

TOWN OF MUNDARE

LAND USE BYLAW

BYLAW NO. 906/20

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PART 1 – INTERPRETATION OF THIS BYLAW

1.1 Title

1.1.1 This Bylaw is the Town of Mundare Land Use Bylaw 906/20.

1.2 Effective Date of Bylaw

1.2.1 This Bylaw repeals Land Use Bylaw No. 825/10 and any amendments thereto.

1.2.2 This Bylaw shall come into effect at such time as it has received third reading and has been duly executed by the authorized signatories for the Town.

1.3 Purpose

1.3.1 The purpose of this Bylaw is to regulate the use and development of land and buildings within the Town and to achieve the orderly and economic development of land and, to that purpose, among other things:

- a) to implement the policies of the Towns' Municipal Development Plan and Statutory Plans;
- b) to divide the Town into Land Use Districts;
- c) to prescribe and regulate for each Land Use District the purpose for which land and buildings may be used;
- d) to establish supplementary regulations governing certain specific land uses;
- e) to establish a Development Authority;
- f) to establish a method of making decisions on applications for development permits including the issuing of development permits and dealing with appeals;
- g) to prescribe a procedure to notify owners of land who may be affected by the issuing of a development permit; and,
- h) to prescribe a procedure for making amendments to this Bylaw.

1.3.2. This Bylaw shall be applied in a manner that implements Statutory Plans, which have been adopted by the Town and, that is consistent with the Municipal Government Act, as amended.

1.4 Purpose Statements

1.4.1. The purpose statements in each Land Use District are included to describe the intent of the Land Use District. The use and development activity within each Land Use District should reflect its purpose.

1.5 Bylaw Compliance

- 1.5.1 Except as otherwise provided a person may not commence any development unless the person has been issued a development permit pursuant to the Land Use Bylaw.
- 1.5.2 Where a Development Permit is not required; a development shall comply with all regulations of this Bylaw and all other applicable statutes.
- 1.5.3 A license, permit, approval or authorization granted by the Natural Resources Conservation Board (NRCB), Alberta Energy Regulator (AER), Alberta Energy and Utilities Board (AEUB) or Alberta Utilities Commission (AUC) shall prevail over any Statutory Plan, Land Use Bylaw, subdivision decision or development decision by a Development Authority, Subdivision Authority, Subdivision and Development Appeal Board or the Municipal Government Board, in accordance with the Municipal Government Act, as amended.

1.6 Compliance with Other Legislation

- 1.6.1 Compliance with this Bylaw does not exempt a person from complying with the requirements of any federal, provincial or municipal legislation and any easement, covenant, agreement or contract affecting a development.

1.7 Non-Conforming Buildings and Uses

- 1.7.1 If a Development Permit has been issued on or before the effective date of this Bylaw or an amendment hereto, and the Bylaw would make the development for which the Development Permit was issued a non-conforming use or non-conforming building, the Development Permit shall continue in effect in spite of the Bylaw or amendment coming into force.
- 1.7.2 A non-conforming use of land or a building may be continued, but if it is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform to this Bylaw.
- 1.7.3 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, shall not be enlarged or added to and no structural alterations shall be made to or in it.
- 1.7.4 A non-conforming use of part of a parcel shall not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings shall be constructed on the parcel while the non-conforming use continues.
- 1.7.5 A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt or structurally altered, except:
 - a) to make it a conforming building;

b) for the routine maintenance of the building if the Development Authority considers it necessary.

1.7.6 Despite Section 1.7.5, the Development Officer may consider a variance in any land use district, an enlargement, alteration, or addition to a legal non-conforming building if the non-conforming building complies with the uses listed for that land use district in this Bylaw and the proposed development would not, in the opinion of the Development Officer:

a) unduly interfere with the amenities of the neighborhood; and

b) materially interfere with or affect the use, enjoyment or value of neighboring properties.

1.7.7 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.

1.7.8 The land use or the use of a building shall not be affected by a change in ownership or tenancy of the land or building.

1.8 Transition

1.8.1 If a complete application for a subdivision or development permit is received by the Development Authority before the coming into force of this Land Use Bylaw, that application will be determined in accordance with Land Use Bylaw No. 825/10 as amended, unless the applicant elects in writing to have the application determined in accordance with the provisions of this Bylaw.

1.9 Severability

1.9.1 If any portion of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Bylaw.

PART 2 – ADMINISTRATION, PROCEDURES AND ENFORCEMENT

ADMINISTRATION

2.1. Development Authority and Subdivision Authority

2.1.1 This Bylaw repeals Development Authority Bylaw No. 850/13-A and any amendments thereto.

2.1.2 The position of Development Authority is established in accordance with Section 624 of the Municipal Government Act, as amended.

- a) The Chief Administrative Officer shall constitute the Development Authority for the Town and shall perform duties in accordance with the Municipal Government Act, the Subdivision and Development Regulation and this Bylaw.

2.1.3 For administration of this Bylaw, the Development Authority may delegate responsibility to one or more of the following:

- a) A designated officer, a municipal planning commission or any other person or organization designated as the Development Officer for the Town.

2.1.4 The position of Subdivision Authority is established in accordance with Section 623 of the Municipal Government Act, as amended and the Towns' Subdivision Authority Bylaw.

2.2 General Interpretation

2.2.1 Any reference in this Bylaw to other legislation or documents shall be a reference to the bylaw or legislation then in effect and shall include all amendments and any successor legislation.

2.3 Rules of Interpretation

2.3.1 In this Bylaw:

- a) words in singular include the plural and words in the plural include the singular, where the context requires;
- b) words used in the present tense include the other tenses and derivative forms;
- c) words using masculine gender include feminine gender and, words using feminine gender include masculine gender;
- d) words in either gender include corporations;
- e) "shall", "must", and "required" are to be construed as a compulsory obligation; subject to the variance provisions of this Bylaw pursuant to the Municipal Government Act;
- f) "may" is to be interpreted as meaning that a choice is available, with no particular direction or guidance intended;

- g) "should" is an operative word, which means that, in order to achieve municipal goals and objectives, it is strongly advised that the action be taken. Exceptions may be made only under extenuating circumstances;
- h) words, phrases, and terms not defined in this Section of the Bylaw may be given their definition in the Municipal Government Act. Other words shall be given their usual and customary meaning;
- i) a "person" includes an individual, partnership, association, corporation, firm, trustee, executor, administrator and legal representative of a person; and

2.4 Establishment of Land Use Districts

2.4.1 The provisions of this Bylaw apply to all lands within the limits of the Town of Mundare. All lands subject to this Bylaw are contained within one of the following Land Use Districts:

Downtown Commercial District	C-DC
General Commercial District	C-GC
Highway Commercial District	C-HC
Service Commercial District	C-SC
Golf Course District	P-G
Recreation District	P-R
Public Services District	P-S
Public Utilities District	P-U
Low Density Residential District	R-LD
Site Specific Semi-Detached Residential District	R-SSD
Medium Density Residential District	R-MD
Urban Reserve District	U-R

2.5 Land Use Map Boundaries

2.5.1 The boundaries of the Land Use Districts are shown on the Land Use Plan shown in Part 10 of this Bylaw.

2.5.2 Where a Land Use District boundary is uncertain; it shall be located based on the following:

- a) the municipal boundaries; or
- b) the edge of a property line or parcel boundary; or
- c) the edge, shoreline, or high-water mark of a river, lake, or other water body, or a topographic contour line, or a top of bank line. In the event of

change in a line, the Land Use District boundary shall continue to align with the edge or shoreline; or

d) the centerline of a road, lane, railway, pipeline, power line, utility right-of-way, or easement.

2.5.3 Where a Land Use District boundary is shown to be generally parallel to, or as an extension to, any of the features listed above, it shall be considered as such.

2.5.4 Where the Land Use District boundary is in dispute, its location shall be determined by the Development Authority on the basis of the scale of the Land Use District Map.

2.5.5 Where the Development Authority is unable to determine a Land Use District boundary or overlay boundary by applying the above provisions, they shall fix the boundary in doubt or dispute in a manner otherwise consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require. The decision of the Development Authority may be appealed to the Subdivision and Development Appeal Board.

2.5.6 Where a road or lane is closed, it shall have the same Land Use District as the abutting property. When different Land Use Districts govern abutting lands, the centerline of the road or lane shall be the boundary unless it is shown clearly following the edge of the road or lane. If the road or lane is consolidated with an adjacent lot, the designation of that lot shall apply to affected portions of the closed lane or road.

PROCEDURES

2.6 Land Use Bylaw Amendment Application

2.6.1 An application to amend the text of this Bylaw or a Schedule may be made in writing to the Town by:

a) the owner of a lot or site; or

b) the Town.

2.6.2 The application shall be made on a form prescribed by the Town, which shall be completed and accompanied by all required information, in accordance with Town policies and procedures and this Bylaw.

2.6.3 A completed application may at the discretion of the Development Authority include, any or all, the following:

- a) a certificate of title from within thirty (30) days prior to the application date;
- b) owner authorization and where applicable, an applicant signature;
- c) a map showing the proposed change within the context of adjacent land;
- d) a written statement to describe and justify the proposal;
- e) the required application and any associated fees;
- f) permission for reasonable right-of-entry by Town staff for inspection;
and
- g) any additional report, drawing or study that may be required, in order to prepare, evaluate, and make a recommendation concerning the proposed amendment. This may include, but is not limited to, an analysis by a qualified professional of the potential effect on land use, traffic, the environment, underground and aboveground utilities, and other municipal services and facilities. This information may be required to address the following:
 - i) consistency with the Municipal Development Plan and other statutory plans or policies adopted by the Town of Mundare;
 - ii) other Town plans and policies.

2.6.4 In addition to Section 2.6.3, at the discretion of the Town, an application may include documentation of the opinions and concerns of adjacent property owners and residents obtained through a public engagement program, together with a summary of the methods used to obtain such input.

2.6.5 An application may be considered incomplete where:

- a) information required by Section 2.6.2 or 2.6.3 or 2.6.4 is not provided;
- b) the quality of the information provided is inadequate to properly evaluate the application;
- c) the Town determines that the application does not conform to an applicable Statutory Plan. In this case the applicant may be required to submit a complete application, fee and required plans to amend the applicable Statutory Plan prior to an application to amend this Bylaw being considered as complete; or

d) the Town determines that an Area Structure Plan or Area Redevelopment Plan is required in accordance with the MDP or Town policy. In this case the applicant may be required to submit an Area Structure Plan or Area Redevelopment Plan prepared in accordance with Town policy prior to considering the application to amend this Bylaw complete.

2.6.6 Upon deeming an application complete, the application shall be processed and an investigation and analysis of the potential effects and impacts of the proposal will be undertaken.

2.6.7 Referral and notification of an amendment application to applicable Town departments, other agencies and bodies, adjacent owners and the public shall occur in accordance with the Municipal Government Act, the Municipal Development Plan, this Bylaw, Town policies and procedures.

2.6.8 At the discretion of the Development Authority, the applicant for an application to amend the Land Use District Map may be required to post a notification sign on the lot or site within fourteen (14) days of an application being deemed complete. Proof of the notification sign being posted on the lot or site in accordance with the above shall be provided upon placement of the sign.

All required notification signs shall:

- a) have a sign face of at least 1.2 m by 1.2 m;
- b) be approved by the Town for form and content prior to installation;
- c) indicate the present Land Use District, proposed Land Use District, and a general description of the proposed uses that could be developed under the proposed Land Use District;
- d) provide the Town contact phone number;
- e) be placed inside the property line in a location clearly visible from the road;
- f) be in place until the Public Hearing is completed or the application is abandoned; and
- g) be removed within seven (7) days of the completion of the Public Hearing or abandonment of the application.

2.6.9 Where an application to amend the Land Use District Map is received, a Notice of a Public Hearing for the application in accordance with the Municipal Government Act shall be mailed to the owners(s) of the subject

lot(s) and the owners of all lots adjacent to and within 60 m of the lot(s) that is/are the subject of the proposed amendment.

- 2.6.10 Where an application to amend the text of the Land Use Bylaw relates to a specific parcel of land, notice of the text amendment application shall be mailed to the owner(s) of the property that is the subject of the application and adjacent owners in accordance with Section 2.6.9.
- 2.6.11 A Notice of a Public Hearing for an application to amend the Land Use District Map or text of this Bylaw shall be published once a week for two (2) consecutive weeks, at least five (5) days before the public hearing in at least one local newspaper circulating in the Town.
- 2.6.12 When an application to amend either the Land Use District Map or the text of this Bylaw has been defeated by Council, the Town shall not accept a new application for the same or substantially the same amendment until one (1) year has passed from the date the motion to amend the Bylaw was defeated.
- 2.6.13 Despite Section 2.6.12, a new application may be accepted within one (1) year of the Bylaw amendment being defeated, provided the Town is satisfied that a new application generally addresses the reasons for the initial Bylaw amendment being defeated.

2.7 Subdivision Applications

- 2.7.1 If an application for a Development Permit requires the subdivision of land prior to the issuance of a Development Permit, no permit shall be issued until a plan of subdivision for the land has been registered in the Alberta Land Titles Office.

ENFORCEMENT

2.8 General Provisions

- 2.8.1 No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not permitted by this Bylaw.
- 2.8.2 No person shall contravene a condition of a development permit or subdivision approval issued under this Bylaw.
- 2.8.3 No person shall authorize or undertake any development that is not compliant with the description, specifications or plans that were the basis for the issuance of a development permit.

2.8.4 No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by the Development Authority.

2.9 Right of Entry

2.9.1 Upon reasonable notice (generally to mean 48 hours) to the owner or occupant, in accordance with the Municipal Government Act, the Development Authority or designate may enter property at reasonable times (generally to mean 7:30 a.m. to 10:00 p.m.) to ascertain if Bylaw requirements are being met.

2.9.2 A person shall not prevent or obstruct the Development Authority or designate from carrying out any official duty under this Bylaw. If consent is not given, the Town may apply to the Court of Queen's Bench for an authorizing order.

2.10 Stop Orders

2.10.1 On finding that a development, land use, or use of a building does not conform with the Municipal Government Act or its regulations, the Land Use Bylaw, a development permit or subdivision approval or the conditions of either, the Development Authority may, by written notice, direct the owner of the property, the person in possession of the land, building, or sign, or the person responsible for a contravention or any or all of them, to:

- a) stop the development or use of the land or building in whole or part as directed by the notice;
- b) demolish, remove, or replace the development; or
- c) carry out any other actions required by the notice for compliance.

2.10.2 The notice shall specify a deadline for compliance.

2.10.3 A person who receives the notice may appeal to the Subdivision and Development Appeal Board.

2.11 Enforcement of Stop Orders

2.11.1 If a person fails or refuses to comply with the order of the Development Authority, a Designated Officer, or the Subdivision and Development Appeal Board, the Town may enter on the land or building and take any action necessary to carry out the order.

2.11.2 The Town may register a caveat against the certificate of title for the land that is subject to the order, provided that the caveat is discharged when the order has been complied with.

2.11.3 The Town's costs of carrying out any actions required for compliance may be added to the tax roll of the land subject to the order.

2.12 Sign Enforcement

2.12.1 The Development Authority or designate may enforce the conditions of a development permit for a sign in accordance with Part 8 of this Bylaw.

PART 3 – DEVELOPMENT APPLICATIONS AND PROCESS

3.1 Development Applications

3.1.1 A development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete. The application is deemed complete when it contains the documents and other information necessary to review the application.

a) The time period may be extended by an agreement in writing between the applicant and the development authority.

3.1.2 If the development authority does not make a determination on completeness within the time required in 3.1.1 the application is deemed to be complete.

3.1.3 If the Development Authority determines the application is complete the development authority must issue to the applicant an acknowledgement that the application is complete.

3.1.4 If the development authority determines that the application is incomplete the development authority must issue to the applicant a notice that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.

a) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in 3.1.4 the application is deemed to be refused. Section 3.10.8 does not apply in this circumstance.

b) If the applicant submits all the outstanding information and documents within the time frame stipulated and the development authority determines the information is complete, the development authority must

issue to the applicant an acknowledgement in the form and manner provided for in the land use bylaw that the application is complete.

- 3.1.5 Notwithstanding 3.1.3 and 3.1.4 b) the development authority may request additional information or documentation from the applicant that the development authority considers necessary to review the application.

3.2 Development Officer

3.2.1 The Development Officer:

- a) may meet with or provide written information and processing requirements, or both, to the public;
- b) shall review all applications for a development permit to determine if they are complete and made for the appropriate use;
- c) may refer an application to any Town department or branch, municipal, provincial, federal, or inter-jurisdictional department or any other agency or body;
- d) may refer an application for a use in areas where no area structure plan or area redevelopment plan is adopted, to adjacent municipalities and provincial and federal government, land and resource agencies within 1.5 km of the area proposed for development;
- e) shall, in the consideration of an application relating to a Municipal Historic Resource, consult the Standards & Guidelines for the Conservation of Historic Places in Canada (Parks Canada);
- f) shall consider and approve a development permit for a permitted use, which complies with this Bylaw:
 - i) without condition; or
 - ii) with such conditions necessary to ensure compliance;
- g) shall consider and may approve a development permit for a discretionary use which complies with this Bylaw:
 - i) without conditions;
 - ii) with such conditions necessary to ensure compliance; or
 - iii) with such conditions that are more restrictive than those in this Bylaw;

- h) may grant a variance or approve a development permit for a non-conforming building provided the Development Officer determines that the variance, in addition to Sections 1.7 and 3.12, considers the attainment of the municipal planning objectives that caused the use to become non-conforming;
- i) shall consider and may refuse a development permit for a discretionary use which otherwise complies or does not comply with this Bylaw;
- j) shall provide comment where applicable on applications to amend the text of this Bylaw or the Land Use District maps;
- k) may enforce the provisions of this Bylaw;
- l) shall conduct other such duties as described elsewhere in the Bylaw, including public notification or the exercise of discretion and variance; and
- m) shall, with regards to an application that is consistent with a license, permit, approval or other authorization granted by the NRCB, ERCB, AERE, AEUB or AUC, approve the application to the extent that it complies with the license, permit, approval or other authorization.

3.3 Conditions

- 3.3.1 The Development Officer may impose conditions to the approval of a permitted use only to ensure compliance with this Bylaw.
- 3.3.2 The Development Officer may impose such conditions as deemed appropriate for the approval of a discretionary use or where a variance has been granted.
- 3.3.3 The Development Officer may impose a condition, to the approval of any development permit, that the applicant enter into an agreement with the Town to do any or all of the following:
 - a) to construct or pay for the construction of a road required to give access to the development;
 - b) to construct or pay for the construction of:
 - i) a pedestrian walkway system to serve the development, or
 - ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;

- c) to install or pay for the installation of public utilities, as defined in the Municipal Government Act as amended, that are necessary to serve the development;
- d) to construct or pay for the construction of:
 - i) on-site or other parking facilities, and
 - ii) loading and unloading facilities;
- e) to pay an off-site levy or redevelopment levy;
- f) to give a guaranteed security to ensure that the terms of the agreement under this section are carried out to the satisfaction of the Development Authority.

3.3.4 The Development Authority may require a guaranteed security to ensure the terms of a condition of approval are carried out.

3.4 Control of Development

- 3.4.1 Land, buildings, structures or signs in the Town may only be developed or used in conformity with the uses in its Land Use District and the regulations in this Bylaw except for legal non-conforming buildings and uses or as approved by the Development Authority or the Subdivision and Development Appeal Board.
- 3.4.2 No person shall commence, cause or allow to be commenced, or carry on, or cause to allow to be carried on, any development unless a development permit has been issued under the provisions of this Bylaw.
- 3.4.3 No development or portion thereof shall be located on or over municipal lands, municipal road rights-of-way or municipal easements without the prior written consent of the Town, which consent the Town is not obligated to provide.
- 3.4.4 A person shall ascertain and comply with the requirements of any other federal, provincial or municipal enactment or any other law; and the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
- 3.4.5 The Development Authority is not responsible for nor does the Development Authority have any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.

3.5 Development not requiring a Development Permit

The following developments and uses shall not require a development permit provided they conform to all provisions of this Bylaw.

- 3.5.1 Those uses or developments exempted by provincial or federal legislation.
- 3.5.2 The completion of a building which was lawfully under construction at the date of the adoption of this Bylaw, provided that the building is completed in accordance with the terms and conditions of the approved development permit.
- 3.5.3 Utility services underground or located in a registered right-of-way.
- 3.5.4 The temporary use of a building, in connection with a federal, provincial or municipal election, referendum or census.
- 3.5.5 Specific uses:
 - a) agriculture, not including feedlots, hog barns, poultry farms and fur farms, where agriculture is a listed use in the land use district;
 - b) foster home approved by the Province of Alberta.
- 3.5.6 Accessory buildings:
 - a) not exceeding 4.5 m in height and not exceeding a ground floor area of 10 m².
- 3.5.7 Accessory to residential uses:
 - a) minor development not exceeding 2.0 m in height, where there is an existing dwelling. This includes, but is not limited to a barbeque, composting bin, garbage enclosure, lawn sculpture, privacy screen or bird feeder;
 - b) pergola not exceeding 4.5 m in height;
 - c) satellite dish less than 1.22 m in diameter,
 - d) unenclosed steps, landings or stairs (at grade);
 - e) deck or patio less than 0.6m in height;
 - f) gate, fence, or retaining wall that conforms to Section 4.9;

- g) non-permanent sun shelters over a deck or a patio;
- h) air conditioning unit;
- i) light standard or flagpole when located on a parcel containing a dwelling;
- j) decorative pond or water feature 0.6 m or less in depth;
- k) private play structures less than 4.5 m in height;
- l) home business minor subject to Section 5.13;
- m) family day home
- n) outdoor recreation amenities that are devoted to the use of residents living on the same lot, including but not limited to, an above ground pool, hot tub, backyard skating rink, putting green; or
- o) seasonal holiday decorations.

3.5.8 Demolition of a building or structure subject to Section 4.5.

3.5.9 Internal alterations, external maintenance, or repair to any building provided that the use, intensity, height, or gross floor area of the building does not change.

3.5.10 A change of tenancy within an existing premise in a commercial or industrial land use district where:

- a) the Development Officer is satisfied that the existing development permit is valid and the approval conditions are being fulfilled; and
- b) there is no change to the approved use; and
- c) the existing parking contained on the parcel can accommodate any additional parking required.

3.5.11 Clock towers, monuments, sculptures or federal, provincial or municipal flags and their support structures, as well as other similar aesthetic enhancements.

3.5.12 A WECS, micro where mounted to a roof or attached to an accessory building in accordance with the following provisions:

- a) one (1) WECS, micro facility per lot;

b) the total height shall not project 3.0 m beyond the top of the roofline of building or exceed the maximum height regulation of the applicable land use district; and

c) no nuisance shall extend beyond the property boundary.

