, and the hitch skirted within 30 days of being placed on a lot.</p>
Minimum Manufactured Home Width:	3.5 m (11.48 ft.)
Minimum Manufactured Home Floor Area:	65 m <sup>2</sup> (699.68 sq. ft.)

**MANUFACTURED HOME DISTRICT (R3) (cont'd)**

**(2) Manufactured Home Subdivision Standards**

The following regulations apply to manufactured homes:

Minimum Yard Requirements:	Manufactured homes and their attached structures shall be at least:
	(i) 6 m (19.69 ft.) from one another
	(ii) 6 m (19.69 ft.) from the front parcel boundary
	(iii) 3 m (9.84 ft.) from the rear parcel boundary
	(iv) 1.5 m (4.92 ft.) from the side parcel boundary except on a corner parcel where the side yard abutting a road shall be at least 3 m (9.84 ft.)

Minimum Parcel Area:	Interior parcels	375 m <sup>2</sup> (4,036.59 sq. ft.)
	Corner parcels	420 m <sup>2</sup> (4,520.99 sq. ft.)

Maximum Parcel Coverage: 55%

Building Design: All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. All wheels must be removed and the manufactured home placed on permanent foundation, or concrete piers.

Each manufactured home shall be appropriately skirted within 30 days of being placed on a lot. [Bylaw 05/2000]

Minimum Manufactured Home Width: 4.75 m (15.58 ft.)

Minimum Floor Area: 90 m<sup>2</sup> (968.7 sq. ft.)

Landscaped Area: In the case of applications for development permits for uses other than manufactured homes, refer to Schedule B.

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.



**RESIDENTIAL MULTI-FAMILY DISTRICT (R4)**

- General Purpose: The purpose of this district is to provide for the development of a variety of multi-family housing types.
- Permitted Uses:
  - Accessory residential buildings
  - Apartments
  - Fourplexes
  - Row housing
- Discretionary Uses:
  - Accessory buildings and uses
  - Duplexes
  - Home occupations
  - Multiple housing developments
  - Parks
  - Playgrounds

**DEVELOPMENT STANDARDS:**

- Minimum Parcel Area:
  - Apartments:
    - 82 m<sup>2</sup> (883 ft<sup>2</sup>) for each bachelor and one bedroom dwelling unit
    - 102 m<sup>2</sup> (1,098 ft<sup>2</sup>) for each dwelling unit with more than one bedroom
  - Fourplexes:
    - 90 m<sup>2</sup> (969 ft<sup>2</sup>) for each dwelling unit
  - Row housing:
    - 190 m<sup>2</sup> (2,045 ft<sup>2</sup>) for each dwelling unit on an interior parcel
    - 275 m<sup>2</sup> (2,960 ft<sup>2</sup>) for each dwelling unit on a corner parcel
  - Multiple housing developments:
    - 90 m<sup>2</sup> (969 ft<sup>2</sup>) for each apartment dwelling unit
    - 275 m<sup>2</sup> (2,960 ft<sup>2</sup>) for each row housing dwelling unit
    - 150 m<sup>2</sup> (1,615 ft<sup>2</sup>) for each fourplex dwelling unit
    - 320 m<sup>2</sup> (3,444 ft<sup>2</sup>) for each duplex dwelling unit
  - All other uses:
    - As determined by the Subdivision Authority
- Maximum Parcel Area:
  - Apartments
    - 2.0 ha (5 acres)
  - Multiple housing developments
    - 2.4 ha (6 acres)

