



TOWN OF CARSTAIRS

# Land Use Bylaw

Bylaw No. 2060  
Adopted By Council:  
May 2025



## Bylaw No. 2060

**BEING** a Bylaw of the Town of Carstairs, in the Province of Alberta, to adopt Land Use Bylaw No. 2060.

**WHEREAS**, Council of the Town of Carstairs wishes to adopt Land Use Bylaw No 2060.

**AND WHEREAS**, Section 640 of the Municipal Government Act requires that every municipality must pass a Land Use Bylaw.

**AND WHEREAS**, The Bylaw is consistent with the Municipal Government Act, as amended from time to time.

**NOW THEREFORE**, Council of the Town of Carstairs, duly assembled and pursuant to the ***Municipal Government Act***, Revised Statutes of Alberta 2000, Chapter M-26, and Section 69 repeals Bylaw No. 2007 and any supplement amendments to Bylaw No. 2007 Amended and adopts Land Use Bylaw No. 2060.

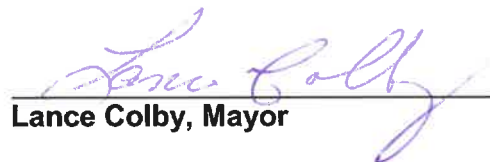
The Council of Town of the Carstairs does hereby adopt the Town of Carstairs Land Use Bylaw which is attached as Schedule A and forms part of this bylaw.


This Bylaw shall come into force and effect on the date of the final passing thereof.

**READ A FIRST TIME THIS 24<sup>TH</sup> DAY OF MARCH A.D., 2025**

**READ A SECOND TIME THIS 12<sup>TH</sup> DAY OF MAY A.D., 2025**

**READ A THIRD AND FINAL TIME THIS 12<sup>TH</sup> DAY OF MAY A.D., 2025**

  
Lance Colby, Mayor

  
Rick Blair, CAO

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## SCHEDULES

Schedule A Land Use Map

# Section 1 Purpose

*This section introduces readers to the Land Use Bylaw, establishes jurisdiction, enforcement and amendment regulations, and introduces the people and groups with the authority to exercise development powers in Carstairs.*

## INTERPRETATION OF THE BYLAW

### 1.1 SHORT TITLE

This Bylaw may be cited as “The Town of Carstairs Land Use Bylaw No. 2060”.

### 1.2 PURPOSE

The purpose of this Bylaw is to regulate the use and development of land and buildings within the Town of Carstairs in accordance with the provisions of the *Municipal Government Act* (MGA), and for that purpose, among other things:

- a) divide the municipality into districts
- b) prescribe and regulate the use for each district
- c) establish the office of the Development Authority
- d) establish a method of making decisions on applications for development permits including the issuance of development permits
- e) provide the manner in which notice of the issuance of a development permit is to be given, and
- f) implement the statutory plans of the Town.

### 1.3 CONSISTENCY AND COMPLIANCE

Compliance with this Bylaw does not exempt any person from the requirements of:

- a) any applicable federal and provincial law (including but not limited to building code requirements);
- b) any caveats, easements, restrictive covenants, easements or agreements affecting the Development;
- c) any other applicable bylaws, statutory plans, and inter-municipal agreements of the Town; or

- d) any applicable Town’s infrastructure master plans as they pertain to transportation, water, sanitary and/or stormwater management.

#### 1.4 EFFECTIVE DATE & TRANSITION

- a) This Bylaw is passed and comes into full force and effect when it receives third reading and is signed pursuant to the MGA.
- b) This Bylaw replaces The Town of Carstairs Land Use Bylaw No. 2007, including all amendments, which is hereby repealed on the date this Bylaw comes into full force and effect.
- c) Subject only to the provisions in the MGA respecting Non-Conforming Buildings and Non-Conforming Uses and notwithstanding the effect it may have on rights, vested or otherwise, the provisions of this Bylaw govern from and after the effective date, and:
  - (i) all proposed amendments to this Bylaw or Development Permit applications received on or after the effective date of this Bylaw shall be processed and considered upon the provisions outlined herein; and
  - (ii) all applications received in a complete form prior to the effective date of this Bylaw shall be processed based on this Bylaw, even if a complete application was received before the effective date.

#### 1.5 FEES AND CHARGES

All fees and charges under and pursuant to this Bylaw, are established pursuant to the Town Fees and Rates Bylaw, as amended.

#### 1.6 INTERPRETATION

- a) In this Bylaw, unless otherwise required by the context:
  - (i) words used in the singular include the plural, and words in the plural include the singular;
  - (ii) the word “person” includes an individual, partnership, association, body corporation, trustee, executor, administrator and legal representative of a person;
  - (iii) an “individual” does not include a corporation or other types of persons who are not human beings;
  - (iv) the term “including” or “includes” means including or includes without limiting the generality of any description preceding or succeeding such term; and
  - (v) reference to a statute or bylaw refers to such statute or bylaw or any successor statute or bylaw, and all rules and regulations made under it, as it or they may from time to time be amended or re-enacted.
- b) In this Bylaw:
  - (i) headings and titles within this Bylaw shall be deemed to form a part of the text of this Bylaw;
  - (ii) “shall” or “must” means mandatory compliance except where a variance has been granted pursuant to the MGA or this Bylaw;
  - (iii) “should” means compliance in principle but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of relevant planning principles or circumstances unique to a specific application; and

- (iv) “may” means compliance is at the discretion of the Development Authority.
- c) Words, terms, and phrases that are capitalized in this Bylaw, represent:
  - (i) Definitions in **Section 6**;
  - (ii) titles of Districts; and
  - (iii) headings and titles in this Bylaw.
- d) Words, terms, and phrases that are not capitalized have the meanings given to them in the MGA, if applicable, and otherwise should be given their plain and ordinary meaning as the context requires. When a word, term, or phrase is defined in this Bylaw, other parts of speech and grammatical forms of the same word, term, or phrase have corresponding meanings.
- e) Where a regulation involves two (2) or more conditions or provisions connected by a conjunction:
  - (i) “and” means all the connected items shall apply in combination;
  - (ii) “or” indicates the connected items shall apply singly or in combination; and
  - (iii) “and/or” indicates the items shall apply singly or in combination, at the discretion of the Development Authority.
- f) In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall govern.
- g) All references to engineering requirements shall be prepared by an engineer registered with the Association of Professional Engineers and Geoscientists of Alberta or any successor association established under the *Engineering and Geoscience Professions Act* (Alberta).

## 1.7 MEASUREMENTS AND STANDARDS

All units of measurement contained within this Bylaw are metric units.

## 1.8 SEVERABILITY

If one or more provisions of this Bylaw are for any reason declared to be invalid by a decision of a court of competent jurisdiction, it is intended that all remaining provisions are to remain in full force and effect.

## 1.9 ESTABLISHMENT OF DISTRICTS

- a) For the purpose of this Bylaw, the Town is divided into the following Districts:

R1S	Special Low Density Residential District
R1	Low Density Residential – Single Detached District
R1N	Narrow Parcel Residential District
R1M	Modular Home Residential District
R2	Low Density Residential – Two Dwelling District
R3	Medium Density Residential – Attached Dwelling District
R4	High Density Residential – Multi-Dwelling District
RMH	Manufactured Home District
C1	Central Commercial District
C1A	Neighbourhood Commercial District
C2	Commercial Service District
C3	Highway Commercial District

BP	Business Park District
AB	Agribusiness District
I1	Light Industrial District
I2	Medium Industrial District
PFR	Public Facility and Recreation District
UR	Urban Reserve District

- b) The boundaries of the Districts listed in subsection (a) are as delineated on **Schedule A Land Use Map**. Notwithstanding the District shown on the Land Use Map:
  - (i) Roads must only be used for:
    - (A) the passage of motorized and non-motorized vehicles;
    - (B) the passage of pedestrians;
    - (C) the placement of public and private utilities authorized by the Town; and
    - (D) activities pursuant to the Town Traffic Bylaw, as amended; and
  - (ii) water bodies under the jurisdiction of the Crown in right of the Province of Alberta or Canada are not regulated by this Bylaw.
- c) Should uncertainty or a dispute arise relative to the precise location of any District, as depicted on the Land Use Map, the location shall be determined by applying the following rules:
  - (i) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
  - (ii) a boundary shown as approximately following corporate limits of the Town shall be deemed to follow the corporate limits;
  - (iii) a boundary shown as approximately following an edge or shoreline of a body of water shall be deemed to follow the edge or shoreline, and, in the event of change in such edge or shoreline, it shall be deemed as moving with the same;
  - (iv) a boundary which does not follow a parcel boundary, corporate limit, or edge or shoreline of a body of water shall be located by dimensions indicated on the Land Use Map or by measurements directly scaled from the Land Use Map; and
  - (v) a boundary which is not located in conformity with subsection c)(i-iv) shall be determined by Council.

#### 1.10 LAND USE DISTRICT GROUPS

- a) For the purposes of this Bylaw, Districts may be referred to collectively as:
  - i) “Residential Districts”, which include: R1S, R1, R1N, R1M, R2, R3, R4, and RMH;
  - ii) “Commercial Districts”, which include: C1, C1A, C2, C3, and BP;
  - iii) “Industrial Districts”, which include AB, I1, and I2; and
  - iv) “Special Districts”, which include: PFR and UR.



## AUTHORITIES OF THE BYLAW

### 1.11 DEVELOPMENT AUTHORITY

- a) The Development Authority is established herein pursuant to the MGA and is a person or persons authorized to exercise development powers and perform duties on behalf of the Town.
- b) The Development Authority shall include one or more of the following:
  - (i) Development Staff;
  - (ii) the Municipal Planning Commission;
  - (iii) the Chief Administrative Officer; and/or
  - (iv) with respect to Direct Control Districts only, Council.
- c) The Development Authority shall exercise such powers and perform such duties as are specified:
  - (i) in this Bylaw;
  - (ii) in the Town Municipal Planning Commission Bylaw;
  - (iii) in the MGA; and
  - (iv) where applicable, by resolution of Council.

### 1.12 DUTIES OF DEVELOPMENT STAFF

- a) Development Staff, as Development Authority, shall:
  - (i) receive and process all Development Permit applications and determine whether a Development Permit application is complete;
  - (ii) consider and make decisions on Development Permit applications for:
    - (A) Permitted Uses without variances that comply with this Bylaw;
    - (B) Discretionary Uses without variances that comply with this Bylaw;
    - (C) Permitted Uses with variance(s) of measurable standard(s), excluding height, if each variance does not exceed twenty-five percent (25%), in accordance with **Section 2.14**;
    - (D) Permitted Uses with variance(s) of non-measurable standard(s) in accordance with **Section 2.14**;
    - (E) landscaping;
    - (F) fences, walls, or other types of enclosures; and
    - (G) Building Demolition; and
  - (iii) refer Development Permit applications for the following to the Municipal Planning Commission, with their recommendation:
    - (A) Direct Control Districts (for comment only);
    - (B) Permitted Uses with variance(s) of measurable standard(s), if any variance exceeds twenty-five percent (25%), and/or any variance pertains to height, in accordance with Section 2.14;

- (C) Discretionary Uses with variance(s);
- (D) any signs that rotate, employ animation, or digital copy;
- (E) any community identification sign; and
- (F) any other applications that the Development Staff considers advisable to refer to the Municipal Planning Commission;
- (iv) keep, and maintain for the inspection of the public during office hours, a copy of this Bylaw, and ensure that an online version is made available on the Town's website and hard copies are available to the public for a fee;
- (v) keep a register of all Development Permit applications, and the decisions rendered on them, for a minimum of seven (7) years;
- (vi) provide a regular report to Council summarizing all Development Permit applications, and the decisions rendered on them, and any other information as the Municipal Planning Commission considers necessary;
- (vii) exercise any other powers and perform any other duties as are specified in this Bylaw, the Town Municipal Planning Commission Bylaw, the MGA, or resolution of Council; and
- (viii) refer all Development Permit applications in a Direct Control District to Council for a decision, unless Council has specifically delegated approval authority for such Direct Control District to Development Staff or the Municipal Planning Commission.
- b) Development Staff, as Development Authority, may:
  - (i) refer a Development Permit application, in whole or in part, to any outside agency or local authority they deem necessary for comment;
  - (ii) enter into Time Extension Agreement;
  - (iii) grant a variance in accordance with **Section 2.14**;
  - (iv) refer the decision for a Development Permit application to any other Development Authority in accordance with **Section 1.12a**);
  - (v) refer the decision for a time extension on Development Permit application to the Municipal Planning Commission;
  - (vi) refer recommendations on planning and development matters to the Municipal Planning Commission for consideration and comment;
  - (vii) refuse a Development Permit application and provide the applicant with written notice stating the decision of refusal and the reasoning for it; and
  - (viii) issue Certificates of Compliance.

### 1.13 DUTIES OF THE MUNICIPAL PLANNING COMMISSION

- a) The Municipal Planning Commission, as Development Authority, shall:
  - (i) consider and comment on Development Permit applications in Direct Control Districts;
  - (ii) consider and make decisions on Development Permit applications for:

- (A) Permitted Uses with variance(s) of measurable standard(s), if any variance exceeds twenty-five percent (25%), and/or any variance pertains to height, in accordance with Section 2.14;
- (B) Discretionary Uses with variance(s);
- (C) any Signs that rotate, employ animation, or digital copy;
- (D) any community identification Sign; and
- (E) any other applications that the Development Staff refers to the Municipal Planning Commission;
- (iii) exercise any other powers and perform any other duties as are specified in this Bylaw, the Town Municipal Planning Commission Bylaw, as amended, the MGA, or resolution of Council;
- (iv) consider and comment on recommendations on planning and development matters referred to it by Development Staff or Council; and
- (v) consider and decide upon requests for time extensions on Development Permit applications referred to it by Development Staff.

#### **1.14 DUTIES OF THE CHIEF ADMINISTRATIVE OFFICER**

The Chief Administrative Officer, as Development Authority, may perform the duties of Development Staff and/or the Municipal Planning Commission, as necessary.

#### **1.15 ESTABLISHMENT OF FORMS**

For purposes of administering this Bylaw, the Development Staff shall prepare such forms and notices as they may deem necessary.

#### **1.16 CERTIFICATE OF COMPLIANCE**

A real property report submitted for a Certificate of Compliance must be dated within ten years of the date of application; provided that the Development Authority may waive the ten (10) year requirement if the Development Authority is satisfied, in their discretion, that there have been no Buildings constructed on the property since the date of any previous Certificate of Compliance that the Town has on file.

## **CONTRAVENTION OF THIS BYLAW**

#### **1.17 ENFORCING THIS BYLAW**

- a) The Development Authority or Designated Officer may enforce the provisions of this Bylaw, or the conditions of a Development Permit, pursuant to the provisions set out in this Bylaw or the MGA.
- b) When the Development Authority or Designated Officer reasonably believes that an offence has been committed or is occurring, the Development Authority or Designated Officer may notify the Owner of the land, the Building, the person in possession of the land or Building, or the person responsible for the violation, including the applicant for the Development Permit, or any or all of them, of the contravention of this Bylaw.
- c) The violation notice shall state the following:
  - (i) the date on which the violation notice was issued;

- (ii) the nature of the offence;
  - (iii) the corrective measures required to remedy the offence and comply with this Bylaw;
  - (iv) the time within which such corrective measures must be performed; and
  - (v) any penalty for not complying with the violation notice, if the corrective measures are not completed within the time specified.
- d) Issuance of a violation notice is not required before commencing any other enforcement action under this Bylaw, the MGA, or any other applicable laws and bylaws.
- e) The enforcement powers granted to the Development Authority and the Designated Officer under this Bylaw are in addition to any other enforcement powers under the MGA and any other applicable laws and bylaws, including the *Provincial Offences Procedure Act* (Alberta). The Development Authority and the Designated Officer may exercise any one or more of such powers independently or in combination, such powers being cumulative and not alternative.

#### 1.18 CONTRAVENTION

- a) Any person who contravenes, causes or permits a contravention of this Bylaw commits an offence.
- b) Without limiting the generality of subsection a):
- (i) it is an offence for any person to commence or continue a Development or Use when:
    - (A) a Development Permit is required but has not been issued;
    - (B) a Development Permit has expired; or
    - (C) a Development Permit has been cancelled, revoked or suspended;
  - (ii) it is an offence for any person to undertake a Development in contravention of an approved Development Permit, including any conditions of approval; and
  - (iii) it is an offence for any person to prevent or obstruct the Development Authority or Designated Officer from performing any duties as are specified in this Bylaw or the MGA.

#### 1.19 STOP ORDER

- a) When the Development Authority or Designated Officer reasonably believes that an offence has been committed or is occurring, the Development Authority or Designated Officer may, pursuant to section 645 of the MGA, order the Owner of the land, the Building, the person in possession of the land or Building, or the person responsible for the violation, including the applicant for the Development Permit, or any or all of them, to:
- (i) stop the Development or Use of the land or Building in whole or in part as directed by the stop order;
  - (ii) demolish, remove or replace the Development; or
  - (iii) carry out any other actions required by the stop order so that the Development or Use complies with this Bylaw.
- b) A stop order shall state the following:
- (i) the date on which the stop order was made;
  - (ii) the nature of the offence;

- (iii) the corrective measures required to remedy the offence and comply with this Bylaw;
  - (iv) the time within which such corrective measures must be performed;
  - (v) any penalty for not complying with the stop order; and
  - (vi) right of appeal with respect to the stop order.
- c) If the recipient of the stop order does not comply with the stop order, then the Town may:
- (i) enter on or into the land or Building and take any action necessary to carry out the stop order;
  - (ii) undertake legal action, including seeking injunctive relief from the superior court of the Province of Alberta; and/or
  - (iii) register a caveat under the Land Titles Act (Alberta) against the certificate of title for the land that is the subject to the stop order. The Town shall discharge any registered caveat within a reasonable period of time after compliance with the stop order.
- d) In accordance with the MGA, the expenses and costs of carrying out an order may be added to the tax roll of the Parcel of Land.

## 1.20 PENALTY

- a) A person who is guilty of an offence shall pay:
- (i) the applicable penalty amount specified in Table 1 for a first offence and \$1,000.00 for any subsequent offences specified in Table 1; or
  - (ii) a minimum penalty of \$250.00 up to a maximum of \$10,000.00 for a first offence and a minimum penalty of \$1,000.00 up to a maximum of \$10,000.00 for any subsequent offences not otherwise specified in Table 1, as determined by Council from time to time.
- b) The following specified penalties for offences are established:

**Table 1: Specified Penalties**

Offence	Penalty
Failure to obtain a Development Permit	\$250
Failure to comply with Development Permit conditions	\$1,000
Failure to comply with District regulations	\$500
Failure to comply with any other condition of this Bylaw	\$500

- c) A subsequent offence means an offence committed by a person after that person has already been convicted of the same offence or has voluntarily paid a fine for the same offence.
- d) A notice of fine under this Bylaw shall provide for payment to the Town within ten (10) days from the date of issuance.
- e) Each time that a notice of fine is issued may be considered to be a separate contravention.
- f) Any person who is issued a fine under the provisions of the Bylaw shall immediately cease and desist the offence for which the violation tag was issued.

- g) Payment of a fine does not release the offender from the requirement to comply with the provisions of this Bylaw.

### 1.21 ENTRY AND INSPECTION

- a) Pursuant to Section 542 of the MGA, a Designated Officer may, after giving twenty-four (24) hours' prior notice to the Owner or occupier of land or Building to be entered:
  - (i) enter on that land or Building at any reasonable time, and carry out any inspection, enforcement or action required to assess or enforce compliance with this Bylaw;
  - (ii) request anything to be produced to assist in the inspection, remedy, enforcement or action; and
  - (iii) make copies of anything related to the inspection, remedy, enforcement or action.
- b) In an emergency or in extraordinary circumstances, the Designated Officer need not give twenty-four (24) hours' prior notice or enter at a reasonable time and may do the things in subsection a) without the consent of the Owner or occupant.
- c) If a person refuses to allow or interferes with the entry, inspection, enforcement or action referred to in this Section 1.21 or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in this Section 1.21, the Town may obtain a court order from the superior court of the Province of Alberta restraining the person from preventing or interfering with the entry, inspection, enforcement or action, or requiring the production of anything to assist in the inspection, remedy, enforcement or action.

### 1.22 VACANT BUILDINGS

If a Building becomes vacant, the Owner shall immediately secure the Building from unauthorized trespass and shall continue to maintain or cause to be maintained the Building and lands in accordance with all applicable laws and bylaws, which includes maintaining the grass and snow removal.

## AMENDING THE BYLAW

### 1.23 AMENDMENT OF THE LAND USE BYLAW

- a) Any person may apply to amend this Bylaw for:
  - (i) a text amendment; or
  - (ii) a land use redesignation,
 by submitting the application to the Development Authority in accordance with Section 1.24 and requesting that the Development Authority provide the application to Council for consideration.
- b) Council may, on its own initiative from time to time, amend this Bylaw in accordance with the MGA.
- c) This Bylaw may be amended at any time, without giving notice or holding a public hearing, if the amendment corrects clerical, technical, or grammatical or typographical errors and does not materially change this Bylaw in principle or substance.