3.5.13 Site grading in accordance with an executed development agreement.

3.5.14 Solar panels, subject to the following:

a) solar panels shall be located on the wall or roof of a building;

b) within all residential districts:

i) solar panels mounted on a roof with a pitch of less than 4:12 must not extend beyond the outermost edge of the roof but may project a maximum of 0.5m from the surface of the roof when the solar panel is located 5.0m or less from a side lot line, measured directly from any point along the side property line; and

ii) in all other cases, 1.3m from the surface of the roof;

iii) solar panels mounted on a roof with a pitch of 4:12 or greater may project a maximum of 1.3m from the surface of the roof and must not extend beyond the outermost edge of the roof.

c) in all commercial, industrial and institutional districts:

i) solar panels mounted on a roof with a pitch of less than a 4:12 may project a maximum of 2.0m from the surface of the roof and must be located at least 1.0m from the edge of the roof; and

ii) solar panels mounted on a roof with a pitch of 4:12 or greater may project a maximum of 1.3m from the surface of the roof and must not extend beyond the outermost edge of the roof.

d) Solar panels that are mounted on a wall:

i) shall be located a minimum of 2.4m above grade; and

ii) may project a maximum of 0.6m from the surface of that wall.

3.5.15 Storage Containers (sea cans):

a) used for temporary storage of materials, household products during the process of residential renovating or moving, for a maximum time period of sixty (60) days;

3.5.16 Temporary/transient sales, which are, located on a lot within a commercial district where there is a principal building and use. This includes but is not limited to Christmas tree sales, outdoor craft sales or windshield repair but does not include a farmers market.

3.6 Development Permit Application Requirements

3.6.1 The Development Authority shall determine the number of paper or electronic copies or both for a complete submission for an application for development permit.

3.6.2 An application for a development permit shall be made on the prescribed application form and be completed to the satisfaction of the Development Authority. Information required may include all or some of the following information as determined by the Development Authority:

- a) signature of the owner or where applicable, the agent authorized by the owner;
- b) a copy of the Certificate of Title for the subject lands dated from within thirty (30) days of the application date, copies of any caveats or restrictive covenants registered by the Town, and any other documents, satisfactory to the Development Authority, verifying that the applicant has a legal interest in the lands;
- c) the development permit application fee as established by the Town;
- d) for a principal building, a detailed site plan prepared by an Alberta Land Surveyor; for an accessory building, a detailed site plan to an appropriate scale. In accordance with 3.6.2 above, a site plan may include:
 - i) legal description of the subject property;
 - ii) identification of all abutting roads, highways and road rights-of-way, and any existing or future access to the proposed development;
 - iii) identification of all water bodies, water courses, drainage courses and flood hazard areas on or abutting the lot or site;
 - iv) identification and location of all easements and rights-of-way on-site or abutting the lot or site;
 - v) location and dimensions of existing and proposed development including front, rear and side setbacks;
 - vi) location of existing and proposed utilities;

- vii) proposed on-site parking and loading facilities including location and dimensions of all aisles, the dimensions and number of all parking spaces, curbing and location of any lighting;
 - viii) location of proposed landscaping;
 - ix) location and access to garbage enclosures;
 - x) location and material of sidewalks, patios, steps, porches, decks, playgrounds, amenity and open space areas, and other similar features;
 - xi) location of any abandoned, suspended or active oil or gas wells;
 - xii) north arrow, scale and date of drawing; and
 - xiii) a schedule showing the area of the lot or site, building area, density, number of units, parking and loading spaces, existing and proposed site grades, and a calculation of site coverage, height and number of stories and floor area ratio.
- e) for sites 8.1 ha or greater, the site plan may focus on the area of development proposed on the lot or site, if all the required information can be shown in the focus area;
 - f) in the case of a multiple unit residential project, a detailed plan showing the proposed unit locations and amenity areas within the overall development area;
 - g) in the case of a development of a lot or site with multiple uses, a master site plan and preliminary engineering plan for the entire site to the satisfaction of the Development Authority;
 - h) scaled floor plans showing all occupancies and uses, cross section, foundation plan, elevations, perspective of the proposed development including a description of the exterior finishing materials;
 - i) information from the Alberta Energy Regulator indicating that an abandoned oil and gas well site search was conducted for any proposed dwelling or building greater than 47m²;
 - j) a traffic impact analysis stamped by a professional engineer or a registered professional technologist accredited by APEGA, for a development that regularly generates more than 100 trips in the peak afternoon or evening;

- k) any additional information as may be required by the Development Authority to assess or evaluate the proposed development. The Development Authority may require any or all of the following to be prepared by an accredited professional licensed to practice in Alberta:
- i) site plan;
 - ii) Real Property Report to verify the location and dimensions of existing development that is the subject of the development permit application, or to confirm the location and dimensions of other existing development;
 - iii) geotechnical report;
 - iv) parking assessment;
 - v) biophysical assessment;
 - vi) groundwater report;
 - vii) flood hazard mapping study;
 - viii) reclamation plan;
 - ix) landscape plan;
 - x) topographical survey;
 - xi) site grading or drainage plan;
 - xii) site servicing plan;
 - xiii) erosion or sediment control plan; and
 - xiv) any other report, study, plan or information.

3.7 Applications the Development Authority shall not accept

- 3.7.1 The Development Authority shall not accept a development permit application when the proposed development is for a use that is neither a permitted use, nor a discretionary use, in the applicable Land Use District, or as otherwise stated within this Bylaw.

3.8 Deemed Refusal of a Development Permit

- 3.8.1 An application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority is not made within forty (40) days of receipt of a complete application; unless, the applicant has entered into an agreement with the Development Authority to extend the forty (40) day period.

3.9 Notification of Development Permit Approval

- 3.9.1 A decision of a Development Authority on an application for a development permit must be in writing, and a copy of the decision together with a written notice specifying the date on which the written decision was given and containing any other information required by the regulations, must be given or sent to the applicant on the same day as the written decision is given.

- a) Notice of the decision shall be by regular mail or by email, if an email address is provided, to the applicant/landowner. Where an applicant picks up a copy of the decision, mailing or emailing of the notice shall not be required.
- 3.9.2 The Development Authority shall provide notification to adjacent landowners of the decision on a discretionary use or a variance, which shall include the legal description, civic address, nature of the development and right of appeal. Notice to the adjacent landowners must be given or sent on the same day as the written decision is given under Section 3.9.1.
- 3.9.3 Where, in the opinion of the Development Authority, additional lands may be affected by a discretionary use or by granting a variance, additional landowners, individuals, or groups may be notified.

3.10 Validity, Expiry, Revocation and Resubmission Interval of Development Permits

- 3.10.1 Where a development permit has been issued by the Development Authority, it shall not be valid unless and until the conditions of the permit have been fulfilled and no notice of appeal has been served on the Subdivision and Development Appeal Board within the appeal period.
- 3.10.2 Where the Subdivision and Development Appeal Board has approved a development permit, the permit shall not be valid until the decision of the Board is issued in writing.
- 3.10.3 If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall suspend the development permit, except where approval has been granted for a permitted use or, where a license, permit, approval or other authorization is granted by NRCB, ERCB, AER, AEUB or AUC to the extent that the application complies with the license, permit, approval or other authorization granted. The final determination of an appeal, except for those applications approved as a permitted use, by the NRCB, ERCB, AER, AEUB, or AUC shall validate, amend or revoke, as the case may be, a suspended development permit.
- 3.10.4 A development permit expires when, in the opinion of the Development Authority and taking into account the circumstances of the development, the development has not substantially commenced within one (1) year from the date of its issuance or within such extended period that may be granted by the Development Authority. Development is considered to have commenced when the applicant or owner has altered the parcel to further construction of the proposed development.

- 3.10.5 Where a request to extend the approval period has been received prior to permit expiry, the Development Authority may grant one (1) extension of the effective period and the extension period shall not be longer than twelve (12) months.
- 3.10.6 When a permit expires, a new application shall be required. Such application shall be dealt with as a first application and there shall be no obligation to approve it on the basis that a previous permit had been issued.
- 3.10.7 If a use is discontinued for a continuous period of six (6) months, any subsequent use of the land or building shall comply with this Bylaw and require a new development permit.
- 3.10.8 When the Development Authority has refused an application for a development permit, another application for the same or substantially the same development shall not be considered by the Development Authority within one (1) year of the date of the refusal unless the development conforms to this Bylaw.
- 3.10.9 The Development Authority may suspend or revoke a development permit when:
- a) the development permit was issued on the basis of incorrect information or misrepresentation by the applicant, owner or authorized agent; or
 - b) the development permit was issued in error; or
 - c) requested by an applicant.

3.11 Temporary Approvals

- 3.11.1 Where, in the opinion of the Development Authority, a proposed use is of a temporary or discretionary nature, it may issue a temporary development permit valid for a specific period of time, not to exceed one (1) year.
- 3.11.2 Where a development is approved for a limited period, the Development Authority:
- a) shall require the cessation of use and removal of a temporary development at the expiration of the time period stated in the development permit; and
 - b) shall impose a condition that the Town is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit.

- 3.11.3 The Development Authority may require the applicant to enter into an agreement with the Town guaranteeing the removal of the temporary development when the intended use is changed or discontinued. This agreement may require the applicant to post security, guaranteeing the removal of the development, to the satisfaction of the Development Authority. Where temporary buildings are planned, the Development Authority may require a security of \$5,000.00 or up to 25% of the estimated value of the development, whichever is greater.
- 3.11.4 When a permit for a temporary use expires, a new application shall be required. There shall be no obligation to approve it on the basis that a previous permit had been issued.

3.12 Discretion Exercised by the Development Authority

- 3.12.1 The Development Authority may approve a permitted use or discretionary use that does not comply with this Bylaw subject to conditions that will make it otherwise comply.
- 3.12.2 The Development Authority may approve a discretionary use provided that the Development Authority determines that the proposed development:
- a) is consistent with an applicable Statutory Plan, and policies adopted by the Town;
 - b) is compatible with the general purpose of the Land Use District;
 - c) will not cause traffic impacts (in terms of daily and peak hour trip generation) and parking impacts unsuitable for the area;
 - d) is serviceable with a road and adequate capacity for drainage, water, sewage and other utilities;
 - e) is compatible with surrounding areas in terms of land use, scale of development, and potential effects on the stability or rehabilitation of the area;
 - f) is appropriate having regard for geotechnical considerations such as water table location, potential for flooding and slope stability;
 - g) will not cause a negative effect on community services and facilities such as schools, parks, fire protection, and health;
 - h) any potential adverse effect can be adequately mitigated;

- i) is consistent with municipal land, right-of-way or easement requirements;
and
- j) the proposed development does not create a nuisance.

3.12.3 In determining the significance of a nuisance, the Development Authority may consider:

- a) the expected magnitude and consequence of the effect or nuisance;
- b) the expected extent, frequency, and duration of exposure to the effect or nuisance;
- c) the use and sensitivity of adjacent or nearby sites relative to the effect or nuisance;
- d) adherence to relevant environmental legislation or widely recognized performance standards; and
- e) the reliability and record of the proposed methods, equipment and techniques in controlling or mitigating detrimental effects or nuisances.

3.12.4 The Development Authority may be guided in the exercise of discretion through reference to reports, studies or information prepared by an accredited professional that justify alternatives to Bylaw requirements or mitigation.

3.12.5 The Development Authority may consider, but not be bound by, any known concerns and opinions of affected residents, landowners, and adjacent municipalities.

3.12.6 The Development Authority may approve a discretionary use with or without conditions, with or without changes in the development, or with or without the imposition of regulations that are more restrictive than those in the Land Use District, the General Regulations found in Part 4 of this Bylaw, or the Specific Use Regulations found in Part 5 of this Bylaw.

3.13 Variances

3.13.1 The Development Authority may grant a variance and approve a development permit for a permitted use or discretionary use, with or without conditions, which does not comply with the regulations of this Bylaw, provided that the Development Authority determines that:

- a) the proposed development is consistent with the general purpose or character of the Land Use District;

- b) the proposed development conforms with the uses prescribed by this Bylaw for that lot or building;
- c) the proposed development is appropriate to the size of the lot;
- d) the proposed development would not unduly interfere with the amenities of the neighbourhood or would not materially interfere with or affect the use, enjoyment or value of adjacent parcels of land;
- e) there are physical factors unique to the land which would result in practical difficulties for the proposed development to comply with the provisions of this Bylaw; and
- f) there are mechanisms to mitigate the effect on adjacent lots.

3.13.2 The Development Authority may consider, but not be bound by, any known concerns and opinions of affected residents and landowners.

3.13.3 The Development Authority may grant a variance and approve a development permit for a non-conforming building, provided that the Development Authority determines, in addition to the provisions of Section 3.13.1, that the variance considers the attainment of municipal planning objectives that caused the building to be made non-conforming.

3.13.4 Despite Section 3.13.1, the Development Authority shall not grant a variance:

- b) greater than 10% to the applicable maximum building height regulation in a Land Use District;
- c) to a setback from a pipeline right-of-way;
- d) to floor area ratio; or
- e) to density.

3.13.5 Despite Section 3.13.1 the Development Authority shall not grant a variance beyond that which is specifically provided for elsewhere in the Bylaw or in the Municipal Government Act.

3.13.6 The Development Authority may be guided when considering a variance through reference to reports, studies or information prepared by an accredited professional.

3.13.7 When a development requires a variance as a result of a prior land acquisition by a municipal, provincial or federal agency or public utility, the

Development Authority shall take into account the setback and lot area requirements that existed prior to the acquisition when considering the variance.

3.14 Appeals

3.14.1 If the Development Authority:

- a) fails or refuses to issue a development permit to a person;
- b) issues a development permit subject to conditions, or
- c) issues a stop order;

the person applying for the permit or affected by the stop order may then appeal to the Subdivision and Development Appeal Board.

3.14.2 In addition to an applicant, any person affected by an order, decision or development permit made or issued by the Development Authority may appeal the decision to the Subdivision and Development Appeal Board.

3.14.3 No appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied, or misinterpreted.

3.14.4 An appeal by an applicant or a person affected by 3.1.4 a) or 3.14.1 is commenced by filing a notice of the appeal, with reasons, to the Subdivision and Development Appeal Board within twenty-one (21) days of the date of the decision on the development permit or the stop order.

3.14.5 The Subdivision and Development Appeal Board shall consider and make decisions on appeals pursuant to the Municipal Government Act.

PART 4 – GENERAL REGULATIONS

4.1 Applicability

4.1.1 The general regulations shall apply to all development within the Town. Where there appears to be a conflict between this Part and other Parts of the Bylaw, the more stringent regulations shall prevail.

4.2 Access Standards

4.2.1 The Development Authority shall not approve a development permit unless provision for access is included with the application for development permit.

- 4.2.2 All access shall be to the approval of the Development Authority with respect to location, design, and construction standards.
- 4.2.3 Where a site abuts two roads, either existing or proposed, access to the site shall be to the road of lesser traffic volume, unless otherwise approved by the Development Authority.
- 4.2.4 The Development Authority may impose a condition of the development permit, requiring the applicant to enter into a development agreement with the Town to construct or pay for the construction or upgrading of a road or walk necessary to serve the development.

Setbacks from Provincial Highways

- 4.2.5 Proposed development within 300 m of the highway boundary or within 800 m of the centre point of an intersection of the highway with another road requires approval from the Government of Alberta prior to the issuance of a development permit.

4.3 Accessory Development

- 4.3.1 An accessory building, structure or use shall not be considered without an approved principal building, structure or use.
- 4.3.2 An accessory building, structure or use shall be considered a permitted use when accessory to a permitted use and a discretionary use when accessory to a discretionary use.
- 4.3.3 Specific regulations for accessory buildings, structures and uses may be provided for within each land use district. Should a land use district not contain specific regulations for accessory buildings, structures and uses, the regulations for principal buildings shall apply.
- 4.3.4 An accessory building shall not be used as a dwelling, except where authorized by this Bylaw.
- 4.3.5 A previously approved accessory building when it is physically attached to the principal building, through the roof or wall structure shall be considered part of the principal building.
- 4.3.6 An accessory building or structure shall not be constructed over an easement or right-of-way.
- 4.3.7 An accessory building or structure in a non-residential district, abutting a residential district, shall be setback a minimum of 3.0 m from the

boundary of the residential district and shall not be higher than the maximum height of a principal building in the abutting residential district.

- 4.3.8 In residential districts that allow for a zero setback to a lot line, an accessory building that is a mutual garage may be developed on the common lot line. The minimum side yard for the opposite side lot line shall be as required within the applicable residential district provisions.
- 4.3.9 The setback for an accessory building or structure shall not be less than the side yard required for the principal building on the side lot line abutting a flanking road.

4.4 Amenity Spaces

- 4.4.1 Amenity space shall be a minimum of 3.5m² per dwelling unit for townhouses, multiple dwellings, and apartment dwellings.
- 4.4.2 Amenity space shall consist of both common amenity space and private amenity space.
- 4.4.3 Common amenity space shall:
 - a) consist of a minimum of one contiguous area;
 - b) contain seating and may contain other amenities such as play structures, gazebos, barbeques;
 - c) if located outside, shall be provided in a general landscape area; and
 - d) in a location accessible and highly visible from the principal building.
- 4.4.4 Private amenity space shall be a minimum of 1.5m² per dwelling unit for townhouses, multiple dwellings, and apartment dwellings.
- 4.4.5 Amenity space provided at ground level within 4.0m of a road, lane, on-site parking area or adjacent parcel shall be screened to the satisfaction of the Development Authority. When considering the amount and type of screening required, the Development Authority shall consider the type of amenity provided (e.g. children's play area), and the likely safety issues and adverse effects arising from the amenity and its location.

4.5 Demolition of Buildings and Structures

- 4.5.1 Demolition of buildings and structures may require reclamation of the site; mitigation measures, such as dust control, protective barriers; and other

such provisions deemed appropriate by the Development Authority to protect the public as well as public and private property.

- 4.5.2 If any demolition or removal of a building or structure involves working on or near public property, the applicant may be required to provide financial security in an amount satisfactory to the Town, to protect against damage to surrounding properties.
- 4.5.3 Demolition of a portion of building shall be considered to be a change in intensity of the use and/or redevelopment of the existing building. The resultant building and use shall be subject to the provisions of this Bylaw.

4.6 Design Standards

General Standards

- 4.6.1 In all development, the design and use of exterior finishing materials shall be to the satisfaction of the Development Authority who shall ensure, as far as reasonably practical, that the materials are durable and similar to, or better than the standard of development on the subject and adjacent sites.
- 4.6.2 All sides of a building exposed to view from a road or other public space shall be designed and finished as a principal facade.
- 4.6.3 A box-like appearance in building design and large expanses of uninterrupted building surfaces shall be avoided by adding definition through colour or material details.
- 4.6.4 The design should discourage crime by reducing concealment opportunities, providing lighting to minimize dark spaces and encourage pedestrian safety, placing of windows to maximize informal surveillance, and easily identifying street addresses.

Standards Affecting Multi-Family, Commercial, or Institutional Development

- 4.6.5 Each site shall be designed with due regard and sensitivity to adjacent lots and development, in order to ensure development is complimentary and compatible. The design of a site shall consider the privacy of any adjacent residential development.
- 4.6.6 Buildings are encouraged to be sited, oriented and designed to:
 - a) take into consideration solar benefits and opportunities; and
 - b) minimize impact on other buildings, considering such things as daylight, sunlight, ventilation, visual privacy and views.

- 4.6.7 All loading, service, trash collection and accessory storage areas, shall be located to the rear or sides of the principal building, and be screened from view from any road other than a lane, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these, to the satisfaction of the Development Authority;
- 4.6.8 Appropriate lighting shall be undertaken to provide security and to add visual interest. Lighting standards and fixtures shall be of consistent design and complimentary to the overall architecture.
- 4.6.9 Development should provide a transition in building height and massing in relation to development in surrounding neighbourhoods.

Standards Affecting Business-Industrial Development

- 4.6.10 Any use or activity in an Industrial land use district should have regard for the following appearance standards:
 - a) all loading, service, trash collection and accessory storage areas, and vehicle compounds shall be located to the rear or sides of the principal building, and be screened from view from any road other than a lane, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these, to the satisfaction of the Development Authority;
 - b) buildings should be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Authority may require that the appearance of metal, or concrete block walls exposed to public view from beyond the site be improved where such walls are inconsistent with the finishing materials or appearance characteristic of adjacent development; and
 - c) where allowed, outside display areas may be located to the side or front of the principal building, provided that such displays are limited to examples of equipment or material related to the industry or business located on the site.

4.7 Easements, Utility Right-of-Ways, and Public Utility Lots

- 4.7.1 No structure including any associated foundations or eaves shall be constructed or placed on a utility easement unless:
 - a) Written consent has been obtained from the person or authority for whose use the easement has been granted; and

- b) The proposed structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility in the opinion of the Development Authority.
- 4.7.2 No development other than a utility or a park shall occur on a lot designated as a public utility lot.
- 4.7.3 Notwithstanding Subsection 4.7.2 above, an existing development and/or use may be permitted, provided that it is the subject of an encroachment agreement.

4.8 Environmental Features

Water Features

- 4.8.1 A minimum setback of 30.0 m is required from the top of bank of any watercourse or water body, unless the Development Authority is provided with an environmental and geotechnical assessment prepared by a qualified professional that verifies that a lesser setback is warranted. The Development Authority shall require a setback greater than 30.0 m where determined by the assessment.
- 4.8.2 The minimum setback and the requirements for an environmental and geotechnical assessment indicated in 4.8.1 above may be reduced or eliminated where the Development Authority is satisfied that there is no risk or adverse effect on development or the riparian area.
- 4.8.3 No trees shall be cleared or removed from any land which lies within the minimum setback from the top of bank to a watercourse or water body, unless the Development Authority receives written confirmation from a qualified professional indicating:
- a) that the removal is necessary in order to provide access to the watercourse or water body; and
 - b) the area where trees or vegetation may be removed.

Gas and Oil Well

- 4.8.4 The Development Authority shall not issue a development permit if it would result in a permanent dwelling or public facility, as defined by the AER, being located within 100 metres of a gas or oil well or within a lesser distance approved in writing by the AER. This does not include an abandoned well site.

Wastewater Treatment

4.8.5 The Development Authority shall not issue a development permit for a school, hospital, food establishment or residence within 300 metres of the working area of an operating wastewater treatment plant nor may a school, hospital, food establishment or residence be constructed if the building site is within 300 metres of the working area of an operating wastewater treatment plant.