**RESIDENTIAL MULTI-FAMILY DISTRICT (R4) (cont'd)**

Minimum Parcel Width:	<p>Apartments 30.48 m (100 ft.)</p> <p>Fourplexes 15.24 m (50 ft.)</p> <p>Row housing 6.0 m (20 ft.) per dwelling unit on an interior parcel 9.0 m (30 ft) per dwelling unit on a corner parcel or end unit</p> <p>All other uses: At the discretion of the Subdivision Authority</p>
Minimum Front Yard:	<p>Apartments and fourplexes: 7.5 m (25 ft.)</p> <p>All other residential developments: 6 m (20 ft.)</p> <p>All other uses: As determined by the Development Authority</p>
Minimum Side Yard:	<p>Apartments and fourplexes: 3 m (10 ft.) except 6 m (20 ft.) on the street side of a corner parcel</p> <p>Fourplexes 3 m (10 ft.) except 4.5 m (15 ft.) on the street side of a corner parcel</p> <p>Row housing: 1.5 m (5 ft.) except 3 m (10 ft.) on the street side of a corner parcel</p> <p>All other uses: As determined by the Development Authority.</p>
Minimum Rear Yard:	<p>Apartments: 7.5 m (25 ft.)</p> <p>Fourplexes: 7.5 m (25 ft.)</p> <p>Row housing: 7.5 m (25 ft.)</p> <p>All other uses: As determined by the Development Authority.</p>
Maximum Building Height:	<p>Apartments: 13.5 m (44 ft.) for principal building only</p> <p>Fourplexes and row housing 9.5 m (31 ft.) for principal building only</p> <p>All other uses As determined by the Development Authority</p>

**RESIDENTIAL MULTI-FAMILY DISTRICT (R4) (cont'd)**

Maximum Parcel Coverage: Apartments and Fourplexes  
75% including all accessory buildings  
Row housing:  
55% including all accessory buildings  
All other uses  
As determined by the Development Authority

Landscaped Area: Apartments, fourplexes, row housing and multiple housing developments must have at least 25% of the parcel area landscaped.

**OTHER REQUIREMENTS:**

- (1) In examining any proposed use for this District, due regard shall be paid to the compatibility of the proposed development with existing uses on or adjacent to the site.
- (2) The Development Authority has the right to refuse permission for the erection of any building where in their opinion the design or appearance of the building will adversely affect the amenities of the surrounding area or building.
- (3) For multiple housing developments incorporating row housing, fourplexes, duplexes or similar dwelling units with at grade access, each dwelling unit shall have a minimum outdoor living space of 500 ft<sup>2</sup>. The outdoor living space of individual dwelling units shall not overlap. The outdoor living space shall not be used for motor vehicle parking.
- (4) On sites developed for apartments and other multiple housing developments, the facade of the buildings, the location of recreational facilities and the quality of landscaped areas shall be provided to the satisfaction of the Development Authority.
- (5) All driveways, parking pads and areas used for vehicle storage shall be hard surfaced.

[15/2007]



**CENTRAL COMMERCIAL DISTRICT (C1)**

General Purpose: To provide an area for intensive commercial use, offering a wide variety of goods and services, and other uses, herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but which will be accessible to motor vehicles.

Permitted Uses: Indoor merchandise sales  
Offices  
Personal services

Discretionary Uses: Accessory uses  
Building demolition  
Bus depots  
Commercial recreation and entertainment facilities  
Day care facilities  
Dwelling units above the ground floor  
Funeral homes  
Mechanized excavation, stripping and grading  
Parking facilities  
Public and quasi-public uses  
Public utility buildings  
Repair services  
Signs  
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

Minimum Front Yard: Nil

Minimum Side Yard: Nil, or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard: Shall be provided for parking and loading spaces in accordance with Sections 3(1) and 3(2) of Schedule B.

Maximum Parcel Coverage: 100%

Outdoor Storage and Display: Outdoor storage or display is not permitted

Maximum Building Height: 10 m (32.8 ft.)

**CENTRAL COMMERCIAL DISTRICT (C1) (cont'd)**

The following regulation applies to dwelling units:

Dwelling Unit Entrance: Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.

Supplementary Regulation: All uses must also comply with the regulations in Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B.

**HIGHWAY COMMERCIAL DISTRICT (C2)**

**General Purpose:** To provide an area for commercial use and other uses, herein listed, which are compatible with the area, adjacent to a major thoroughfare, which requires large open areas for parking by clientele, for display of merchandise, or both, which will create an attractive environment, primarily accessible to motor vehicles.