#### 1.24 APPLICATION TO AMEND THIS BYLAW

- a) A person making an application for amendment to this Bylaw pursuant to Section 1.23 shall do so using the appropriate application form available at the Town office and on the [Town's Website](#) and shall include the following:
  - (i) an application fee as set within the Town Fees and Rates Bylaw, as amended;
  - (ii) a certificate of title for the property(ies) affected by the proposed amendment and such other documents as the Development Authority may require, including documents evidencing the applicant's interest in said property(ies);
  - (iii) any drawings or site plans required by the Development Authority;
  - (iv) any supporting studies or other information required by the Development Authority; and
  - (v) for a land use redesignation, signed authorization(s) consenting to the application for amendment from all registered Owner(s) of the subject property(ies).

#### 1.25 APPLICATION REVIEW PROCESS

- a) Upon receipt of an application for an amendment to this Bylaw, the Development Authority must process the application and make a recommendation to Council; provided that the Development Authority may refuse to accept an application if, in their opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.
- b) Upon receipt of a complete application for amendment to this Bylaw, the Development Authority shall:
  - (i) prepare an amending bylaw for Council; and
  - (ii) prepare a background report, including plans and other relevant material, and submit same to Council for their review.

#### 1.26 PUBLIC NOTICE OF A BYLAW AMENDMENT

- a) The Development Authority must hold a public hearing in respect of a proposed amendment to this Bylaw in accordance with the MGA, and notice of the public hearing must be given in accordance with the MGA.
- b) If the adjacent landowner is in Mountain View County, the notice must be given to the County and to each owner of adjacent land at the name and address shown for each owner on the tax roll of Mountain View County.

#### 1.26 RECONSIDERATION OF A BYLAW AMENDMENT

The Development Authority shall not accept an application for an amendment which is identical or similar to an application which was refused by Council, for a period of three (3) months after the date of the refusal unless, in the opinion of the Development Authority, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly. Council, at their discretion, may waive said three (3) month period.

## NOTICES UNDER THE BYLAW

### 1.27 NOTICES

Any notice required to be given under this Bylaw by the Development Authority or a Designated Officer, including a violation notice issued under Section 1.17b), a stop order issued under Section 1.19a) or a notice of fine issued under Section 1.20, shall be in writing and may be personally delivered, mailed by registered mail or ordinary mail or delivered by courier to:

- a) the Owner of a land or Building, or the person in possession of the land or Building, at the address listed on the tax roll for the land or Building in question;
- b) the applicant for the Development Permit, at the applicant's address as listed on the Development Permit application; or
- c) the Owner of a Sign, at a location where the Owner carries on business.



# Section 2 Procedures

*This section outlines requirements, procedures and responsibilities related to the Town's Development Permit Process.*

## DEVELOPMENT PERMIT REQUIREMENTS

### 2.1 CONTROL OF DEVELOPMENT PERMITS

- a) A Development Permit is required for every Development unless it is otherwise exempted under **Section 2.2**.
- b) Other than Development exempted under **Section 2.2**:
  - (i) no person shall commence, or cause or allow to be commenced a Development unless a Development Permit has been issued in accordance with the terms of this Bylaw; and
  - (ii) no person shall carry on, or cause or allow to be carried on a Development unless a Development Permit has been issued in accordance with the terms of this Bylaw.
- c) All Development other than Development exempted under Section 2.2 shall proceed in accordance with the terms and conditions of the approved Development Permit.
- d) Development site must be kept tidy and clear from all debris and garbage.
- e) Development site must not be used as a storage area for vehicles or other materials not related to construction.

### 2.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

Provided a Development complies with all applicable provisions of this Bylaw, and does not require a variance, is not subject to any restrictions imposed by the Matters Related to Subdivision and Development Regulation, as amended, and has adequate sewage collection, treatment and disposal, water supply, treatment and distribution, storm water collection and storage and road infrastructure capacity necessary to serve the Development, then a Development Permit is not required for any of the following Development:

- a) improvements, maintenance, or renovations to any existing Building provided that such work does not include structural alterations or additions;

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- b) the completion of any Development which has lawfully commenced before the passage of this Bylaw, provided that the Development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within twelve (12) months of the date of commencement;
- c) the erection or construction of gates, fences, walls or other means of enclosure less than 1.0 m in height in front yards and less than 2.0 m in other yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- d) a temporary Building, the sole purpose of which is incidental to the carrying out of a Development for which a Development Permit has been issued under this Bylaw;
- e) a temporary Use of a parcel not exceeding six (6) months for the sole purpose of mobile commercial sales (e.g. fish trucks, fruit trucks, etc.), providing a business license is obtained from the Town and the location of the business is to the satisfaction of the Development Authority;
- f) the installation, maintenance and repair of utilities by a provider;
- g) any Development carried out by or on behalf of the Town provided that such Development complies with all applicable provisions of this Bylaw;
- h) up to two (2) Accessory Buildings, so long as they don't exceed 13.38 m<sup>2</sup> in floor area and 2.5 m in height
- i) development specified in section 618 of the MGA which includes:
  - (i) a Highway or Road;
  - (ii) a well or battery within the meaning of the *Oil and Gas Conservation Act* (Alberta);
  - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline; or
  - (iv) any other action, person, or thing specified by the Lieutenant Governor in Council by regulation;
- j) the following Signs:
  - (i) a facia Sign for the purpose of identification, direction and warning not exceeding 0.2 m<sup>2</sup>;
  - (ii) a facia Sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m<sup>2</sup>;
  - (iii) a facia or Freestanding Sign relating to a religious, educational, cultural, recreational or similar institution, or to an Apartment not exceeding 1.0 m<sup>2</sup>; and
  - (iv) a portable Sign or notice, relating to the sale or lease of land or Buildings, sale of goods or livestock by auction, carrying out of construction, or the announcement of any local event not exceeding 3.0 m<sup>2</sup> and limited in display to the period of completion of the sale, lease, construction or event;
  - (v) a window Sign in a non-residential District in compliance with Section 3.3;
- k) a flag attached to a single upright flagpole;
- l) one (1) satellite dish, less than 1.0 m in diameter, per parcel;

- m) Building Demolition of a Building less than 25.0 m<sup>2</sup>;
- n) a Solar Collector (Roof/Wall) in compliance with the National Building Code - Alberta Edition and **Section 4.11**;
- o) a Driveway where it does not impact existing grades, sidewalks or curbs and does not exceed the width of a garage or carport at the end of the Driveway;
- p) a retaining wall less than 1.0 m in height. If a fence is placed on top of a retaining wall, the height of the retaining wall factors into the total height of the fence; and
- q) a Home Office in compliance with **Section 4.4**.

## 2.3 NON-CONFORMING BUILDINGS AND USES

If a Development Permit has been issued on or before the day on which this Bylaw comes into force and this Bylaw would make the Development in respect of which the Development Permit was issued a Non-Conforming Use or Non-Conforming Building, the Development Permit continues in effect in spite of the coming into force of this Bylaw in accordance with section 643 of the MGA.

## 2.4 DEVELOPMENT OF NON-CONFORMING BUILDINGS AND USES

- a) Development of Non-Conforming Buildings and Non-Conforming Uses shall be allowed in accordance with the provisions of section 643 of the MGA.
- b) Development on an existing registered non-conforming sized parcel that does not meet the minimum requirements for parcel length, width or area specified in the applicable District may be permitted at the discretion of Development Staff.
- c) Development Staff are authorized to exercise minor variance powers with respect to Non-Conforming Buildings pursuant to Section 643(5)(c) of the MGA.
- d) Development Staff are authorized to permit Development on existing registered non-conforming sized parcels for Permitted Uses where the Municipal Planning Commission issued a variance(s).

## 2.5 DEVELOPMENT PERMIT APPLICATIONS

- a) A Development Permit application shall be made using the appropriate application form available at the Town office and on the [Town's Website](#) and shall include an application fee as set within the Town Fees and Rates Bylaw, as amended. The application package shall include the following:
  - (i) current copy of the certificate of title (dated within 60 days of submission) for the affected lands;
  - (ii) copies of any restrictive covenants or easements registered against title to the affected lands and any restrictive covenants or easements that have been entered into by the Owner of the affected lands and which have not yet been registered against title to the subject lands;
  - (iii) a description of the existing and proposed Use of the land and Building(s) and whether it is a new Development, an alteration/addition, relocation or change of Use and whether the Use is temporary in nature;
  - (iv) color renderings, or facsimile acceptable to the Development Authority, showing the exterior elevations, including height, horizontal dimensions and finishing materials of all Buildings, existing and proposed;

- (v) documentation from the Alberta Energy Regulator identifying the presence or absence of abandoned oil and gas wells as required by the Matters Related to Subdivision and Development Regulation;
- (vi) a copy of the Site Plan showing:
  - (A) legal description of the site with north arrow, scale and municipal address;
  - (B) site area and dimensions of the front, rear and side yards if any;
  - (C) site drainage including any watercourses, finished parcel grades, road grades and slopes greater than 15%;
  - (D) the location of all existing and proposed Buildings (including roof overhangs) and registered easements or rights-of-way, dimensioned to property lines and drawn to a satisfactory scale;
  - (E) existing and proposed parking and loading areas, Driveways, abutting streets, avenues and lanes, and egress and ingress;
  - (F) where applicable, the location of existing and proposed utilities, wells, septic tanks, disposal fields, culverts and surface drainage patterns;
  - (G) where applicable, the identification of trees to be cut down or removed; and
  - (H) any additional information as may be stipulated in the Town Standards of Development;
- (vii) When required by the Development Authority:
  - (A) a real property report prepared by an Alberta Land Surveyor, if there is any doubt as to the boundaries of the parcel;
  - (B) engineering and other reports to prove the safety and suitability of the site for the purpose intended, including a declaration that the site is free from contamination;
  - (C) landscaping plans as required by the Development Authority;
  - (D) a site drainage/stormwater management plan prepared by a qualified professional for all commercial, industrial and multi-unit Developments or other Developments as required by the Development Authority;
  - (E) a traffic impact assessment or traffic memo, prepared by a qualified, registered professional engineer, which shall indicate the effect of the proposed Development on the existing and proposed roadway network in terms of additional traffic, and may suggest those roadway improvements necessary to accommodate the Development;
  - (F) elevations showing the proposed exterior of a Building;
  - (G) any supporting studies, plans or other information deemed necessary; and
  - (H) any other additional information required for a specific Use, as outlined in **Section Four – Specific Uses and Activities**.
- b) An application for a Development Permit must be made by the registered owner(s) of the land on which the Development is proposed or an agent of the registered owner(s) with the written consent of the registered owner(s).

## DEVELOPMENT PERMIT REVIEWS

### 2.6 DETERMINATION OF COMPLETENESS

- a) Unless extended by an agreement in writing between the applicant and the Development Authority in accordance with **Section 2.8**, the Development Authority shall, within twenty (20) days after receipt of a Development Permit application:
  - (i) issue a written acknowledgment to the applicant advising that the application is complete; or
  - (ii) issue a written notice to the applicant advising that the application is incomplete, listing the documentation and information that is still required, including the documentation and information required by Section 2.5, and setting out the submission deadline by which the required documentation and information must be submitted; provided that the Submission deadline may be subsequently extended by an agreement in writing between the applicant and the Development Authority in accordance with **Section 2.8**.
- b) If the Development Authority does not make a determination referred to in subsection a) within the prescribed time period, the application shall be deemed to be complete.
- c) If the applicant fails to submit all the required documentation and information on or before the submission deadline referred to subsection a)(ii), the application shall be deemed to be refused, and the Development Authority shall issue a written acknowledgment to the applicant stating that the application has been refused and the reason for the refusal and the refusal may be appealed in accordance with **Section 2.17**.
- d) Upon receipt of the required documentation and information on or before the submission deadline referred to in subsection a)(ii), the Development Authority shall issue a written acknowledgment to the applicant advising that the application is complete.
- e) Notwithstanding the issuance of a written acknowledgment issued pursuant to subsection a)(i) or subsection d), the Development Authority may request additional documentation or information from the applicant that the Development Authority considers necessary to review the application.

### 2.7 REVIEW PERIOD

- a) If the Development Authority does not make a decision on an application for a Development Permit within 40 days after the applicant's receipt of an acknowledgment that the application is complete in accordance with **Section 2.6**, the application shall, at the option of the applicant, be deemed to be refused.
- b) The time period referred to in subsection a) may be extended by one or more Time Extension Agreements in accordance with **Section 2.8**.

### 2.8 TIME EXTENSION AGREEMENT

- a) The Development Authority may request up to a six (6) month extension of the review period of a Development Permit application from the applicant.
- b) The Development Authority may grant up to a six (6) month extension of the review period of a Development Permit application at the request of the applicant.

- c) Any Time Extension Agreements must be agreed to by both the applicant and the Development Authority.
- d) Additional six (6) month extensions may be requested from or granted by the Development Authority as required.

## 2.9 REVIEWING DEVELOPMENT PERMIT APPLICATIONS

- a) In reviewing a Development Permit application, the Development Authority shall have regard to:
  - (i) the purpose and intent of the applicable District;
  - (ii) the purpose and intent of any applicable Statutory Plan adopted by the Town;
  - (iii) the purpose and intent of all other applicable plans and policies adopted by the Town; and
  - (iv) the circumstances and merits of the application.
- b) Notwithstanding the provisions of this Bylaw, the Development Authority may impose more stringent development regulations or standards on a Development Permit for a Discretionary Use in order to ensure that the Development is compatible with and complementary to surrounding land Use and other planning considerations.

## 2.10 DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

- a) For a Permitted Use in any District, the Development Authority:
  - (i) shall approve, with or without conditions, an application for a Development Permit where the proposed Development complies in every respect with this Bylaw;
  - (ii) may approve, with or without conditions, an application for a Development Permit where the proposed Development does not comply in every respect with this Bylaw, provided the Development Authority grants a variance with respect to the non-compliance in accordance with **Section 2.14**; or
  - (iii) shall refuse an application for a Development Permit where the proposed Development does not comply in every respect with this Bylaw unless the Development Authority grants a variance with respect to the non-compliance in accordance with Section 2.14.
- b) For a Discretionary Use in any District, the Development Authority:
  - (i) may approve, with or without conditions, an application for a Development Permit where the proposed Development complies in every respect with this Bylaw;
  - (ii) may approve, with or without conditions, an application for a Development Permit where the proposed Development does not comply in every respect with this Bylaw, provided the Development Authority grants a variance with respect to the non-compliance in accordance with **Section 2.14**; or
  - (iii) shall refuse an application for a Development Permit where the proposed Development does not comply in every respect with this Bylaw unless the Development Authority grants a variance with respect to the non-compliance in accordance with Section 2.14.

## 2.11 PUBLIC NOTICE OF A DEVELOPMENT PERMIT

- a) The Development Authority shall provide the following notice(s) of a Development Permit application:

**Table 2: Public Notice Requirements**

Review of a:	Notice sent to surrounding registered Owners prior to decision	Notice published on Town website prior to decision	Municipal Planning Commission meeting required	Notice sent to surrounding registered Owners after decision	Notice published on Town website after decision
Permitted Use	No	No	No	No	No
Permitted Use with a Variance $\leq 25\%$	No	Yes	No	No	Yes
Permitted Use with a Variances $> 25\%$	Yes	Yes	Yes	Yes	Yes
Discretionary Use	Yes	Yes	No	Yes	Yes
Discretionary Use with a Variance	Yes	Yes	Yes	Yes	Yes

- b) Where notification of adjacent registered Owners and other persons likely to be affected by a Development Permit application is required, the Development Authority shall:
- (i) deliver written notice of the Development Permit application at least ten (10) days before the meeting of the Municipal Planning Commission or the decision of the Development Authority to:
    - (A) adjacent registered Owners and other persons likely to be affected by the issuance of the Development Permit;
    - (B) Mountain View County, if, in the opinion of the Development Authority, the proposed Development could have an impact upon land uses in Mountain View County or the proposed Development is adjacent to the Mountain View County boundary line; and
    - (C) any other persons, government departments or referral agency to whom the Development Authority determines notice of the Development Permit application should be provided.
  - (ii) post a notice on the municipal website and official social media, as authorized under the Town Public Notification Bylaw, as amended, at least ten (10) days before the meeting of the Municipal Planning Commission or the decision of the Development Authority; or
  - (iii) a combination of any of the above that satisfies the requirements of the MGA.
- c) In all cases, notification shall:
- (i) describe the nature and location of the proposed Development;
  - (ii) if required as set out in **Table 2**, state the place and time where the Municipal Planning Commission will meet to consider the Development Permit application, and
  - (iii) specify the location at which the Development Permit application can be inspected.
- d) Approved Development Permits shall be posted in compliance with **Table 2**. The notice shall include:
- (i) the location and Use of the subject parcel;
  - (ii) the date the Development Permit was issued; and

- (iii) a statement that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the Intermunicipal Subdivision and Development Appeal Board within the time for filing a notice of appeal as specified in **Section 2.17** of this Bylaw and the MGA.
- e) All notices of Development Permit approvals must be provided in writing, specifying the date on which the written decision was made, and must be given or sent to the adjacent registered Owners and/or published on the Town website on the same day the written decision is made.

## 2.12 NOTICE OF DECISION TO APPLICANT

- a) All decisions on Development Permit applications must be provided in writing, and a copy of the decision, together with a written notice specifying the date on which the written decision was made, must be given or sent to the applicant on the same day the written decision is made.
- b) If the Development Permit application is conditionally approved, the notice of decision shall contain the conditions imposed as part of the approval.
- c) If the Development Permit application is refused, the notice of decision shall contain the reasons for refusal.

## 2.13 EFFECTIVE DATE

- a) A Development Permit for a Permitted Use where no variance has been granted comes into effect on the date the Development Permit is issued.
- b) A Development Permit for a Permitted Use where a variance has been granted or for a Discretionary Use (with or without variances) comes into effect after the time for filing a notice of appeal to the Intermunicipal Subdivision and Development Appeal Board as specified in Section 2.17 of this Bylaw and the MGA has expired.

## 2.14 VARIANCES

- a) Unless a specific provision of this Bylaw provides otherwise, the Development Authority may vary any requirements of this Bylaw for a Development where:
  - (i) the proposed Development would not:
    - (A) unduly interfere with the amenities of the neighbourhood; or
    - (B) materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
  - (ii) the proposed Development conforms with the Use prescribed for that land or Building in this Bylaw.
- b) Development Staff may grant variances for a Development up to twenty-five percent ( $\leq 25\%$ ) of any measurable standards, excluding height.
- c) The Municipal Planning Commission may grant variances for a Development exceeding twenty-five percent ( $> 25\%$ ) of any measurable standards and may grant variances for a Development of any other provisions of this Bylaw.
- d) Applicants requesting a variance shall provide the rationale in support of the variance.



- e) In the event that a variance is granted, the Development Authority shall specify the nature of the approved variance in the Development Permit approval.

## 2.15 CONTINUATION OF CONTROLS

A condition attached to a Development Permit issued under a former land use bylaw continues under this Bylaw.

## 2.16 CONDITIONS ATTACHED TO DEVELOPMENT PERMITS

- a) The Development Authority may, with respect to a Development, impose such conditions as they deem appropriate, having regard to the provisions of this Bylaw and the provisions of any Statutory Plan.
- b) If an applicant applies for a Development Permit for a Building or a Use that is intended to be temporary or that is inherently temporary, the Development Authority may impose conditions limiting the duration of the validity of the Development Permit.
- c) The Development Authority may, with respect to a Development, require that, as a condition of issuing a Development Permit, the applicant enter into an agreement with the Town to do all or any of the following:
  - (i) construct or pay for the construction of a Road required to give access to the Development;
  - (ii) construct or pay for the construction of pedestrian walkway systems;
  - (iii) install or pay for the installation of utilities, other than telecommunications systems or works, that are necessary to serve the Development;
  - (iv) construct or pay for the construction of:
    - (A) off-street or other Parking Facilities; and
    - (B) loading and unloading facilities;
  - (v) pay an off-site levy;
  - (vi) give security to ensure that the terms of the agreement under this subsection c) are carried out; and
  - (vii) pay to the Town the costs paid by the Town to any engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal and planning costs and expenses to which the Town incurs in connection with the agreement under this subsection c).
- d) The Town may register a caveat pursuant to the provisions of the *Land Titles Act* (Alberta) and the MGA in respect of an agreement under this subsection c) against the certificate of title for the land that is the subject of the Development, which said caveat shall be discharged when the agreement has been complied with.

## DEVELOPMENT PERMIT APPEALS

### 2.17 APPEALING A DEVELOPMENT PERMIT DECISION

- a) Pursuant to the Intermunicipal Subdivision and Development Appeal Board Bylaw and the MGA, any person affected by an order, decision or Development Permit made or issued by a Development Authority, including the applicant, may appeal the decision to the Intermunicipal Subdivision and Development Appeal Board within twenty-one (21) days after the date the decision was made.
- b) The process followed by the Intermunicipal Subdivision and Development Appeal Board is set out in the Intermunicipal Subdivision and Development Appeal Board Bylaw and the MGA.

## DEVELOPMENT PERMIT COMPLETIONS AND CANCELLATIONS

### 2.18 COMMENCING DEVELOPMENT AND DEVELOPMENT PERMIT EXTENSIONS

- a) The date of approval of a Development Permit shall be:
  - (i) the date upon which the Development Authority issues the Development Permit;
  - (ii) in case of an appeal to the Intermunicipal Subdivision and Development Appeal Board, the date upon which the Intermunicipal Subdivision and Development Appeal Board renders a written decision approving the Development Permit; or
  - (iii) in the case of an appeal or leave to appeal to the Court of Appeal, the date that the Alberta Court issues its decision and any appeal to the Supreme Court of Canada from the determination of the Alberta Court of Appeal has been finally determined.
- b) If Development authorized by a Development Permit is not commenced within 12 months from the date of its approval, the permit ceases to be effective, unless an extension to this period, being no longer than an additional 12 months, has previously been granted by the Development Authority.