4.9 Fences

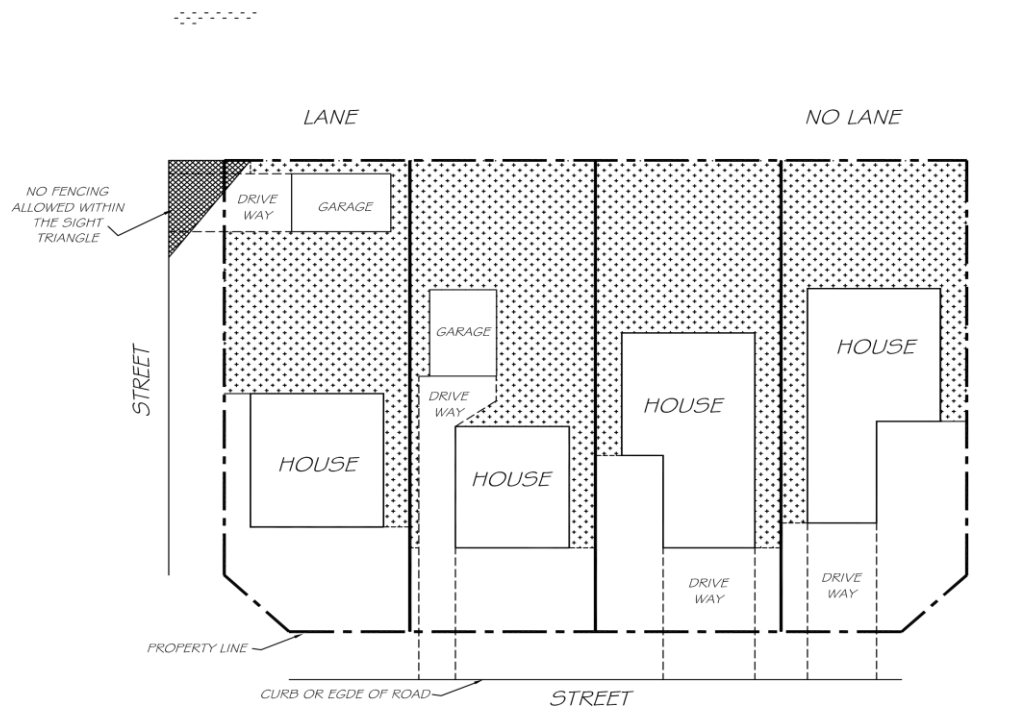
4.9.1 The maximum height of a fence shall be 1.85 m.

4.9.2 The Development Authority may vary the height of a fence in commercial or industrial districts in order to provide additional security or safety from roads or adjacent development subject to Section 3.13.

4.9.3 A proposed fence should be complimentary and compatible with the principal building to the satisfaction of the Development Authority.

4.9.4 Fences consisting of barbed wire and posts shall only be allowed within the UR District.

4.9.5 Fencing in a residential district shall be in accordance with the following:



- 4.9.6 The Development Authority may require a solid fence to be installed where a non-residential or multi-residential development is proposed to abut a residential development, a public park, a school and institution or other similar use in order to mitigate any potential nuisance caused by the proposed development.

4.10 Height and Grade

- 4.10.1 The proposed building grade shall, to the extent practical, retain the natural contour of the land, minimize the necessity to use retaining walls, and ensure positive drainage to the receiving drainage courses or watercourses.
- 4.10.2 In determining whether a development conforms to the maximum height permitted in any land use district, structures such as industrial processing towers, chimney stacks, monuments, steeples, elevator housings, roof stairway entrances, ventilating equipment, skylights, solar collectors or flagpoles for federal, provincial, or municipal flags shall not be considered for the purpose of determining the height.
- 4.10.3 Calculation of the building height shall be determined by the vertical distance between building grade and the highest point of the building with a non-sloping roof or a roof that slopes less than 20 degrees. On a roof sloping more than 20 degrees, it is measured to the mid-point between the eave line and the ridge of a sloping roof provided that the ridge shall be no more than 2.0 m above the maximum building height in the District.

4.11 General Landscaping

- 4.11.1 All new development shall require landscaping in accordance with this section.
- 4.11.2 All residential development shall complete the front yard landscaping of the lot within twelve (12) months of completing construction of the approved development.
- 4.11.3 An expansion or change to an existing development that requires a development permit may require landscaping at the discretion of the Development Authority. This requirement will not apply to developments that consist of interior alterations only or those that do not alter the size, scale or character of the existing building.
- 4.11.4 In any district all required yards and all open spaces or undeveloped areas excluding parking areas, driveways, sidewalks, outdoor storage and service areas shall be landscaped in accordance with an approved

landscaping plan. The following districts shall be exempt from this requirement:

- a) R-LD – Low Density Residential
- b) R-SSD – Site Specific Semi-Detached Residential
- c) UR – Urban Reserve

4.11.5 A landscape plan shall be prepared by a Landscape Architectural Technologist or equivalent, at the discretion of the Development Authority. This requirement shall not apply if the proposed development is located on a site of less than 675m² in total area.

4.11.6 A landscape plan must show the following:

- a) the property lines and dimensions of the site;
- b) a north arrow;
- c) a signed stamp of the Landscape Architectural Technologist or equivalent;
- d) features located adjacent and within the site, including streets, sidewalks, lanes, driveways, vehicular accesses, street lights, street furnishings, and boulevard landscaping;
- e) location of all buildings, parking areas, vehicular and pedestrian circulation systems on the subject site;
- f) all overhead, surface and underground utilities, limits of easements and rights-of-way;
- g) existing and proposed topography;
- h) existing vegetation and indication whether it is to be retained or removed;
- i) the layout of berms, retaining walls, screening, delineation of both soft and hard surfaced landscaped areas;
- j) the location, height and design of all proposed retaining walls, fences and screens;
- k) typical planting details indicating soil depths and mulch types; and,
- l) a table indicating the type and quantities of plant material required and the quantities provided.

- 4.11.7 Notwithstanding 4.11.4 any portion of the site not occupied by building(s), vehicle and pedestrian circulation area or parking areas shall be landscaped.
- 4.11.8 A garbage collection area, an open storage area, or an outdoor service area, including any loading and vehicular service area, which is visible from an adjacent site in a residential district or from a public road other than a lane, shall be fenced or have screen planting or both. The location, length, thickness and height of such fence or screen planting shall be in accordance with the landscape plan approved by the Development Authority. Such fence or screen planting or both shall be maintained to provide effective screening from the ground to a height of 1.85 m.
- 4.11.9 For the purpose of determining the required number of trees and shrubs to be planted, the calculation of the landscape area shall include the entire portion of the site not covered by the building(s), parking areas, access, internal drive aisles, and internal sidewalks.
- 4.11.10 All required landscape areas are to meet the following landscape requirements:
- a) Provide a minimum of one tree for every 35.0m² required setback area, and one shrub for every 15.0m² of required setback area. At the discretion of the Development Authority, no more than 30% of the required trees may be substituted with shrubs.
- 4.11.11 If the required landscaped yards, or portions thereof, contain native trees and shrubs the area may be maintained in its natural vegetated state at the discretion of the Development Authority. Vegetation preserved on the site may, at the discretion of the Development Authority, be credited to the total Landscaping requirements. Consideration must be given to the following:
- a) ensuring the safety and maintainability of the site and its surroundings; and
 - b) the health and viability of the existing vegetation.
- 4.11.12 All landscaped areas shall be designed and constructed in accordance with the approved grading plan for the site.
- 4.11.13 The landowner shall be responsible for landscaping of the site and the subsequent maintenance of the landscape area for two (2) years from the date of substantial completion of the work. The registered owner shall

replace any landscaping materials that does not survive the two (2) year maintenance period, with suitable, similar materials as approved by the Development Authority.

4.12 Landscape Planting Requirements

4.12.1 All plant materials must conform to the horticultural standards of the most current edition of the Canadian Standards for Nursery Stock from the Canadian Nursery Landscape Association. The use of drought tolerant plant material and the application of Xeriscaping principles are encouraged. The following planting requirements shall be met in all landscaped areas:

- a) A minimum of one third of all required trees must be coniferous. Coniferous trees must be a minimum height of 2.5 m and at least 50% of the required coniferous trees must be a minimum of 3.5 m in height at the time of planting;
- b) Deciduous trees must have a minimum caliper of 65 mm and at least 50% of the provided deciduous trees must have a minimum caliper of 75 mm at the time of planting;
- c) A minimum of one third of all required shrubs must be coniferous. Coniferous shrubs must be a minimum spread of 450 mm at the time of planting. Smaller shrubs may be accepted depending on the species of shrub, and at the discretion of the Development Authority; and
- d) Deciduous shrubs must be a minimum height of 450 mm at the time of planting. Smaller shrubs may be accepted depending on the species of shrub, and at the discretion of the Development Authority.

4.13 Landscape Security

4.13.1 The Development Authority may require, as a condition of a development permit that the owner provide a guaranteed security to ensure that landscaping is completed and maintained for two (2) years. The security shall be cash or an irrevocable letter of credit having the value equivalent to 100% of the established landscaping costs.

4.13.2 Where applicable, the Development Authority shall require an applicant to prepare and forward an estimate for the cost of supplying and installing materials shown on a landscape plan. The estimate shall be prepared by a qualified individual or company and shall outline the total cost of materials and labour to the satisfaction of the Development Authority.

4.13.3 If cash is offered as the landscaping security, the Town shall hold it until the landscaping has been installed and successfully maintained for two (2)

years, as determined by and to the satisfaction of the Development Authority.

- 4.13.4 If a letter of credit is offered as the landscaping security, it shall be an irrevocable automatically renewable letter or credit. The town shall hold the letter of credit until the landscaping has been installed and successfully maintained for two (2) years, as determined by and to the satisfaction of the Development Authority.
- 4.13.5 The owner shall notify the Town sixty (60) days prior to the expiry date of the letter of credit, in order to provide sufficient time for the Development Authority to inspect the site and to determine if the landscaping is installed and maintained in accordance with the regulations of this Bylaw. If landscaping conditions are satisfactory to the Development Authority, the letter of credit may be released. If inspection cannot be made within this sixty (60) day period due to weather conditions or other extenuating circumstances, the letter of credit shall automatically renew for a further one (1) year term.
- 4.13.6 Upon application by the owner's representative, the cash security or letter of credit may be reduced at the discretion of the Development Authority, when any of the following events occur and are to the satisfaction of the Development Authority:
 - a) the required landscaping has been properly installed; or
 - b) the required landscaping has been maintained and is in a healthy condition after one (1) growing season.
- 4.13.7 At the request of the owner, the cash security or letter of credit shall be released when the Development Authority is satisfied that the required landscaping has been installed, maintained and is in a healthy condition after two (2) growing seasons.
- 4.13.8 Where the owner does not complete the required landscaping, or if the owner fails to maintain the landscaping in a healthy condition to the satisfaction of the Development Authority the Town may draw on the securities and the amount thereof shall be paid to the Town for its' use absolutely. Should the securities be insufficient for the Town to complete the required work, should it elect to do so, then the owner shall pay such deficiency to the Town immediately upon being invoiced. The Town shall provide an accounting to the owner indicating how the proceeds of the security were applied within sixty (60) days of completing or maintaining the landscaping.
- 4.13.9 Upon receipt of a written request from the parties involved in the development, including but not limited to, the property owner,

condominium association or the issuer of the letter of credit, an inspection of the finished landscaping may be scheduled by the Development Authority. Inspections may be made during the normal growing season, approximately June 1 through September 30. All reasonable effort shall be made by the Development Authority to perform the inspection within ten (10) working days of receipt of the inspection request.

4.14 Outdoor Lighting

4.14.1 The provisions of this Section shall apply to all development, except:

- a) lighting required under the Alberta Building Code;
- b) outdoor lighting fixtures which are necessary for worker safety;
- c) seasonal decorations; or
- d) signs.

4.14.2 All outdoor lighting shall be located, aimed and shielded in a manner that does not directly illuminate a road or an adjacent residential area.

4.14.3 Outdoor lighting used to illuminate flags, statues, or other objects mounted on a pole, pedestal or platform, or floodlighting used for architectural or landscape purposes must be aimed so that the directed light is substantially confined to the object(s) intended to be illuminated.

4.15 Multiple Uses

4.15.1 Where any land, building or structure is used for more than one purpose; all provisions of this Bylaw relating to each individual use shall apply. If there are conflicts between standards for individual uses, the more stringent standard shall apply.

4.16 Projections

4.16.1 The following may project up to 0.6m into a required setback of 1.2m or greater:

- a) cantilever, however at least 1.2m shall be maintained between the wall designed with the cantilever and the lot line;
- b) architectural or ornamental features such as cornices, leaders, eaves, gutters, pilasters, sills and awnings;
- c) fireplaces and chimneys, provided the horizontal length of each projection shall not exceed a total of 1.83m; or
- d) satellite dishes 1.22m or less in diameter.

- 4.16.2 Where there is more than one cantilever, fireplace/chimney or both, the total horizontal length of all projections shall not exceed one third of the length of the building wall exclusive of any garage walls or 3.05m, whichever is the lessor.
- 4.16.3 The following may project into a required setback as outlined below, provided there is no encroachment onto an easement or utility right of way;
- a) decks (or patios), less than 0.6m in height, up to a maximum of 2.0m into a required front yard setback and flanking yard setback and up to the lot line that abuts a side yard or rear yard;
 - b) decks, greater than 0.6m in height, up to a maximum of:
 - i) 2.0m into a required front yard and flanking yard setback;
 - ii) 3.5m into a required rear yard setback;
 - iii) 0.6m into a required side yard setback;
 - c) unenclosed steps, landings and stairs which are attached to or abutting a principal building and provide direct access from ground level to the principal building up to a maximum of 2.0m into a front yard setback and 3.5m into the rear yard setback and 0.6m from the side yard setback;
 - d) balconies up to a maximum of:
 - i) 2.0m into a required front yard setback;
 - ii) 3.5m into a required rear yard setback;
 - iii) 0.6 into a required side yard setback;
 - e) eaves and eavestrough up to a maximum of 0.5m into a required setback for accessory buildings.
- 4.16.4 Utilities and similar structures constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with adjacent properties and the encroachments are covered by sufficient soil depth or surface treatment to foster landscaping.

4.17 Queuing

4.17.1 Drive lanes shall have a sufficient turning radius to accommodate vehicle entrance to the drive through aisle.

4.17.2 No pedestrian access into the premises shall cross the drive through aisle.

4.17.3 Where the drive aisle is adjacent to a residential district, landscape screening shall be provided in accordance with this Bylaw.

4.17.4 The queuing space must not overlap with any parking spaces or drive aisles.

4.17.5 All drive through services shall comply with the following regulations:

- a) each queuing space shall be a minimum of 6.0 m long and 2.8 m wide;
- b) for drive-in food services facilities a minimum of four (4) queuing spaces shall be provided per service lane, plus a minimum of one (1) queuing space located downstream of the service window;
- c) for financial services drive-through facilities a minimum of two (2) queuing spaces shall be provided per service lane, plus a minimum of one (1) queuing space located downstream of the service window;
- d) for car washing establishments a minimum of four (4) queuing spaces shall be provided per service lane or wash bay, plus a minimum of one (1) queuing space located downstream of the service lane or wash bay; and
- e) for all other drive-through vehicle services not specified above a minimum of (4) queuing spaces per service land, plus a minimum of one (1) queuing space located downstream of the service lane, bay or window.

4.17.6 The Development Authority may reduce the number of queuing spaces if it can be shown that the traffic volume for the proposed use does not warrant the need for the required queuing spaces.

4.18 Site Services and Improvements

4.18.1 Site servicing such as private or public sewer, water, site grading, surface drainage and stormwater management for individual lots or bare land condominium units required as a result of a proposed development shall

comply with all Town and provincial requirements.

4.18.2 Where private or public sewer, water, site grading, surface drainage, stormwater management or other essential services such as natural gas or power for individual lots or bare land condominium lots are required by the Development Authority, the Development Authority may refuse a use or development or impose a condition requiring the applicant to enter into a development agreement with the Town to construct or pay for the construction or upgrading of services necessary to serve the development.

4.18.3 The applicant or owner shall provide a guaranteed security to ensure that all site servicing is constructed, and record drawings are submitted to the satisfaction of the Development Authority.

4.19 Site Grading

4.19.1 Unless otherwise exempted by this Bylaw, site grading shall not be allowed in any land use district until a development permit for a principal use has been issued or a development agreement executed.

4.19.2 Where, in the process of development, areas require site grading, filling or excavation, the topsoil shall be removed prior to work commencing and shall be replaced following completion of the work.

4.20 Storage Container (Sea Can)

4.20.1 Unless exempted by Section 3.5.15 a development permit for a storage container, permanent or temporary, is required in all districts.

4.20.2 Unless exempted by Section 3.15.5 a storage container shall not be permitted to be located in a residential district.

4.20.3 A storage container as an accessory structure to an approved use shall comply with the regulations of the district.

4.20.4 A storage container may be placed temporarily on a multi residential, commercial, industrial or public service site for purposes of storage of equipment and materials. A valid development and building permit for the proposed new use must be issued for the site. The siting of the storage container must comply with the setback regulations of the applicable district.

Part 5 – Specific Use Regulations

5.1 Animal Service Facility, Minor and Major

- 5.1.1 Animal Service facilities shall be designed to adequately suppress noise from adjacent properties.
- 5.1.2 A separate air extractor system shall be provided for animal holding areas where heating, cooling, and air circulation systems are shared with other businesses.
- 5.1.3 Facilities permitted to board animals overnight shall be equipped with indoor exercise runs, and the permit application shall demonstrate that the number of runs provided is sufficient to meet the needs of the animals being boarded.
- 5.1.4 Animal Service Facility, Major shall not be permitted within 150.0 m of a residential district.
- 5.1.5 All exterior exercise areas, such as runs, shall be enclosed with a fence acceptable to the Development Authority with a minimum height of 1.85 m.
- 5.1.6 Additional screening from adjacent sites may be required at the discretion of the Development Authority.
- 5.1.7 The Town’s Animal Control Bylaw shall apply to all developments under this Section.

5.2 Bed and Breakfast

- 5.2.1 A Bed and Breakfast shall be an accessory use to the principal use of a single, detached dwelling only.
- 5.2.2 A maximum of three (3) guest rooms may be provided within the residential dwelling.
- 5.2.3 A bed and breakfast shall be operated in a manner that ensures the privacy and enjoyment of adjacent residents is preserved and the amenities of the neighborhoods are maintained at all times to the satisfaction of the Development Authority.
- 5.2.4 A bed and breakfast shall not be approved on a site or within a building where a development permit has been issued for the following:
 - a) Home Business, Major
 - b) Group Home, Major
 - c) Group Home, Minor

- d) Secondary Suite
- e) Family Day Home
- f) Backyard Suite

5.2.5 The principal character and appearance of the residential use shall not be altered by the development of a Bed and Breakfast.

5.2.6 One additional on-site parking stall is required for each guest room.

5.2.7 No kitchen facilities shall be available in guest rooms.

5.3 Campground

5.3.1 Where a campground is proposed and is located on a parcel greater than 8 ha, a master plan or conceptual plan for the development of the entire tract of land shall be submitted and approved by the Development Authority prior to submitting a development permit application for any site specific development. The master plan or conceptual plan shall include detailed plans and specifications (e.g. servicing, traffic, environmental considerations, landscaping, park areas, etc.) for the initial stage, as well as any subsequent stages of development.

5.3.2 Campgrounds, containing campsites and cabins, are considered to be temporary, seasonal occupancies, commencing in the spring and ceasing in the fall each year.

5.3.3 Campgrounds may allow year round occupancy, at the discretion of the Development Authority, subject to the provision of full municipal services to the individual campsites.

5.4 Cannabis Retail Sales

5.4.1 Cannabis retail sales shall not be located within 100 metres of a provincial health care facility; a school or a parcel of land designated as school reserve or as amended from time to time by the Province of Alberta.

5.4.2 Cannabis retail sales shall not be permitted to co-locate with retail outlets dealing with pharmaceuticals, tobacco or alcohol, or as amended from time to time by the Province of Alberta.

5.4.3 Cannabis retail sales located adjacent to any site being used for outdoor or indoor recreation shall be required to install uniform fencing around the perimeter of the site, with no pedestrian or vehicular access permitted between the sites.

- 5.4.4 The hours of operation shall not extend beyond 10:00 am – 2:00 am, or as amended from time to time by the Province of Alberta.
- 5.4.5 The number of parking spaces required shall be in accordance with Section 6.6.1.
- 5.4.6 The Development Authority must not issue a development permit if the proposed development does not comply with the applicable requirements of regulations under the Gaming, Liquor and Cannabis Act, respecting the location of premises described in a cannabis licence and distances between those premises and other premises.
- 5.4.7 The separation distance between Cannabis retail sales and any of the uses identified in 5.4.1 above shall be measured from the closest point of the exterior wall of the building in which the proposed Cannabis retail sales use is located to the closest point of the exterior wall of the building in which the other use is located. The separation distance shall not be measured from district boundaries.

5.5 Car Wash

- 5.5.1 A Car Wash shall not have any vehicle exiting doors located within 20.0 m of a residential district, when measured from the edge of the building to the nearest property line.
- 5.5.2 The Development Authority shall consider the location of on-site activities, such as vehicle queuing and vacuum cleaning, that may adversely affect adjacent properties and may require additional screening or yard setbacks.
- 5.5.3 Queuing spaces shall be in accordance with Section 4.17.

5.6 Child Care Services

- 5.6.1 A Child Care Services facility shall, in addition to the regulations of this Land Use Bylaw, also be subject to Provincial Child Care Licensing Regulations, as amended.
- 5.6.2 A Child Care Services facility shall be located in a separate, self-contained space, either within the principal building on the site or in an accessory building, with separate access to ground level.

5.7 Communication Tower

- 5.7.1 Subject to the following regulations, the Town shall follow the Default Public Consultation Process set out by Industry Canada in regard to Radio Communication and Broadcasting Antenna Systems, as amended.

5.7.2 To initiate the Public Consultation process, and for tracking purposes, the applicant shall submit a complete Development Permit application to the Town, in accordance with Section 3.6. The following should be considered in the design and siting of both tower and antenna structures as well as auxiliary buildings:

- a) Screening of facilities by using existing vegetation, landscaping, fencing, or other means in order to blend with the built and natural environments.
- b) Design and color sensitive to the style of architecture in the neighbourhood to encourage unobtrusive, inconspicuous appearance.
- c) Massing – situate as near as possible to similarly scaled structures.
- d) Lighting of the facilities is prohibited unless required by Navigation Canada.
- e) Stealth and/or monopole structures with flush mounted antennas should be used to better integrate form with the existing built environment. Where co-location on a single structure is desired, opportunities to design equipment within a single structure should be investigated.
- f) Access to facilities should be possible without unduly interfering with traffic flow or without unduly creating safety hazards.

5.7.3 Communications Towers are not permitted in residential districts.

5.7.4 Upon completion of the Public Consultation Process the Town shall provide a letter of support or non-support to Industry Canada detailing:

- a) its' reasons for support or non-support of the proposed facility from the Town's land use perspective, and;
- b) whether the carrier had adequately carried out the public consultation process established by Industry Canada.

5.8 Dwelling, Backyard Suite

5.8.1 A backyard suite contains two or more rooms used or designed to be used as a residence by one or more persons.

5.8.2 Contains kitchen, living, sleeping and sanitary facilities.

- 5.8.3 Is located in a detached accessory building located behind the front façade of the principal dwelling.
- 5.8.4 May be attached to an accessory building.
- 5.8.5 Is considered accessory and secondary to the principal use of a single detached dwelling.
- 5.8.6 Must be located on the same parcel as a single detached dwelling.
- 5.8.7 A backyard suite and a secondary suite shall not be located on the same parcel.
- 5.8.8 A backyard suite shall provide one (1) gravelled parking space on-site which shall be accessed from the rear lane.
- 5.8.9 A dwelling, backyard suite shall only be allowed on a lot with rear lane access.