**Permitted Uses:** Drive-in businesses  
Sales and service outlets for automobiles, trucks, recreation vehicles and manufactured homes  
Services for the travelling public

**Discretionary Uses:** Accessory uses  
Auction markets  
Building demolition  
Commercial recreation and entertainment facilities  
District shopping centres  
Drive-in theatres  
Dwelling unit for the occupancy of the owner, operator or caretaker  
Funeral homes  
Greenhouse, commercial  
Mechanized excavation, stripping and grading  
Parking facilities  
Public and quasi-public uses  
Public utility building  
Repair services  
Sales and service outlets for farm equipment  
Signs  
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

**Minimum Front Yard:** 9 m (29.53 ft.) adjacent to a service or local road

**Minimum Side Yard:** 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater

**Minimum Rear Yard:** 6 m (19.69 ft.)

**Minimum Parcel Frontage:** 15 m (49.21 ft.) adjacent to a service or local road  
46 m (150.92 ft.) without a service road

**Maximum Parcel Coverage:** 80%

**HIGHWAY COMMERCIAL DISTRICT (C2) (cont'd)**

Outdoor Storage and Display: 1. All outdoor storage shall be screened.  
2. All outdoor display shall be screened from residential Districts.

Maximum Building Height: 10 m (32.81 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B.

**LOCAL COMMERCIAL DISTRICT (LC)**

General Purpose: The purpose of this District is to allow for a limited range of moderate scale commercial establishments with provide for the sale of a variety of convenience goods and services in close proximity to residential areas and located along collector or arterial roads.

Permitted Uses: Accessory buildings or uses  
Gas bars  
Neighbourhood Convenience stores

Discretionary Uses: Drive-in businesses  
Dwelling units above the ground floor  
Neighbourhood shopping centre  
Personal services

**DEVELOPMENT STANDARDS:**

Minimum Parcel Area: 0.2 ha (0.5 acres)

Maximum Parcel Area: 0.8 ha (2.0 acres)

Minimum Parcel Width: 30.48 m (100 ft.)

Minimum Front Yard: 6 m (20 ft.)

Minimum Rear Yard: 3 m (10 ft.) except abutting a residential parcel where it shall be 6m (20 ft.)

Minimum Side Yard: 3 m (10 ft.) except abutting a residential parcel where it shall be 6m (20 ft.)

Maximum Building Height: 10 m (33 ft.) for principal buildings(s) only.

Maximum Parcel Coverage: 75% including all buildings, parking facilities, storage areas and display areas.

Landscaped Area: A minimum of 3 m (10 ft.) wide area adjacent any residential parcel and any property boundary with a road, except where there is a driveway, shall be landscaped. All areas of the site not covered by buildings, driveways, parking, storage and display areas shall be landscaped.

**LOCAL COMMERCIAL DISTRICT (LC) (cont'd)****SPECIAL REQUIREMENTS****Yards Abutting a Residential District**

- (1) Where the parcel in the Local Commercial District (LC) abuts a residential district
  - (a) No open storage or outdoor display shall be permitted in the abutting yard(s);
  - (b) No parking space shall be allowed in such yard(s) within 6 m (20 ft.) of a lot line;
  - (c) No outdoor eating or drinking area shall be located within 15.2 m (50 ft.) of an adjacent residential property.
- (2) If a development in this district abuts a residential parcel the abutting yard shall be a minimum of 6 m (20 ft.) and shall be landscaped to the satisfaction of the Development Authority. In addition, a fence of at least 1.83 m (6 ft.) in height and providing sufficient visual screening shall be provided.

**Restrictions of Open Storage or Outdoor Display**

- (3) No open space or outdoor display shall be permitted except for special occasions or temporary uses.

**Garbage Storage**

- (4) Garbage shall be stored in garbage containers constructed and located in accordance with the Town's garbage Bylaw and garbage storage areas shall be screened from public thoroughfares and adjacent properties to the satisfaction of the Development Authority.

**Dwelling Units**

- (5) Dwelling units within mixed use developments and developments incorporating dwelling units above the ground floor shall:
  - (a) Have an entrance that is separate and distinct from the entrance of any non-residential component of the building;
  - (b) Not be located below the second floor;
  - (c) Not be located on the same floor as a non-residential use unless there is a physical separation of uses or entrances to the satisfaction of the Development Authority.

[15/2007]

**LIGHT INDUSTRIAL DISTRICT (I1)**

General Purpose: To provide an area for light industrial uses, and other uses, herein listed, which are compatible to the area which are located in an attractive environment; to accommodate uses which do not cause any external, objectionable or dangerous conditions beyond the parcel boundary.