### 2.19 SUSPENSION, CANCELLATION OR MODIFICATION OF A DEVELOPMENT PERMIT

- a) The Development Authority shall suspend a Development Permit upon receipt of a filed notice of appeal to the Intermunicipal Subdivision and Development Appeal Board in accordance with Section 2.17 of this Bylaw and the MGA. The Development Permit remains suspended until:
  - (i) the Intermunicipal Subdivision and Development Appeal Board renders a decision and the time for filing a leave to appeal application to the Alberta Court of Appeal has passed without a leave to appeal being filed;
  - (ii) the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined;
  - (iii) the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination of the Alberta Court of Appeal has been finally determined; or
  - (iv) the appeal is otherwise resolved.

- b) The Development Authority may cancel, suspend, or modify a Development Permit by written notice to the holder of the permit when, after a Development Permit has been approved by the Development Authority, the Development Authority becomes aware of one the following circumstances:
  - (i) the application contained a misrepresentation;
  - (ii) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
  - (iii) any condition under which the Development Permit was issued has been contravened;
  - (iv) the Development Permit was issued in error;
  - (v) the Development has not commenced within twelve (12) months from the date of its approval, unless an extension to this period, being no longer than an additional 12 months, has previously been granted by the Development Authority;
  - (vi) the applicant has requested cancellation of the permit in writing; or
  - (vii) the approved Use or Development is discontinued or abandoned for twelve (12) months or more.
- c) Notwithstanding subsection 2.9a), the Development Authority shall not cancel a Development Permit that has been appealed to the Intermunicipal Subdivision and Development Appeal Board, the Alberta Court of Appeal, the Supreme Court of Canada, until a decision is rendered or the appeal is otherwise resolved.
- d) Upon receipt of the written notification of suspension or cancellation, the applicant must cease all development and activities to which the Development Permit relates.
- e) A person whose Development Permit is suspended or cancelled under this **section** may appeal the cancellation or suspension in accordance with **Section 2.17**.

## 2.20 TRANSFERABILITY OF DEVELOPMENT PERMIT

A valid Development Permit is transferable where the Use remains unchanged and the Development is affected only by a change of ownership, tenancy, or occupancy. This provision does not apply to a Development Permit for a Home-Based Business (Class 2), which is non-transferable.

## 2.21 DEVELOPMENT PERMIT REAPPLICATION INTERVAL

When a Development Permit application is refused, the Development Authority may:

- a) refuse to accept another application on the same property and for the same or similar Use of the land by the same or any other applicant for six (6) months after the date of previous refusal;
- b) receive an application for the same or similar Use of the parcel before six (6) months have elapsed from the date of the decision, when, in the opinion of the Development Authority, the aspects of the application which caused it to be refused have been sufficiently modified so as to constitute a sufficiently different application; or
- c) receive an application for a Permitted Use of the parcel, complying in all respects with this Bylaw, before six (6) months have elapsed from the date of the decision.

## 2.22 OCCUPANCY CERTIFICATE

- a) No person shall occupy a Building unless and until an Occupancy Permit for said Building has been obtained.
- b) An application for an Occupancy Permit shall be made to the Development Authority. The Development Authority shall issue an Occupancy Permit, in the form prescribed by Council, if they are satisfied that:
  - (i) the Building has been completed in accordance with the approved plans and Development Permit and otherwise complies with the applicable provisions of the National Building Code - Alberta Edition; and
  - (ii) the Development will, subject to such conditions as may be appropriate in the circumstances, be completed in accordance with the approved plans and Development Permit.

# Section 3

## General Regulations

*This section outlines general regulations that apply to development within Town.*

### BUILDINGS AND STRUCTURES

#### 3.1 ACCESSORY BUILDINGS

- a) In a Residential District:
  - (i) an Accessory Building/Structure or any portion thereof shall not be erected or placed within the front yard of a parcel;
  - (ii) an Accessory Building/Structure on an interior parcel shall be situated so that the exterior wall is at least 1.0 m from the side and rear boundaries of the parcel;
  - (iii) an Accessory Building/Structure on a corner parcel shall not be situated closer to the street than the Main Building and shall not be closer than 1.0 m to the other side parcel boundary or the rear parcel boundary;
  - (iv) notwithstanding subsections ii) and iii), an Accessory Building/Structure or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the Accessory Building/Structure serves the two abutting parcels;
  - (v) an Accessory Building/Structure shall not be more than 5.5 m in height and shall not exceed the height of the Main Building;
  - (vi) the distance requirement between Main Building and Accessory Building/Structure is as follows:
    - (A) 1.22 m between exterior wall of the Main Building and the exterior wall of the Accessory Building/Structure; and
    - (B) 0.61 m between eaves of the Main Building and the eaves of the Accessory Building subject to condition that the Accessory Building/Structure has a one (1) hour fire rating wall;

- (vii) no Accessory Building/Structure or any portion thereof shall be erected or placed on the Parcel of Land before the construction of the Main Building; and
  - (viii) no Accessory Building/Structure may be used for the purpose of sheltering livestock or poultry.
- b) In Non-Residential Districts:
- (i) No Accessory Building/Structure or any portion thereof shall be erected or placed within the front yard of a parcel.

### 3.2 BUILDING ORIENTATION AND DESIGN

- a) The design, character and appearance of any Building, proposed to be erected or located in any District must be acceptable to the Development Authority having due regard to:
  - (i) amenities such as daylight, sunlight and privacy;
  - (ii) the character of existing development in the District; and
  - (iii) its effect on adjacent parcels.
- b) The main floor for all Dwelling Units shall be located at or above grade.

### 3.3 DECKS

- a) A Development Permit is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.61 m above grade.
- b) A deck shall be no closer than 1.5 m from side and rear property boundaries.
- c) Notwithstanding subsection b) a deck can be 0.0 m from the side property line where a zero-side yard development is approved in accordance with **Section 3.11** or on one side where the Main Building is a Semi-Detached Dwelling.

### 3.4 PRIVATE SWIMMING POOLS & HOT TUBS

Every private swimming pool and/or hot tub shall be secured against entry of the public other than Owners, tenants or their guests.

### 3.5 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- a) No person shall allow a motor vehicle which is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in a Residential District, unless it is suitably housed or screened to the satisfaction of the Development Authority.
- b) No person shall park or permit to be parked, a vehicle, recreational vehicle or boat that is more than 2,730 kg (GVW) and/or a length of 6.5 m, which cannot be completely parked within the confines of the person's Driveway space. Any portion of the vehicle which encroaches past the Driveway to the adjoining sidewalk or roadway is considered an offence and said vehicle, recreational vehicle or boat will be required to be removed.
- c) A recreational vehicle parked in a Residential District may be used for living and sleeping accommodation for a maximum period of 30 days per year.

### 3.6 RETAINING WALLS

- a) The Development Authority may require the construction of a retaining wall as a condition of a Development Permit if, in their opinion, significant differences in grade exist or will exist between the parcel to be developed and adjacent parcels.
- b) Any retaining wall proposed over 1.0 m in height must be designed by a professional engineer.
- c) Creosote railway ties are not a permitted construction material for any retaining wall.

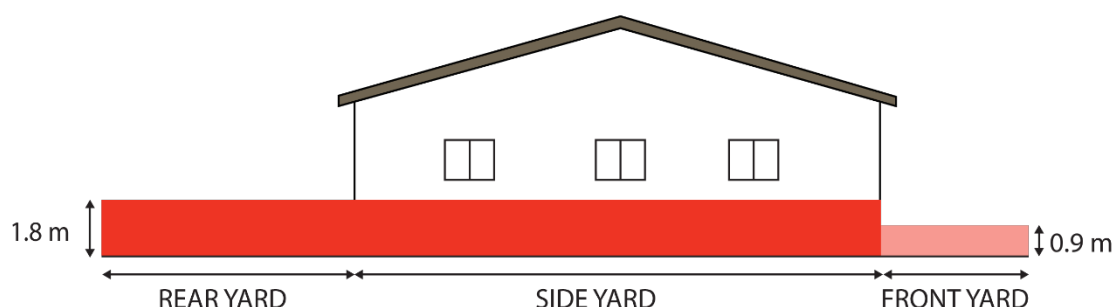
### 3.7 SCREENING

- a) Year-round visual screening to a minimum height of 1.8 m shall be provided by a fence or a combination of fence and landscaping materials where a Non-Residential District abuts a Residential District.
- b) All mechanical equipment or apparatus on the roof of any office, commercial, or industrial Building shall be screened to the satisfaction of the Development Authority.
- c) All exterior work areas, storage areas and waste handling areas shall be screened and/or enclosed from view to the satisfaction of the Development Authority.
- d) In those cases where wrecked or damaged vehicles are permitted to be stored or located on a site they shall be screened or enclosed to the satisfaction of the Development Authority.

### 3.8 FENCING

- a) Fence heights shall be in alignment with **Table 3**, as illustrated in **Figure 1**.
- b) In cases where a fence is constructed on a retaining wall, height is calculated as the average combined height measured from grade on both sides of the fence and retaining wall.
- c) Where a Development Permit is required, the Development Authority may regulate the types of materials and colours used for a fence.
- d) The use of barbed wire below a height of 2.4 m is not permitted.
- e) In non-Industrial Districts, the use of razor wire is not permitted.
- f) Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way, unless an encroachment agreement has been signed. Removal of such fencing will be at the Owner's expense.

**Figure 1: Fence Height Illustration**



**Table 3: Fence Height Maximums**

	Non-Industrial	Industrial
Front Yard	0.9 m	0.9 m
Side Yard	1.8 m	2.4 m
Rear Yard	1.8 m	2.4 m
Within the 'Corner Visibility Triangle' ( <b>Figure 2</b> )	0.9 m	0.0 m

## PARCELS AND SETBACKS

### 3.9 PROJECTIONS OVER YARDS

- a) In Residential Districts, the portion of and attachments to a Main Building or Accessory Building/Structure which may project into a minimum yard are:
  - (i) Side Yards
    - (A) Any projection not exceeding one-half of the minimum side yard required for the Building, except in laneless subdivisions where **Section 3.10** shall apply
  - (ii) Front Yards
    - (A) Any projection not exceeding 1.22 m into or over the minimum front yard;
  - iii) Front and Rear Yard, Rear
    - (A) Unenclosed steps not exceeding 2.5 m into or over a minimum front or rear yard;
  - iv) Rear Yards
    - (A) Any projection not exceeding 3 m into or over the minimum rear yard.
  - v) In all other Districts, the portion of and attachments to a Main Building or Accessory Building which may project into a minimum yard are:
    - (A) any projection not exceeding 1.22 m into or over a front or rear yard; and
    - (B) any projection not exceeding 0.6 m into a side yard;
- b) No portion of a Building other than eaves, Signs or canopies shall project into a public or private right-of-way.

### 3.10 LANELESS DEVELOPMENT

- a) In laneless Development in a Residential District, one side yard shall not be less than:
  - (i) 1.5 m, in the case of a Detached Dwelling with Attached Garage; or
  - (ii) 3.0 m, in the case of a Detached Dwelling without Attached Garage;
 and both Yard, Sides shall not be less than:
  - (iii) 1.5 m, in the case of a Duplex with Attached Garages; or



- (iv) 3.0 m, in the case of a Duplex without Attached Garages.
- b) In laneless Development in a Commercial District or Industrial District, one side yard shall be not less than 6.0 m. This does not apply to an Accessory Building/Structure where such is located to the rear of the Main Building and separated there by a minimum distance of 12.0 m.

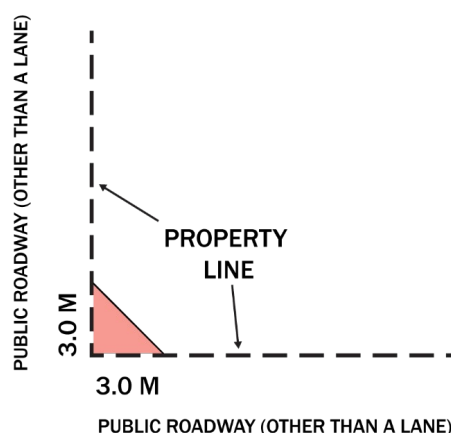
### 3.11 ZERO SIDE YARD DEVELOPMENTS

- a) In the Central Commercial District, the minimum side yard is 0.0 m.
- b) In other Districts, the Development Authority may allow one side yard of the Main Building or Accessory Building to be 0.0 m where:
  - (i) the registered Owner(s) of the adjoining parcel or parcels grant(s) a maintenance and eave and footing encroachment easement equivalent to two minimum Yard requirements. The easements shall be to the satisfaction of the Municipal Planning Commission and shall be registered against the title of the said parcel; and
  - (ii) all roof drainage from any Building shall be directed onto the parcel upon which such Building is situated by means of eaves troughs and down spouts, or other suitable means.

### 3.12 SIGHT LINES AT INTERSECTIONS OF ROADS

- a) In all Districts, buildings, structures, fences and landscaping shall be setback at least 3.0 m from the intersection of two roads, as measured from the intersect point of the property line, to maintain corner visibility, as illustrated in **Figure 2**.
- b) All buildings, structures, fences, vegetation and finished ground elevations within a Sight Triangle shall be less than 1.0 m in height.
- c) For parcels backing onto the intersection of a rear lane and public roadway in all Districts, Buildings, fences and landscaping shall be setback at least 1.5 m from the intersection of the rear lane and public roadway, as measured from the intersect point of the property line, to maintain corner visibility.

**Figure 2: Intersection Sightlines**



- d) At the intersection of other Roads, the Development Authority may require the calculation of Sight Triangles where:
  - (i) one or more rights-of-way is less than 15.0 m;
  - (ii) regulated vehicle speed exceeds 50 Km/h;
  - (iii) one of the carriageways is not centred in its right-of-way; or
  - (iv) an intersection leg is curved or skewed, or an intersection leg is sloped at 2% or greater.

### 3.13 VEHICLE ACCESS TO BUILDINGS

- a) Any Building into which a vehicle may enter shall have a Driveway on the parcel at least 6.0 m in length, except where the Driveway enters a lane, whereit shall be either:
  - (i) 1.0 m in length and parking will not be permitted on the Driveway; or
  - (ii) at least 6.0 m in length and parking will be permitted on the Driveway.

### 3.14 DRIVEWAYS

- a) At street intersections, Driveways shall be setback from the parcel boundaries which form the intersection not less than:
  - (i) 6.0 m where the Driveway serves not more than four Dwelling Units; or
  - (ii) 15.0 m for all other uses, except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- b) The maximum width of a Driveway shall be 10.0 m.
- c) The minimum angle for a Driveway to a Use which generates high traffic volumes shall be 70°.
- d) A Driveway shall not be permitted directly in front of a Main Building in the front yard of a residential parcel if the distance between the Main Building and Front Parcel Line is less than 6.0 m.

### 3.15 RESIDENTIAL LANDSCAPING

Landscaping on private-property shall not extend into municipally owned public boulevards.

### 3.16 DRAINAGE

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

### 3.17 MECHANIZED EXCAVATION, STRIPPING AND GRADING OF PARCELS

- a) A temporary fence shall be erected around all excavations which in the opinion of the Development Authority may be hazardous to the public.
- b) Where finished ground elevations are established, all grading shall comply therewith.
- c) All parcels shall be graded to ensure that storm water is directed to a Road without crossing adjacent land, except as permitted by the Municipal Planning Commission.

- d) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

### 3.18 LANDSCAPING, ENVIRONMENTAL CONSERVATION AND DEVELOPMENT

- a) Unless otherwise specified in this Bylaw, the following landscaping standards shall be required for all areas of a parcel not covered by Buildings, Driveways, storage and display areas:
- (i) existing trees and shrubs shall be conserved to the maximum extent possible; and
  - (ii) swamps, gullies and natural drainage courses, unstable land and land with a gradient of 15% or greater shall be retained in their natural state where possible.
- b) Landscaping shall be completed by the end of the first full growing season following the completion of the construction of a Development or commencement of its Use.

## PARKING

### 3.19 MINIMUM PARKING

- a) As shown on **Table 4**, the minimum number of parking spaces per gross Floor Area, unless stated otherwise, shall be provided and maintained upon the Use of a parcel or Building in any District.
- b) Any calculation of the number of parking spaces which produces a requirement for part of a space shall be rounded up to the next highest integer.

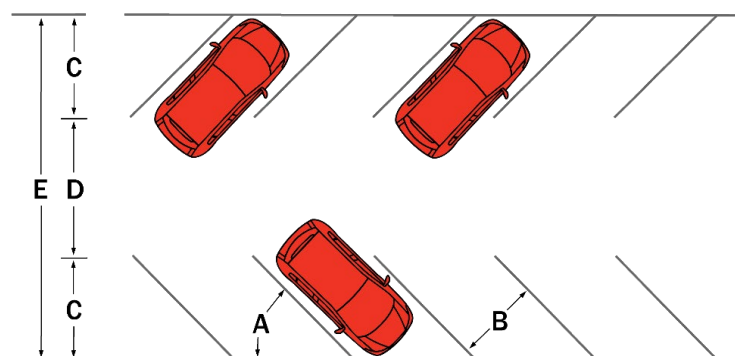
**Table 4: Parking Stall Requirements**

Uses	Parking Spaces
<b>Commercial</b>	
District Shopping Centres	2 stalls per 100 m <sup>2</sup> gfa
Retail (Small) < 1000 m <sup>2</sup>	2 stalls per 100 m <sup>2</sup> gfa
Retail (General) 1000 – 4000m <sup>2</sup>	1.5 stalls per 100 m <sup>2</sup> gfa
Retail (Large) > 4000 m <sup>2</sup>	2 stalls per 100 m <sup>2</sup> gfa
Commercial Recreational and Entertainment Facility	2 stalls per 100 m gfa
Financial Institution	1.5 stalls per 100 m <sup>2</sup> gfa
Gas Bar	2.0 per 100 m <sup>2</sup> gfa
Office	2.5 per 100 m <sup>2</sup> gfa
Hotel	1.0 per guest room
Medical Clinic	6.0 per 100 m <sup>2</sup> gfa
Drive-In Business	5.0 per 100 m <sup>2</sup> gfa
Eating or Drinking Establishment	3 stalls per 100 m <sup>2</sup> gfa
Vehicle and equipment sales	2.0 per 100 m <sup>2</sup> gfa
<b>Industry</b>	
Manufacturing	1.0 per 100 m <sup>2</sup> (6.0 minimum) + 2.0 per 100 m <sup>2</sup> additional spaces
Warehousing	0.5 per 100 m <sup>2</sup> (4.0 minimum) + 2.0 per 100 m <sup>2</sup> additional spaces
<b>Public</b>	
Care Facility	1.0 per 4 beds and 1.0 per 2 workers
Religious Institution	2 stalls per 100 meters <sup>2</sup> gfa
Public and Quasi Public Uses	As required by the Development Authority

Uses	Parking Spaces
School	As requested by the respective School Board
<b>Residential</b>	
Apartments, Attached Dwellings and Multiple Housing Developments	1.75 per Dwelling Unit
Secondary Suite	1.0 per suite
Adult Care Residence	2.0 per 3 units of accommodation
Bed & Breakfast Establishment	1.0 per guest room
All other	2.0 per Dwelling Unit
<b>Uses not listed above</b>	The number of spaces shall be determined by the Development Authority having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed Use.

- c) When a Building is enlarged or the Use of a parcel or a Building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original Building or Use and that of the enlarged Building or changed or intensified Use.
- d) The parking space requirement on a parcel which has or is proposed to have more than one Use shall be the sum of the requirements for each of those Uses.
- e) Each parking space shall have dimensions of not less than 2.75 m by 5.5 m.
- f) The dimensions of parking areas shall be as set out in **Figure 3** and **Table 5**.

**Figure 3: Dimensions of Parking Spaces**



**Table 5: Parking Stall Requirements**

A	B	C	D	E
Parking Angle	Stall Width	Stall Depth	Maneuvering Space	Overall Depth
0°	2.75 m	2.75 m	3.50 m	9.00 m
30°	2.75 m	5.00 m	3.50 m	13.50 m
45°	2.75 m	5.70 m	4.00 m	15.40 m
60°	2.75 m	6.00 m	5.50 m	17.50 m
90°	2.75 m	5.50 m	7.00 m	18.00 m

- g) A minimum standard of 24.75 m<sup>2</sup> per parking space shall be used for general calculations for the areas of Parking Facilities or the number of parking spaces in a Parking Facility.
- h) Parking spaces shall be located on the same parcel as the Use for which they are being provided, except that, subject to the approval of the Development Authority, the spaces may be located on another parcel within 50 m walking distance, provided that a restrictive covenant, ensuring the Use of the parcel for the required number of parking spaces, is registered against the certificate of title of that parcel.
- i) Hard surfacing of the parking area shall be required where a parking area enters a paved Road, otherwise, the surfacing shall be all-weather.
- j) At least 10% of the required number of parking spaces per site, to a maximum of ten (10) and a minimum of one (1), shall be Barrier-free parking spaces intended for use by mobility-reduced persons.
- k) Barrier free parking spaces shall:
  - (i) be designed as a 2.4 m wide parking stall adjacent to a 2.4 m wide access aisle where the access aisle is demarcated to indicate no parking;
  - (ii) be located closest to the entrance of the Building for which they are intended;
  - (iii) have a firm, slip-resistant and level surface;
  - (iv) have a well-lit, distinguishable, barrier-free path of travel from the parking areas to the Building entrance; and
  - (v) be clearly identifiable in accordance with safety codes.
- l) Where there are two or more adjacent barrier free parking stalls, the 2.4 m wide access aisle may be shared between spaces.