5.9 Dwelling, Single Detached – Modular Homes (Ready To Move)

- 5.9.1 Modular homes must comply to the CSA A277 standard and must comply with the applicable district regulations of the Land Use Bylaw.
- 5.9.2 Modular homes must comply with the following architectural guidelines:
 - a) the height of the main floor above grade shall be consistent with the height of the main floor of dwelling units in the immediate and general area.
 - b) The roof pitch, style, and features, such as gables shall be consistent with the roofs of dwelling units in the immediate and general area.
 - c) The roof overhang/eaves shall be a minimum of 30cm from the surface of each wall.
 - d) The design of each modular dwelling unit shall ensure the side facing the street on which the home fronts contains a prominently placed ‘front door’ and windows in quantity and size that are consistent with dwelling units in the immediate area.
 - e) The foundations must comply with the same building code requirements as on-site built homes.
 - f) Skirting enclosures shall be parged or finished similarly in appearance to that customarily found on basements of other

detached dwellings in the immediate and general area.

- g) The modular home shall be a minimum of 20 feet in width or wider.
- h) Lots 5 & 6, Block 20, Plan 7321 BW and Lots 7 & 8, block 20, Plan 7321 BW, being 5224 and 5228 – 50 Avenue may have a modular home of less than 20 feet in width placed on the property and the entrance to the dwelling unit may be from the side of the building.

5.10 Dwelling, Secondary Suite

5.10.1 The following provisions shall apply to a secondary suite:

- a) A secondary suite shall only be allowed within a single detached dwelling.
- b) A secondary suite shall not be allowed within a single dwelling containing a Group Home Major, a Group Home Minor, a Bed and Breakfast or a Backyard Suite.
- c) A secondary suite shall not exceed 40% of the gross floor area of the principal dwelling.
- d) The exterior of the principal dwelling shall appear to be a single dwelling.
- e) A minimum of one (1) on-site parking space shall be provided;
- f) A secondary suite shall contain at least two rooms in which a bedroom, cooking facilities and a bathroom are provided.
- g) Only one secondary suite per single detached dwelling shall be permitted.

5.11 Gas Bars and Service Stations

5.11.1 The maximum site coverage for all buildings on a site under this section shall be 25% of the site area.

5.11.2 The minimum site area for a Gas Bar shall be 600.0 m^2 , or 1200.0 m^2 where a Gas Bar is part of a development with a Car Wash.

5.11.3 The minimum site area for a Service Station shall be 1500.0 m^2 , or

2100.0 m² where a Service Station is part of a development with a Car Wash.

- 5.11.4 Where a Service Station or a Gas Bar is an Accessory Use, the minimum site area and maximum site coverage may be varied at the discretion of the Development Authority.
- 5.11.5 All fuel pumps shall be located a minimum of 6.0 m from the site boundary.
- 5.11.6 A canopy over a fuel pump may extend to within 3.0 m of the site boundary.
- 5.11.7 Where Gas Bars or Service Stations are adjacent to, or abut, a residential district the Development Authority shall consider the design, finishing, lighting and siting of the development, including the orientation of gas pump islands and service bays with the intent of achieving a compatible relationship with surrounding development and a high standard of appearance when viewed from the adjacent Streets.

5.12 Group Home, Minor and Major

- 5.12.1 Pedestrian and vehicular traffic shall not be generated in excess of what is characteristic for the area.
- 5.12.2 A site containing a Group Home Major, or a Group Home Minor shall not contain a Secondary Suite.

5.13 Home Business, Minor and Major

- 5.13.1 All home businesses shall comply with the following general regulations:
 - a) Nuisance shall not be generated by a home business.
 - b) One vehicle of a client, customer or delivery arriving at the home business shall constitute one visit.
 - c) Except for emergency situations, vehicle trips, deliveries and client or customer visits shall only occur:
 - i) between the hours of 8:00 a.m. and 9:00 p.m. Monday to Saturday; and
 - ii) between the hours of 10:00 a.m. and 6:00 p.m. Sundays and Statutory holidays.

- d) All parking for clients or customers, home business vehicles and non-resident employees shall be provided on-site, except for an occasional gathering such as a recital, instruction demonstration, meeting, or similar event.
- e) Signs shall be as outlined in Part 8 of this Bylaw.
- f) A development permit shall expire upon change in ownership of the property.
- g) Where the Development Authority determines that a proposed home business would be more appropriately located in a commercial or industrial district due to the proposed scale, potential traffic generation, potential off-site impact or nuisance, the Development Authority shall not approve a development permit.

5.13.2 A home business, minor is a permitted use, subject to the provisions of Section 5.13.1 and the following:

- a) storage of materials or goods related to the home business shall be limited to areas within the principal dwelling; and
- b) shall not exceed two (2) home business vehicles.

5.13.3 A home business, major is a discretionary use, subject to the provisions of Section 5.13.1, the definition in Part 9 of this Bylaw, and the following:

- a) Any storage of materials or goods related to the home business shall be located within the principal building or accessory building(s). Exterior storage on the lot shall not be allowed.
- b) There shall be:
 - i) no more than two (2) home business vehicles;
 - ii) no heavy home business vehicles parked, stored or maintained on the property;
 - iii) no more than one (1) non-resident employee; and
 - iv) no more than six (6) client or customer visits per day.

5.14 Religious Assembly

5.14.1 A religious assembly shall:

- a) have a minimum lot frontage of 30.0m; and

- b) have a combined site area of not less than 1,300m² where a manse, rectory or other building is used for a residence related to a religious assembly on the same site.

5.14.2 Where a religious assembly is adjacent to a residential district it shall:

- a) be located on a corner lot in such a way that it would minimize the impact on adjacent development. In no instance shall a religious assembly be approved in the interior of the block unless at least one of the adjacent developments is other than residential;
- b) not exceed a total site coverage of 40%;
- c) not exceed 10.0m in height or the maximum allowable height of the district, whichever is greater;
- d) be setback a minimum of 7.5m from the front and rear lot lines to the principal building; and
- e) be setback a minimum of 6.0m from any side lot line abutting a residential district to the principal building.

5.14.3 To minimize impact on adjacent uses, the Development Authority may require that the principal building be designed to reduce the perceived massing through techniques such as:

- a) increased setbacks and landscaping;
- b) articulation of elevations and rooflines; and
- c) varying finishing materials and colors.

5.14.4 A religious assembly shall not be located within 100 metres of any site being used for Cannabis Retail Sales.

5.14.5 The separation distance between a Religious Assembly and a Cannabis Retail Sales site shall be measured from the closest point of the exterior wall of the building in which the proposed Cannabis retail sales use is located to the closest point of the exterior wall of the building in which the other use is located. The separation distance shall not be measured from district boundaries.

5.15 Retail Alcohol

5.15.1 Retail Alcohol sales located adjacent to any site being used for outdoor or indoor recreation shall be required to install uniform fencing around the perimeter of the site, with no pedestrian or vehicular access permitted between the sites.

5.16 Surveillance Suite

- 5.16.1 A maximum of one Surveillance Suite shall be permitted on any single site.
- 5.16.2 A Surveillance Suite shall not be a principal use of the site.
- 5.16.3 The Development Permit for a Surveillance Suite is considered void if the approved development with which the surveillance suite is associated ceases or is removed.
- 5.16.4 The maximum Floor Area of a Surveillance Suite shall be 80.0 m².
- 5.16.5 Where a Surveillance Suite is not part of the principal building; it shall be sited in accordance with the setback regulations of the applicable district.
- 5.16.6 The form of Surveillance suite shall comply with the Alberta Building Code, with proof submitted as part of the application.

5.17 Wind Energy Conversion System (WECS)

- 5.17.1 WECS, Micro shall comply with Section 3.5.12.

PART 6 – PARKING AND LOADING

6.1 Applicability

- 6.1.1 Unless specified otherwise, the term parking shall include the consideration of spaces required for parking, designated visitor parking, barrier free (disabled) parking, and loading areas.
- 6.1.2 The parking and loading space requirements of this part of the Bylaw shall not apply to any use in existence as of the date of passing of this Bylaw so long as the gross floor area (GFA) is not increased subsequent to the date of passage of this Bylaw.
- 6.1.3 If an addition is made to a building, or a use within a building, that has the effect of increasing the amount of required parking spaces; additional parking and loading spaces shall be provided for the additional gross floor area that generated the need for additional parking as required by the provisions of this Bylaw.

6.2 General Parking Provisions

- 6.2.1 No person shall use any land, building or structure in any land use district for any purpose considered by this Bylaw, unless the minimum number of parking spaces is provided in accordance with the provisions of this part of the Bylaw.
- 6.2.2 Any required parking spaces shall be unobstructed and available for parking purposes and used exclusively for that purpose at all times, unless otherwise specified in this Bylaw.
- 6.2.3 Where the minimum number of parking spaces is calculated on the basis of a rate or ratio, the required number of parking spaces shall be rounded to the next highest whole number.
- 6.2.4 Where a building or a site contains a mix of uses, the total requirement for parking spaces shall be the sum of the requirements for each use, unless it is demonstrated there will be a complimentary non-overlapping use of parking spaces that warrants a reduction in the total requirement.
- 6.2.5 Barrier free parking shall be:
 - a) provided in accordance with the Alberta Building Code, as amended;
 - b) designated as barrier free parking using appropriate signage in accordance with provincial standards; and
 - c) included within, but not additional to, the calculation of minimum parking requirements identified within this part of the Bylaw.

6.3 Location of Required Parking

- 6.3.1 All parking spaces shall be located on the same lot as the use that requires the parking.
- 6.3.2 A driving or manoeuvring aisle shall not be located within 0.3m of a wall of a building or portion of a building.
- 6.3.3 Within a residential district, on-site parking shall not be located in a front yard or flanking side yard except:
 - a) where a driveway provides access to on-site parking, a single vehicle may be parked in the front of each on-site parking space (i.e. garage stall or equivalent);

- b) where a driveway leads to a garage in the rear yard, the driveway may be widened to allow for one front yard parking area with a maximum width of 6.0m;
- c) where there is a single driveway leading to a garage, the driveway may be extended to a maximum width of 6.0m to provide a front yard parking area for up to two vehicles.

6.3.4 Parking in the front or flanking side yard as outlined in 6.3.3, shall be confined to the on-site driveway or parking area and have a durable dust-free hard surface of concrete, asphalt or similar material. Vehicles shall not be parked on grassed or landscaped areas.

6.4 Standards for Vehicle Parking Spaces and Drive Aisles

6.4.1 Each required on-site parking space or drive aisle shall conform to the following provisions:

- a) except as provided in the clauses below, each required space shall be a minimum of 2.6m in width and a minimum of 5.5m in length, exclusive of access driveways, aisles, ramps, columns, or work areas;
- b) barrier free parking shall be a minimum of 3.9m in width;
- c) the minimum width shall be:
 - i) 3.1m when a physical obstruction abuts both sides; and
 - ii) 2.m when a physical obstruction abuts only one side.
- d) parallel parking spaces shall be a minimum of 7.0m in length; except those having open access at the end of a row may be a minimum of 5.5m in length;
- e) required parking spaces may have a minimum length of 4.6m for a compact vehicle if they are not parallel parking spaces or barrier free parking spaces;
- f) aisles serving on-site parking spaces shall be a minimum of 7.5m wide for 90 degree parking, 7.0m wide for 75 degree parking, 5.5m wide for 60 degree parking, and 3.6m wide for 45 degree parking and parallel parking;

- g) where parking spaces are located with access directly off a lane, the required width of the aisle may be reduced by the width of the lane, but the entire parking space must be provided for on the site;
 - h) applicants are encouraged to consider parking stall and aisle dimensions greater than the minimum specified in this section, since a combination of all minimum dimensions may yield a confining design for parking areas.
- 6.4.2 The maximum slope of a vehicle parking space shall be 6% in any direction.
- 6.4.3 Parking spaces may be configured in tandem for single dwellings, semi-detached dwellings, and duplex dwellings.
- 6.4.4 For apartment dwellings and townhouse dwellings, the Development Authority may accept tandem parking spaces of a number equivalent to the total required parking less the number of dwelling units and visitor parking. Visitor parking spaces shall not be in tandem.
- 6.4.5 In all residential, commercial and institutional districts all on-site parking or loading areas, and any access and driveway to these areas shall have a durable dust-free surface of concrete, asphalt or similar material, except where the alternatives are to the satisfaction of the Development Authority.
- 6.4.6 For industrial uses any access, on-site driveway, parking and loading area shall be hardsurfaced to the satisfaction of the Development Authority.
- 6.4.7 Unless otherwise provided for in this Bylaw, the parking spaces on a paved parking area shall be marked on the ground by painted white or yellow lines.
- 6.4.8 All parking areas shall have adequate curbs to ensure that fences, walls, hedges, landscaping and restricted areas are protected from damage or encroachment of vehicles.
- 6.4.9 Parking and loading areas required by this Bylaw shall not be used for winter snow storage.

6.5 Residential Parking Requirements

- 6.5.1** The number of parking spaces required for residential uses shall be calculated in accordance with the standards set out below, where uses are not specified within the table, the parking requirements shall be determined by the Development Authority.

RESIDENTIAL USE	MINIMUM PARKING SPACE REQUIREMENT
Single Dwelling Semi-detached Dwelling Duplex Dwelling	2 per dwelling unit
Apartment Dwelling plus Visitor	1 per studio dwelling unit; 1 per 1 bedroom dwelling unit; 1.5 per 2 bedroom dwelling unit; 2 per 3 or more bedroom dwelling unit; plus 1 per 7 dwelling units as designated visitor parking
Multiple Dwelling Townhouse Dwelling	2 per dwelling unit; plus 0.25 parking spaces/dwelling unit as designated visitor parking
Secondary Suite Backyard Suite	1 per suite
Surveillance Suite	1 per unit
Home business, Major and Minor	1 per each client, non-resident employee, home business vehicle
Bed and Breakfast	1 per guest room
Child Care Services	1 per 2 employees plus 1 per 10 patrons, minimum of 4
Congregate Housing Special Care Facility Group Home Major Group Home Minor	1 per 2 employees plus 1 per 2 sleeping units, minimum of 4

6.6 Non-Residential Parking Requirements

6.6.1 The number of parking spaces required for non-residential uses shall be calculated in accordance with the standards set out below, where uses are not specified within the table, the parking requirements shall be determined by the Development Authority.

COMMERCIAL USES	MINIMUM PARKING SPACE REQUIREMENT
Any commercial use not listed specifically within this table with a gross floor area (GFA) of: a) Less than 2,000m ² b) Greater than 2,000m ²	2.0 per 100m ² of GFA 2.5 per 100m ² of GFS
Neighbourhood Pub Food Service, Restaurant Food Service, Specialty	1 per 4 seats or 1 per 5.0m ² of GFA, whichever is greater
Animal Breeding and Boarding	2 plus 1 per employee

Animal Service Facilities	4 per veterinarian
Autobody Paint and Repair	2 per service bay
Business Support Service Professional & Office Service	2.2 per 100m ² GFA
Commercial Uses in the C-DC Commercial District	1 per 55m ² of GFA
Fleet Service	1 per employee
Funeral Service	1 per 5 seats
Gas Bar Service Station	1 per 2 employees plus 2.2 per 100m ² GFS
Health Service, Minor	4 per doctor, dentist, clinician
Hotel Motel	1 per sleeping unit plus one per 3 employees

INSTITUTIONAL USES	MINIMUM PARKING SPACE REQUIREMENT
Cemetery	10 per hectare
Education, private Education, public a) Elementary or Junior High b) Senior High School	2 per classroom 5 per classroom
Government Service	5 per 100m ² GFA
Health Service Major	1.1 per 100m ² GFA
Religious Assembly	1 per 3 fixed seating spaces

INDUSTRIAL USES	MINIMUM PARKING SPACE REQUIREMENT
Any use listed in the B-I District	3 per establishment, or 1.0 per 100m ² GFA whichever is greater

Recreational Uses	MINIMUM PARKING SPACE REQUIREMENT
Campground	1 per camping space
Recreation Facility Indoor Recreation Facility Outdoor	1 per 3.5 seats, or 20 per 100m ² used by participants

6.7 Loading Space Requirements

- 6.7.1 Where any development is proposed, including new development, change of use of existing development or enlargement of existing development, on-site loading spaces shall be provided and maintained by the property owner in accordance with the requirements of this Bylaw.
- 6.7.2 On-site loading spaces shall be provided entirely within the development being served and is subject to all setbacks and yard requirements specified elsewhere in this Bylaw.

Number of Spaces

- 6.7.3 The number of on-site loading spaces required for each use is specified in the Loading Space Requirements below .
- 6.7.4 Where calculation of the total number of loading spaces yields a fractional number, the required number of spaces shall be the next highest whole number.
- 6.7.5 Where more than one calculation of loading space requirements is specified for a land use, the greater requirement shall be applied.
- 6.7.6 Where the Loading Space Requirements do not clearly define requirements for a particular development, the single use or combination of uses deemed by a Development Authority to be most representative of the proposed development shall be used to determine the loading requirement. Alternatively, a Development Authority may specify another loading requirement deemed appropriate for the development.
- 6.7.7 Where a development consists of mixed uses, the total on-site loading requirement shall be the sum of the on-site loading requirements for each use, unless it is demonstrated that there will be a complementary or non-overlapping use of loading spaces that warrants a reduction in the total requirement. Where a Development Authority accepts such a reduction, the reduction and the justification for the reduction shall be recorded on the permit.

Size and Access

- 6.7.8 Access to any loading area shall be provided, wherever possible, internally to the development or from a lane adjacent to the development.
- 6.7.9 Access to any loading area shall be arranged such that no backing or turning movement of vehicles going to or from the site causes undue interference with traffic on the adjoining or abutting roads or lanes.

6.7.10 Each on-site loading space shall be of adequate size and accessibility to accommodate the vehicles expected to load and unload, but in no case shall a loading space be less than 28m² in area, less than 4m in width, or have less than 3.7m in overhead clearance.

School Loading Requirements

6.7.11 The Development Authority shall consult with the applicable school board to obtain information relevant to determining the number and location of school loading spaces.

6.7.12 School loading spaces shall be oriented parallel to the flow of traffic to accommodate through-movement of vehicles and to eliminate the need for backing or significant turning movements. Where an existing school building is to be enlarged to accommodate an increased enrolment of more than 100 students, or of more than 20% of existing student enrolment, whichever is less, a Development Authority shall apply the standards for school loading spaces based on the additional school capacity.

LOADING SPACE REQUIREMENTS	
Type of Development (Land Use)	Required Loading Space
Residential and residential related uses	N/A
Commercial and Industrial Uses	1 per 1,900m ²
Institutional and service uses, community, recreational and cultural uses	1 per 1,900m ²
Schools, elementary and junior high	3 per 100 students plus minimum 5 bus loading spaces
School, senior high	1.5 per 100 students, plus minimum 5 bus loading spaces

PART 7 – LAND USE DISTRICTS

7.1 C-DC – Downtown Commercial District

7.1.1 Purpose

The district provides primarily for a pedestrian-oriented service and retail environment in the central business area of the community

7.1.2 Permitted and Discretionary Uses

Permitted Uses

Business Support Services
Child Care Services*
Cannabis Retail Sales *
Community Service Facility
Custom Workshops
Food Service, Restaurant
Food Service, Specialty
Government Service
Health Service, Minor
Neighborhood Pub
Mixed Use Development
Personal Service
Private club
Professional and Office Service
Retail, Alcohol*
Retail, General
Retail, Secondhand
Seasonal Garden Centre
WECS, Micro*

Discretionary

Amusement Centre
Animal Service Facility, Minor*
Commercial School
Farmers Market
Temporary Outdoor Event

Refer to Part 5, specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

7.1.3 Subdivision Regulations

- a) Minimum Lot Width: 9.14m

7.1.4 Development Regulations – Principal Building

- a) The maximum height shall be 12m.
- b) No minimum setback from the front lot line shall be required.
- c) On a side lot line adjacent to land districted C-DC or C-GC the minimum setback shall be 0.0m.
- d) On a side lot line adjacent to land districted R-LD the minimum setback shall be 1.5m.
- e) The minimum setback from a rear lot line shall be 6.0m

7.1.5 Development Regulations – Site Coverage

- a) Maximum site coverage 80%, subject to provision of on-site parking, loading, storage and waste disposal at the rear of the property.

7.1.6 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other Parts of this Bylaw.

7.2 C-GC – General Commercial District

7.2.1 Purpose:

To provide primarily for a broad range of low intensity business and service commercial uses.

7.2.2 Permitted and Discretionary Uses

Permitted Uses

Animal Service Facility, Minor*
Automotive Service Centre
Business Support Service
Cannabis Retail Sales*
Communication Tower*
Contractor Service, Limited
Custom Indoor Manufacturing
Custom Workshops
Equipment Sales, Service and Rentals
Food and Beverage Products
Government Service
Household Repair Services
Mixed Use Development
Professional and Office Service
Recycling Depot
Recycling Drop Off
WECS, Micro*

Discretionary

Amusement Centre
Child Care Services*
Commercial School
Contractor Service, General
Emergency Service
Food Service, Restaurant
Food Service, Mobile Catering
Food Service, Specialty
Health Service, Minor
Neighbourhood Pub
Personal Service
Private Club
Retail, Alcohol*
Retail, General

Retail, Secondhand
Temporary Outdoor Event
Utility Service, Minor

Refer to Part 5, specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

7.2.3 Subdivision Regulations

- a) The minimum lot width shall be 15.0 m.

7.2.4 Development Regulations – Principal Building

- a) The maximum floor area ratio shall be 1.0.
- b) The maximum height shall be 12.0m
- c) The minimum setback from the front lot line shall be 6.0m.
- d) The minimum setback from a side lot line shall be 3.0m
- e) The minimum setback from a side lot line that abuts a flanking road shall be 6.0m.
- f) The minimum setback from a rear lot line shall be 3.0m
- g) The minimum setback from a rear lot line that abuts a residential district shall be 6.0m.
- h) On a side lot line adjacent to land districted R-LD the minimum setback shall be 3.0m

7.2.5 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulation, provisions and requirements contained within the other Parts of this Bylaw.

7.3 C-HC – Highway Commercial District

7.3.1 Purpose

To provide for a diversity of commercial uses largely intended to serve vehicular traffic in locations along arterial roads and highways.

7.3.2 Permitted and Discretionary Uses

Permitted Uses

Automotive Service Centre
Automotive and Recreation Vehicle Repair Shops
Cannabis Retail Sales*
Car Wash*
Communication Tower*
Convenience Retail Store
Drive-through Service
Food Service, Restaurant
Food Service, Specialty
Gas Bar*
Hotel
Motel
Personal Service
Retail, Alcohol*
Retail, General
Service Station*
Temporary Outdoor Event
Utility Service, Minor
WECS, Micro*

Discretionary Uses

Animal Service Facility, Minor*
Automotive and Recreation Vehicle Sales/Rental
Community Service Facility
Neighbourhood Pub
Professional and Office Service
Seasonal Garden Centre

Refer to Part 5, specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*).

7.3.3 Subdivision Regulations

- a) The minimum lot width shall be 20.0 m.

7.3.4 Development Regulations – Principal Building

- a) The maximum floor area ratio shall be 2.0.
- b) The maximum height shall be 12.0 m.
- c) The minimum setback from the front lot line shall be 6.0 m.
- d) The minimum setback from a side lot line shall be 3.0 m.
- e) The minimum setback from a rear lot line shall be 3.0 m.
- f) The minimum setback from a side lot line or rear lot line that abuts a residential land use district shall be 4.5 m.