Permitted Uses: Light manufacturing  
 Veterinary clinic  
 Warehousing

Discretionary Uses: Accessory uses  
 Auction markets  
 Building demolition  
 Dwelling unit for the occupancy of the owner, operator or caretaker  
 Greenhouse, commercial (wholesale only)  
 Mechanized excavation, stripping and grading  
 Non-renewable resource extraction  
 Parking facilities for uses in this District  
 Public utility buildings  
 Railway uses  
 Repair services  
 Signs  
 Solid waste transfer station  
 Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

- Minimum Front Yard: 9 m (29.53 ft.)
- Minimum Side Yard: 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.
- Minimum Rear Yard: 6 m (19.69 ft.)
- Minimum Parcel Frontage: 15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.
- Maximum Parcel Coverage: 80%
- Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B.



**HEAVY INDUSTRIAL DISTRICT (I2)**

- General Purpose: To provide an area for light industrial uses, and other uses, herein listed, which are compatible with the area with heavy industry permitted in approved locations at the discretion of the Municipal Planning Commission.
- Permitted Uses: Heavy equipment assembly, sales and service  
Heavy manufacturing  
Light manufacturing  
Municipal shops and storage yards  
Veterinary clinic  
Warehousing
- Discretionary Uses: Accessory uses  
Auto wrecking yards  
Building demolition  
Cartage and freight terminals  
Feed mills and grain elevators  
Livestock auction markets  
Mechanized excavation, stripping and grading  
Mini-storage warehouses [05/2007]  
Non-renewable resource extraction  
Open storage yards  
Parking facilities for uses in this District  
Railway uses  
Repair services  
Seed cleaning plants  
Signs  
Solid waste transfer stations  
Utility uses  
Veterinary hospitals  
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses:

- Minimum Front Yard: 9 m (29.53 ft.)
- Minimum Side Yard: 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.
- Minimum Rear Yard: 6 m (19.69 ft.)
- Minimum Parcel Frontage: 15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.

**HEAVY INDUSTRIAL DISTRICT (I2) (cont'd)**

Maximum Parcel Coverage: 80%

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all discretionary uses shall be as established in Schedule B.

**PUBLIC FACILITY AND RECREATION DISTRICT (PFR)**

General Purpose: To provide an area for the development of public land for major multipurpose recreational facilities, and other uses, herein listed, which are compatible with the area.

Permitted Uses: Parks and playgrounds

Discretionary Uses: Accessory uses  
 Building demolition  
 Cemeteries (public)  
 Mechanized excavation, stripping and grading  
 Parking facilities (public)  
 Public and quasi-public uses  
 Public utility buildings  
 Signs (public)  
 Any use that are similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

The following regulations apply to permitted uses and public and quasi-public uses:

Minimum Front Yard: 9.0 m (29.53 ft.)

Minimum Side Yard: 3.0 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard: 6.0 m (19.69 ft.)

Maximum Parcel Coverage: 80%

Outdoor Storage and Display: 1. Outdoor storage shall be screened  
 2. Outdoor display is not allowed

Maximum Building Height: 12.0 m (39.37 ft.)

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.

The regulations for all other uses shall be as established in Schedule B.



**URBAN RESERVE DISTRICT (UR)**

General Purpose: To reserve land for future subdivision and development until an overall plan is prepared for and approved by Council.

Permitted Uses: Farms and farming operations, excluding feedlots

Discretionary Uses: Accessory uses  
Building demolition  
Existing residence and other related improvements  
Mechanized excavation, stripping and grading  
Parking facilities for uses in this District  
Public utility buildings  
Signs  
Uses that will not, in the opinion of the Municipal Planning Commission,  
(1) materially alter the use of the land from that existing on the date the land was designated to this Land Use District, or  
(2) conflict with future urban expansion  
Any use that is similar, in the opinion of the Municipal Planning Commission, to the discretionary uses described above.

The following regulations apply to all uses:

Minimum Parcel Area: All the land contained in the existing Certificate of Title, unless otherwise approved by the Municipal Planning Commission, having regard to future use of the parcel and the form of future subdivision and development.

Outdoor Storage and Display: 1. Outdoor storage shall be screened  
2. Outdoor display shall be screened from residential Districts

Supplementary Regulations: All uses must also comply with the regulations in Schedule B.



**SCHEDULE D: SPECIFIED PENALTIES FOR OFFENCES UNDER THE *LAND USE BYLAW***

First Offence: Written Warning  
Second Offence: \$250.00  
Third Offence: \$500.00  
Fourth Offence: \$1,000.00

[01/2009]

Cemetery 1

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