### 3.20 LOADING SPACES

- a) Loading spaces shall be provided for all Developments with a loading door.
- b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a Road.
- c) Loading spaces shall be located in rear and side yards only.
- d) A loading spaces shall be at least 3.5 m x 8.0 m with an overhead clearance of at least 4.6 m.
- e) Hard surfacing of the loading space shall be required, where a loading space enters a paved public roadway, otherwise, the surfacing shall be all-weather.

## SIGNS

### 3.21 GENERAL PROVISIONS

- a) Unless specifically exempted under **Section 2.2** of this Bylaw, all Signs shall be subject to approval by the Development Authority.
- b) A Development Permit application for a Sign shall include the following information:
  - (i) location of the Sign by elevation drawing or site plan of the property showing distance to front, side and rear property boundaries approaches or Driveway locations and distances from existing Buildings;
  - (ii) overall dimensions of the Sign;
  - (iii) amount of projection from the face of the Building or above the Building roof or parapet wall;
  - (iv) height of a Freestanding Sign;
  - (v) amount of projection into or over public property;
  - (vi) height of Sign above ground level; and
  - (vii) manner of illuminating the Sign in any form of animated or intermittent lights.
- c) A Sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby Buildings or be liable to create a cluttered appearance to the streetscape.
- d) No Sign shall project higher than the roof line of the Building to which it is attached.
- e) A Sign shall not project closer than 0.75 m to the existing or future curb line.
- f) Where a Sign projects over public property, a minimum clearance of 2.5 m above grade level shall be maintained.
- g) Notwithstanding subsection f), where a Sign is located in or projects into or over a Driveway or other area of vehicle movement, a minimum clearance of 4.6 m above grade level shall be maintained.
- h) A Sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- i) A Sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.
- j) The quality, aesthetic character and finishing of a Sign shall be to the satisfaction of the Development Authority.
- k) The area around Sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.
- l) Changeable message Signs may be allowed and this method of communicating a message may be used on A-Frame Signs, Free Standing Signs, Fascia Signs, Special Event / Temporary Signs and Projecting Signs.

- m) A Sign shall not contain, advertise, or portray an unlawful activity, profanity, obscenity, or other message that may be offensive or discriminatory as defined in the *Alberta Human Rights Act* and all Signs must be in compliance with any provincial legislation.
- n) Third Party Advertising is not permitted in any District, except where allowed as a Billboard sign per Section 3.27.

### 3.22 SIGN LANDSCAPING SPECIFICATIONS

- a) Unless otherwise stated in this Bylaw, the following standard of landscaping at the base of any freestanding or billboard Sign:
  - (i) the Sign base, electrical boxes and/or the base of structural support components shall be covered with topsoil and seeded, or concealed by vegetation contained within a planting bed; and
  - (ii) the area around Sign structures shall be kept clean and free of overgrown vegetation and free of refuse material as a condition of any Sign permit.

### 3.23 REMOVAL OR REPAIR OF SIGNS

- a) The Development Authority may require the removal of any Sign which, in their opinion, is or has become unsightly or is in such a state of disrepair as to constitute a hazard.
- b) If any Sign is erected without an approved permit, an approved permit lapses, a Sign no longer complies with the terms of this Bylaw or a Sign no longer complies with the terms of an approved Development Permit, the Development Authority may remove the Sign immediately or may provide written notice to order the Owner of the Sign, the Owner of the property on which the Sign is erected or both, to remove, repair or modify the Sign and the party or parties so notified shall:
  - (i) remove, repair or modify such Sign and all related structural components in accordance with the terms of the notice within thirty (30) days, or, in the case of portable Signs, within fifteen (15) days from the date of receipt of such notice from the Development Authority;
  - (ii) restore the immediate area around the Sign, to the satisfaction of the Development Authority, including the ground or any Building to which the Sign was attached, as close as possible to its original form prior to the installation of the Sign.
- c) If a person fails or refuses to comply with an order to remove a Sign, the Development Authority may take action pursuant to a stop order in accordance with **Section 1.19**.

### 3.24 FACIA SIGNS

**FACIA SIGN** means a Sign attached to, marked or inscribed on and parallel to the face of a Building wall but does not include a billboard, adhering to the following requirements:

District	Residential	Discretionary
	Commercial	Permitted
	Industrial	Permitted
	Special	Permitted
Maximum Sign Dimensions		<ul style="list-style-type: none"> <li>• In Residential Districts, 60cm x 60 cm for home-based business identification</li> <li>• In non-Residential Districts, up to 20% of the area of the wall on which they are placed</li> </ul>

Standards	<ul style="list-style-type: none"> <li>No Facia Sign shall be lower than 2.5 m above grade, except in the case of Signs intended solely for the information of pedestrians, in which case the height shall be determined by the Development Authority having regard, amongst other things, to clarity and safety</li> <li>No Facia Sign on a single storey Building shall be higher than the Eave Line of the Building</li> <li>No Facia Sign shall project more than 0.4 m into or over a street or public property</li> <li>No Facia Sign on a Building two or more storeys in height shall be higher than the sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall</li> </ul>
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### 3.25 PROJECTING SIGNS

**PROJECTING SIGN** means a Sign which projects from a Building face, adhering to the following requirements:

District	Residential	Prohibited
	Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>1.0 m<sup>2</sup> Sign area</li> </ul>	
Standards	<ul style="list-style-type: none"> <li>No part of a projecting sign shall be less than 2.5 m above finished grade</li> <li>No Projecting Sign on a Building two or more storeys in height shall be higher than the sill level of the second-floor windows or the equivalent height in the case of attachments to a blank wall</li> <li>On corner sites, Projecting Sign shall be placed at equal angles to the walls that form the corner and on other sites, at right angles to the wall</li> <li>Projecting Signs shall not project more than 1.0 m into or over a street or public property</li> <li>Only one Projecting Sign may be erected on each street Frontage of a Building</li> </ul>	

### 3.26 FREE STANDING SIGNS

**FREESTANDING SIGN** means a Sign that is supported independently of a Building wall but does not include a Portable Sign, adhering to the following requirements:

District	Residential	Discretionary
	Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>4.5 m<sup>2</sup> Sign area</li> <li>6.0 m Sign height</li> </ul>	



Standards	<ul style="list-style-type: none"> <li>Only one Freestanding Sign may be erected on each of a parcel's boundaries with a street</li> <li>No part of the Sign shall be located closer than 0.5 m to the property line</li> <li>No Freestanding Sign shall be erected in such proximity to a Public Facility and Recreation District or Urban Reserve District that would detract from the natural aesthetics of that District</li> <li>Freestanding Signs shall be separated by a minimum distance of 30 m from each other</li> <li>Freestanding Signs shall only be erected on sites to which their display relates, except in the case of Freestanding Signs used solely by community organizations at the discretion of the Development Authority</li> <li>Freestanding Signs may be illuminated and if so, must be serviced with underground electrical wiring</li> <li>A Freestanding Sign for the purpose of promoting or marketing the current phase of a residential Development may be approved by the Development Authority, for a period of two (2) years</li> </ul>
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### 3.27 BILLBOARDS

**BILLBOARD** means a Sign to which advertising copy is affixed to permit its periodic replacement, adhering to the following requirements:

District	Residential	Prohibited
	Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>9.5 m<sup>2</sup> Sign area (14 m<sup>2</sup> for a District Shopping Centre)</li> <li>7.0 m Sign height (8.5 m for a District Shopping Centre)</li> </ul>	
Standards	<ul style="list-style-type: none"> <li>Only one Billboard may be erected on a parcel's street-facing boundary</li> <li>No part of the Billboard shall be located closer than 0.5 m to the property line</li> <li>No Billboard shall be erected in such proximity to a Public Facility and Recreation District or Urban Reserve District that it would detract from the natural aesthetics of that District</li> <li>Billboards shall be separated by a minimum distance of 60 m from each other</li> <li>Billboards may be illuminated and if so, must be serviced with underground electrical wiring</li> </ul>	

### 3.28 PORTABLE SIGNS

**PORTABLE SIGN** means a Sign which is not in a permanently installed or affixed position, adhering to the following requirements:

District	Residential	Prohibited
	Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>3.0 m<sup>2</sup> Sign area</li> <li>2.0 m Sign height</li> </ul>	

Standards	<ul style="list-style-type: none"> <li>Portable Sign may only be used to advertise businesses which commence operation on the parcel upon which the Sign is erected within 60 days before or after the date of application for a Development Permit</li> <li>The use of a Portable Sign shall be limited to a maximum of 60 days following which time the Sign shall be removed from the parcel</li> <li>Only one Portable Sign shall be permitted on a parcel at any one time and a minimum of 30 days shall elapse between the removal of one Portable Sign and the erection of another on the same parcel</li> </ul>
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### 3.29 AWNING SIGNS

**AWNING SIGN** means a Sign inscribed on or affixed flat upon the covering material of an awning, adhering to the following requirements:

District	Residential	Prohibited (except where noted below)
	Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>Shall not exceed 50% of the awning or canopy structure</li> </ul>	
Standards	<ul style="list-style-type: none"> <li>Awning Signs shall be erected so that they do not project more than 1.2 m into or over public property</li> <li>Awning Signs shall be erected so that they are not closer than 0.6 m to the curb or edge of a constructed street</li> <li>Awning Signs shall be erected so that they have a minimum clearance of 2.5 m from grade</li> <li>In a Residential District, awnings shall not be used for signage purposes excepting thereout, Apartments, which may use awnings for the purpose of identifying the name and address of the Apartment</li> </ul>	

### 3.30 A-FRAME SIGNS

**A-FRAME-SIGN** means a self supporting 'A' shaped Sign that is set upon the ground and has no external supporting structure, also commonly referred to as a sandwich board, adhering to the following requirements:

District	Residential	Discretionary
	Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>1.0 m<sup>2</sup> Sign area</li> </ul>	

Standards	<ul style="list-style-type: none"> <li>The A-Frame Sign may be placed on the side of a street or public sidewalks provided that pedestrian traffic or vehicular traffic is not materially affected</li> <li>The A-Frame Sign shall be manufactured to the standards followed by a professional Sign painter, have a painted finish, be neat and clean and be maintained as such</li> <li>A maximum of one (1) A-Frame Sign is allowed per business</li> <li>The A-Frame Sign shall not be erected for a period exceeding the normal operating hours of the business</li> </ul>
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### 3.31 SPECIAL EVENT / TEMPORARY SIGNS

**SPECIAL EVENT / TEMPORARY SIGN** means a Sign used for the announcement or advertising of a community, cultural, religious event or for the promotion of a sales event by a local business, adhering to the following requirements. A Special Event / Temporary Sign is used for the advertising of a lawn sale, garage sale or other special event and includes real estate signs advertising an open house, public viewing and campaign Signs for federal, provincial, municipal or school board elections.

District	Residential	Discretionary
	Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>For the purposes of a garage sale: 0.92m<sup>2</sup> Sign area</li> <li>For the purposes of real-estate: 2.3 m<sup>2</sup> Sign area</li> <li>For the purposes of show-home: 2.3 m<sup>2</sup> Sign area</li> <li>For the purposes of construction: 2.97 m<sup>2</sup> Sign area</li> <li>For the purposes of notifying about a community event: 2.97 m<sup>2</sup> Sign area</li> </ul>	
Standards	<ul style="list-style-type: none"> <li>Special Event / Temporary Signs shall be located wholly within the property lines of private lands, except where the Town gives permission for the placement of a Sign within a road allowance</li> <li>Special Event / Temporary Signs must be removed the day after the event</li> </ul>	

### 3.32 INFLATABLE SIGNS

**INFLATABLE SIGN** means a Sign that is inflated, adhering to the following requirements:

District	Residential	Prohibited
	Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>20.0 m<sup>2</sup> Sign area</li> <li>15.0 m Sign height</li> </ul>	
Standards	<ul style="list-style-type: none"> <li>Any Inflatable Sign shall be placed wholly within the property lines of the premises to which the Sign is referring</li> <li>The maximum time the Inflatable Sign may be displayed at one time is thirty (30) days. No more than three (3) permits may be approved for a parcel in any one-year period</li> </ul>	

### 3.33 WINDOW SIGNS

**WINDOW SIGN** means a Sign permanently attached and located within a Building so as to be visible through a window or door outside of the Building, adhering to the following requirements:

District	Residential	Discretionary
	Commercial	Permitted
	Industrial	Permitted
	Special	Permitted
Maximum Sign Dimensions	<ul style="list-style-type: none"> <li>Residential District, 0.4 m<sup>2</sup> Sign area</li> <li>Non-Residential District, shall not exceed 50% of the subject window area</li> </ul>	
Standards	<ul style="list-style-type: none"> <li>In any Residential District, a maximum of one Window Sign per parcel may be allowed at the discretion of the Development Authority</li> <li>In non-Residential Districts, a permanent Window Sign painted on, attached to or installed on a window does not require a Development Permit in accordance with <b>Section 2.2</b></li> </ul>	

# Section 4 Specific Uses and Activities

*This section outlines specific regulations that apply to particular types of development within Town.*

## 4.1 BED & BREAKFAST

- a) The residential nature of the Dwelling Unit and the neighbourhood shall be preserved as much as is reasonably possible.
- b) A Dwelling Unit that is being used for a Bed and Breakfast shall not be used as a Boarding and Rooming House at the same time.
- c) The granting of a Development Permit for a Bed and Breakfast does not exempt compliance with any provincial regulations or other permit requirements.

## 4.2 BUILDING DEMOLITION

- a) An application to demolish a Building shall not be approved without a statement or plan which indicates:
  - (i) how the operation will be carried out so as to create a minimum of dust or other Nuisance; and
  - (ii) the final reclamation of the parcel,
 which is satisfactory to the Municipal Planning Commission.

## 4.3 DANGEROUS GOODS

Prior to making any decision on a Development Permit application which involves dangerous goods or Development on adjacent land or in close proximity to any dangerous goods, the Development Authority shall refer the application to the appropriate regulatory authority for comments.

## 4.4 HOME OFFICE

- a) A person conducting a Home Office shall not store materials, commodities, or finished products associated with the business outside the Dwelling Unit or an Accessory Building.
- b) No student or customer visits are permitted.
- c) A person shall not provide in-person instruction as a Home Office.
- d) The Home Office shall be operated as an Accessory Use only and shall not change the principal character or external appearance of the Dwelling Unit.
- e) A Home Office shall not cause a Nuisance.

#### 4.5 HOME-BASED BUSINESS (CLASS 1)

- a) A Home-Based Business (Class 1) is restricted to a maximum of one facia Sign 60 x 60 cm in size.
- b) A person conducting a Home-Based Business (Class 1) shall not store materials, commodities, or finished products associated with the business outside the Dwelling Unit or Accessory Building.
- c) If a person provides instruction as a Home-Based Business (Class 1), no more than five attendees shall be in attendance at the site at any one time.
- d) A Home-Based Business (Class 1) shall be operated as an Accessory Use only and shall not change the principal character or external appearance of the Dwelling Unit or Accessory Buildings involved.
- e) The required parking for a Home-Based Business (Class 1), shall be provided in addition to the required residential parking for any Dwelling Units.
- f) A Home-Based Business (Class 1) shall not be permitted if:
  - (i) it causes or will cause a Nuisance; and/or
  - (ii) the Development Authority determines that such Use would be more appropriately located in a Commercial District or Industrial District having regard for, among other matters, potential traffic generation and potential interference with the residential character of the area.

#### 4.6 HOME-BASED BUSINESS (CLASS 2)

- a) A Home-Based Business (Class 2) is restricted to a maximum of one facia Sign 60 x 60 cm in size.
- b) The maximum number of clients at any one time shall be at the discretion of the Development Authority, having regard to the character of the immediate area, proximity to other residences, and the potential impact of traffic.
- c) A Home-Based Business (Class 2) shall be operated as an Accessory Use only and shall not change the principal character or external appearance of the Dwelling Unit or Accessory Buildings involved.
- d) A Home-Based Business (Class 2) shall not occupy more than 30% of the gross Floor Area of the Principal Dwelling plus the area of Accessory Buildings.
- e) Up to three commercial vehicles used in association with a Home-Based Business (Class 2) may be parked, stored, and/or maintained on-site.
- f) The required parking for a Home-Based Business (Class 2), shall be provided in addition to the required residential parking for any Dwelling Units.
- g) Outside storage of goods, materials, commodities, or finished products shall be at the discretion of the Development Authority. Such outside storage, where permitted, shall satisfy the minimum Setback requirements for Buildings in the applicable District.
- h) Screening of outdoor storage shall be at the discretion of the Development Authority.
- i) A Home-Based Business (Class 2) shall not be permitted if:
  - (i) it causes or will cause a Nuisance; and/or
  - (ii) the Development Authority determines that such Use would be more appropriately located in a Commercial District or Industrial District having regard for, among other matters, potential traffic generation and potential interference with the residential character of the area.

#### 4.7 RELOCATION OF BUILDINGS

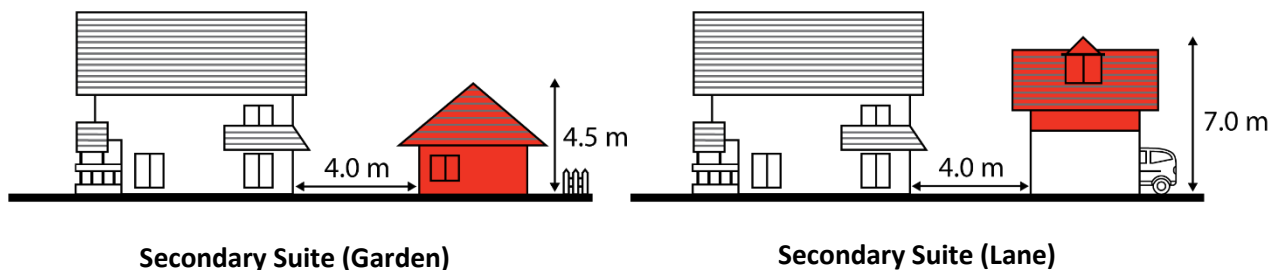
- a) No person shall:
  - (i) place on a parcel a Building which has previously been erected or placed on a different parcel; or
  - (ii) alter the location on a parcel of a Building which has already been constructed on that parcel,
 unless a Development Permit has been issued by the Municipal Planning Commission.
- b) The Municipal Planning Commission may require an application for a Development Permit to be accompanied by:
  - (i) recent colour photographs showing all sides of the Building;
  - (ii) a statement on the age, size and structural condition of the Building; and
  - (iii) a statement of proposed improvements to the Building.
- c) An application for a Development Permit may be approved by the Municipal Planning Commission if the proposal meets all of the regulations specified under the appropriate District in which it is proposed to be located.
- d) Where a Development Permit has been granted for the relocation of a Building either on the same parcel or from another parcel, the Municipal Planning Commission may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a Development Permit.
- e) All structural and exterior renovations shall be completed within one year of the issuance of a Development Permit.

#### 4.8 SECONDARY SUITE (GARDEN)

- a) In developing a Secondary Suite (Garden), the Owner shall comply with all relevant requirements of the National Building Code - Alberta Edition.
- b) No parcel shall have more than one (1) Secondary Suite (Garden).
- c) A minimum of one (1) off-street parking space shall be provided for the exclusive use of the Secondary Suite (Garden).
- d) If parking space is provided in the front yard, a minimum of 30% of the front yard must remain as Landscaped Area.
- e) A Secondary Suite (Garden) must have full utility services through service connections from the Principal Dwelling.
- f) A Secondary Suite (Garden) shall:
  - (i) be located in a rear yard
  - (ii) be a maximum of 4.5 m in height (as illustrated in **Figure 4**);
  - (iii) meet side yard setback requirements for the Principal Dwelling;
  - (iv) meet the rear yard setback requirements for an accessory building/structure

- (v) have a maximum gross Floor Area of 75.0 m<sup>2</sup>; and
- (vi) be architecturally compatible with the Principal Dwelling.
- g) Consideration should be given to privacy for the Secondary Suite (Garden), the Principal Dwelling, and Dwelling Unit(s) on adjacent properties through the placement of windows, decks and balconies.
- h) A Secondary Suite (Garden) must be located a minimum of 4.0 m from the Principal Dwelling.
- i) A Development Permit application will respond to the above noted requirements and further provide:
  - (vii) a Floor Plan; and
  - (viii) elevations (front, side and rear) for the Secondary Suite (Garden).