7.3.5 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulation, provisions and requirements contained within the other Parts of this Bylaw.

7.4 C-SC – Service Commercial District

7.4.1 Purpose

To provide for a compatible mix of low intensity business and service commercial uses in areas with good visibility and accessibility.

7.4.2 Permitted and Discretionary Uses

Permitted Uses:

Animal Service Facility, Minor*
Automotive Service Centre
Automotive and Recreation Vehicle Repair Shops
Automotive and Recreation Vehicle Sales/Rental
Bulk Fuel Sales Depot
Business Support Service
Cannabis Retail Sales*
Car Wash*
Communication Tower*
Contractor Service, Limited
Convenience Retail Store
Custom Indoor Manufacturing
Drive-Through Service
Emergency Service
Equipment Sales, Service and Rentals
Food Service, Specialty
Gas Bar*
Health Service, Minor
Household Repair Services
Motel
Neighbourhood Pub
Personal Service
Professional and Office Service
Recreation Facility, Indoor
Recycling depot
Recycling drop-off
Retail, Alcohol*
Retail, General
Retail, Secondhand
Service Station*
Storage Facility
Warehouse, Distribution and Storage
WECS, Micro*

Discretionary Uses

Abattoir
Amusement Centre
Autobody Repair and Paint Shop
Contractor Service, General
Equipment Sales and Service, Major
Fleet Service
Food and Beverage Products
Food Service, Mobile Catering
General Industrial
Greenhouse
Landscaping Sales and Service
Outdoor Storage
Utility Service, Minor

Refer to Part 5, specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*).

7.4.3 Subdivision Regulations

- a) The minimum lot width shall be 20.0m

7.4.4 Development Regulations – Principal Building

- a) The maximum floor area ratio shall be 2.0.
- b) The maximum height shall be 12.0m.
- c) The minimum setback from the front lot line shall be 7.5m.
- d) The minimum setback from a side lot line shall be 3.0m.
- e) The minimum setback from a side lot line that abuts a flanking road shall be 6.0m.
- f) The minimum setback from a rear lot line shall be 6.0m.
- g) The minimum setback from a rear lot line that abuts a residential district shall be 6.0m.

7.4.5 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained in within the other Parts of this Bylaw.

7.5 P-G – Golf Course District

7.5.1 Purpose

To provide for the development of a golf course and accessory uses.

7.5.2 Permitted and Discretionary Uses

Permitted Uses

Communication Tower
Golf Course
Temporary Outdoor Event
WECS, Micro*

Discretionary Uses

Campground*
Recreation, outdoor
Recreation, indoor

Refer to Part 5, Specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

7.5.3 Subdivision Regulations

a) None

7.5.4 Development Regulations – Principal Buildings and Accessory Buildings

- a) The maximum height shall be 10.0m
- b) The minimum setback from a lot line abutting a municipal or rural road shall be 30.0m
- c) The minimum setback from the front lot line shall be 20.0m
- d) The minimum setback from a side lot line shall be 20.0m
- e) The minimum setback from the rear lot line shall be 20.0m

7.5.5 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within other Parts of this Bylaw.

7.6 P-R – Recreation District

7.6.1 Purpose

To provide for a wide range of parks and public and private recreation activities. Primarily aimed at passive and active outdoor activities, it includes buildings for community recreation.

7.6.2 Permitted and Discretionary Uses

Permitted Uses

Amusement Centre
Communication Tower*
Community Garden
Community Service Facility
Farmers Market
Park
Recreation Facility, Indoor
Recreation Facility, Outdoor
Temporary Outdoor Event
WECS, Micro*

Discretionary Uses

Campground*
Cemetery

Refer to Part 5, Specific Use Regulations, for additional regulations pertained to uses containing an asterisk (*)

7.6.3 Subdivision Regulations

a) None

7.6.4 Development Regulations - Principal Buildings and Accessory Buildings

- a) The maximum height shall be 10.0 m.
- b) The minimum setback from the front lot line shall be 7.5 m.
- c) The minimum setback from a side lot line shall be 4.5 m.
- d) The minimum setback from the rear lot line shall be 7.5 m.

7.6.5 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other Parts of this Bylaw.

7.7 P-S – Public Services District

7.7.1 Purpose

To provide for a broad range of public and private institutional and community services, uses and facilities to serve the Town and the surrounding area.

7.7.2 Permitted and Discretionary Uses

Permitted Uses

Child Care Services*
Communication Tower*
Community Service Facility
Congregate Housing
Education, Private
Education, Public
Emergency Service
Government Service
Health Service, Major
Health Service, Minor
Religious Assembly*
Special Care Facility
Temporary Outdoor Event
Utility Service, Minor
WECS, Micro*

Discretionary Uses

Cemetery
Community Garden
Funeral Service
Recreation Facility, Indoor
Recreation Facility, Outdoor

7.7.3 Subdivision Regulations

a) None

7.7.4 Development Regulations – Principal Building and Accessory Buildings

- a) The maximum height shall be 20.0m
- b) The minimum setback from the front lot line shall be 6.0m
- c) The minimum setback from the rear lot line shall be 6.0m.

- d) The minimum setback from a lot line that abuts a residential district shall be 10.0m
- e) The maximum site coverage shall be 40%

7.7.5 Accessory Uses

- a) The following uses may be considered as accessory uses when located within a principal use:
 - i) convenience retail store
 - ii) food service, specialty
 - iii) food service, restaurant
- b) A helipad may be considered by the Development Authority as an accessory use to a health service, major use

7.7.6 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained with the other Parts of this Bylaw.

7.8 P-U – Public Utilities District

7.8.1 Purpose

To provide for public and private utilities needed to serve the Town and the surrounding region.

7.8.2 Permitted Uses and Discretionary Uses

Permitted Uses

Communication Tower*
Park
Utility Service, Major
Utility Service Minor
WECS, Micro*

Discretionary Uses

Community Garden
Emergency Service
Parking, Non-Accessory
Recycling Drop-Off
Recreation Facility, Outdoor

Refer to Part 5, Specific Use Regulations for additional regulations pertaining to uses containing and asterisk (*)

7.8.3 Subdivision Regulations

a) None

7.8.4 Development Regulations – Principal Building and Accessory Buildings

- a) The maximum height shall be 10.0 m
- b) The minimum setback from the front lot line shall be 6.0m.
- c) The minimum setback from a side lot line shall be 6.0m.
- d) The minimum setback from a rear lot line shall be 6.0m.

7.8.5 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other Parts of this Bylaw.

7.9 R-LD – Low Density Residential District

7.9.1 Purpose

To provide for residential development in the form of low density built forms while allowing for increased densification in neighborhoods.

7.9.2 Permitted Uses and Discretionary Uses

Permitted Uses

Dwelling, Backyard Suite*
Dwelling, Duplex
Dwelling, Single Detached
Dwelling, Single Detached – Modular Home*
Dwelling, Secondary Suite*
Dwelling, Semi-detached
Family Day Home
Group Home, Minor*
Home Business, Minor*
WECS, Micro*

Discretionary Uses

Bed and Breakfast*
Group Home, Major *
Home Business, Major*
Temporary Outdoor Event

Refer to Part 5, Specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

7.9.3 Subdivision & Development Regulations

- a) The minimum lot width for a semi-detached dwelling shall be 15.2m. If a semi-detached lot is subdivided then a minimum parcel width of 7.6m (per dwelling) shall be provided and must have lane access.
- b) The minimum lot width for a single detached dwelling with a secondary suite shall be 12.2m.
- c) The minimum lot width for a duplex dwelling is 15.2m.
- d) The minimum lot width for a single detached dwelling with a backyard suite shall be 15.2m.
- e) The minimum lot depth for all listed dwelling types shall be 33.5m for lots with a lane and 30.5m for lots without a lane.

7.9.4 Development Regulations – Dwelling, Single Detached and Dwelling, Single Detached Modular

- a) The maximum height shall be 10.0 m
- b) Where the vehicle door of an attached garage faces a lane or road, the minimum setback from a lot line shall be 6.0 m.
- c) The minimum setback from the front lot line shall be 6.0 m.
- d) For a side lot line:
 - i) the minimum setback from a side lot line shall be 1.2 m.
 - ii) the minimum setback from a side lot line that abuts a flanking road shall be 4.0 m.
 - iii) the minimum setback from a side lot line that abuts a multiple residential, commercial, or industrial district shall be 1.2m.
 - iv) the minimum setback from one side lot line shall be 3.0 m where there is not direct vehicular access to the rear yard or to an attached garage.
- e) The minimum setback from the rear lot line shall be 7.0 m, or 5.5 m for a corner lot.
- f) Any listed residential uses shall provide all required parking on-site.

7.9.5 Development Regulations – Semi-Detached Dwelling

- a) The maximum height shall be 10.0m
- b) The minimum site width for semi-detached dwellings shall be 15.2m.
- c) The minimum yard requirements shall be the same as those identified under 7.10.4.
- d) Where a common wall of a semi-detached dwelling is located on a mutual side lot line, the side yard shall be 0.0.
- e) Semi-detached dwellings are not permitted on lots with no rear lane access.

7.9.6 Development Regulations – Duplex Dwelling

- a) The maximum height shall be 10.0m.
- b) The minimum site width for a duplex dwelling shall be 15.2m
- c) The minimum yard requirements shall be the same as those identified under 7.10.4.
- d) Duplex dwellings are not permitted on lots with no rear lane access.

7.9.7 Development Regulations – Accessory Buildings and Accessory Structures

- a) The maximum height shall be 4.5 m.
- b) Where the vehicle door of a garage faces a lane, the minimum setback from the rear lot line shall be 6.0 m.
- c) The minimum setback from the front lot line shall be 18.0 m.

- d) The minimum setback from a side lot line shall be 1.0 m, or 4.0 m from a lot line that abuts a flanking road.
- e) The minimum setback from the rear lot line shall be 1.0 m.
- f) The maximum gross floor area for a single storey accessory building shall be 62m², not including a backyard suite.

7.9.8 Development Regulations – Accessory Building - Backyard Suite

- a) A Backyard Suite may be sited above a garage, physically connected to the side of a garage or developed as a separate accessory building.
- b) The maximum gross floor area for a backyard suite shall be 46m².
- c) The maximum gross floor area for all accessory buildings on-site shall be 108m².
- d) The rear yard setback where a backyard suite is located above the garage is 6.0m.
- e) The rear yard setback is 1.5m for that portion of the building used as a backyard suite.
- f) The sideyard setback is 1.2m for any portion of the building used as a backyard suite.
- g) The maximum height of the structure where the suite is a stand-alone building shall be 4.5m.
- h) A minimum 5.0m separation distance is required between the principal dwelling and any portion of the building used as a backyard suite.
- i) A backyard suite must have a private amenity space that is located outdoor and has a minimum of 7.5m² with no dimension less than 1.5m.
- j) A minimum of one (1) parking stall shall be provided on-site for the backyard suite accessed from the lane.
- k) A backyard suite shall not be permitted on a lot with no rear lane access or in a laneless subdivision.
- l) The maximum height of the structure where the basement suite is located above a garage shall be 7.5m sloping down to the height of structures on the neighboring property.

7.9.9 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other Parts of this Bylaw.

7.10 R-SSD – Site Specific Semi-Detached Residential District

7.10.1 Purpose

To provide a site specific semi-detached residential development.

7.10.2 Permitted and Discretionary Uses

Permitted Uses:

Family Day Home
Dwelling, Semi-Detached
Home Business, Minor*

Discretionary Uses

Dwelling, Single Detached
Dwelling, Secondary Suite*
Home Business, Major*

Refer to Part 5, Specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

7.10.3 Subdivision Regulations

- a) The minimum lot width shall be 8.45m;
- b) The minimum lot depth shall be 31.52m;
- c) The minimum lot area shall be 266m².

7.10.4 Development Regulations – Single and Semi-Detached Dwelling

- a) The maximum height shall be 10.0m;
- b) The minimum setback from the front lot line is 6.0m;
- c) Where doors of a garage face a road, they shall be set back a minimum of 6.0 m from the front lot line.
- d) The minimum setback from a side lot line is:
 - i) 1.2m; or
 - ii) 3.0m on one side of the parcel, when no provision has been made for a private garage on the front or side of a building; or
 - iii) 3.0m from a side property line shared with a street; or
 - iv) 0.0m for a semi-detached dwelling where the property line is shared with another semi-detached dwelling.
- e) The minimum setback from the rear lot line shall be 6.0m, or 5.5m for a corner lot.
- f) A minimum of a single car garage is required for each dwelling unit, either as an attached or detached building

7.10.5 Development Regulations – Accessory Buildings and Accessory Structures

- a) Accessory buildings and structures shall not be permitted in the front yard
- b) The maximum height shall be 4.5 m.
- c) The minimum setback from the front lot line shall be 18.0 m.
- d) The minimum setback from a side lot line shall be 1.0 m, or 3.0 m from a lot line that abuts a flanking road.
- e) The minimum setback from the rear lot line shall be 1.0 m.
- f) The maximum combined ground floor area for all accessory buildings shall be 32m².

7.10.6 Development Regulations – Site Coverage

- a) The maximum site coverage shall be 60% of the total area of the lot.

7.10.7 Other Regulations

- a) Prior to approval of any development, plans showing grading and drainage on the affected site acceptable to the Development Authority must be obtained.
- b) The Development Authority may require, as a condition of development approval, certification that the proposed grading and drainage plan has been implemented.

7.11 R-MD – Medium Density Residential District

7.11.1 Purpose

To provide for a mix of low density and medium density dwelling types, either on a planned site or street-oriented basis.

7.11.2 Permitted Uses and Discretionary Uses

Permitted Uses

Dwelling, Duplex
Dwelling, Multi-Attached
Dwelling, Semi-Detached
Group Home, Minor*
Home Business, Minor*
WECS, Micro*

Discretionary Uses

Home Business, Major*

Refer to Part 5, Specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

7.11.3 Subdivision Regulations

- a) The minimum lot width for a multi-attached dwelling unit shall be 5.0m for an individual parcel containing one dwelling unit.
- g) The minimum lot width for a parcel containing a semi-detached or duplex dwelling shall be 13.0m.
 - i) If a semi-detached lot is subdivided, then a minimum parcel width of 6.0m shall be provided for each dwelling unit.
- h) The minimum lot depth for all listed dwelling types shall be 30.5m with lane and 33.5m without lane;

7.11.4 Development Regulations

- a) The maximum height shall be 10.5m;
- b) Where a vehicle door of an attached garage faces a lane or road, the minimum setback from a lot line shall be 6.0m
- c) The minimum setback from the front lot line shall be 4.5m;
- d) For a side lot line:

- i) the minimum setback from a side lot line shall be 1.2m
- ii) the minimum setback from a side lot line that abuts a flanking road shall be 3.0m
- iii) the minimum setback from a side lot line that abuts a residential, commercial, or industrial district shall be 3.0m;
- iv) Where a common wall of a dwelling unit is located on a shared lot line, the setback shall be 0.0m
- v) The minimum setback from the rear lot line shall be 7.5m

7.11.5 Development Regulations – Accessory Buildings and Accessory Structures

- a) Accessory buildings and structures shall not be permitted in the front yard.
- b) The maximum height shall be 4.5m.
- c) Where a vehicle door of a garage faces a road or a lane, the minimum setback from a lot line shall be 6.0.
- d) The minimum setback from the front lot line shall be 18.0m.
- e) The minimum setback from a side lot line shall be 1.0m, or 3.0m from a lot line that abuts a flanking road.
- f) The minimum setback from the rear lot line shall be 1.0m.

7.11.6 Development regulations – Site Coverage

- a) The maximum site coverage shall be 50% for semi-detached and duplex dwellings.
- b) The maximum site coverage shall be 60% for a multi-attached dwelling.

7.11.7 Other Regulations

- a) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other Parts of this Bylaw.

7.12 U-R – Urban Reserve District

7.12.1 Purpose

To provide transitional agricultural uses that will not prejudice the future use of land for development within a designated development area.

7.12.2 Permitted and Discretionary Uses

Permitted Uses

Agriculture
Family Day Home
Home Business, Minor*
WECS, Micro*

Discretionary Uses

Animal Breeding and Boarding Facility
Communication Tower*
Dwelling, Single Detached
Greenhouse
Home Business, Major*
Landscaping Sales and Service
Recreation Outdoor
Recreation Vehicle Storage
Secondary Suite*

Refer to Part 5, Specific Use Regulations, for additional regulations pertaining to uses containing an asterisk (*)

7.12.3 Subdivision Regulations

- a) For an un-subdivided quarter section, one (1) - first parcel out subdivision may be considered. The first parcel out may consist of one of the following:
 - i) a lot with a minimum area of 0.8 ha and a maximum area of 2.0 ha for an existing dwelling. The maximum area may be increased if the existing accessory building, environmental features or shelterbelt configuration requires a larger size; or
 - ii) a split along a natural or man-made severance.

7.12.4 Development Regulations – Principal Building and Accessory Buildings

- a) The maximum height shall be 10.0m, except for agricultural buildings or structures.
- b) The minimum setback from the front lot line shall be 10.0m.
- c) The minimum setback from the side lot line shall be 10.0m.
- d) The minimum setback from the rear lot line shall be 10.0m.

7.12.5 Other Regulations

- a) In considering all discretionary uses, the Development Officer shall not approve uses that would be prejudicial to the future economical subdivision, servicing, and development of the site on a planned and orderly basis.
- b) In addition to the regulations listed above, permitted and discretionary uses are subject to the applicable regulations, provisions and requirements contained within the other Parts of this Bylaw.

PART 8 – SIGNS

8.1 General Sign Regulations

- 8.1.1 Unless specifically exempted from the requirements to obtain a development permit, all signs, structures for signs, and any enlargement, relocation, erection, construction or alteration of a sign shall require a development permit.
- 8.1.2 No sign shall be erected which promotes intolerance, hatred or ridicule of race, religion or other segment of society.
- 8.1.3 A development permit application for a sign shall:
- a) Be made in writing on the appropriate application form and submitted together with the appropriate fees as approved in the Fees and Charges Bylaw and, shall include:
 - i) the signature of the registered owner(s) of the land (or their representatives or agent);
 - ii) the civic address of the building, structure or lot on which the sign is to be erected, altered or replaced;
 - iii) drawings to scale, giving dimensions, materials, finishes, colour schemes, letter fonts and sizes, graphics, logos and type of illumination;
 - iv) drawings illustrating the position of the sign and the method of attachment;
 - v) proposed purpose or message on the sign.
- 8.1.4 A development permit shall not be required for the routine maintenance and repair, changing of copy, or reducing the copy area of a legally existing sign.
- 8.1.5 The Development Authority may waive the requirement for a separate development permit for signage where they are satisfied that all required information and details for signage has been provided with an application for a building or portion of a building.
- 8.1.6 Section 8.1.5 shall also apply to instances where a change of tenancy within a building is proposed and details of the prospective tenant's signage have been provided to the Development Authority.
- 8.1.7 Unless provided for elsewhere within this Part, signs and their structures shall be located a minimum of:
- a) 1.0 m back from an existing or future curb line;

- b) 0.3 m from the inside edge of any sidewalk;
- c) 3.0 m from any road access; and
- d) 1.0 m from a property line, when located on private property.

- 8.1.8 Signs shall not be located within an intersection site triangle.
- 8.1.9 Signs shall not be placed in or on a required parking space or loading space and shall not be placed so as to reduce the number of required parking stalls or loading spaces, pursuant to this Bylaw or an approved development permit.
- 8.1.10 Trees and shrubs shall not be removed or damaged to erect a sign, to make a sign more visible, to maintain a sign, or to change copy on a sign.
- 8.1.11 A permanent sign shall not be constructed within or encroach upon a registered right of way within a parcel of land.
- 8.1.12 Unless exempted under 8.1.17 a moveable sign may be installed temporarily on a site subject to Section 3.11.

Illumination

- 8.1.13 Electrical power supply to a sign shall be located underground except when a sign is powered by solar energy. The solar power device may be located above ground, provided it is attached to the sign and no wires, cords, or other components of the power supply device are located on the ground further than 0.3 m from the sign structure. All wiring and conduits shall be concealed from view.
- 8.1.14 A sign with illumination or a sign with an electronic message feature shall not be allowed in residential districts.
- 8.1.15 The Development Authority may also impose additional conditions to mitigate any effects that an illuminated sign, located adjacent to a residential district, may cause on a residential development.
- 8.1.16 Externally illuminated signs shall:
 - a) use shielded and screened external light sources; and
 - b) be positioned in a manner that directs the light directly onto the sign and minimizes glare.

Signs Exempt from a Development Permit

8.1.17 The following signs shall not require a development permit provided they comply with the regulations of the Bylaw:

- a) An open house sign;
- b) A private sale sign;
- c) A real estate sign;
- d) A construction sign;
- e) A future development sign;
- f) A fascia sign with a sign area not greater than 0.2m² in a residential district or 0.5m² in a non-residential district;
- g) A sign related to the functions or work of the Town or other public authority.

8.2 Signs on Public Property

8.2.1 Unless specifically permitted by this Bylaw or by agreement with the Town, a sign shall not be placed:

- a) on or over any curb, sidewalk, post, traffic control device, public utility pole, hydrant, boulevard, median, bridge, fence, tree or other surface;
- b) across any road or public thoroughfare;
- c) within any municipal-owned or occupied facility, or on or within any site upon which a municipal-owned facility is located; or
- d) project across a property boundary into a road or public property.

8.2.2 The Development Authority may require as a condition of approval, but not be limited to, the following:

- a) Execution of an agreement provided by the Town to indemnify against, and to save harmless from any and all liability resulting from injury to a person or damage to a property, which may result from the presence, collapse or failure, of the sign; and
- b) A certified copy of a liability insurance policy (and subsequent renewals thereof), naming the Town as co-insured, covering bodily injury and property damage for claims arising out of the Ownership of such sign in an amount specified the Town. An endorsement in a form satisfactory to the Town shall form part of the insurance policy.

8.2.3 Temporary signs placed within a municipal road right-of-way shall:

- a) Not be placed on a sidewalk, a centre median of a road or any lane;

- b) Not be located so as to obstruct or interfere with road maintenance, impede the use of utilities or, otherwise create a hazard;
- c) Maintain the following minimum setbacks:
 - i) 1.0 m back from an existing or future curb line;
 - ii) 0.3 m from the inside edge of any sidewalk, path or private property; and
 - iii) 3.0 m from any road access.
- d) Not be located within a corner site triangle; and
- e) Not be illuminated.

8.3 A-Frame Sign Regulations (Sandwich Board)

8.3.1 An A-frame sign shall:

- a) be limited to one sign per business;
- b) have a maximum height of 0.9m;
- c) have a maximum sign area of 0.55m;
- d) not block sidewalks or interfere with pedestrian or vehicular traffic;
- e) be displayed only during business operating hours;
- f) be located on private property in front of the building or premises to which the sign pertains; and
- g) be constructed of materials that will collapse, cave-in or give-way upon impact (such as paper, cardboard or other light-weight material).