**Figure 4: Secondary Suite Illustrations**



#### 4.9 SECONDARY SUITE (LANE)

- a) In developing a Secondary Suite (Lane), the Owner shall comply with all relevant requirements of the National Building Code - Alberta Edition.
- b) No parcel shall have more than one (1) Secondary Suite (Lane).
- c) A minimum of one (1) off-street parking space shall be provided for the exclusive use of the Secondary Suite (Lane).
- d) If parking space is provided in the front yard, a minimum of 30% of the front yard must remain as Landscaped Area.
- e) A Secondary Suite (Lane) must have full utility services through service connections from the Principal Dwelling.
- f) A Secondary Suite (Lane) shall:
  - i) be located directly adjacent to a rear lane;
  - ii) be a maximum of 7.0 m in height (as illustrated in **Figure 4**);
  - iii) meet side yard setback requirements for the Principal Dwelling;
  - iv) meet the rear yard setback requirements for an accessory building/structure
  - v) have a maximum gross Floor Area of 75.0 m<sup>2</sup>; and



- vi) be architecturally compatible with the Principal Dwelling.
- g) Consideration should be given to privacy for the Secondary Suite (Lane), the Principal Dwelling, and Dwelling Unit(s) on adjacent properties through the placement of windows, decks and balconies.
- h) A Secondary Suite (Lane) must be located a minimum of 4.0 m from the Principal Dwelling.
- i) A Development Permit application will respond to the above noted requirements and further provide:
  - (i) a Floor Plan; and
  - (ii) elevations (front, side and rear) for the Secondary Suite (Lane).

#### 4.10 SECONDARY SUITES (INTERNAL)

- a) In developing a Secondary Suite (Internal), the Owner shall comply with all relevant requirements of the National Building Code - Alberta Edition.
- b) Secondary Suites (Internal) are prohibited in Duplexes, Attached Dwellings, Four-Plexes, Six-Plexes and Apartments.
- c) A minimum of one (1) off-street parking space shall be provided for the exclusive use of the Secondary Suite (Internal).
- d) If parking space is provided in the Yard, Front, a minimum 30% of the Yard, Front must remain as Landscaped Area.
- e) A Secondary Suite (Internal) must have full utility services through service connections from the Principal Dwelling.
- f) A Secondary Suite (Internal) shall not exceed 40% of the gross Floor Area of the Principal Dwelling, including upper floors and basement combined or 80 m<sup>2</sup>, whichever is less.
- g) The Secondary Suite (Internal) must have a separate access either through a dedicated entryway from the exterior of the Principal Dwelling or through a separate entrance within a common landing, which shall be located at the side or rear of the Principal Dwelling.
- h) A Development Permit application will respond to the above noted requirements and further provide:
  - (i) a Floor Plan.

#### 4.11 SOLAR COLLECTOR (ROOF/WALL)

- a) The Solar Collector (Roof/Wall) shall be located on the roof or wall of a Building.
- b) Within the Residential Districts:
  - (i) a Solar Collector (Roof/Wall) located on a roof with a pitch of less than 4:12 must not extend beyond the outermost edge of the roof, but may:
    - (A) project a maximum of 0.5 m from the surface of the roof when the Solar Collector (Roof/Wall) is located 5.0 m or less from a side property line, measured directly from any point along the side property line; and
    - (B) where the Solar Collector (Roof/Wall) is located more than 5.0 m from a side property line, may project a maximum of 1.3 m from the surface of the roof.

- (ii) A Solar Collector (Roof/Wall) located on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of the roof, and must not extend beyond the outermost edge of the roof.
- b) Within Non-Residential Districts:
  - (iii) A Solar Collector (Roof/Wall) located on a roof with a pitch of less than 4:12 may project a maximum of 2.0 m from the surface of the roof, and must be located at least 1.0 m inward from the outermost edge of the roof.
  - (iv) A Solar Collector (Roof/Wall) located on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of the roof, and must not extend beyond the outermost edge of the roof.
- c) A Solar Collector (Roof/Wall) located on a pitched roof shall not project vertically beyond the height of any existing roofline or any roof peak.
- e) In all instances, the maximum distance by which a Solar Collector (Roof/Wall) may project from the surface of the roof is determined by measuring the perpendicular distance between the surface of the roof and the exterior surface of the Solar Collector (Roof/Wall).
- f) A Solar Collector (Roof/Wall) that is located on a wall may project a maximum of 0.6 m from the surface of that wall.
- g) Solar Collector (Roof/Wall) does not require a Development Permit in accordance with **Section 2.2**, so long as the above noted requirements are adhered to.
- h) Notwithstanding g) a Solar Collector (Roof/Wall) still requires a Building Permit.

#### 4.12 SOLAR COLLECTOR (FREESTANDING)

- a) A Solar Collector (Freestanding) shall be an Accessory Use to the principal Use on a parcel located in a non-Residential District.
- b) A Solar Collector (Freestanding) shall:
  - (i) not project vertically beyond the height of any existing roofline or any roof peak of the Main Building;
  - (ii) comply with the Setback requirements for Accessory Buildings of the District;
  - (iii) only be located in a Yard, Side or Yard, Rear;
  - (iv) not encroach into the Yard, Front when located in a Yard, Side;
  - (v) be located and arranged so that:
    - (A) glare is not directed at an adjacent site and indirect glare does not adversely affect an adjacent site; and
    - (B) traffic safety is not adversely affected; and
  - (vi) not be located adjacent to a Residential District.
- c) A Development Permit application for a Solar Collector (Freestanding) shall respond to the above noted requirements.

#### 4.13 GUIDELINES FOR OTHER DEVELOPMENT

- a) All Uses which are not covered by specific regulations shall, in accordance with the following guidelines, be:
  - (i) separated from adjacent Uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent Uses;
  - (ii) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a Statutory Plan;
  - (iii) Setback from any parcel boundary abutting a Road a sufficient distance to ensure that the Development will not be visually intrusive, having regard to any possible changes in surrounding Uses;
  - (iv) of a height which will be consistent with that prevailing in the area;
  - (v) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent Roads; and
  - (vi) developed in conformance with any applicable statutory plan policies.

# Section 5

## Land Use Districts

*This section outlines specific regulation that applies to the Town's Land Use Districts.*

### 5.1 LIST OF DISTRICTS

All lands subject to this Bylaw are contained within one of the following Districts:

Land Use Name	Code
SPECIAL LOW DENSITY RESIDENTIAL DISTRICT	R1S
LOW DENSITY RESIDENTIAL DISTRICT – SINGLE DETACHED DISTRICT	R1
NARROW PARCEL RESIDENTIAL DISTRICT	R1N
MODULAR HOME RESIDENTIAL DISTRICT	R1M
LOW DENSITY RESIDENTIAL – TWO DWELLING DISTRICT	R2
MEDIUM DENSITY RESIDENTIAL – ATTACHED DWELLING DISTRICT	R3
HIGH DENSITY RESIDENTIAL – MULTI-DWELLING DISTRICT	R4
MANUFACTURED HOME DISTRICT	RMH
CENTRAL COMMERCIAL DISTRICT	C1
NEIGHBOURHOOD COMMERCIAL DISTRICT	C1A
COMMERCIAL SERVICE DISTRICT	C2
HIGHWAY COMMERCIAL DISTRICT	C3
BUSINESS PARK DISTRICT	BP
AGRIBUSINESS DISTRICT	AB
LIGHT INDUSTRIAL DISTRICT	I1
MEDIUM INDUSTRIAL DISTRICT	I2
PUBLIC FACILITY AND RECREATION DISTRICT	PFR
URBAN RESERVE DISTRICT	UR

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## 5.2 DIRECT CONTROL DISTRICT (DC)

- a) Direct Control Districts provide for development that, due to unique characteristics, innovative ideas, or unusual site constraints, require specific regulations unavailable in other Districts.
- b) Land uses and development regulations within a Direct Control District shall be at the discretion of Council.
- c) Direct Control Districts should not be used:
  - (i) in substitution of any other land use district in this Bylaw that could be used to achieve the same result either with or without relaxations of this Bylaw; or
  - (ii) to regulate matters that are regulated by subdivision or development permit approval conditions.
- d) Where a parcel is designated a Direct Control District, the guidelines approved by Council at the time of such designation shall continue to apply, notwithstanding any requirement of this Bylaw to the contrary.

## 5.3 DIRECT CONTROL DISTRICT APPLICATIONS

Application requirements for the submission of a Direct Control District include:

- a) all information required for an application to amend this Bylaw as set out in **Section 1.24**;
- b) a written statement indicating why, in the applicant's opinion, a Direct Control District is necessary and why the same results cannot be achieved through the use of a District in this Bylaw;
- c) a list of Permitted Uses and Discretionary Uses proposed for the site;
- d) plans and elevations or other documentation that would help to substantiate the need for the Direct Control District; and
- e) any other information as may be required by the Development Authority and Council.

## 5.4 SPECIAL LOW DENSITY RESIDENTIAL DISTRICT (R1S)

a) General Purpose: To provide an area for residential development in the form of Detached Dwellings and compatible Uses, herein listed, all of which are connected to the municipal sewer and water systems, at densities below the Low Density District.

b) Uses:

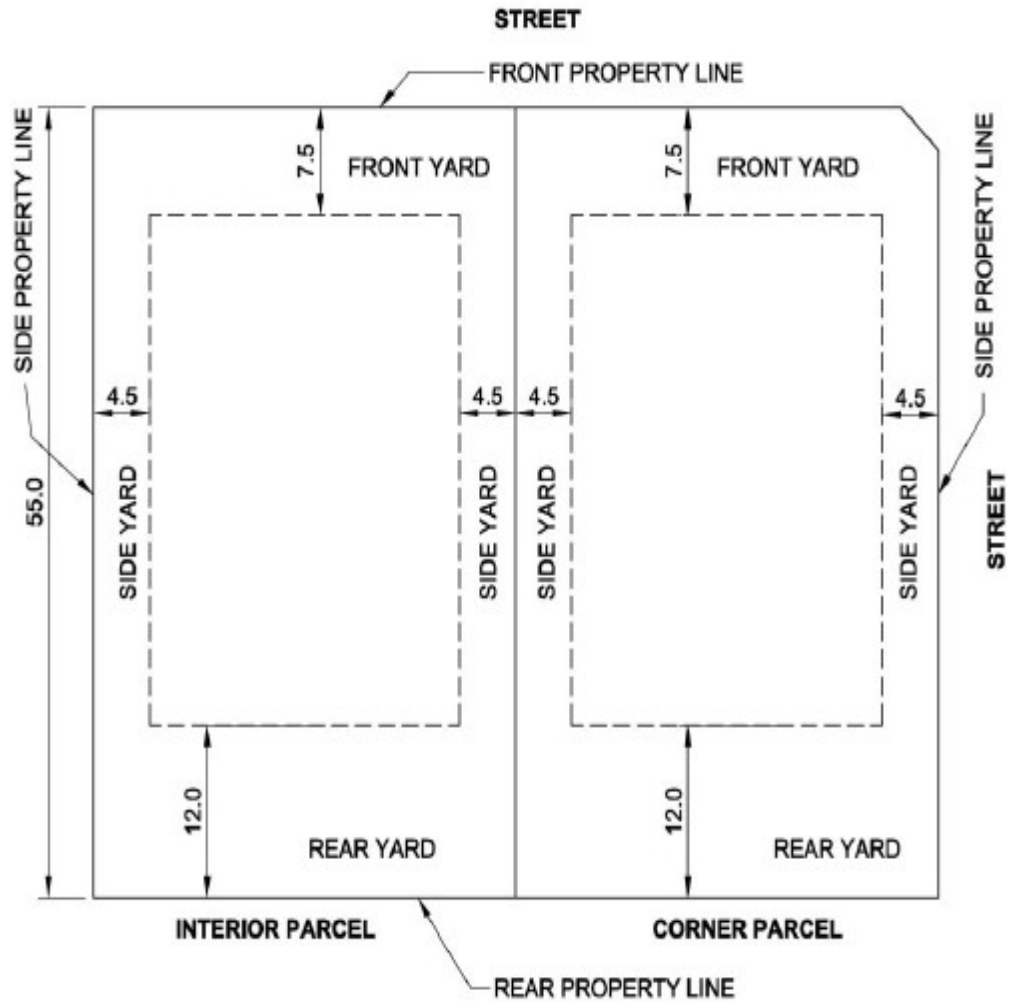
Permitted	Discretionary
Accessory Building/Structure	Accessory Use
Detached Dwelling	Bed and Breakfast
Parks and Playgrounds	Home-Based Business (Class 1)
Public Utility Building	Home-Based Business (Class 2)
	Modular Home
	Public and Quasi-Public Use
	Secondary Suite (Lane)
	Secondary Suite (Garden)
	Secondary Suite (Internal)
	Temporary Residential Sales Centre

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

(i)	Minimum Parcel Area:	0.186 ha
(ii)	Maximum Parcel Coverage:	20%
(iii)	Minimum Front Yard Setback:	7.5 m
(iv)	Minimum Side Yard Setback:	4.5 m
(v)	Minimum Rear Yard Setback:	12 m
(vi)	Minimum Front Parcel Width:	20 m
(vii)	Minimum Parcel Depth:	55 m
(viii)	Maximum Density:	One (1) unit per parcel + One (1) Secondary Suite
(ix)	Maximum Building Height:	10 m

Figure 5: R1S, Minimum Requirements for the Principal Dwelling



## 5.5 LOW DENSITY RESIDENTIAL DISTRICT – SINGLE DETACHED DISTRICT (R1)

a) General Purpose: To provide an area for low density residential development in the form of Detached Dwellings and compatible Uses, herein listed, all of which are connected to the municipal sewer and water systems.

b) Uses:

Permitted	Discretionary
Accessory Building/Structure	Accessory Use
Detached Dwelling	Adult Care Residence
Parks and Playgrounds	Bed and Breakfast
Public Utility Building	Day Care
	Duplex
	Home-Based Business (Class 1)
	Modular Home
	Public and Quasi-Public Use
	Religious Institution
	Secondary Suite (Lane)
	Secondary Suite (Garden)
	Secondary Suite (Internal)
	Temporary Residential Sales Centre

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

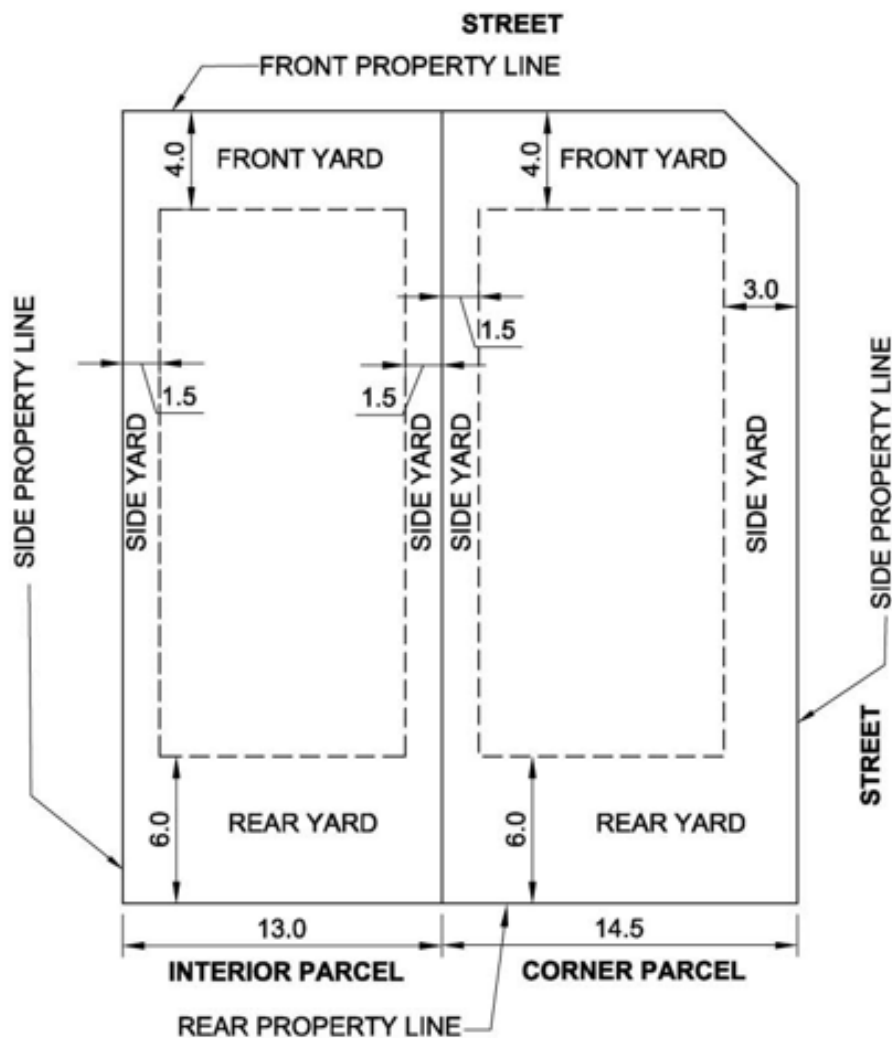
c) Regulations:

- (i) Minimum Front Yard Setback:
  - (A) Main Building: 4 m unless the Development Authority requires additional front yard to ensure consistency with existing development in an area
  - (B) Attached Garages: 6 m excluding the Main Building
- (ii) Maximum Front Yard Setback: 8 m for the Main Building, excluding Attached Garages
- (iii) Minimum Side Yard Setback:
- (iv) Interior parcels: 1.5 m
  - (A) Street side of corner parcels: 3 m
  - (B) Minimum Rear Yard Setback: 6 m
- (v) Minimum Parcel Area:
  - (A) Interior Parcels: 420 m<sup>2</sup>
  - (B) Corner Parcels: 464 m<sup>2</sup>



- (vi) Minimum Parcel Width:
  - (A) Interior parcels: 13 m
  - (B) Corner parcels: 14.5 m
  - (C) Parcels fronting onto the bulb of a cul-de-sac: 11.0 m Frontage
- (vii) Maximum Parcel Coverage: 55%
- (viii) Maximum Density: One (1) unit per parcel + One (1) Secondary Suite
- (ix) Maximum Building Height: 10

**Figure 6: R1, Minimum Requirements for the Principal Dwelling**



## 5.6 NARROW PARCEL RESIDENTIAL DISTRICT (R1N)

a) General Purpose: To provide an area for narrow parcel residential development and compatible Uses, herein listed, which are connected to the municipal water and sewer systems.

b) Uses:

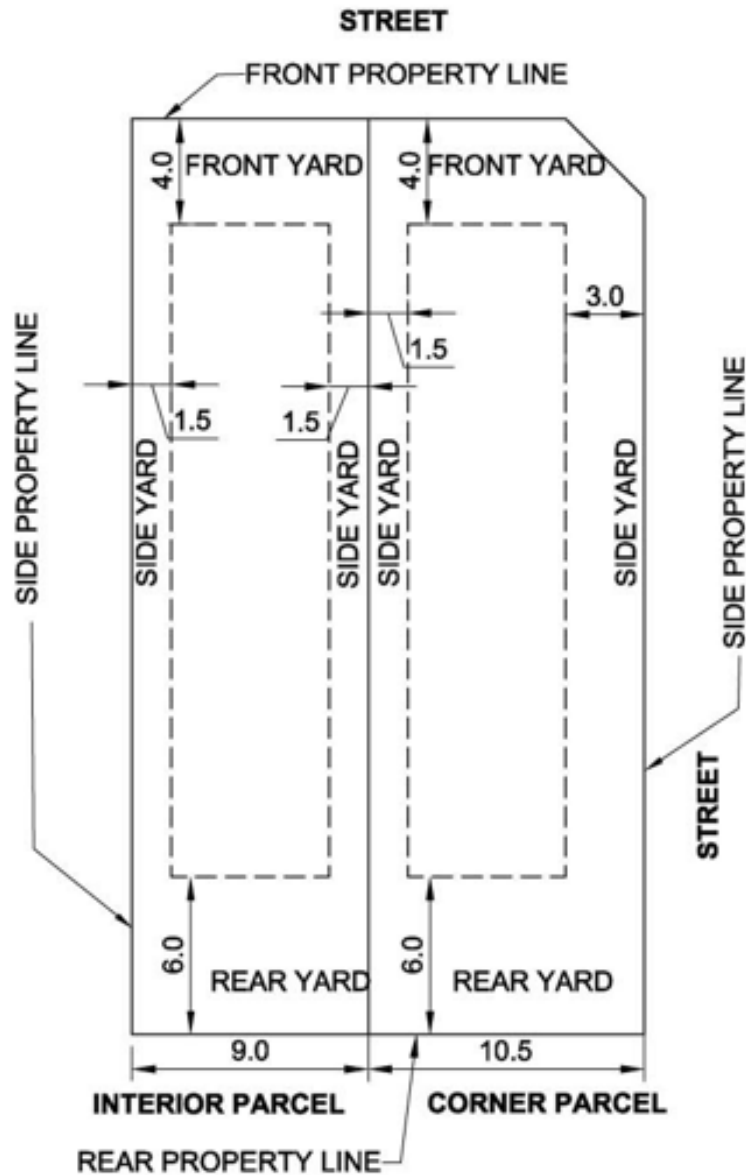
Permitted	Discretionary
Accessory Building/Structure	Accessory Use
Detached Dwelling	Day Care
Parks and Playgrounds	Home-Based Business (Class 1)
Public Utility Building	Public and Quasi-Public Use
	Temporary Residential Sales Centre

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- (i) Minimum Front Yard Setback:
  - (A) Main Building: 4 m unless the Development Authority requires additional front yard to ensure consistency with existing development in an area
  - (B) Attached Garages: 6 m excluding the Main Building
- (ii) Maximum Front Yard Setback: 8 m for the Main Building, excluding Attached Garages
- (iii) Minimum Side Yard Setback:
  - (A) Interior parcels: 1.5 m
  - (B) Side Street of Corner parcels: 3 m
- (iv) Minimum Rear Yard Setback: 6 m
- (v) Minimum Parcel Area:
  - (A) Interior parcels: 313 m<sup>2</sup>
  - (B) Corner parcels: 360.7 m<sup>2</sup>
- (vi) Minimum Parcel Width:
  - (A) Interior parcels: 9 m
  - (B) Corner parcels: 10.5 m
- (vii) Maximum Parcel Coverage: 55%
- (viii) Maximum Density: One (1) unit per parcel
- (ix) Maximum Building Height: 10

Figure 7: R1N, Minimum Requirements for the Principal Dwelling



## 5.7 MODULAR HOME RESIDENTIAL DISTRICT (R1M)

a) General Purpose: To provide an area for low density residential development in the form of Modular Homes and Detached Dwellings, all of which are connected to the municipal sewer and water systems.

b) Uses:

Permitted	Discretionary
Accessory Building/Structure	Accessory Use
Detached Dwelling	Adult Care Residence
Modular Home	Day Care
Parks and Playgrounds	Home-Based Business (Class 1)
Public Utility Building	Public and Quasi-Public Use
	Religious Institution
	Temporary Residential Sales Centres

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- (i) Minimum Front Yard Setback:
  - (A) Main Building: 4 m unless the Development Authority requires additional front yard to ensure consistency with existing development in an area
  - (B) Attached Garages: 6 m excluding the Main Building
- (ii) Maximum Front Yard Setback: 8 m for the Main Building, excluding Attached Garages
- (iii) Minimum Side Yard Setback:
  - (A) Interior parcels: 1.5 m
  - (B) Side Street of Corner parcels: 3 m
- (iv) Minimum Rear Yard Setback: 6 m
- (v) Minimum Parcel Area:
  - (A) Interior parcels: 350 m<sup>2</sup>
  - (B) Corner parcels: 393.2 m<sup>2</sup>
- (vi) Minimum Parcel Width:
  - (A) Interior parcels: 11 m
  - (B) Corner parcels: 12.5 m
- (vii) Maximum Parcel Coverage: 55%
- (viii) Maximum Density: One (1) unit per parcel
- (ix) Maximum Building Height: 10 m

## 5.8 LOW DENSITY RESIDENTIAL – TWO DWELLING DISTRICT (R2)

a) General Purpose: To provide an area for low density residential development in the form of single Detached Dwellings, Semi-Detached Dwellings and Duplexes, all of which are connected to the municipal sewer and water systems.

b) Uses:

Permitted	Discretionary
Accessory Building/Structure	Accessory Use
Detached Dwelling	Adult Care Residence
Duplex	Bed and Breakfast
Parks and Playgrounds	Boarding and Rooming House
Public Utility Building	Day Care
Semi-Detached Dwelling	Home-Based Business (Class 1)
	Modular Home
	Public and Quasi-Public Use
	Secondary Suite (Lane)
	Secondary Suite (Garden)
	Secondary Suite (Internal)

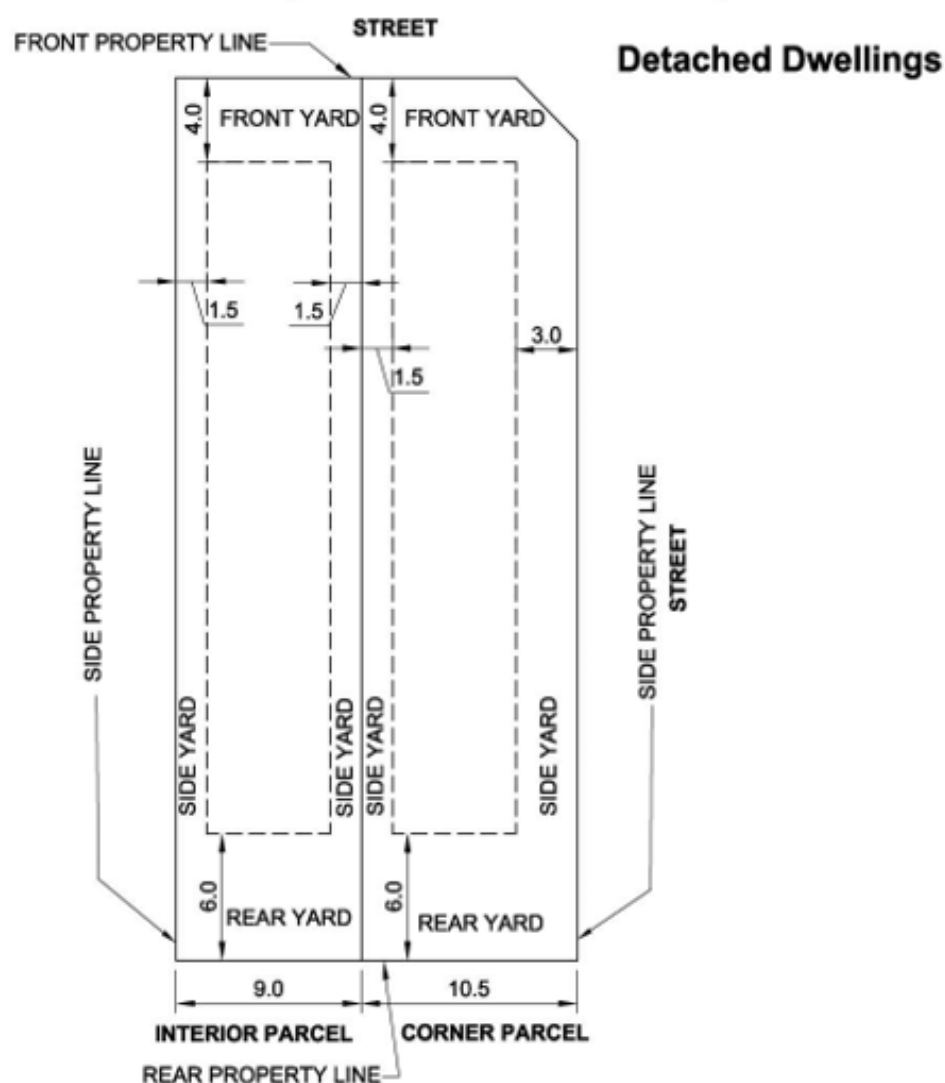
Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- (i) Minimum Front Yard Setback:
  - (A) Main Building: 4 m unless the Development Authority requires additional front yard to ensure consistency with existing development in an area
  - (B) Attached Garages: 6 m excluding the Main Building
- (ii) Maximum Front Yard Setback: 8 m for the Main Building, excluding Attached Garages
- (iii) Minimum Side Yard Setback:
  - (A) Interior parcels: 1.5 m
  - (B) Street side of Corner parcels: 3 m, If a parcel containing a Semi-Detached Dwelling is subsequently subdivided, there is no requirement for a Building Setback from the party wall property boundary where the party wall separates the two Dwelling Units.
- (iv) Minimum Rear Yard Setback: 6.0 m
- (v) Minimum Parcel Area:
  - (A) Interior parcels: 375 m

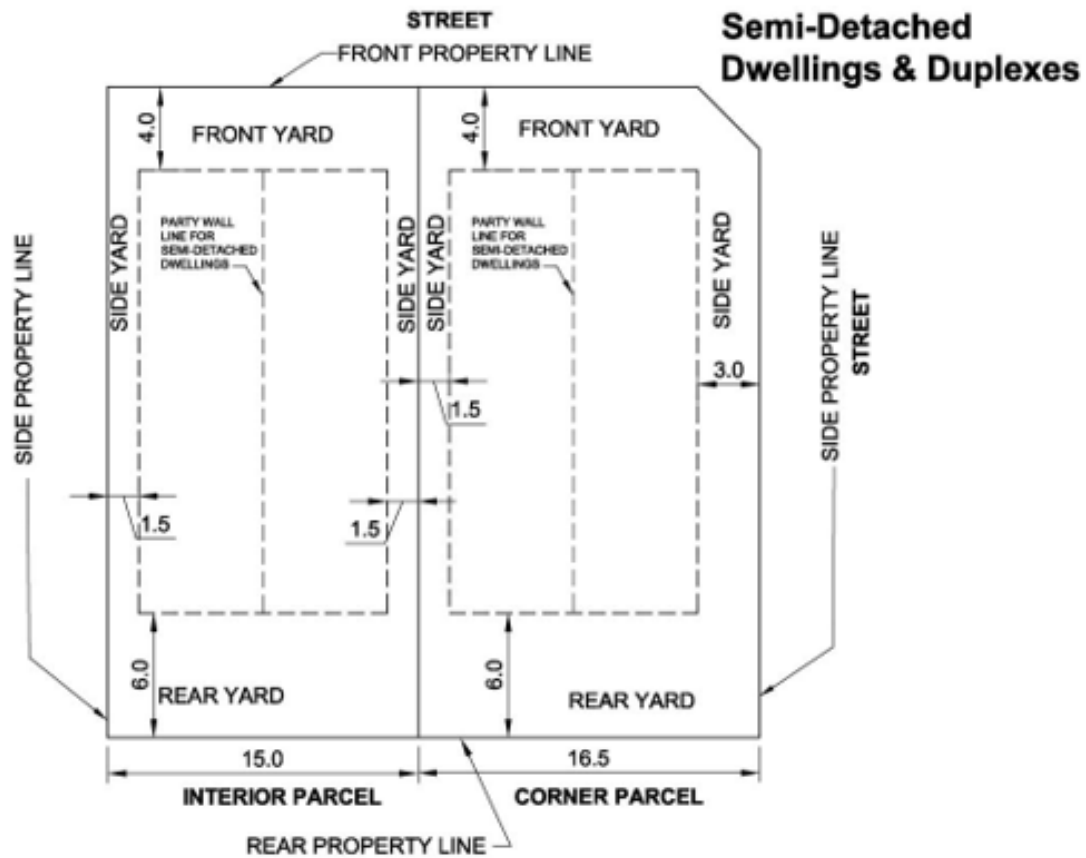
(B) Corner parcels:	433 m <sup>2</sup>
(vi) Minimum Parcel Width:	
(A) Interior parcels:	470 m <sup>2</sup>
(B) Corner parcels:	512 m <sup>2</sup>
If a parcel containing a Semi-Detached Dwelling is subsequently subdivided, a minimum area of 235 m <sup>2</sup> must be provided for each Dwelling Unit.	
(vii) Maximum Parcel Coverage:	50%
(viii) Maximum Density:	Two (2) units per parcel + One (1) Secondary Suite per Principal Dwelling
(ix) Maximum Building Height:	10

**Figure 8: R2, Minimum Requirements for the Principal Dwelling – Detached Dwellings**



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Figure 9: R2, Minimum Requirements for the Principal Dwelling – Semi-Detached & Duplex



## 5.9 MEDIUM DENSITY RESIDENTIAL – ATTACHED DWELLING DISTRICT (R3)

a) General Purpose: To provide for a variety of Attached Dwelling developments at medium densities, all of which are connected to the municipal sewer and water systems.

b) Uses:

Permitted	Discretionary
Accessory Building/Structure	Accessory Use
Detached Dwelling	Adult Care Residence
Duplex	Bed and Breakfast
Parks and Playgrounds	Day Care
Public Utility Building	Four-Plex
Semi-Detached Dwelling	Home-Based Business (Class 1)
	Multiple Housing Development
	Public and Quasi-Public Use
	Religious Institution
	Row House
	Secondary Suite (Lane)
	Secondary Suite (Garden)
	Secondary Suite (Internal)
	Six-Plex
	Temporary Residential Sales Centre

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) The following regulations apply (except for Duplexes, Detached Dwellings and Semi-Detached Dwellings which shall follow the regulations set out in the Low Density Residential – Two Dwelling District (R2)):

- |  |  |
|--|--|
| (i) Minimum Front Yard Setback:                | 4 m unless the Development Authority requires additional Yard, Front to ensure consistency with existing development in an area  |
| (A) Attached Garages:                          | Attached Garages and vehicular parking shall not be permitted within the front yard of Attached Dwellings, Four-Plexes, Six-Plexes and Multiple Housing Developments and Attached Garages shall not be permitted within the front yard of Row Housing. |
| (ii) Minimum Side Yard Setback<br>Four-Plexes: |  |
| (A) Interior parcels:                          | 1.5 m  |
| (B) Street side of Corner parcels:             | 3 m  |



(iii)	Minimum Side Yard Setback Six-plexes:	
	(A) Interior parcels:	3 m
	(B) Street side of Corner parcels:	4.5 m
(iv)	Minimum Side Yard Setback Row Housing:	
	(A) Interior parcels:	1.5 m
	(B) Street side of Corner parcels:	3 m, if a parcel containing Row Housing is subsequently subdivided, there is no requirement for a Building Setback from the party wall property boundary where the party wall separates two Dwelling Units
(v)	Minimum Rear Yard Setback:	6 m
(vi)	Minimum Parcel Area Row Housing:	185 m <sup>2</sup> per Dwelling Unit, if a parcel containing Row Housing is subsequently subdivided, the maximum Parcel Coverage of 50% shall still apply for each subdivided parcel
(vii)	Minimum Parcel Area Four-Plexes	165 m <sup>2</sup> per Dwelling Unit
(viii)	Minimum Parcel Area Six-plexes:	142.8 m <sup>2</sup> per Dwelling Unit
(ix)	Minimum Parcel Width Row Housing:	If a parcel containing Row Housing is subsequently subdivided, the following minimum Parcel Widths must be provided:
	(a)	6 m for each internal unit
	(b)	7.5 m for each end unit
	(c)	9 m for each end unit abutting a street
(x)	Maximum Parcel Coverage:	50%
(xi)	Maximum Density:	70 units per net hectare
(xii)	Landscaped Area:	A minimum of 50% of the parcel, not including parking area, shall be landscaped with a maximum of 50% of the Landscaped Area being Hard Landscaping
(xiii)	Minimum Amenity Space	Each Dwelling Unit must have a private Amenity Space:
	(a)	provided for the sole use of the occupant of the unit
	(b)	that has a minimum area of 7.5 m <sup>2</sup> with no dimension less than 2 m
	(c)	in the form of a balcony, deck, patio, Soft Landscaping area or Hard Landscaping area

- |  |  |
|--|--|
| <p>(xiv) Minimum Requirements for Multiple Housing Developments:</p> | <p>Unless otherwise referenced above, the following shall apply:</p> <ul style="list-style-type: none"> <li>(a) Attached Dwellings shall not be Setback less than 6 m from any property boundary or another Attached Dwelling within Multiple Housing Developments</li> <li>(b) Sufficient separation or screening must exist to maintain privacy within each Dwelling Unit under normal conditions, or as required in the National Building Code - Alberta Edition, whichever is greater</li> </ul> |
| <p>(xv) Maximum Building Height:</p>                                 | <p>12 m with a maximum of three (3) storeys</p>  |

## 5.10 HIGH DENSITY RESIDENTIAL – MULTI-DWELLING DISTRICT (R4)

a) General Purpose: To provide for high density, multi-unit residential developments in the form of low-rise Apartments and Mixed-Use Developments, all of which are connected to the municipal sewer and water systems.

b) Uses:

Permitted	Discretionary
Accessory Building/Structure	Accessory Use
Park and Playgrounds	Apartment
Public Utility Building	Day Care
	Four-Plex
	Home-Based Business (Class 1)
	Multiple Housing Development
	Public and Quasi-Public Use
	Religious Institution
	Row House
	Six-plex
	Temporary Residential Sales Centre

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

(i) Minimum Front Yard Setback

(A) Apartments:

4 m unless the Development Authority requires additional front yard to ensure consistency with existing development in an area

(ii) Attached Garages:

Attached Garages and vehicular parking shall not be permitted within the front yard of Apartments and Multiple Housing Developments

(iii) Minimum Side Yard Setback:

(A) Interior parcels:

3 m

(B) Street side of Corner parcels:

4.5 m

(iv) Minimum Rear Yard Setback:

7.5 m

(v) Maximum Parcel Coverage:

55%

(vi) Minimum Landscaped Area:

A minimum of 45% of the parcel area, not including parking area, shall be landscaped with a maximum of 50% of the Landscaped Area being Hard Landscaping.

(vii) Maximum Density:	99 units per net hectare (40 units per net acre)
(viii) Minimum Amenity Space:	<p>The required minimum Amenity Space is 5 m<sup>2</sup> per unit and may be provided in the form of private or Common Amenity Space</p> <p>Private Amenity Space must be in the form of a balcony, deck or patio with no dimension less than 2 m</p> <p>Common Amenity Space must be accessible from all the units, must have a contiguous area of not less than 50 m<sup>2</sup> with no dimension less than 6 m, must not be located in a required Setback area, and when provided as part of a Multiple Housing Developments, must be located at grade</p>
(ix) Minimum Requirements for a Multiple Housing Development:	<p>Buildings shall not be Setback less than 6 m from any property boundary and another Building within Multiple Housing Developments</p> <p>Sufficient separation or screening must exist to maintain privacy within each Dwelling Unit under normal conditions, or as required in National Building Code - Alberta Edition</p>
(x) Maximum Building Height:	12 m with a maximum of three (3) storeys

## 5.11 MANUFACTURED HOME DISTRICT (RMH)

- a) General Purpose: To provide an area for Manufactured Homes, and other Uses, herein listed, which are compatible with a residential area, either on separately registered parcels or in comprehensively designed parks wherein sites are rented or owned as part of a condominium. The area is to be connected to municipal sewer and water systems.

- b) Uses:

Permitted	Discretionary
Accessory Building/Structure	Accessory Uses
Manufactured Home	Day Care
Manufactured Home Park	Home-Based Business (Class 1)
Modular Home	Public and Quasi-Public Use
Park and Playgrounds	Temporary Residential Sales Centre
Public Utility Building	

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

- c) Manufactured Home Park Regulations:

- |                            |   |
|----------------------------|---|
| (i) Maximum Gross Density: | 32 Manufactured Homes per hectare   |
| (ii) Minimum Park Area:    | 2 hectares  |
| (iii) Maximum Park Area:   | 20 hectares   |
| (iv) Recreation Area:      | A minimum of 5% of the total area of a Manufactured Home Park shall be set aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Authority   |
| (v) Roadways:              | All Manufactured Home Park Roads shall have at least a 12 m right-of-way and a carriageway no less than 8 m in width  |
| (vi) Walkways:             | Internal pedestrian walkways, where provided, shall be a minimum of 2.5 m in width  |
| (vii) Storage Areas:       | Common storage areas, separate from the Manufactured Home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the Manufactured Home lot. Such storage areas shall be screened<br><br>Such storage areas shall have an area of not less than 20 m <sup>2</sup> per Manufactured Home lot |

- |   |  |
|---|--|
| (viii) Utilities:                           | All utility services and all utility wires and conduits shall be installed underground   |
| (ix) Fences and Lot Lines:                  | <p>Fences and hedges shall be allowed only if they are erected and maintained by the Manufactured Home Park operator to a uniform standard throughout the Manufactured Home Park</p> <p>All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system</p>  |
| (x) Minimum Yard Requirements:              | <p>Manufactured Homes and their attached structures shall be at least:</p> <p>(A) 4.5 m from one another</p> <p>(B) 7 m from any park boundary</p> <p>(C) 3 m from any internal access Road or common parking area</p> <p>(D) 1.5 m from any side lot line</p> <p>(E) 4.5 m from any rear lot line</p>   |
| (xi) Minimum Lot Area:                      | As determined by the size of the Manufactured Home units and the lot coverage and minimum yard requirements specified in this Section  |
| (xii) Maximum Lot Coverage:                 | 55%  |
| (xiii) Building Design:                     | <p>(A) All Manufactured Homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish or be of durable all-weather construction and designed in a manner that will enhance the appearance of the Manufactured Home development</p> <p>(B) Each Manufactured Home shall be levelled, blocked and skirted, and the hitch skirted within 30 days of being placed on a lot</p> |
| (xiv) Minimum Manufactured Home Width:      | 3.5 m  |
| (xv) Minimum Manufactured Home Floor Area:  | 65 m <sup>2</sup>  |
| c) Manufactured Home Subdivision Standards: |  |
| (i) Minimum Yard Requirements:              | <p>Manufactured Homes and their attached structures shall be at least:</p> <p>(A) 6 m from one another</p>   |

- (B) 6 m from the Front Parcel Boundary
  - (C) 3 m from the rear parcel boundary
  - (D) 1.5 m from the side parcel boundary except on a corner parcel where the side yard abutting a public roadway shall be at least 3 m
- (ii) Minimum Parcel Area:
  - (A) Interior parcels 460 m<sup>2</sup>
  - (B) Corner parcels 510 m<sup>2</sup>
- (iii) Maximum Parcel Coverage: 55%
- (iv) Minimum Parcel Width: 6.5 m
- (v) Design:
  - (A) All Manufactured Homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish or be of durable all-weather construction and designed in a manner that will enhance the appearance of the Manufactured Home
  - (B) All wheels must be removed and the Manufactured Home placed on permanent foundation, or concrete piers
  - (C) The external appearance of Manufactured Homes must be acceptable to the Development Authority having regard to compatibility with other Buildings in the vicinity and must have:
    - (i) A minimum roof pitch of 3.5:12
    - (ii) A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
    - (iii) A minimum roof overhang or eaves of 0.45 m from each external wall
    - (iv) A maximum length to width ratio of 3:1
    - (v) A minimum width of 4.25 m
    - (vi) A permanent foundation
    - (vii) A minimum Floor Area of 65 m<sup>2</sup>
    - (viii) A maximum Building Height of 8 m
- (vi) Servicing: Each parcel shall have separately regulated and metered municipal servicing