8.3.2 An A-frame sign used as an open house sign shall:

- a) only include a directional arrow, the phrase “open house”, and the name and/or the logo of the real estate company hosting the open house;
- b) not be located in a median of a road, on a sidewalk, or within a traffic circle area;
- c) be erected or placed no more than three hours prior to an open house and no later than three hours after an open house, except on weekends.

8.4 Fascia Sign Regulations

8.4.1 A fascia sign shall:

- a) be used to identify the name of the use, business, or occupant of a building or commercial unit on which the sign is located;
- b) not exceed a maximum copy area of 25% of the total area of the primary building face; and 10% of a secondary face of a building;

- c) have a minimum clearance of 2.4m when measured from grade to the bottom of the sign structure;
- d) not extend more than 0.3m horizontally beyond the building face to which it is attached;
- e) not extend above the roofline of a flat-roofed building, or, if there is a parapet or mansard roof, 0.5m above the eave line but not higher than the upper edge of the parapet or mansard roof and the eave line in all other cases;
- f) Not contain any advertisement except to identify the name of a business or occupant of a tenant space, where such sign is located above the first floor of a building to which it is attached;
- g) Not be illuminated when directly abutting a residential parcel or, where it could have an adverse impact on a residential parcel; and

8.4.2 A fascia sign may consist of individual letters, symbols or logos that are attached directly to the building.

8.4.3 A tenant occupying a premises within a building may place a fascia sign on a secondary building face, regardless of its physical location within the building itself.

8.5 Freestanding Sign Regulations

8.5.1 A freestanding sign may include the following types of signage:

- a) Freestanding pylon sign;
- b) Changeable copy sign;

Freestanding Pylon Signs

8.5.2 Unless otherwise specified within this Bylaw, a freestanding pylon sign shall:

- a) not have a copy greater than 85% of the sign area;
- b) be landscaped a minimum of 2.0m extending around the centre base of the sign to the satisfaction of the Development Authority who shall take into account access for maintenance;
- c) maintain a minimum clearance of 2.44m when measured from ground to the bottom of the sign structure;
- d) not interfere with traffic circulation or vehicle parking;
- e) have electrical power supplied underground;
- f) not be constructed within a parking area where it results in a reduction of the number of required parking spaces;
- g) be separated a minimum of

- i) 30.0m from any other freestanding sign;
- ii) 15.0m from a property line shared with another site; and
- iii) 1.0m from a property line adjacent to a road; and

8.5.3 In addition to Section 8.5.2, a freestanding pylon sign may:

- a) be internally or externally illuminated; or
- b) contain a changeable display feature provided the changeable display feature does not exceed more than 50% of the sign area.

8.5.4 Unless otherwise provided for within this Bylaw, a freestanding pylon sign located on a parcel in a non-residential district shall:

- a) have a maximum height of 9.0m;
- b) have a maximum sign area of 22m².

8.5.5 Unless otherwise provided for within this Bylaw, the maximum number of freestanding pylon signs located on a parcel in a non-residential district shall be:

- a) one sign per parcel on a site of 90.0m frontage or less;
- b) two signs per parcel on a site of more than 90.0m in frontage.

8.5.6 In addition to 8.5.5, where a parcel has frontage on more than one road, one (1) additional sign may be permitted, provided the distance between each freestanding pylon sign is 50.0m.

8.5.7 Despite Section 8.5.4, a freestanding pylon sign located on a parcel within the C-GC District shall:

- a) not exceed a maximum sign area of 12.0m²;
- b) not exceed a maximum height of 7.3m;
- c) not have a rotating element;
- d) be limited to one (1) sign per parcel.

Changeable Copy Sign

8.5.8 A changeable copy sign shall:

- a) have a maximum height of 3.0m;
- b) have a maximum sign area of 9.0m²;
- c) have a maximum width of 3.0m;
- d) be located a minimum of:
 - i) 30.0m from any other freestanding sign;
 - ii) 6.0m from any access; and

iii) 15.0m from any property line shared with another parcel or site.

8.5.9 A changeable copy sign shall be limited to:

- a) one (1) changeable copy sign per site where the total frontage is 90.0m or less; or
- b) two (2) changeable copy signs per site where the total frontage is greater than 90.0m.

8.5.10 A changeable copy sign shall not be located on a vacant or undeveloped lot or site.

8.6 Painted Wall Sign

8.6.1 A painted wall sign is a sign that is painted, inscribed or marked directly on an exterior wall or other integral part of a building or structure.

8.6.2 Any text, picture, illustration or similar graphic that advertises the name of a business or, is a logo or symbol of a business that occupies the building or structure on which the painted wall sign is located may:

- a) cover up to 30% of the primary building face; and
- b) cover up to 100% of a secondary building face.

8.6.3 A painted wall sign shall:

- a) not include more than 10%, for any text that advertises the name of the business or, a logo associated with the business;
- b) have a maximum of one painted wall sign per building;
- c) relate to the business or occupant of the building on which the painted wall sign is located; and
- d) be removed and the wall refinished, to be consistent with the rest of the building, if the business to which the sign related ceases to be located in the building upon which the sign is located;

8.7 Portable Sign Regulations

8.7.1 A portable sign shall:

- a) have a maximum height of 3.0m;
- b) have a maximum sign area of 5.0m²;
- c) have a maximum width of 3.0m;
- d) not be illuminated or include audio;
- e) not interfere with or obstruct access to or from a parcel, or any traffic control device.

8.7.2 The minimum setbacks for a portable sign shall be:

- a) 10.0m from the lot line that abuts another lot other than a residential lot;
- b) 15.0m from the lot line that abuts a residential lot;
- c) 3.0m from any access to or from a lot or site;
- d) 10.0m from an intersection;
- e) 30.0m from another portable sign; and
- f) 23m from a freestanding sign.

8.7.3 A portable sign shall not be permitted to locate on a vacant or undeveloped parcel.

8.7.4 A portable sign may be placed on a site on a temporary basis only. Upon expiry, the Development Authority shall require a new application for the portable sign. There shall be no obligation for the Development Authority to approve a permit on the basis that a previous permit had been issued.

8.7.5 A portable sign located within a road right of way or on any other public property shall be used only for public notice as required by municipal, provincial or federal legislation and shall:

- a) comply with the requirements of 8.7.1;
- b) be placed no more than seven (7) days prior to an activity or event;
- c) be allowed to remain in the right of way throughout the duration of the event; and
- d) be removed within twenty-four (24) hours following the conclusion of the event or activity.

8.8 Projecting Sign Regulations

8.8.1 A projecting sign shall:

- a) only be located on the primary building face;
- b) not have a separation of more than 0.6m between the sign and the primary building face to which it is attached;
- c) not project more than 2.0m from the building face to which it is attached, or 0.3m from the road edge of the sidewalk, whichever is less;
- d) have a maximum copy area of 2.2m² per side or 25% of the area of the primary building face, whichever is less;
- e) have a minimum clearance of 2.5m when measured from grade to the bottom of the sign's structure;
- f) not project over public property unless written approval is provided by the Town; and

- g) not project more than 0.3m above the roof line or, the maximum allowable height of the building, whichever is less.

8.9 Other Sign Types

Home Business Sign

- 8.9.1 A home business sign shall be limited to a fascia sign with a maximum sign area of 0.37m².
- 8.9.2 The Development Authority may include signage as part of an approval for a home business development permit.

Directional Sign

- 8.9.3 A directional sign may contain a logo or name of business and may be illuminated.
- 8.9.4 A directional sign in a commercial, industrial, institutional, or park district shall:
 - a) have a maximum height of 1.5m;
 - b) have a maximum sign area of 0.55m²; and
 - c) be limited to four (4) directional signs per site or parcel.
- 8.9.5 A directional sign attached to a building or structure shall not project outward from the face of the building.

Menu Board Sign

- 8.9.6 A menu board sign shall only be located on a parcel within a commercial district. A menu board sign shall:
 - a) have a maximum height of 3.0m;
 - b) have a maximum sign area of 3.0m²;
 - c) be limited to a maximum of two (2) menu board signs per business on site; and
 - d) incorporate landscaping where required by the Development Authority;
 - e) not create any off-site nuisance with regard to noise or illumination, to the satisfaction of the Development Authority.

8.10 Election Signs

- 8.10.1 Election signage refers to all signs used for an election, by-election, referendum or plebiscite.
- 8.10.2 Signs may not be erected more than thirty (30) days in advance of a municipal or provincial election or to the voting of a referendum or plebiscite and no more than thirty-six (36) days prior to a federal election.
- 8.10.3 Signs shall be removed following the closing of voting stations within 48 hours.
- 8.10.4 Where an election sign is intended to be located within a road right of way, the sign shall be limited to an a-frame sign or post sign and shall be self-supporting, able to collapse upon impact and be constructed of paper, cardboard, or other similar light material.
- 8.10.5 Election signs shall not be placed:
- a) on or over any curb, sidewalk, post, traffic control device, public utility pole, hydrant, boulevard, median, bridge, fence, tree, balcony or any other surface that may be deemed inappropriate by the Development Authority; and
 - b) on or within any municipally owned or occupied facility, on or within any site upon which a municipally owned facility is located, or on a site on which a polling station is located.

8.11 Special Event Signs

- 8.11.1 A special event sign used for the purpose of advertising a special event or for providing public notices shall not require a development permit provided:
- a) It does not contain advertising copy other than information specific to the special event;
 - b) When located in a road right of way it shall:
 - i) be limited to an a-frame sign or a post sign;
 - ii) have a maximum height of 0.9m;
 - iii) be located 5.0m from all other signs within the road right of way;
 - iv) be placed no more than five (5) days prior to the event, if it is a singular occurring event;
 - v) be placed no more than two (2) days prior to the event if it is a regularly scheduled event (e.g. farmers market);

- vi) be allowed to remain within the right of way throughout the duration of the event; and
 - vii) be removed within twenty-four (24) hours following the conclusion of the event.
- c) When located outside a road right of way shall be limited to an a-frame sign, a post sign, a portable sign or a banner sign.

8.11.2 A portable sign used as a special event sign shall:

- a) be placed no more than five (5) days prior to the event;
- b) be placed no more than two (2) days prior to the event if it is a regularly schedule event (e.g. farmers market); and
- c) be removed within twenty-four (24) hours following the conclusion of the event.

8.12 Enforcement

8.12.1 The Development Authority or designate may request or order the immediate removal of a sign where in their opinion, it is:

- a) placed in contravention of a provision of this Bylaw;
- b) in a state of disrepair or structurally inadequate; or
- c) unsafe.

8.12.2 A sign is unsafe if it:

- a) is in a condition that could be hazardous to the health or safety of any person or vehicle; or
- b) causes visibility obstructions or hazards.

8.12.3 Where any portion of a sign is placed on a public property contrary to any provisions of this Bylaw, the Development Authority or designate may remove the sign or request the sign be removed at the expense of the owner of the sign.

8.12.4 A sign that is removed pursuant to this Bylaw shall be stored by the Town for a maximum of thirty (30) days, during which time the owner may claim and retrieve the sign upon payment to the Town for any impoundment and storage fees.

8.12.5 If a sign is not claimed or retrieved by the owner after thirty (30) days of its removal, the Development Authority or designate is authorized to destroy or otherwise dispose of any sign without any further notice or compensation to the owner.

- 8.12.6 Despite Section 8.12.4 and 8.12.5 where a sign constructed of poster board, foam core board, illustration board or any other similar materials is removed pursuant to this Bylaw, it may be disposed of within twenty-four (24) hours without any notice or consideration to the owner.
- 8.12.7 The costs incurred by the Town in removing the sign, restoring a site or destroying a stored sign, including the cost of any immediate measures taken to terminate an immediate danger are debts due to the Town that may be recovered in a court action.
- 8.12.8 The owner of a sign or any person responsible for the placement of any sign or sign structure or both, shall be liable and responsible for such sign or sign structure.
- 8.12.9 The Town shall not be liable for any damage to or loss of, a sign that was erected in contravention of the provisions of this Bylaw and removed by the Development Authority or designate.
- 8.12.10 The Town shall not be liable for any loss of revenue resulting from the removal of a sign pursuant to the provisions of this Bylaw.

PART 9 – DEFINITIONS

A

General Definitions

ABUTTING means immediately contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site or piece of land, and shares a property line or boundary line with it.

ACCESSORY BUILDING means a detached building naturally or normally incidental, subordinate, and exclusively devoted to the principal building and which is located on the same lot or site as the principal building. Accessory buildings are not intended to support any occupancy. Typical accessory buildings include, but are not limited to, detached garages, sheds, gazebos, storage buildings and farm shops.

ACCESSORY STRUCTURE means a detached structure naturally or normally incidental, subordinate, and exclusively devoted to the principal building and which is located on the same lot or site as the principal building. Typical accessory structures include, but are not limited to, flagpoles, swimming pools, hot tubs, satellite dishes, play structures, and solar collectors.

ACCESSORY USE means a use incidental and subordinate to the principal use, located on the same lot or site as the principal use.

ACT or MUNICIPAL GOVERNMENT ACT means the Municipal Government Act, R.S.A. 2000, c.M-26, as amended.

ADJACENT means contiguous to, or would be contiguous if not for a river, stream, railway, road, utility right-of-way or public utility lot.

AMENITY AREA means in a residential development, an indoor and/or outdoor space provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common; and/or

Use Definitions

ABATTOIR means a building where livestock is slaughtered and the meat may be cut, cured, smoked, aged, wrapped, or frozen for distribution to retail stores.

ACCESSORY DEVELOPMENT means a development (building, structure or use) that is subordinate to, incidental to and located on the same site as the principal building or use. Where a structure is attached to a principal building on a site by a roof, an open or enclosed structure, a floor or foundation, or any structure below grade allowing access between the building and the accessory development, it shall be considered part of the principal building. This use may include, but is not limited to sheds, detached garages,

and gazebos.

ADULT ENTERTAINMENT means a development where products or services are provided that are of a sexual nature and show or display nudity or partial nudity. This use may include, but is not limited to adult mini theatres, erotic dance clubs, adult video stores, and retail love boutique/shops.

AGRICULTURE means the raising of crops or rearing of livestock, either separately or in conjunction with one another. This may include apiculture, aquaculture and vermiculture. This does not include confined feeding operations.

AMUSEMENT CENTRE means premises where amusement-oriented activities occur outdoors or, in an enclosed structure and which includes, but is not limited to, indoor laser tag and paintball arenas, billiard halls, mini-golf, go-karts, playgrounds, or coin or token-operated, video, computer, or electronic games. This use shall not include video lottery terminals.

ANIMAL BREEDING AND BOARDING FACILITY means a development used for the breeding, boarding and training of domestic animals overnight or for periods greater than twenty-four (24) hours. Typical uses are kennels and pet boarding establishments.

ANIMAL SERVICE FACILITY, MAJOR means a development for the purpose of treatment, medical procedures, boarding and training, includes retail sales of associated products, and may require outdoor enclosures, pens, runs or exercise areas. This includes animal hospitals, impounding and quarantining facilities, but does not include the sale of animals.

ANIMAL SERVICE FACILITY, MINOR means a development primarily for the purpose of outpatient care, small animal training not to exceed ten animals on the premises at any one time for training purposes, treatment or grooming of animals and includes retail sales of associated products. Boarding of small animals is permitted when associated with a veterinary clinic. Outside enclosures, pens, runs or exercise areas are not permitted. This use includes pet grooming salons and small animal veterinary clinics but does not include animal hospitals.

ASSISTED LIVING FACILITY – see Special Care Facility

AUCTIONEERING FACILITY means a development intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment, but does not include livestock, farmers/flea markets or second-hand retail stores.

AUTOBODY REPAIR AND PAINT SHOP means a development where automobiles, trucks, and other vehicles undergo body repair and painting.

AUTOMOTIVE SERVICE CENTRE means a development used for the repair and maintenance of vehicles, which excludes the sale, or distribution of petroleum products.

AUTOMOTIVE AND RECREATION VEHICLE REPAIR SHOPS means a development used for the servicing and mechanical repair of automobiles, light trucks, utility vehicles, motorcycles, snowmobiles and similar vehicles and/or the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops.

AUTOMOTIVE AND RECREATION VEHICLE SALES/RENTAL means a development used for the retail sale or rental of new or used automobiles, trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light RV vehicles or crafts, together with incidental maintenance services and sale of parts. This includes auto dealerships, RV dealerships, car rental agencies and motorcycle dealerships. This does not include commercial vehicle (truck dealerships or farm equipment dealerships) or the sale of motorhomes.

B

General Definitions

BALCONY means a platform, attached to and projecting from the face of a building with or without a supporting structure above the first storey, normally surrounded by a balustrade or railing and used as an outdoor porch or sundeck where the only means of access is provided from within the building.

BASEMENT means a portion of the building located below the first storey.

BUILDING means anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge that forms part of a highway or public roadway.

Use Definitions

BED AND BREAKFAST means a development of an owner-occupied dwelling whereby temporary accommodation is provided to the public for remuneration with three (3) or fewer guest rooms and where breakfast, but no other meals, may also be provided.

BULK FUEL SALES DEPOT means a development used for the bulk storage and distribution of petroleum products primarily to commercial and industrial vehicles and fleets and may include key lock retail sales.

BUSINESS SUPPORT SERVICE means a development used to provide support services to businesses, typical uses include but are not limited to printing establishments, testing laboratories, janitorial firms, and office equipment sales, rental or servicing, repair establishments, and sign shops.

C

General Definitions

CANOPY means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the weather.

CANTILEVER means a projection of part of an exterior wall of a building not supported by a foundation wall for the purposes of accommodating a bow window, shelving units, closets, a fireplace or a portion of a bathroom. At no time shall a cantilevered wall section extend the entire length of the room.

CARPORT means a roofed structure either free standing or attached to a building, which is not enclosed on the front and at least one side, to shelter parked vehicles.

CHANGE OF USE means the act of changing the use occupying a tenant space, building or parcel of Land to a different use.

COMMERCIAL VEHICLE means any motorized vehicle that is designed or used for any activity with the main purpose of financial gains, and shall include, but is not limited to:

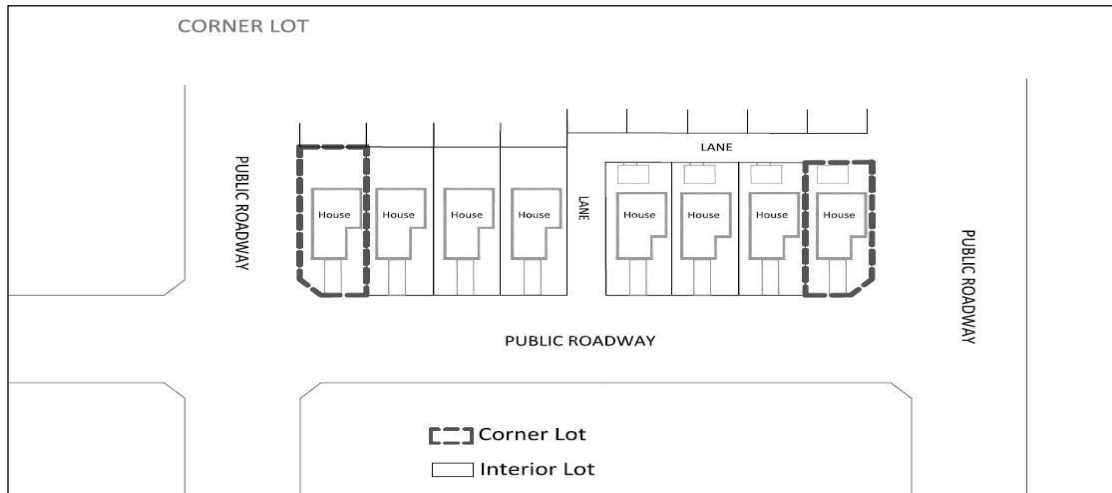
- (a) Any vehicle licensed or used for commercial purposes and having a gross vehicle weight (GVW) rating in excess of 4,000kg or exceeding seven meters in length or any trailer licensed or used for commercial purposes;
- (b) Any piece of construction equipment or agricultural equipment;
- (c) Any vehicle not licensed as a commercial vehicle, but is used for the collection or delivery, or both, of merchandise or commodities in the ordinary course of a business undertaking; or
- (d) Any vehicle that incorporates a boom (cherry picker) or similar mechanical fitting.

COMPLIANCE CERTIFICATE means a document which may be issued by a Development Officer, upon request and payment of the required fees, indicating whether a building(s) located on a site is (are) located in accordance with the setback regulations of this bylaw. A compliance certificate shall not operate as a development permit nor shall it approve any variance to the setback regulations of this bylaw not previously approved.

CONDOMINIUM means a condominium development containing condominium units that assign ownership to units of land, created specifically through subdivision and registered as a condominium plan in accordance with the Condominium Property Act.

CORNER means the intersection of any two property lines of a site.

CORNER LOT means a lot that abuts two intersecting streets, other than a lane.



COUNCIL means the Council of the municipal corporation of the Town of Mundare

CURB CUT means the lowering of a curb, sidewalk or boulevard to provide a driveway for vehicular and pedestrian access to a site.

Use Definitions

CAMPGROUND means development which has been planned and improved for the short and long-term use of holiday trailers, campers, motor homes, and similar recreation vehicles within a defined area. Related facilities that are accessory to and support the campground such as an administrative office, laundromat, convenience store, picnic grounds and playgrounds may be included on-site.

CANNABIS means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations as amended from time to time and includes edible products that contain cannabis.

CANNABIS ACCESSORY – means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time.

CANNABIS LOUNGE/CAFE – means development where the primary purpose of the facility is the sale of cannabis to the public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution, bars and neighborhood pubs, nightclubs, private clubs, etc.

CANNABIS PRODUCTION AND DISTRIBUTION – means development used principally for one or more of the following activities as it related to cannabis:

- (a) The production, cultivation, and growth of cannabis;
- (b) The processing of raw materials;
- (c) The making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished good and products;
- (d) The storage or transshipping of materials, goods and products; or
- (e) The distribution and materials, goods and products to cannabis retail sales stores or to individual customers.

CANNABIS RETAIL SALES – means a development used as a retail store, licensed by the Province of Alberta, where non-medical cannabis and cannabis accessories are available for sale to the general public. This does not include cannabis production and distribution.

CAR WASH means a development providing interior and/or exterior cleaning services to motor vehicles. Typical uses include interior and exterior automotive/drive through or coin/time operated car washes, which may or may not be accessory to a service station or gas bar.

CEMETERY means development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematoria, columbaria and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance.

CHILD CARE SERVICES means a development to provide care, educational activities and supervision, without overnight accommodation, for groups of seven or more children under the age of 13 years. This includes daycare centres, out of school care centres, and preschools.

COMMERCIAL SCHOOL means a development used for the training, instruction and/or certification in a specific trade, skill, or service for the financial gain of the individual or company owning the school. Typical uses include business, hair stylist, dance or music schools.

COMMUNICATION TOWER means the components; either individually or in combination, needed to operate wireless transmitters or receivers, antennas, control equipment, and possible equipment shelter. A wireless communication facility is not normally staffed on a permanent basis and only requires periodic maintenance

COMMUNITY GARDEN means a plot of land used by a group of community members to grow vegetables and fruit for personal use and consumption.