## 5.12 CENTRAL COMMERCIAL DISTRICT (C1)

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

b) Uses:

Permitted	Discretionary
Care Facility	Accessory Use
Eating Establishment	Bus Depot
Financial Institution	Commercial Recreation and Entertainment Facility
Medical Clinic	Day Care
Office	Drinking Establishment
Retail (Small)	Dwelling Units above the ground floor
	Food Caterer
	Funeral Home
	Mixed-Use Development
	Parking Facility
	Public and Quasi-Public Use
	Public Utility Building
	Retail (General)

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

(i) Minimum Front Yard:	No minimum requirement
(ii) Vehicle Parking	Vehicular parking shall not be permitted within the front yard of Mixed-Use Developments
(iii) Minimum Side Yard:	No minimum requirement
(iv) Minimum Rear Yard:	Shall be provided for parking and loading spaces in accordance with <b>Sections 3.19 and 3.20</b>
(v) Maximum Parcel Coverage:	100%
(vi) Outdoor Storage and Display:	Outdoor storage or display is not permitted
(vii) Maximum Building Height:	12 m
(viii) Dwelling Unit Entrance:	Dwelling Units shall have an entrance separate from the entrance to any commercial component of the Building



### 5.13 NEIGHBOURHOOD COMMERCIAL DISTRICT (C1A)

a) General Purpose: To provide for small scale commercial development in the form of retail sale of convenience goods and services to the surrounding neighbourhood area.

b) Uses:

Permitted	Discretionary
Park and Playgrounds	Accessory Use
Public Utility Building	Day Care
Retail (Small)	Drinking Establishment
	Drive-In Business
	Eating Establishment
	Financial Institution
	Gas Bar
	Medical Clinic
	Mixed-Use Development
	Office
	Parking Facility
	Public and Quasi-Public Use

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

(i) Minimum Front Yard:	No minimum requirement
(ii) Vehicular Parking	Vehicular parking shall not be permitted within the front yard of Mixed-Use Developments
(iii) Minimum Side Yard:	(A) 6 m for a side yard adjacent to a residential parcel (B) 3 m for a side yard on the street side of a corner parcel (C) 1.5 m for all other parcels (D) none at the discretion of Municipal Planning Commission
(iv) Minimum Rear Yard:	7.5 m
(v) Maximum Parcel Area:	4047 m <sup>2</sup>
(vi) Maximum Parcel Coverage:	80%
(vii) Outdoor Storage & Display:	Outdoor storage and display is not permitted
(viii) Maximum Building Height:	12 m
(ix) Dwelling Unit entrance:	Dwelling Units shall have an entrance separate from the entrance to any commercial component of the Building

## 5.14 COMMERCIAL SERVICE DISTRICT (C2)

a) General Purpose: To provide for a range of commercial, entertainment and professional office development in an attractive and comprehensively planned shopping environment.

b) Uses:

Permitted	Discretionary
Eating Establishment	Accessory Use
Financial Institution	Caretaker Suite
Food Caterer	Car Wash
Medical Clinic	Commercial Recreation and Entertainment Facility
Office	Drinking Establishment
Parks and Playgrounds	Drive-In Business
Public Utility Building	Gas Bar
Retail (Small)	Hotel
	Parking Facility
	Public and Quasi-Public Use
	Retail (General)
	Sales and Service (Light)
	Sea Can

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- |                                   |   |
|-----------------------------------|---|
| (i) Minimum Front Yard:           | 2 m, or 6 m where adjacent to a residential parcel  |
| (ii) Minimum Side Yard:           | 6 m   |
| (iii) Minimum Rear Yard:          | 12 m  |
| (iv) Minimum Parcel Frontage:     | 2 m or 6 m where adjacent to a residential parcel   |
| (v) Parcel Coverage:              | 80%   |
| (vi) Outdoor Storage and Display: | (A) All outdoor storage shall be screened<br>(B) All outdoor display shall be screened from Residential Districts |
| (vii) Maximum Building Height:    | 12 m  |

### 5.15 HIGHWAY COMMERCIAL DISTRICT (C3)

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

b) Uses:

Permitted	Discretionary
Car Wash	Accessory Use
Drive-In Business	Auction Mart
Gas Bar	Caretaker Suite
Park	Commercial Greenhouse
Public Utility Building	Commercial Recreation and Entertainment Facility
Retail (General)	District Shopping Centre
Retail (Small)	Funeral Home
	Hotel
	Parking Facility
	Public and Quasi-Public Use
	Retail (Large)
	Sales and Service (Light)
	Sales and Service (Heavy)
	Sea Can

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- |                                   |   |
|-----------------------------------|---|
| (i) Minimum Front Yard:           | 9 m adjacent to service or local Road   |
| (ii) Minimum Side Yard:           | 3 m, or 6 m where adjacent to a residential parcel  |
| (iii) Minimum Rear Yard:          | 6 m   |
| (iv) Minimum Parcel Frontage:     | (A) 15 m adjacent to a service or local Road<br>(B) 46 m without a service Road                                   |
| (v) Maximum Parcel Coverage:      | 80%   |
| (vi) Outdoor Storage and Display: | (A) All outdoor storage shall be screened<br>(B) All outdoor display shall be screened from Residential Districts |
| (vii) Maximum Building Height:    | 12 m  |

## 5.16 BUSINESS PARK DISTRICT (BP)

- a) General Purpose: To provide for attractive and comprehensively designed business parks comprised of intensive Uses conducted entirely within Buildings that are compatible with adjacent non-Industrial Districts and to create opportunities for development of industries related to research, high technologies and incubator businesses.

- b) Uses:

Permitted	Discretionary
Antenna Structure	Accessory Building/Structure
Commercial Recreation and Entertainment Facility	Accessory Use
Commercial School	Day Care
Eating Establishment	Drinking Establishment
Financial Institution	Food Caterer
Office	Commercial Greenhouse
Park	Hotel
Public Utility Building	Light Manufacturing
Retail (Small)	Motion Picture/Audio Production Facility
Technology Centre	Public and Quasi-Public Use
	Sea Can
	Veterinary Clinic

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

- c) Regulations:

- |       |                                     |   |
|-------|-------------------------------------|---|
| (i)   | Minimum Front Yard:                 | 6 m   |
| (ii)  | Minimum Side Yard:                  |   |
|       | (A) Interior parcels:               | 3 m, or 6 m where adjacent to a residential or PFR parcel   |
|       | (B) Street side of corners parcels: | 6 m   |
| (iii) | Minimum Rear Yard:                  | 6 m   |
| (iv)  | Minimum Parcel Frontage:            | 15 m, except where abutting a Highway without a service Road, in which case 30 m shall be required  |
| (v)   | Maximum Parcel Coverage:            | 80%   |
| (vi)  | Maximum Building Height:            | 12 m  |
| (vii) | Landscape Requirements:             | Soft Landscaping shall be provided at a minimum depth of 6 m from the Front Parcel Boundary along the Frontage of the parcel. A minimum of 20% of |

	the parcel shall be landscaped
(viii) Performance Standards:	No Use or operation shall cause or create conditions that may be objectionable or dangerous beyond the Building that contains it, such as noise, odour, surface or groundwater pollutants, earthborn vibrations, heat, or high brightness light sources
(ix) Outside Storage and Display:	Outside storage and display is not permitted
(x) Parking:	Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority
(xi) Connectivity:	Pedestrian pathway connections to and between Buildings shall be provided

## 5.17 AGRIBUSINESS DISTRICT (AB)

a) General Purpose: To provide for a range of agricultural Uses engaged in production and distribution of products, which may require an indoor storage component.

b) Uses:

Permitted	Discretionary
Building Supply Centre	Accessory Use
Commercial Greenhouse	Agri-Food Service
Light Manufacturing	Detached Dwelling
Office	Open Storage Yard
Public Utility Building	Parking Facility
Retail (Small)	Sea Can
Sales and Service (Light)	Wrecking Yard
Warehousing	

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- |       |                                   |         |
|-------|-----------------------------------|---------|
| (i)   | Minimum Front Yard:               | 6 m     |
| (ii)  | Minimum Side Yard:                | 6 m     |
| (iii) | Minimum Rear Yard:                | 6 m     |
| (iv)  | Maximum Parcel Coverage:          | 80%     |
| (v)   | Maximum Number of Dwelling Units: | 1 (one) |
| (vi)  | Maximum Building Height           | 12 m    |

d) Supplementary Regulations

- (i) Soft Landscaping shall be provided within the boulevard and at a minimum depth of 6 m from the Front Parcel Boundary along the Frontage of the parcel.
- (ii) No Use or operation shall cause or create conditions that may be objectionable beyond the boundaries of this District, such as noise, odour, surface or groundwater pollutants, earthborn vibrations, heat, or high brightness light sources.
- (iii) The Development Authority shall have regard to the most current Guidelines for New Development in Proximity to Railway Operations when considering Development Permit applications.
- (IV) Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority.

## 5.18 LIGHT INDUSTRIAL DISTRICT (I1)

a) General Purpose: To provide for a range of light industrial Uses engaged in manufacturing, assembling, and service activities, which may require an outside storage component.

b) Uses:

Permitted	Discretionary
Antenna Structure	Accessory Uses
Arts and Crafts Studio	Auction Mart
Building Supply Centre	Bulk Fuel Storage and Distribution Facility
Car Wash	Commercial Greenhouse
Eating Establishment	Open Storage Yard
Gas Bar	Parking Facility
Financial Institution	Public and Quasi-Public Use
Food Caterer	Sales and Service (Heavy)
Industrial Service Shop	Sea Can
Light Manufacturing	Solid Waste Transfer Station
Medical Clinic	Solar Collector (Freestanding)
Office	
Park	
Public Utility Building	
Power Generation	
Recycling Depot	
Retail (Small)	
Sales and Service (Light)	
Technology Centre	
Trucking Establishment	
Veterinary Clinic	
Warehousing	

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- (i) Minimum Front Yard: 6 m
- (ii) Minimum Side Yard:
  - (A) Interior parcels: 3 m, or 6 m where adjacent to a residential or PFR parcel
  - (B) Street side of corners parcels: 6 m

(iii)	Minimum Rear Yard:	6 m
(iv)	Minimum Parcel Frontage:	15 m, except where abutting a Highway without a service Road, in which case 30 m shall be required
(v)	Maximum Parcel Coverage:	80%
(vi)	Landscape Requirements:	Soft Landscaping shall be provided within the boulevard and at a minimum depth of 6 m from the Front Parcel Boundary along the Frontage of the parcel
(vii)	Maximum Building Height:	12 m
(viii)	Performance Standards:	No use or operation shall cause or create conditions that may be objectionable beyond the boundaries of the I1 District, such as noise, odour, surface or groundwater pollutants, earthborn vibrations, heat, or high brightness light sources
(ix)	Parking:	Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority



## 5.19 MEDIUM INDUSTRIAL DISTRICT (I2)

a) General Purpose: To provide for a range of medium industrial Uses engaged in manufacturing, processing, assembling or distributing activities where outside storage may be required and where Nuisances to adjacent properties in the form of noise and odour may occur.

b) Uses:

Permitted	Discretionary
Antenna Structure	Accessory Uses
Arts and Crafts Studio	Accessory Buildings
Building Supply Centre	Bulk Fuel Storage and Distribution Facility
Car Wash	Cannabis Production
Eating Establishment	Cartage and Freight Terminal
Gas Bar	Feed Mill and Grain Elevator
Financial Institution	Livestock Auction
Food Caterer	Open Storage Yard
Industrial Service Shop	Parking Facility
Light Manufacturing	Public and Quasi-Public Use
Medical Clinic	Railway Use
Office	Sales and Service (Heavy)
Power Generation	Sea Can
Public Utility Building	Seed Cleaning Plant
Recycling Depot	Solar Collector (Freestanding)
Retail (Small)	Solid Waste Transfer Station
Sales and Service (Light)	Veterinary Hospital
Technology Centre	Wrecking Yard
Trucking Establishment	
Veterinary Clinic	
Warehousing	

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- (i) Minimum Front Yard: 6 m
- (ii) Minimum Side Yard:
  - (A) Interior parcels: 3 m, or 6 m where adjacent to a residential or PFR parcel
  - (B) Street side of corners parcels: 6 m

(iii)	Minimum Rear Yard:	6 m
(iv)	Minimum Parcel Frontage:	15 m, except where abutting a Highway without a service Road, in which case 30 m shall be required
(v)	Maximum Parcel Coverage:	80%
(vi)	Landscape Requirements:	Soft Landscaping at a minimum depth of 6 m from the Front Parcel Boundary along the Frontage of the parcel
(vii)	Maximum Building Height:	12 m
(viii)	Performance Standards:	No use or operation shall cause or create conditions that may be objectionable beyond the boundaries of the I2 District
(ix)	Parking:	Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority

## 5.20 PUBLIC FACILITY & RECREATION DISTRICT (PFR)

a) General Purpose: To provide for public and privately owned cultural, educational, institutional and recreational Uses.

b) Uses:

Permitted	Discretionary
Care Facility	Accessory Use
Parks and Playgrounds	Campground
Public Recreation Facility	Cemetery
Public and Quasi-Public Use	Parking Facility
Public Utility Building	
School	

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- |                                  |  |
|----------------------------------|--|
| (i) Minimum Front Yard:          | 9 m  |
| (ii) Minimum Side Yard:          | 3 m, or as required in the National Building Code - Alberta Edition, whichever is greater. |
| (iii) Minimum Rear Yard:         | 6 m  |
| (iv) Maximum Parcel Coverage:    | 80%  |
| (v) Outdoor Storage and Display: | (A) Outdoor storage shall be screened<br>(B) Outdoor display is not allowed                |
| (vi) Maximum Building Height:    | 12 m   |

## 5.21 URBAN RESERVE DISTRICT (UR)

a) General Purpose: The Urban Reserve District (UR) is intended to:

- (i) be applied to lands that are awaiting urban development and utility servicing;
- (ii) protect lands for future urban forms of development and density by restricting premature subdivision and development of parcels of land;
- (iii) provide for a limited range of temporary Uses that can easily be removed when land is redesignated to allow for urban forms of development; and
- (iv) accommodate extensive agricultural Uses prior to development to urban Uses.

b) Uses:

Permitted	Discretionary
Home-Based Business (Class 1)	Accessory Use
Public Utility Building	Detached Dwelling
	Home-Based Business (Class 2)
	Uses that will not, in the opinion of the Development Authority, materially alter the use of the land from that existing on the date the land was designated UR, or conflict with future urban expansion

Those Uses not otherwise defined in this Bylaw, which, in the opinion of the Development Authority, are similar to the Permitted Uses or Discretionary Uses set out above and conform to the purpose of this District.

c) Regulations:

- (i) Minimum Parcel Area: All the land contained in the existing certificate of title, unless otherwise approved by the Municipal Planning Commission, having regard to future use of the parcel and the form of future subdivision and development
- (ii) Outdoor Storage and Display:
  - (A) Outdoor storage shall be screened
  - (B) Outdoor display shall be screened from Residential Districts

# Section 6

## Definitions

*This section provides definitions for terms used within the Land Use Bylaw.*

For purpose of this Bylaw, the following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as noted in this section.

The definitions pertaining to specific Uses are **HIGHLIGHTED** below:

### - A -

**ACCESSORY BUILDING/STRUCTURE** means a building or structure means a Building separate and subordinate to the Main Building, the use of which is incidental to that Main Building, and that is located on the same Parcel of Land as the Main Building, and includes detached garages, garden sheds, swing-sets and other play structures, gazebos and greenhouses.

**ACCESSORY USE** means a use naturally or customarily incidental and subordinate to the Main Use that is located on the same Parcel of Land as the Main Use.

**ACCOMMODATION UNIT** means one or more rooms that provide(s) sleeping accommodation and sanitary facilities for not more than two persons, but is not equipped with self-contained cooking facilities.

**ADJACENT LAND** means land that is contiguous to the Parcel of Land that is the subject of an application and includes land that would be contiguous if not for a Highway, Road, river or stream.

**ANTENNA STRUCTURE** means any structure which serves to receive or transmit communication signals from the air.

**ADULT CARE RESIDENCE** means a Building with two or more Accommodation Units designed to provide long term housing, wherein the adult residents are provided with meal services and may receive such services as housekeeping and personal care assistance.

**AGRI-FOOD SERVICE** means a facility for the production and distribution of food products that includes suppliers, producers, and transporters. These operations are intended to primarily use agricultural products that are produced on site and have minimal off-site impacts. Typical uses include flour mills, aquaculture, and packaged food production.

**AMENITY SPACE** means a space designed for active or passive recreational use.

**APARTMENT** means a residential Building consisting of at least three (3) Dwelling Units, but shall not include Buildings containing units with separate exterior entranceway(s).

**AREA REDEVELOPMENT PLAN** means a plan adopted by Council as an area redevelopment plan pursuant to the MGA.

**AREA STRUCTURE PLAN** means a plan adopted by Council as an area structure plan pursuant to the MGA.

**ARTS AND CRAFTS STUDIO** means a facility for small scale on-site production of goods by simple processes or hand manufacturing, primarily involving the use of hand tools. Typical uses include pottery, ceramic and sculpture studios, custom jewellery manufacturing and artist and photography studios.

**ATTACHED DWELLINGS** means a residential Building designed and built to contain three or more Dwelling Units, each having a separate and direct entrance to the outside. Typical uses include Four-Plexes and Six-Plexes.

**ATTACHED GARAGE** means the portion of a Dwelling Unit that is structurally joined to the Main Building and accommodates the storage or shelter of motor vehicles but is not included in the definition of a Main Building or Dwelling Unit.

**AUCTION MART** means a facility used for the temporary storage of goods, excluding animals, which are to be sold on the premises by public auction from time to time.

## - B -

**BASEMENT** means a habitable portion of a Building which is partly underground, but which has more than Fifty per cent (50%) of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation.

**BED AND BREAKFAST** means an Owner-occupied Detached Dwelling where temporary accommodation is provided in three or less guest rooms and meals are supplied on a daily basis to registered guests.

**BOARDING AND ROOMING HOUSE** means a Detached Dwelling in which a proprietor supplies for a fee sleeping accommodations, with or without meals, for at least three (3) but not more than six (6) persons, exclusive of the proprietor's family.

**BUILDING** means anything constructed or placed on, in, over, or under a land but does not include a Highway or Road or a bridge forming part of a Highway or Road.

**BUILDING HEIGHT** means the height of a Building, determined by measuring the vertical distance between the grade and the highest point of a Building, excluding elevator housing, mechanical housing, roof stairway entrance, ventilating fan, steeple, chimney, smoke stack, fire wall, parapet wall, flagpole or similar improvement not structurally essential to the Building, except where otherwise referenced in a District or general rules applicable to a District.

**BUILDING DEMOLITION** means the pulling down, tearing down, or razing of a Building.

**BUILDING SUPPLY CENTRE** means a retail store where building materials, household accessories and other related goods are stored, offered or kept for sale and may include outside storage.

**BULK FUEL STORAGE AND DISTRIBUTION FACILITY** means a facility for the purpose of storing natural gas and petroleum products for distribution to customers.

**BUS DEPOT** means a facility providing for departure and arrival of passengers and freight carried by bus.

**BUILDING PERMIT** means an application with the Town to ensure a Building meets the minimum National Building Code (Alberta Edition) requirements and, more importantly, is safe. The code provides guidance on approved building materials and construction methods.

**BYLAW** means this Bylaw, as may be amended or supplemented by Council from time to time.



**CAMPGROUND** means land for temporary placement of holiday trailers, motor homes, tents, campers and similar accommodations for short term occupancy, together with such necessary facilities as washroom, laundry and camp shop, to meet the needs of campground users.

**CANNABIS PRODUCTION** means a facility used for the cultivation, processing, testing, destruction, selling, packaging and/or shipping of cannabis and cannabis products.

**CARTAGE AND FREIGHT TERMINAL** means a facility accommodating the storage and distribution of freight shipped by air, rail or Highway transportation.

**CAR WASH** means a facility for washing motor vehicles.

**CARE FACILITY** means a use that is authorized by the applicable provincial authority where medical treatment for the sick, injured or infirm occurs, including out-patient services and accessory staff dwellings. Typical development includes hospitals, sanitariums, isolation facilities, nursing homes, hospices, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

**CARETAKER SUITE** means a Dwelling Unit which is accessory to other Development on the parcel.

**CELLAR** means a portion of a structure which is mainly underground, and which has less than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation.

**CEMETERY** means land or Building used for the burial or internment of human remains and may include memorial parks, burial grounds, and mausoleums.

**CERTIFICATE OF COMPLIANCE** means a report from the Town confirming that all required Development Permits for Buildings identified on the parcel have been obtained and confirming that the Buildings comply with this Bylaw or any land use bylaw that was in effect at the time Development Permits for the parcel were obtained.

**COMMERCIAL RECREATION AND ENTERTAINMENT FACILITY** means a facility or establishment which provides for recreation and/or entertainment for a gain or a profit. Typical uses include movie theatres, bowling alleys, pool halls, conference areas and private clubs.

**COMMERCIAL SCHOOL** means a structured learning environment operated for profit through which an education program is offered to students, including colleges and trade schools, but does not include a School.