COMMUNITY SERVICE FACILITY means a development for use by the public or public groups for cultural or community activities. Typical uses include museums, libraries, tourist information/interpretive centres.

CONGREGATE HOUSING means housing in multiple unit form for semi-independent persons and may provide living and sleeping facilities, meal preparation, laundry

services, transportation, counseling and room cleaning. This does not include Group Home Major, Group Home Minor, or Special Care Facility.

CONTRACTOR SERVICE, GENERAL means development used for the provision of building and road construction services, landscaping, concrete, and electrical, excavation, drilling, heating, plumbing or similar services of a construction nature which require on-site outdoor storage space for materials, equipment, and vehicles. Any sales, display, office or technical support service areas shall be accessory to the principal use only.

CONTRACTOR SERVICE, LIMITED means development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no outdoor manufacturing activities or fleet storage of more than four (4) vehicles.

CONVENIENCE RETAIL STORE means a development used for the retail sale of goods from premises that do not exceed 235m² in gross floor area. This includes but is not limited to a small food store, a drug store or variety stores selling confectionery tobacco, groceries, beverages, pharmaceutical and personal care items, or printed matter. This definition does not include cannabis retail sales.

CUSTOM INDOOR MANUFACTURING means development used for on-site manufacturing, production, assembling of semi-finished or finished goods, products and equipment normally associated with building or household use. This includes but it not limited to toy and musical instrument manufacturing, cabinet and furniture manufacturing and computer components. This does not include repair shops or those uses identified under custom workshops.

CUSTOM WORKSHOPS means development used for the production by a trade, craft or guild for the manufacture or processing of clothing, articles or craft objects. Typical uses may include a photography studio, pottery and sculpture studio, and art studio. This may include the provision of classes; however, this shall be accessory to the principal use. This does not include those uses listed under custom indoor manufacturing.

D

General Definitions

DANGEROUS GOODS means Dangerous Goods as defined in the Alberta Fire Code, as amended from time to time, and are produced, handled, stored, used or disposed of on any site.

DECK (or PATIO) means an uncovered horizontal structure, without a roof or walls (except for railings), which is designed and intended for use as a private amenity space.

DENSITY means the number of dwelling units on a site divided by the land area of the site.

DEVELOPMENT means:

- (a) An excavation or stockpile and the creation of either of them;
- (b) A building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
- (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 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 a person or body appointed as the Development Authority for the Town who exercises development powers and duties, as contemplated by, and in accordance with, the Municipal Government Act.

DEVELOPMENT OFFICER means any Town employee, person or organization designated as the Development Officer for the Town.

DEVELOPMENT PERMIT means a planning application that allows the Town to review a development, pursuant to the Land Use Bylaw, which includes the plans and conditions of approval.

DISCRETIONARY USE means those uses of land, buildings or structures for which a development permit may be approved or refused at the discretion of the Development Officer. This allows for flexibility in design but reduces certainty of approval.

DRIVE AISLE means an area used for access to and from on-site parking spaces but does not include an access driveway.

DRIVEWAY means an area that provides access for vehicles from a public or private roadway to a garage or parking area.

DWELLING means a self-contained living accommodation comprised of a kitchen, washroom, sleeping and living area with a separate private entrance from the exterior or interior of a building. This does not include a recreational vehicle, a park model trailer or a room in a hotel or a motel. Dwelling shall also mean dwelling unit.

Use Definitions

DRIVE-THROUGH SERVICE means a development that provides rapid customer service where the customer typically remains within the vehicle or waits in the premises. This land use includes but is not limited to coffee shops, lubrication shops.

DWELLING, APARTMENT means a building containing three or more dwelling units that share a common external access and a common corridor system.

DWELLING, BACKYARD SUITE means an accessory use on the same lot as the principal dwelling, which is either a separate one (1) storey building having no garage component, or a suite above an accessory (garage) building or to the rear of an accessory building (at grade), or a suite within an accessory building. A backyard suite has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the principal dwelling. The ground floor area of a backyard suite forms part of the total accessory ground floor area allowed in the District. This may include a Tiny Home, which is constructed in accordance with the Alberta Building Code but does not include a Park Model and Recreational Vehicle Dwelling or Secondary Suite.

DWELLING, DUPLEX means a building containing only two dwelling units on the same site with one dwelling placed over the other in whole or in part, each with a separate and individual access. This does not include a semi-detached dwelling or secondary suite.

DWELLING, PARK MODEL and RECREATIONAL VEHICLE – CSA Z241 and CSA Z240 RV certification, sized to a maximum 50m² gross floor area, including lofts. These units are intended for seasonal occupancy only and shall only be allowed in land use districts where the use is a listed use in the district.

DWELLING, MULTI-ATTACHED means development consisting of three or more dwelling units separated by common walls and located either on a single lot or with each unit on an individual lot, each dwelling unit having at least one separate entrance. Typical uses include townhouses and row houses.

DWELLING, SECONDARY SUITE means development consisting of a dwelling unit located within, and accessory, to a structure in which the principal use is a single detached dwelling. A Secondary Suite shall not be permitted within any other use class. A Secondary Suite has self-contained living accommodation which is physically separate from those of the principal dwelling within the structure. A Secondary Suite shall have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure. This may include the development or conversion of basement space or above-grade space to a separate dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling.

DWELLING, SEMI-DETACHED means development consisting of two dwelling units joined in whole or in part at the side with no dwelling being placed over another in whole or in part. Each dwelling is located on a separate site and has individual, separate and direct access to grade. A semi-detached dwelling cannot accommodate a secondary suite. This does not include a duplex dwelling or secondary suite.

DWELLING, SINGLE DETACHED means development consisting of a detached building containing one dwelling unit, except where a secondary suite may be considered in accordance with this Bylaw. This may include modular homes or Ready-To-Move (RTM) homes subject to compliance with the regulations of the district and architectural requirements. This does not include Tiny Homes.

DWELLING, TINY HOME – means a development consisting of a detached building containing one dwelling unit of less than 400 sq. ft in size. All Land Use bylaw regulations, and safety requirements, including building and fire codes must be met. These permits and codes include a provision that to be permanently occupied, the structure must be built on a permanent foundation and be fully serviced with utilities such as water and sewer lines. A Tiny home shall only be considered if a Dwelling, Backyard Suite is a listed use in the land use district.

E

General Definitions

EASEMENT means a registered right to use land owned by another, generally for access to other property or as a right of way for a public utility.

Use Definitions

EDUCATION, PRIVATE means a development for instruction and education which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction. This use may include accessory uses such as a dormitory, an accessory building, or school bus parking. This use does not include commercial schools.

EDUCATION, PUBLIC means a development that is publicly supported and involves public assembly for education, training or instruction purposes. This use includes the administration offices required for the provision of such services on the same site. Typical uses include, but are not limited to public and separate schools, community colleges, universities and technical and vocational schools. This use does not include private education or commercial schools.

EMERGENCY SERVICE means a development used for the public protection of persons and property. Typical uses include police stations, fire stations and ancillary training facilities.

EQUIPMENT SALES AND SERVICE, MAJOR means a development used for the sale, rental, service, or repair of commercial and industrial vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations, and agricultural production. This use includes the sale, installation, servicing or storage of related accessories and parts, and includes truck and heavy equipment shops.

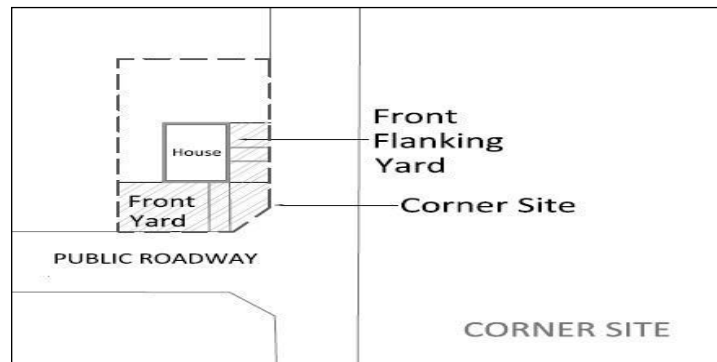
EQUIPMENT SALES, SERVICE AND RENTALS means a development where residential, industrial and/or commercial equipment is kept for sale, lease or rental to the public. The equipment may include items such as lawn and garden tools, floor cleaning equipment, and masonry tools, painting and decorating equipment, moving tools, plumbing tools, power tools and other similar products.

F

General Definitions

FENCE means a structure constructed at ground level to prevent or restrict passage, provide visual screening, noise attenuation or to mark a boundary.

FLANKING YARD means the portion of a lot or site abutting the flanking lot line extending from the front yard to the rear yard. The front flanking yard is situated between the flanking lot line and the nearest wall of the principal building.



FLANKING YARD SETBACK means the distance that a development or a specified portion of it must be setback from the flanking lot line. A flanking yard setback is not a front yard, amenity space or separation space

FLOOR AREA RATIO means the numerical value of the gross floor area on all levels of all buildings on a lot, divided by the area of the lot.

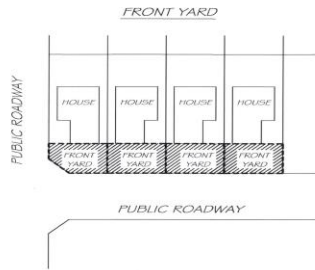
FOUNDATION means the lower portion of a building, usually concrete or masonry, including the footings that transfer the weight loads of a building to the ground.

FRONTAGE means the length of a public roadway boundary measured along the front lot lines of a site. On corner sites or double fronting sites, all sides of a site adjacent to public roadways shall be considered frontage.

FRONT LOT LINE means the property line separating a lot from an abutting public roadway other than a lane. In the case of a corner lot, the front lot line is the shorter of the property lines abutting a public roadway other than a lane.

FRONT SETBACK means the distance that a development or a specified portion of it must be setback from a front lot line. A front setback is not a front yard, amenity space or separation space.

FRONT YARD means the portion of a site abutting the front lot line extending across the full width of the site, situated between the front lot line and the nearest wall of the principal building, not including projections.



Use Definitions

FAMILY DAY HOME means an accessory use in a dwelling used to provide care and supervision, but not overnight accommodation, to a maximum of six children. This number shall include any children under the age of five who are otherwise permanent residents of the dwelling.

FARMERS MARKET means a development used for the sale of new or used goods by multiple vendors renting tables or space either in or out of an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. Such uses are usually of a seasonal nature.

FOOD AND BEVERAGE PRODUCTS means a commercial facility in which food or beverage products or both are manufactured, produced or otherwise prepared for human consumption but not consumed on the premises. This may include a retail component; however, this retail component shall be accessory to the principal use. Typical uses may include a bakery, pre-packaged foods, water bottling and catering facilities. This does not include food service, mobile catering. The impact of this use shall not extend beyond the boundaries of the building.

FOOD SERVICE, MOBILE CATERING means the delivery and sale of food to the public using a fleet of vehicles.

FOOD SERVICE, RESTAURANT means a development where the primary purpose is the sale of prepared foods and beverages to the public for consumption on or off the site. This use includes licensed restaurants; this use may also include seasonal outdoor patio seating. This definition does not include cannabis retail sales or cannabis lounge/café.

FOOD SERVICE, SPECIALTY means a development where limited types of prepared foods and beverages, excluding alcoholic beverages, are offered for sale to the public for consumption on or off the site. Typical uses are coffee, donut, bagel, sandwich or dessert shops. This use may also include seasonal outdoor patio seating. This definition does not include cannabis lounge/café.

FLEET SERVICE means a development using a fleet of vehicles for the delivery of people, goods and services, where such vehicles are not available for sale or long-term lease. This includes but is not limited to bus lines (including school buses), messenger and courier services. This does not include moving or cartage firms involving trucks.

FUNERAL SERVICE means a development for the preparation of the deceased for burial or cremation, and the holding of associated services. This includes funeral homes and crematoriums.

G

General Definitions

GARAGE means an accessory structure or part of the principal building, designed and used primarily for the storage of motor vehicles.

GRADE means the ground elevation established for the purpose of regulating the number of stories and the height of a building or structure.

GRADE, BUILDING means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except for areas such as vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

GROSS FLOOR AREA (GFA) means the total floor area of a building within the exterior and basement walls. This does not include basement areas used exclusively for storage or service to the building, parking areas below grade, and areas devoted exclusively to mechanical or electrical equipment servicing the development.

GROSS VEHICLE WEIGHT (GVW) means the total weight of a vehicle, including its maximum allowable load.

Use Definitions

GAS BAR means a development for the sale of motor fuel, lubricating oils, automotive fluids, and associated convenience store products. This does not include service stations or car wash facilities.

GENERAL INDUSTRIAL means a development used for one or more of the following activities: manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing or distribution of materials, products or equipment; and may include the training of personal in general industrial operations. Accessory uses may include indoor display, office, technical or administrative support areas or any sales operation directly associated with the general industrial activities on-site. This use shall exclude natural resource development. This definition does not include cannabis production and distribution.

GOLF COURSE means an outdoor facility designated primarily for the game of golf. Accessory uses may include a pro shop, golf driving range or practice facility or both, food and beverage services, temporary RV camping and other commercial uses typically associated with a golf course facility.

GOVERNMENT SERVICE means a development providing municipal, provincial or federal government services directly to the public. Typical uses include, but are not limited to taxation offices, courthouses, postal stations, manpower and employment offices, and social service offices. This use does not include detention and correctional service, emergency services or utility services, either major or minor.

GREENHOUSE means a facility used for the raising, storage and sales of produce, bedding, ornamental plants, trees as well as associated products. The main part of the building must be plant related and any aggregate sales must be a minor accessory component only. This use does not include cannabis production and distribution.

GROUP HOME, MAJOR means a care facility licensed by the Province of Alberta to provide room and board for more than six (6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This does not include Congregate Housing or Special Care Facilities.

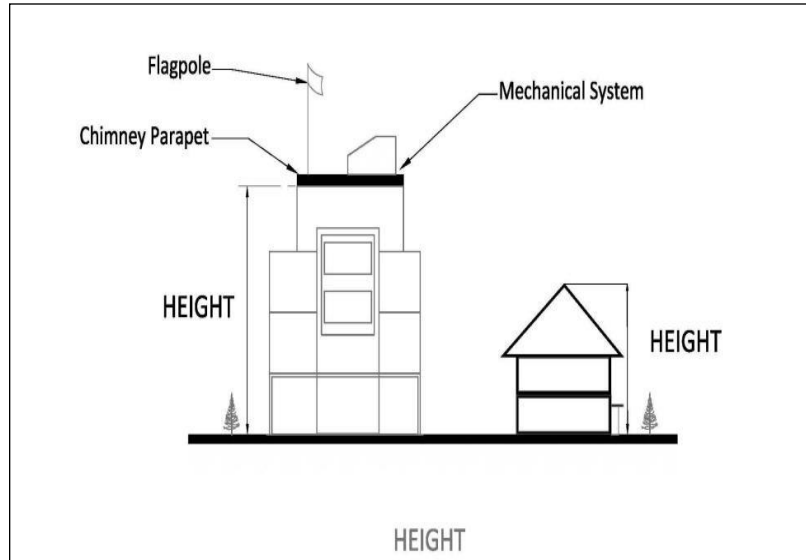
GROUP HOME, MINOR means the use of one dwelling unit as a care facility licensed by the Province of Alberta to provide room and board for residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. A group home, minor may include, to a maximum of six (6), any combination of staff, residents requiring care, and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This does not include Congregate Housing or Special Care Facilities.

H

General Definitions

HARDSURFACING means the provision of a durable, dust free material such as asphalt, concrete, paving stone or similar material that is used in the construction of a driveway or parking area. This does not include gravel or clay.

HEIGHT means the vertical distance between grade (at the base of the building) and the highest point of the building, excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a firewall, a parapet wall, a flagpole or similar device not structurally essential to the building.



HIGHWAY means a highway as defined under the Highways Development and Protection Act, as amended.

HOME BUSINESS VEHICLE means any vehicle or any trailer that is used in the operation of the home business that is normally maintained, parked, or stored on the lot of the home business. This shall not include commercial vehicles.

Use Definitions

HEALTH SERVICE, MAJOR means a development for provision of surgical or other medical treatment for the sick, injured or infirmed including outpatient services and accessory staff residences. This includes but is not limited to hospitals, clinics, continuing care facilities, mental health facilities and community health sites.

HEALTH SERVICE, MINOR means a development for provision of physical and mental health services on an outpatient basis. Services may be of a preventive, diagnostic, treatment, and therapeutic, rehabilitative or counseling nature. This includes medical and dental offices, health clinics, acupuncture clinics, physiotherapy, massage therapy and counseling services. This definition does not include cannabis retail sales.

HOME BUSINESS, MAJOR means the use of a principal dwelling, or combination of a principal dwelling and an accessory building, by a resident of the dwelling unit and a maximum of one (1) non-resident on-site employee for a business activity that may generate more than six (6) business associated visits per day. The business use must be secondary to the residential use of the building; shall not change the residential character of the dwelling or accessory structure; and, shall occupy a maximum of 30 percent of the dwelling unit's gross floor area plus a maximum of 30 percent of the gross floor area of all accessory buildings. This definition does not include cannabis retail sales or cannabis production and distribution.

HOME BUSINESS, MINOR means the use of a principal dwelling by a resident of the dwelling for a business activity which shall not require any business associated visits; shall not be detectable from outside the property; shall not have any non-resident employees and shall not extend to the use of the garage or outside yard. This use shall not include family day homes. This definition does not include cannabis retail sales or cannabis production and distribution.

HOTEL means development used for the provision of rooms or suites for temporary or short-term sleeping accommodation where the rooms have access from a common interior corridor. This use may include accessory eating and drinking establishments, meeting rooms, personal services and retail stores.

HOUSEHOLD REPAIR SERVICES means development used for the provision of repair services to goods, equipment and appliances normally found within the home. This includes but is not limited to electronic repair appliance repair, furniture refinishing, and upholstery shops but does not include personal services.

I

General Definitions

INTERIOR LOT means any lot other than a corner lot

L

General Definitions

LANDSCAPING means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of the following:

- . Soft landscaping elements (such as trees, shrubs, plants, lawns and ornamental plantings); and
- . Hard surfacing elements (such as bricks, pavers, shale, and crushed rock).

This does not include monolithic concrete and asphalt (such as patios, walkways, and paths), and architectural elements (such as decorative fencing, walls, sculpture).

LAND USE means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

LAND USE DISTRICT means an area of the Town established as a Land Use District by this Bylaw.

LANE means an alley or narrow public roadway intended to give access to the rear of buildings and parcels of land. For the purposes of determining setbacks, a lane is not a road.

LOADING SPACE means an on-site parking space reserved for temporary parking for the purpose of loading or unloading of goods and materials.

LOT means:

- (a) A quarter section;
- (b) A river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office;
- (c) A settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office;
- (d) A part of a parcel of Land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
- (e) A part of a parcel of Land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

LOT AREA means the total area within the lot lines.

LOT DEPTH means the horizontal distance between the midpoints of the front and rear lot lines.

LOT LINE means the legally defined boundary of any lot.

LOT, PIE means a lot that is generally configured such that its width at the rear lot line is greater than at its front lot line.

LOT, REVERSE PIE means a lot which is generally configured such that its width at the rear lot line is less than at its front lot line.

LOT WIDTH means the distance between the midpoints of the side lot lines. In the case of:

- (a) an irregularly shaped lot such as a pie lot, the width shall be measured at the distance between the side lot lines at 9.0m from the front lot line; or
- (b) for a reverse pie lot, the width shall be measured at the distance between the side lot lines 22.0m from the front lot line.

Where lot width cannot be reasonably calculated by these methods, the Development Officer shall determine the lot width having regard to the access, shape and buildable area of the lot.

Use Definitions

LANDSCAPING SALES AND SERVICE means a development used for the purpose of selling soft landscaping materials such as plants, trees and shrubs, as well as hard landscaping materials such as bricks, pavers, shale, crushed rock or, other similar materials associated with landscaping. This does not include a business engaged in the sale of lawn and garden equipment. This definition does not include cannabis production and distribution.

M

General Definitions

MANUFACTURED HOME (MOBILE HOME) – means a one-storey building, single dwelling unit only, constructed in a factory in one or more modules in conformance with CSA Z240 MH Series and is ready for occupancy on completion of installation on a foundation, connection of services, and other set-up in accordance with the manufacturer’s installation instructions. Since 1992, any home constructed to this standard cannot be sited in Alberta.

MODULAR HOME - means a building providing a single dwelling unit only, constructed in a factory in one or more modules in accordance with the provincially adopted National Building Code/regulation (CSA A277) and is ready for occupancy on completion of installation on a foundation, connection of services and other set-up in accordance with the manufacturer’s installation instructions, the Alberta Building Code and the regulations of the land use bylaw.

MOVED-ON BUILDING means an existing building or other structure that was located off-site in its entirety, at some point in time, and is transported to a site for the intended placement and use thereof. This use may include a dwelling or detached garage but does not include modular home.

MULTI-TENANT DEVELOPMENT means a development of two or more commercial or industrial uses developed on a site that includes common property, such as but not limited to, communal parking areas, driveways, private roadways, amenity areas, or maintenance areas that are shared. Multi-tenant developments may include rental projects and conventional condominium developments.

Use Definitions

MIXED USE DEVELOPMENT – means a multi-storey building containing a dwelling unit in combination with a commercial use on the same site. The composition of uses will be those uses listed in the district located on the ground floor with residential units above. In these developments, residential uses shall not be on the same floor as commercial uses and shall not be on the ground floor.

MOTEL means a development used for the provision of rooms or suites for temporary lodging and may be equipped with individual kitchen facilities, with a separate exterior entrance. Motels may include accessory food and beverage facilities.

N

General Definitions

NATURAL AREA means natural, sensitive or scenic lands owned by the Town that are identified for conservation or nature appreciations or both.

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 the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.

As defined in the Municipal Government Act, as amended

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 the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

As defined in the Municipal Government Act, as amended.

NON-RESIDENT ON-SITE EMPLOYEE means any person employed by the resident operator of a home business who normally works on the site of the home business. Employees who work off-site or occasionally attend the site shall not be considered a non-resident on-site employee.

NUISANCE means anything that may cause adverse effects to the amenities of the neighborhood or interfere with the normal enjoyment of adjacent land or building. This could include that which creates or is liable to create: noise, vibration, smoke, dust, odor, heat, electrical interference, glare, light, fumes, fire, explosion, or any other hazard to health or safety; and unsightly or unsafe storage of goods, salvage, junk, waste or other materials.

Use Definitions

NATURAL RESOURCE DEVELOPMENT means development for the processing of raw materials extracted either on a site or transported from another site. Typical uses include petroleum upgrading and gravel processing.

NEIGHBOURHOOD PUB means a premise where the primary purpose is the sale of alcoholic beverages and food for consumption on the site. This includes bars, and cocktail lounges, and may include live entertainment but does not include adult entertainment. This definition does not include cannabis lounge/café.

O

General Definitions

OVERLAY means additional development regulations superimposed on specific areas of the Land Use District Map, which supersede or add to the development regulations of the underlying Land Use District.