**COMMON AMENITY SPACE** means Amenity Space that is provided for the use of all of the occupants of a Development.

**COUNCIL** means the municipal council of the Town.

## - D -

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

**DESIGNATED OFFICER** means an individual appointed as a bylaw enforcement officer by the Town.

**DETACHED DWELLING** means a residential Building containing one Dwelling Unit, which is physically separate from any other residential Buildings, but does not include a Manufactured Home.

**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 the intensity of Use of land or a Building or an act done in relation to land or a Building that results in or is likely to result in a change in the intensity of Use of the land or Building.

**DEVELOPMENT AUTHORITY** means a person or body appointed as a development authority as contemplated by and in accordance with the MGA.

**DEVELOPMENT STAFF** means an individual or individuals employed in the Town planning and development department appointed as a Development Authority pursuant to this Bylaw, including any development officer.

**DEVELOPMENT PERMIT** means a document authorizing a Development, issued by the Development Authority pursuant to this Bylaw or any previous land use bylaw governing land use within the Town, and includes any plans and conditions of approval.

**DISCRETIONARY USE** means a use of land or a Building that is listed as a discretionary use in a District, for which a Development Permit may be issued, with or without conditions, by the Development Authority.

**DISTRICT** means an area of land designated by this Bylaw in which Permitted Uses and/or Discretionary Uses and development regulations are prescribed.

**DISTRICT SHOPPING CENTRE** means a group of commercial establishments planned, owned, developed and managed as a unit with off street parking established on the same site which serves the needs of the urban centre and surrounding municipalities.

**DRINKING ESTABLISHMENT** means an establishment licensed by the Alberta Gaming and Liquor Commission where liquor is sold for consumption on the premises. The preparation and sale of food for consumption may also be included on the premises.

**DRIVE-IN BUSINESS** means an establishment used for onsite service to customers who remain in their motor vehicles, having a minimum of 5.0 vehicle stacking spaces per order board or ordering window, for the purpose of queuing motor vehicles, but does not include a drive-in theatre.



**DRIVEWAY** means a privately owned vehicle access route that connects a Road and on-site parking areas on a parcel.

**DUPLEX** means a residential Building consisting of two separate Dwelling Units, one located above the other, with each having a separate entrance.

**DWELLING UNIT** means a complete Building or self-contained portion of a Building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate sanitary facilities, intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms.

## - E -

**EATING ESTABLISHMENT** means an establishment where food is prepared and served on the premises for sale to the public and includes restaurants, delicatessens, cafeterias, and tea rooms and may include outdoor seating areas but excludes Drive-In Businesses and Drinking Establishments.

**EAVE LINE** means the horizontal line that marks the intersection of the roof and the exterior wall of a Building.

## - F -

**FEED MILL AND GRAIN ELEVATOR** means a facility in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared.

**FINANCIAL INSTITUTION** means a facility used for banks, credit unions, trust companies, and treasury branches. Automated teller machines may also be included.

**FLOOR AREA** means:

- a) for residential Buildings, the total area of all floors in a Building measured from the outside of exterior walls, including a Basement, but excluding floor areas of Cellars, Attached Garages, sheds, carports, or open porches in all residential Buildings; and
- b) for commercial Buildings, the total floor area of all floors in a Building measured from the outside of exterior walls, including Basements and Cellars, but excluding mall areas.

**FOOD CATERER** means an establishment where food and beverages are prepared for consumption off the premises and are not served to customers on the premises.

**FOUR-PLEX** means a residential Building containing four Dwelling Units, each unit comprising two floor levels and sharing a party wall with one or more other units.

**FRONT PARCEL BOUNDARY** means, in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel, means the shorter of the two boundaries which abut a street.

**FRONTAGE** means the length of the Front Parcel Boundary of a parcel.

**FUNERAL HOME** means an establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services can be held.

## - G -

**GAS BAR** means a facility for the sale of gasoline, lubricating oils, associated automotive fluids, and minor automotive accessories with no other services provided.

**COMMERCIAL GREENHOUSE** means a facility for the growing of flowers, plants, shrubs, trees, and similar vegetation which are sold directly from the parcel at retail or wholesale and may include the accessory sale of related supplies, but does not include Cannabis Production.

## - H -

**HARD LANDSCAPING** means the use of non-vegetative material, other than monolithic concrete, asphalt or gravel, as part of a Landscaped Area.

**HEAVY MANUFACTURING** means the manufacture of products, the process of which generates a nuisance to the users of adjacent land.

**HIGHWAY** means highway as defined by the *Traffic Safety Act* (Alberta).

**HOME OFFICE** means any occupation, trade, profession, or craft carried on as a secondary Use of a Dwelling Unit which does not involve any employees or customers coming to the Dwelling Unit, on-site storage or display of materials, or the creation of any Nuisance whatsoever.

**HOME-BASED BUSINESS (CLASS 1)** means a Use where business is conducted in a Principal Dwelling or Accessory Building on the same parcel as the Principal Dwelling that is operated by a permanent resident of the Dwelling Unit, with moderate weekly visits from customers and with one employee who does not live on the parcel. This Use is secondary to the residential Use of the parcel and does not change the residential appearance of the land and Buildings. Typical uses include day homes, music lessons, and hairdressers.

**HOME-BASED BUSINESS (CLASS 2)** means a Use where business is conducted in a Principal Dwelling or Accessory Building on the same parcel as the Principal Dwelling that is operated by a permanent resident of the Dwelling Unit, which may have up to four employees who do not reside on the parcel, with limited outdoor storage. Typical uses include contractor services, landscape supplies, commercial vehicle parking, automotive and auto body repairs, and on-site light fabrication.

**HOTEL** means an establishment used primarily for sleeping accommodation and ancillary services provided in rooms or suites, which may contain bar or kitchen facilities or both where such rooms or suites of rooms are rented or are available for occupation for a period of less than fourteen days and the occupier or renter has no right of renewal. A hotel may contain, where permitted, Eating or Drinking Establishment, or a Commercial Recreation and Entertainment Facility.

## - I -

**INDUSTRIAL SERVICE SHOP** means a facility for assembly, fabrication or repairing of goods or products, excluding motor vehicles. Typical uses include electrical, heating, metal, plumbing, welding, woodworking, cabinet making, upholstery, furniture repair, and painting.

**INTERMUNICIPAL DEVELOPMENT PLAN** means a plan adopted by Council as an intermunicipal development plan pursuant to the MGA.

## - L -

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

**LANE** means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in the Alberta Land Titles Office.

**LIGHT MANUFACTURING** means the manufacture of products, the process of which does generate a Nuisance to the users of adjacent land.

**LIVESTOCK AUCTION** means a facility where livestock, including cattle, and agricultural related items are bought and sold by public auction.

## - M -

**m** means metres, and **m<sup>2</sup>** means square metres.

**MAIN BUILDING** means a Building that is constructed as the main or principal Building on the parcel on which it is erected. In a Residential District, this may be referred to as the Principal Dwelling.

**MAIN FLOOR** means the primary floor area of a building and is provided at or above grade.

**MAIN USE** means the principal purpose for which a Building or parcel is used.

**MANUFACTURED HOME** means a single Detached Dwelling Unit that is designed and constructed entirely within a factory environment, built in compliance with the applicable standards of the Canadian Standards Association, containing factory installed electrical, plumbing and heating systems and suitable for long term occupancy, and which is designed to be transported on either its own wheels and chassis or other means to a suitable site.

**MANUFACTURED HOME PARK** means a parcel designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy Manufactured Homes on a long-term basis.

**STRIPPING AND GRADING** means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements.

**MEDICAL CLINIC** means a facility in which human health services that are preventative, diagnostic, therapeutic or rehabilitative are provided without overnight accommodation for patients.

**MIXED-USE DEVELOPMENT** means a multi-unit Building that contains a combination of units for commercial Uses and Dwelling Units, with units for commercial Uses being located on the first floor and/or second floor of the Building and Dwelling Units being located on the second floor and/or third floor of the Building.

**MODULAR HOME** means a factory built, single Detached Dwelling with a minimum roof at a 5:12 pitch, that is transportable and designed to be used on its own or to be incorporated with similar units into a modular structure at a building site and intended for year-round habitation, excluding Manufactured Homes. A Modular Home must be securely anchored on a foundation. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into a structure at the site.

**MOTION PICTURE/AUDIO PRODUCTION FACILITY** means a facility where motion pictures are filmed and produced and/or audio materials are recorded and produced.

**MULTIPLE HOUSING DEVELOPMENT** means two or more Buildings containing Dwelling Units, located on a Parcel of Land, where all the Buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development.

**MUNICIPAL DEVELOPMENT PLAN** means a plan adopted by Council as a municipal development plan pursuant to the MGA.

**MGA** means the *Municipal Government Act* (Alberta).

**MUNICIPAL PLANNING COMMISSION** means a municipal planning commission established by Council pursuant to the MGA.

## - N -

**NON-CONFORMING BUILDING** means a Building that:

- a) is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the Building or the land on which the Building is situated becomes effective; and
- b) on the date the land use bylaw becomes effective does not, or when constructed will not, comply with such land use bylaw.

**NON-CONFORMING USE** means a lawful specific Use:

- a) being made of land or a Building or intended to be made of a Building lawfully under construction at the date a land use bylaw affecting the land or Building becomes effective; and
- b) that on the date 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.

**NUISANCE** means a use or activity that creates a noise or odour or anything that is obnoxious, offensive or interferes with the use or enjoyment of property beyond the parcel where the use or activity occurs.

## - O -

**OCCUPANCY PERMIT** means a document authorizing the occupancy of a Building or a unit within such Building, issued by the Development Authority pursuant to this Bylaw or any previous land use bylaw governing land use within the Town.

**OFFICE** means a facility providing for the administration of business or government or the provision of professional services.

**OPEN STORAGE YARD** means land that is used for the outdoor storage of products, goods or equipment.

**OWNER** means the person who is registered at the Alberta Land Titles Office as the owner of an estate in fee simple of the land, or in respect of any property other than land, the person in lawful possession of it.

## - P -

**PARCEL COVERAGE** means the area covered by Buildings, Parking Facilities, Driveways, storage areas and display areas.

**PARCEL OF LAND** means:

- a) where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered at the Alberta Land Titles Office;
- b) where a Building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered at the Alberta Land Titles Office, all those lots or blocks; or
- c) a quarter section of land according to the system of surveys under the Surveys Act (Alberta) or any other area of land described on a certificate of title.

**PARCEL WIDTH** means the distance between the side property boundaries of a lot or Parcel of Land, measured at the minimum front yard requirements of that lot or Parcel of Land.

**PARKING FACILITY** means a facility for the parking of motor vehicles.

**PARKS AND PLAYGROUNDS** means areas of public land known for their natural scenery and/or preservation for public recreation, either active or passive.

**PERMITTED USE** means a use of land or a Building that is listed as a permitted use in a District, for which a Development Permit shall be issued, with or without conditions, by the Development Authority.

**PRINCIPAL DWELLING** means, in a Residential District, the Main Building.

**PRIVATE AMENITY SPACE** means Amenity Space provided for the use of the occupants of only one unit.

**POWER GENERATION** means a facility for generating electricity.

**PUBLIC AND QUASI-PUBLIC USE** means land or a Building used for purposes of public administration and service, including for the purpose of assembly, instruction, culture, or other community activity. Typical uses include municipal buildings and community halls.

**PUBLIC RECREATION FACILITY** means a public facility and grounds for community entertainment, relaxation, social activity and other leisure needs. Typical uses include arenas, libraries and golf courses.

**PUBLIC UTILITY** means a “public utility” as defined in the MGA.

**PUBLIC UTILITY BUILDING** means a Building in which the proprietor of a public utility:

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

## - R -

**RAILWAY USE** means land or a Building used directly for the building or operation of a railroad system.

**RECYCLING DEPOT** means a facility for the collection, repackaging, and shipping of recyclable materials. Recyclable materials include paper, plastic, glass, tin or any other product that can be recycled.

**RELIGIOUS INSTITUTION** means a facility owned by a religious organization used for worship and related religious, philanthropic, or social activities, including accessory rectories, manses, classrooms, and auditoriums. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, or monasteries.

**RETAIL (SMALL)** means the sale of goods and services in a small Building with a gross Floor Area less than 1,000.0 m<sup>2</sup>. Typical uses include convenience stores and sandwich shops.

**RETAIL (GENERAL)** means the sale of goods and services in a medium-sized Building with a gross Floor Area between 1,000.0 - 4,000.0 m<sup>2</sup>. Typical uses include clothing stores and pharmacies.

**RETAIL (LARGE)** means the sale of goods and services in a large-sized Building with a gross Floor Area larger than 4,000.0 m<sup>2</sup>. Typical uses include 'big box' retailers and supermarkets.

**ROAD** means land:

- a) shown as a road on a plan of survey that has been filed or registered in the Alberta Land Titles Office; or
- b) used as a public road/roadway; and

includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a Highway.

**ROW HOUSE** means a group of three or more Dwelling Units, located side-by-side, each unit separated by a party wall and having a separate front and rear access to the outside grade.

## - S -

**SALES AND SERVICE (LIGHT)** means a facility providing for the sale, rental, service and repair of motor vehicles, all-terrain vehicles or recreation vehicles.

**SALES AND SERVICE (HEAVY)** means a facility providing for the sale, rental, service or repair of farm equipment, industrial equipment or Manufactured Homes.

**SALES/LOT INFORMATION CENTRE** means a temporary Building used for a limited period of time for the purpose of marketing land or Buildings.

**SCHOOL** means a structured learning environment through which an education program is offered to students, which is operated with public funds pursuant to the *Education Act* (Alberta).

**SCREEN** means a fence, berm, vegetation, wall or Building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas.

**SEA CAN** means a prefabricated metal structure designed for use as a shipping container or truck trailer. Sea cans are prohibited in non-Industrial Districts but may be approved on a temporary basis by the Development Authority.

**SECONDARY SUITE** means a Secondary Suite (Lane), Secondary Suite (Garden), or Secondary Suite (Internal).

**SECONDARY SUITE (LANE)** means an accessory secondary Dwelling Unit that is located above a Detached Garage, facing the rear lane and has an entrance separate from the vehicle entrance to the Detached Garage. This Use does not include a Secondary Suite (Internal) or Secondary Suite (Garden).

**SECONDARY SUITE (GARDEN)** means a single-storey, accessory secondary Dwelling Unit that is located in a Building separate from the Principal Dwelling. This Use does not include a Secondary Suite (Internal) or Secondary Suite (Lane).

**SECONDARY SUITE (INTERNAL)** means an accessory secondary Dwelling Unit that is located within the Principal Dwelling. This Use does not include a Secondary Suite (Garden) or Secondary Suite (Lane).

**SEED CLEANING PLANT** means a facility used for the storage and preparation of seed used in agriculture.

**SEMI-DETACHED DWELLING** means a residential Building consisting of two Dwelling Units located side by side and separated by a common party wall extending from foundation to roof.

**SETBACK** means the perpendicular distance to a Development from an adjacent natural or manmade feature, such as an escarpment, Road, or property line, which distance does not affect the minimum Yard requirements for a lot or Parcel of Land set out in this Bylaw.

**SIGHT TRIANGLE** means a triangular area at the intersection of Roads or Roads and railways in which all Buildings, fences, vegetation and finished ground elevations shall be less than 1 m in height, in order that vehicle operators may see approaching vehicles in time to avoid collision.

**SIGN** means any placard, board, notice, device, or object, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement, or calling attention to any person, matter, thing or event, and its supporting structure.

**SIX-PLEX** means a residential Building containing six Dwelling Units, each unit having separate and direct access to the outside and sharing a party wall with one or more other units.

**SOFT LANDSCAPING** means the use of vegetative material as part of a landscaped area.

**SOLAR COLLECTOR (FREESTANDING)** means a non-reflective accessory structure not attached to a Building, used to collect sunlight as part of a system used to convert radiant energy from the sun into thermal or electrical energy.

**SOLAR COLLECTOR (ROOF/WALL)** means a non-reflective accessory structure attached to a Building, used to collect sunlight as part of a system used to convert radiant energy from the sun into thermal or electrical energy.

**SOLID WASTE TRANSFER STATION** means a facility for the collection and temporary holding of solid waste in a storage container.

**STATUTORY PLAN** means a Municipal Development Plan, Intermunicipal Development Plan, Area Structure Plan or Area Redevelopment Plan.

**STREET** means any category of public roadway except a lane.

**STRUCTURAL ALTERATIONS** means alterations to the structural components of a Building, including the foundations, exterior wall assemblies, floor slab, sub-floor, supporting structural elements of the roof, bearing walls and structural columns and beams.

**INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD** means the subdivision and development appeal board established pursuant to the MGA.

**MATTERS RELATED TO SUBDIVISION AND DEVELOPMENT REGULATION** means the *Matters Related to Subdivision and Development Regulation* (Alberta).

## - T -

**TECHNOLOGY CENTRE** means a facility used for scientific research, research and development, and technology commercialization.

**TEMPORARY RESIDENTIAL SALES CENTRE** means a temporary Use of an unoccupied Dwelling Unit as a sales office and/or to demonstrate a housing product.

**TIME EXTENSION AGREEMENT** means an agreement in writing entered into between the applicant and the Development Authority to extend the time period referred to in section 684(1) of the MGA and **Section 2.8** of this Bylaw.

**TOWN** means The Town of Carstairs, a municipal corporation in the Province of Alberta, or the area within the corporate limits of The Town of Carstairs, as the context requires.

**TRUCKING ESTABLISHMENT** means an establishment used for the purpose of storing and dispatching trucks and tractor trailers for transporting goods.

## - U -

**USE** means the purposes or activities for which parcel or its Buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

## - V -

**VETERINARY CLINIC** means a facility for the medical care and treatment of animals, and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures.

**VETERINARY HOSPITAL** means a facility for the medical care and treatment of animals, and includes provision for their overnight accommodation and confinement in outdoor pens, runs and enclosures.

## - W -

**WAREHOUSING** means a facility for the indoor storage of goods and merchandise.

**WRECKING YARD** means land and Building used for the storage and dismantling of old or wrecked motor vehicles for the purpose of recycling their components.

## - Y -

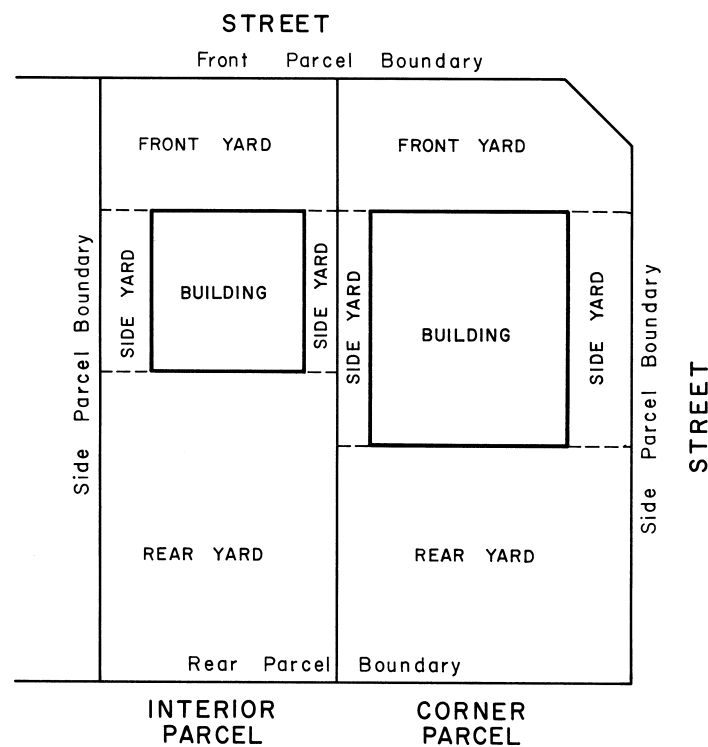
**YARD** means an open space on the same site as a Building and which is unoccupied and unobstructed from the ground upward except as otherwise provided in this Bylaw. Specifically:

- a) **FRONT YARD** means the area of the yard extending across the full width of a parcel measured



- perpendicularly from the Front Parcel Boundary of the parcel to the front wall(s) of the Main Building situated on the parcel, as illustrated in **Figure 10**.
- b) **REAR YARD** means the area of the Yard extending across the full width of a parcel measured perpendicularly from the rear property boundary of the parcel to the rear wall(s) of the Main Building situated on the parcel, as illustrated in **Figure 10**.
- c) **SIDE YARD** means the area of the Yard extending from the front yard to the rear yard between the side property boundary of the parcel and the side wall(s) of Main Building, as illustrated in **Figure 10**.

**Figure 10: Yard Illustration**



# SCHEDULE A LAND USE MAP

TOWN OF CARSTAIRS  
LAND USE MAP

SCALE : 1:4000  
0 120 240 480 m  
PLAN UPDATED : NOVEMBER 2023



LEGEND	
	Town Boundary
	Land Use Designation Boundary
	R1S Special Low Density Residential District
	R1 Low Density Residential - Single Detached District
	R1N Narrow Parcel Residential District
	R1M Modular Home Residential District
	R2 Low Density Residential - Two Dwelling District
	R3 Medium Density Residential - Attached Dwelling District
	R4 High Density Residential - Multi-Dwelling District
	RMH Manufactured Home District (Bylaw 856)
	C1 Central Commercial District
	C1A Neighbourhood Commercial District
	C2 Commercial Service District
	C3 Highway Commercial District
	I1 Light Industrial District
	I2 Medium Industrial District
	PFR Public Facility and Recreation District
	UR Urban Reserve District
	DC Direct Control