OWNER means the Crown or the registered owner(s) of an estate in fee simple, or any other person(s) having a legal interest in the lot or site, or an authorized agent designated in writing.

Use Definitions

OUTDOOR STORAGE means the storage of equipment, goods, and materials in the open air. This includes but is not limited to pipe yards, vehicle or heavy equipment storage compounds, storage of construction materials, or storage unrelated to the principal use of the lot or site. This does not include storage that is accessory to the principal use or recreational vehicle storage.

P

General Definitions

PARAPET or PARAPET WALL means that portion of a perimeter building wall that rises above the roof.

PARKING SPACE means an on-site space of a size and dimension to park one vehicle, exclusive of driveways, aisles, ramps or obstructions.

PARTY WALL means a wall jointly owned and jointly used under an easement agreement or by right in law and erected at or upon a line separating two parcels of land, each of which is, or is capable of being, a separate lot.

PATIO see **DECK**

PERMITTED USE means those uses of land, buildings and structures for which permits

must be issued if the development meets all applicable regulations of this Bylaw. This allows for certainty of approval but reduces flexibility of design.

PRINCIPAL USE means the primary purpose for which a building, or site is used, in the opinion of the Development Officer.

PROJECTION means structures projecting from the wall of a building. Common structures include balconies, raised terraces, fireplaces, bay windows, and decks.

PROVINCE OF ALBERTA means the provincial body having the relevant authority.

PUBLIC UTILITY means a system or works used to provide water or steam, sewage disposal, public transportation operated by or on behalf of the municipality, irrigation, drainage, fuel, electric power, heat, waste management, telecommunications and includes the thing that is provided for public consumption, benefit, convenience or use.

PUBLIC UTILITY LOT means a lot owned by the Town that is designated as a utility lot with the Land Titles Office and is designed to accommodate one or more public utilities, pedestrian walkways or multi-use trails.

Use Definitions

PARK means public land developed for recreational, educational, cultural or aesthetic purposes that may or may not require buildings or facilities, and may include playing fields, picnic areas, playgrounds, pedestrian and bicycle paths, dog off-leash areas, natural areas, landscaped areas and associated public washrooms.

PARKING, NON-ACCESSORY means development providing vehicular parking that is not primarily intended for the use of residents, employees or clients of a particular development. This includes surface parking lots.

PERSONAL SERVICE means a development used for the provision of services to an individual that are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes uses such as aesthetician, hair stylist, barber shop, massage therapy, dry cleaning outlet, tailor, but does not include health services minor or major. This definition does not include cannabis retail sales.

PRIVATE CLUB means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, and athletic, business or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking and assembly.

PROFESSIONAL and OFFICE SERVICE means a development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include offices of lawyers, accountants, engineers, and architects; real estate and insurance firms; banks, and similar financial uses, which financial uses may include drive-through automated tellers.

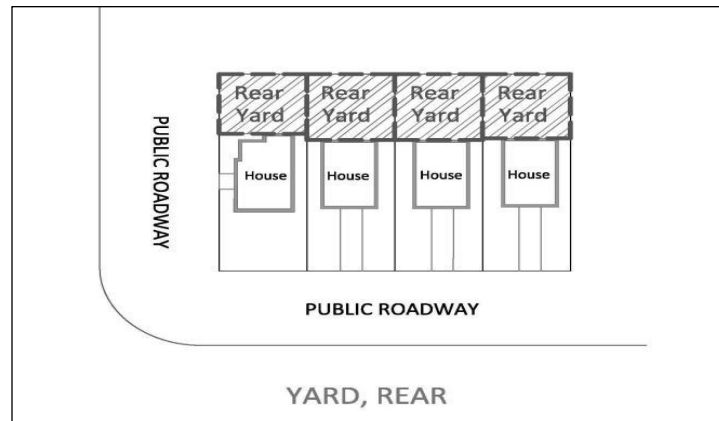
R

General Definitions

REAR LOT LINE means the property line of a lot, which is furthest from and opposite the front lot line.

REAR SETBACK means the distance that a development or a specified portion of it must be set back from a rear lot line. A rear setback is not a rear yard, amenity space or separation space.

REAR YARD means the portion of a site abutting the rear lot line extending across the full width of the site, situated between the rear lot line and the nearest wall of the principal building, not including projections.



RECREATIONAL VEHICLE means a wheeled structure designed to provide temporary living quarters or used as a form of recreation or transportation, which may or may not be a motor vehicle itself. Typical examples are travel trailers, 5th wheels, motor homes, boats, snowmobiles and all-terrain vehicles.

RIGHT-OF-WAY means an interest in land, most commonly granted for municipal utilities where there is a need for a continuous right-of-way under one or more parcels of land, which is registered only against the land, which is subject to the interest.

ROAD means land shown as a road on a plan of survey that has been filed or registered in a Land Titles Office or used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road. This does not include a highway.

ROOFLINE means the horizontal line made by the intersection of the wall of the building with the roof of the building or the top of the edge of the parapet. In the case of a building with a pitched roof, the roofline shall be at the eave level.

Use Definitions

RECREATIONAL VEHICLE STORAGE means a development, either as a principal or accessory use, where recreational vehicles are stored on a site when they are not in use. This use does not include a campground or outdoor storage of equipment, containers or abandoned vehicles.

RECREATION FACILITY, INDOOR means a development providing facilities that are available to the public for sports and recreational activities conducted indoors. Typical uses include indoor swimming pools, hockey rinks, gymnasiums, and indoor tennis courts, curling rinks, bowling alleys and indoor athletic fields but do not include indoor gun ranges.

RECREATION FACILITY, OUTDOOR means a development providing facilities that are available to the public for sports and recreational activities conducted outdoors. Typical uses include golf courses, outdoor swimming pools, sports fields, parks, outdoor tennis courts, ice surfaces or rinks, athletic fields, boating facilities, bowling greens, and fitness trails but does not include outdoor gun ranges.

RECYCLING DEPOT means a development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse, where all storage is contained within an enclosed building. This does not include recycling drop-off.

RECYCLING DROP-OFF means a development used for the collection and temporary storage of bottles, cans, newspapers and similar household goods in unattended containers placed in public areas. All materials shall be contained within the recycling containers and removed periodically for transfer to another facility. This use does not include a recycling depot.

RELIGIOUS ASSEMBLY means a development used for worship and related religious, philanthropic or social activities and includes accessory buildings and activities such as rectories, manses, meeting rooms, food preparation and services facilities, classrooms, and dormitories. This includes churches, chapels, mosques, temples and synagogues, convents and monasteries. It does not include Private Education, Public Education or Commercial Schools even as an accessory use.

RETAIL, ALCOHOL means a development used for the retail sale of any and all types of alcohol and associated products, to the general public. This includes a liquor store or a wine or beer store.

RETAIL, GENERAL means a development where consumer goods are offered for sale to the general public and includes limited on-site storage or seasonal outdoor sales to support that store's operations. Ancillary services such as, but not limited to postal outlets or cleaning appliance rentals, are permitted within a general retail premises. This includes but is not limited to a grocery, hardware, pharmacy, appliance or sporting goods store. This does not include warehouse sales, secondhand retail, a service station, retail alcohol or cannabis retail sales.

RETAIL, SECONDHAND means development used for the retail or consignment sale of secondhand personal or household goods, including the minor repair of goods on-site. Typical uses include clothing, jewelry, book and antique stores. This does not include sale of used vehicles of any kind, construction or industrial equipment.

S

General Definitions

SATELLITE DISH means an accessory structure designed to send or receive telecommunication signals from a satellite

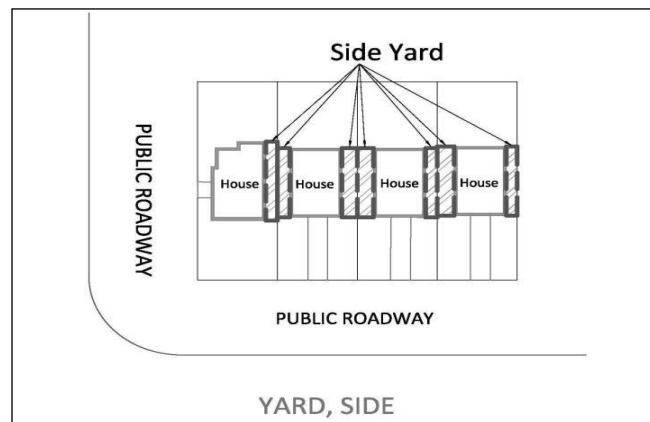
SCREENING means a fence, wall, berm or landscaping feature used to visually separate areas or functions.

SETBACK means the distance that a development or a specified portion of it must be set back from a property line. A setback is not a yard, amenity space or separation space.

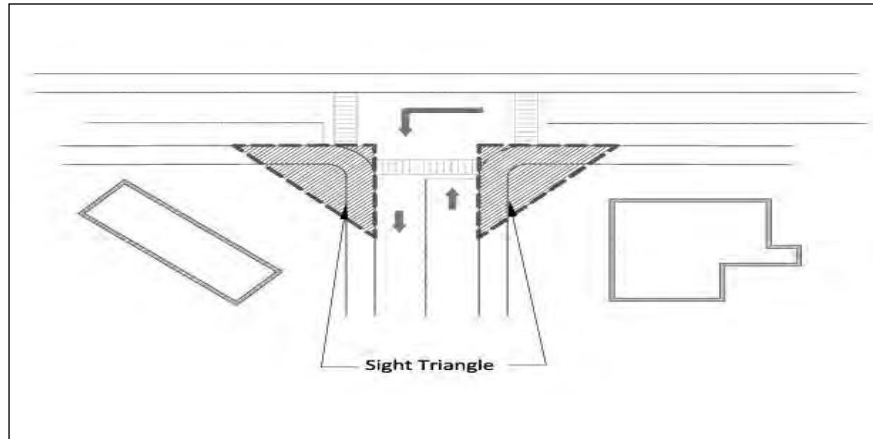
SIDE LOT LINE means the property line of a lot other than a front lot line or rear lot line.

SIDE SETBACK means the distance that a development or a specified portion of it must be setback from a side lot line. A side setback is not a side yard, amenity space or separation space.

SIDE YARD means that portion of a site abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between the side lot line and the nearest wall of the principal building, not including projections.



SIGHT TRIANGLE means a triangular portion of land established at roadway intersections in which nothing shall be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists or pedestrians entering or leaving the intersection.



SIGN means any device or fixture intended to identify or convey information or to advertise or attract attention to a product, service, place, activity, event, person, institution or business.

SIGN, A-FRAME means a sign with two angled sides, to which copy can be applied that meet at the top to form the shape of a triangle, or an inverted “V”, when resting directly on the ground.

SIGN, BILLBOARD means a sign directing attention to a business, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the site where the sign is located.

SIGN, BUILDING FACE means that portion of any exterior elevation of a building exposed to public view, extending from the grade to the eaves or the top of the parapet wall and the entire length of the building elevation, including all areas divided by firewalls.

SIGN, CHANGEABLE COPY means a freestanding sign consisting of a base placed in or on the ground, with a flat copy area of one or two sides to which copy can be applied and is designed to allow for the message or advertising to be changed frequently and easily.

SIGN, COMMUNITY EVENT INFORMATION means a permanent sign of a standard design with a changeable display feature that is used for advertising community events or notices.

SIGN, DIRECTIONAL means a sign designed to guide or direct pedestrians or motorists.

SIGN, ELECTRONIC MESSAGE means a sign that displays text, scrolling text, or characters, through electronically controlled single-color changing lights or digital programming.

SIGN, ELECTION means an event that indicates support for a candidate or, the position on a referendum or plebiscite pursuant to municipal, provincial or federal legislation.

SIGN, FASCIA means any sign painted on or attached to an exterior building wall, or any other permitted structure, running parallel to the face of the building. The copy on the sign identifies or advertises a business, activity, service or product located on the premises or site where the sign is located. Typical fascia signs include painted signs and wall signs.

SIGN, FREESTANDING means a sign that is supported on a permanent, non-moveable structure other than a building. Typical freestanding signs include revolving signs, pylon signs, entrance signs and menu board signs.

SIGN, HOME BUSINESS means a sign installed, erected or displayed to identify a business located on a lot within a residential district and contains only the name of the business on site.

SIGN, IDENTIFICATION means a sign that identifies the name, municipal address, institution, person or activity located within a development. This type of sign contains no advertising.

SIGN, INFLATABLE means an air-inflated sign which is anchored or affixed to the ground or, to the roof of a building.

SIGN, OFFICIAL means a sign required by or erected pursuant to the provisions of federal, provincial or municipal legislation.

SIGN, PORTABLE means a sign that has independent supports and is easily moveable with a flat copy area of one or two sides to which copy can be applied and that is designed to allow for the message or advertising to be changed frequently and easily.

SIGN, PROJECTING means a sign that is attached to an exterior building wall and may extend beyond the face of the building or structure. Typical signs include awning and canopy signs.

SITE means an area of land consisting of one or more abutting lots.

SITE AREA means the total area of a site.

SITE COVERAGE means the total horizontal area of all buildings or structures on a site to the site area. Within this Bylaw, site coverage shall be expressed as a percentage. The calculation of site coverage shall not include steps, eaves, cornices, and similar projections, open courtyards, terraces, patios where these are 1.0m below grade, driveway aisles and at grade parking spaces.

SITE GRADING means any work, operation or activity resulting in a disturbance of the earth. This includes the removal of topsoil or borrow, the stock piling, excavating, trenching, backfilling, filling, land leveling, re-contouring, and grading other than for the purpose of an approved development.

SOLAR COLLECTOR means any device used to collect sunlight that is part of a

system used to convert radiant energy from the sun into thermal energy or electric energy.

STATUTORY PLAN means a Municipal Development Plan, an Intermunicipal Development Plan, an Area Structure Plan and an Area Redevelopment Plan approved and adopted by bylaw by the Town.

STOP ORDER means a written notice, issued by the Development Authority, stating that a development, land use or use of a building is not in accordance with the Land Use Bylaw or a development permit or a subdivision approval. The notice identifies what steps are to be taken to rectify the non-compliance.

STORAGE CONTAINER (SEA CAN) means a rectangular metal container used as an accessory use for storage purposes.

STOREY means that portion of a building that is situated between the top of any floor and the top of the floor next above it. Where there is no floor above, that portion between the top of such floor and the ceiling above it shall be considered a storey but does not include a basement.

STREET means a right-of-way used for a public thoroughfare and designed for the use of vehicular and/or pedestrian traffic but does not include a lane.

STRUCTURAL ALTERATION means any change or addition to the supporting members of a structure, including the foundations, bearing walls, rafters, columns, beams, and girders.

SUBDIVISION means the division of a parcel of Land into one or smaller parcels by a plan of subdivision or other instrument.

SUBDIVISION AUTHORITY means a person or body appointed as a Subdivision Authority in accordance with the Municipal Government Act.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means the Subdivision and Development Appeal Board established pursuant to the Municipal Government Act.

Use Definitions

SALVAGE YARD means a development (land or building) used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials including scrap metal, vehicles not in operable condition or used parts of motor vehicles machinery, and other discarded materials.

SEASONAL GARDEN CENTRE means a temporary structure, which may or may not include fencing, erected on the site of an existing retail store, for the purpose of selling gardening related goods on a seasonal basis. This definition does not include cannabis retail sales or cannabis production and distribution. *Bylaw 06/18*

SPECIAL CARE FACILITY means development used to provide residential care including meals, sleeping accommodation and incidental care to residents. Typical uses include nursing homes, auxiliary hospitals, respite care facilities and shelters. This does not include a Group Home Major or Minor.

SERVICE STATION means development used for the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories. This may include truck stops and highway service stations but does not include gas bar.

STORAGE FACILITY means a self-contained building or group of buildings, containing lockers available for rent for the storage of personal goods.

SURVEILLANCE SUITE means a temporary modular dwelling used solely to accommodate a person or persons related as family, or an employee, whose function is to provide surveillance, maintenance and/or security for a development. The surveillance suite shall form part of the development with which it is associated and clearly be an accessory use of the site on which it is located. This may include a Tiny home.

T

General Definitions

TEMPORARY DEVELOPMENT PERMIT means a development for which a permit has been issued for a limited period of time.

TOP OF BANK means the top of a water body's valley or ravine. Where a bank is not well defined (i.e. in the case of lakes and wetlands) the top of bank shall be equivalent to the 1:100-year flood plain.

TOWN means the Town of Mundare, a municipal corporation, in the Province of Alberta.

Use Definitions

TEMPORARY OUTDOOR EVENT means a temporary development and associated temporary structures incidental to the principal and permitted use of the site on which they are located. This use shall last no longer than ten (10) consecutive days, including the time needed erect and dismantle any temporary structures. Typical uses in Residential Land Use Districts may include, but are not limited birthday parties, block parties, weddings and other social, cultural, entertainment and worship events. Typical uses in Commercial Land Use Districts may include but are not limited to customer appreciation events, grand openings, sales, farmers markets and other commercial events. Typical uses in Institutional Land Use Districts may include but are not limited to organized sporting events, festivals, carnivals, farmers markets, outdoor church services, and other social, cultural, worship or recreational events.

U

General Definitions

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is, or may be, occupied and maintained.

Use Definitions

UTILITY SERVICE, MAJOR means development used for public utility infrastructure purposes that are likely to have a major impact on the environment or adjacent uses by virtue of their potential emissions or effects, or their appearance. Typical uses include sanitary landfill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, district heating plants, incinerators and waste recycling plants.

UTILITY SERVICE, MINOR means development used for public utility infrastructure purposes that are likely to have some impact on the environment or adjacent land uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical uses include snow dumping sites, water treatment plants, telephone exchanges, switching centres, surface reservoirs or storm water lakes, minor pump houses, district energy and/or heating systems and gate stations for natural gas distribution.

V

General Definitions

VARIANCE means the flexibility that may be exercised by the Development Officer to vary the regulations of this Bylaw.

VEHICLE, HEAVY means any vehicle, with or without a load, which exceeds either a length of 12.5m or a maximum gross vehicle weight of 5,500kg. Heavy vehicles do not include recreational vehicles or school buses.

W

General Definitions

WALKWAY means a right of way intended to carry pedestrian and non-motorized traffic only, except that a walkway may be designed for maintenance and emergency vehicle use.

WIND ENERGY CONVERSION SYSTEM (WECS) means the equipment, machinery or structures utilized in connection with the conversion of the kinetic energy available in the wind into mechanical energy. This includes a tower, rotor blades and nacelle.

Use Definitions

WAREHOUSE, DISTRIBUTION AND STORAGE means a single building storage facility in which all storage is indoors with an exterior loading and unloading dock. Exterior storage is not permitted except for licensed vehicles that may be parked for extended periods of time but does not include recreational vehicles. It includes moving companies, trucking terminals and intermodal transfer areas.

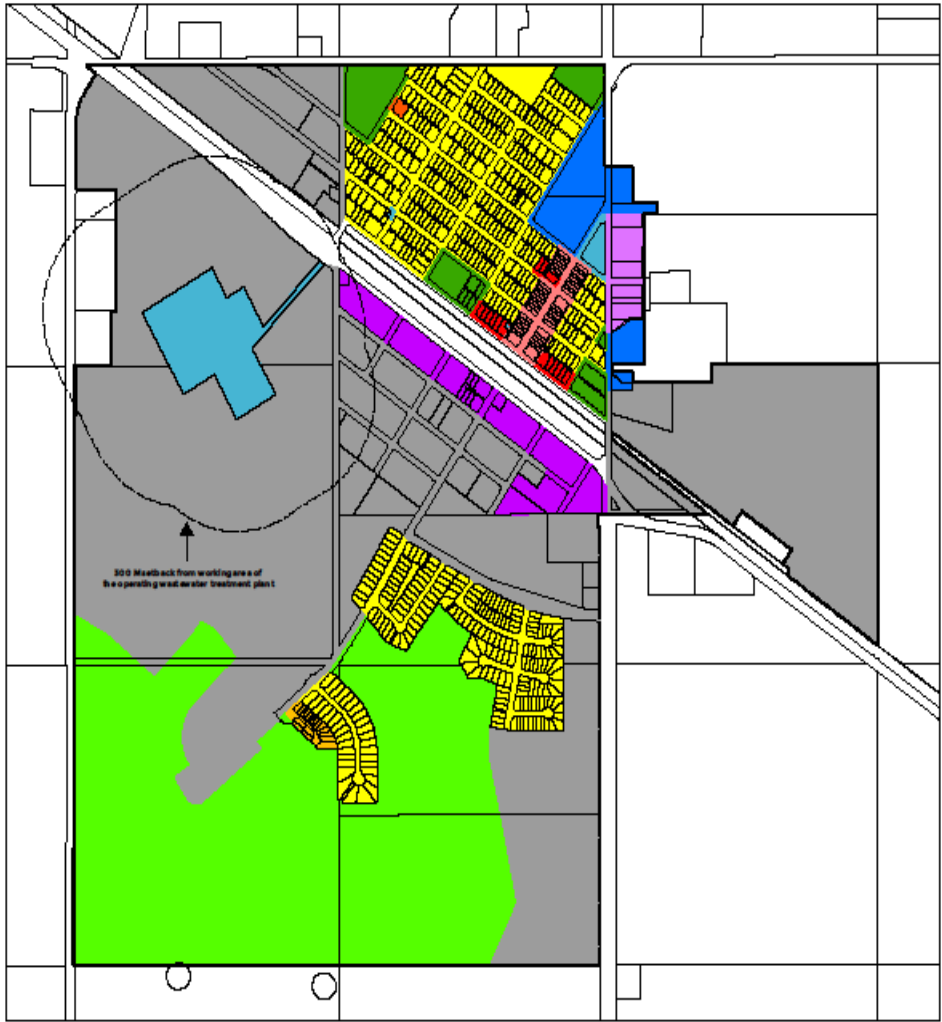
WAREHOUSE SALES means development used for the wholesale or retail sale of a limited range of bulk goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This land use includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This land use does not include Flea Markets or developments used for the retail sale of food or a broad range of goods for personal or household use.

WECS, MICRO means a turbine that has a manufacturer's maximum rated output of less than 10kW or less and is intended for on-site purposes only. A WECS, micro is a permitted use in any land use district.

Y

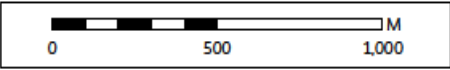
General Definitions













YARD means a part of a site unoccupied by any portion of a building or structure over 0.6m (2.0ft) in height, except for projections and accessory developments specifically permitted in this Bylaw. A yard may contain a fence.



TOWN of MUNDARE LAND USE BYLAW

Land Use District Map



LAND USE DISTRICTS					
	R-LD Low Density Residential		C-GC General Commercial		P-R Recreation
	R-SSD Site Specific Semi-Detached Residential		C-HC Highway Commercial		P-U Public Utility
	R-MD Medium Density Residential		C-SC Service Commercial		P-S Public Services
	C-DC Downtown Commercial		P-G Golf Course		U-R Urban Reserve

11. Bylaw No. 825/10, as amended, is hereby repealed.

Read a first time on April 28, 2020.

Read a second time on _____, 2020.

Read a third time on _____, 2010

Date

Mayor

Date

CAO