

# TOWN OF CARSTAIRS

## LAND USE BYLAW NO. 2007

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# LAND USE BYLAW NO. 2007

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

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

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

### PART ONE: GENERAL

#### 1.1 Short Title

This Bylaw may be cited as The Town of Carstairs Land Use Bylaw.

#### 1.2 Purpose

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

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

### 1.3 Definitions

In this Land Use Bylaw,

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

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

“**Accessory suite**” means a separate and subordinate dwelling unit, which must conform to current Alberta Building Code standards and is contained within a detached dwelling with separate access to the outside, or located on the same parcel as a detached dwelling, including above a detached garage. If it is not contained within a detached dwelling, the total floor area must not exceed 65 m<sup>2</sup> (700 ft<sup>2</sup>) and the maximum parcel coverage shall still apply to accessory suites;

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

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

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

“**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, who because of their circumstances cannot or do not wish to maintain their own households, are provided with meal services and may receive such services as housekeeping and personal care assistance;

“**Amenity Space**” means a space designed for active or passive recreational use;

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

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

“**Area Structure Plan**” means a plan adopted by Council as an Area Structure Plan pursuant to the *Municipal Government Act*;

**“Arts and Crafts Studio”** means a development used for the purposes of small scale

on-site production of goods by simple processes or hand manufacturing, primarily involving the use of hand tools. Typical uses include, but are not limited to, 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;

**“Attached garage”** means the portion of a dwelling that is structurally joined to the main building and accommodates the storage or shelter of vehicles but is not included in the definition of a main building or dwelling;

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

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

**“Automotive Parts Sales”** means a development used for the purpose of selling and installing automobile accessories and parts on a retail basis. This category includes customizing shops, tire shops, automotive glass shops, automobile restoration shops, upholstering shops and automobile radio equipment sales. Not included are car and truck washing establishments, auto wrecking and salvaging, auto scrap or part yards, service stations or gas bars;

**“Automotive Storage”** means a parcel or building where motor vehicles and/or automotive parts are stored, either indoors or outdoors;

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

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

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

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

agricultural land excludes:

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

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

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

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

**“Building Height”** means the vertical distance between grade and the highest point of a building with the exception of an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar improvement not structurally essential to the building;

**“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;

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

**“Car and truck washing establishment”** means a building or facility for washing vehicles on a commercial basis;

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

**“Commercial Recreation and Entertainment Facility”** means a facility or establishment which provides for recreation or entertainment for a gain or a profit;

**“Common Amenity Space”** means a space designed for active or passive recreational use that is provided for the use of all of the occupants of a development;

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

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

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

**“Development”** means

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

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

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

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

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

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

**“District Shopping Centre”** means a group of commercial establishments planned, owned, developed and managed as a unit with off street parking established on the



same site which serves the needs of the urban centre and surrounding municipalities;

**“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 with facilities for on site 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;

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

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

**“Duplex”** means a residential building consisting of two separate dwelling units, one located above the other, 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 toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

**“Dwelling Unit for the Occupancy of the Owner, Operator or Caretaker”** means a dwelling unit which is accessory to other development on the parcel;

**“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. The service of alcoholic beverages is classified under the separate use class of “drinking establishment”;

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

**“Existing Residence and Other Related Improvements”** means a detached dwelling or manufactured home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and access to the satisfaction of the Development Officer/Municipal Planning Commission;

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

**“Feed Mills and Grain Elevators”** means buildings in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared;

**“Financial Institution”** means a use where banks, credit unions, trust companies, and treasury branches operate. 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, or
- (b) for commercial buildings, the total floor area of all floors in a building measured from the outside of exterior walls including basements and cellars but excluding mall areas;

**“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;

**“Food Processing and Packaging”** Means a use, building, or part of a building, other than an eating establishment, food caterer, or speciality food store, in which agricultural products are prepared, processed, preserved, packaged, graded or stored for eventual human consumption and includes services such as a flour mill, a bakery production facility, an egg grading station, but does not include an abattoir or any premises used for the slaughtering of animals or the boiling of blood, tripe or bones. These operations are intended to primarily use agricultural products that are produced on site and shall have minimal off-site impacts such as such as noise, odour, surface or groundwater pollutants, earthborne vibrations, heat, or high brightness light sources.

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

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

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

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

**“Frontage”** means the length of the front property line of a parcel.

**“ft”** means feet (“ft<sup>2</sup>” square feet);

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

**“Gas Bar”** means a facility for the sale of gasoline, lubricating oils, associated automotive fluids and minor automotive accessories with no other services provided;

**“General Municipal Plan”** means the plan adopted by Bylaw 739 and amendments thereto;

**“Greenhouse, commercial”** means a building for the growing of flowers, plants, shrubs, trees, and similar vegetation which are sold directly from the parcel at retail or wholesale and may include the accessory sale of related supplies, but does not include a Licensed Medical Marijuana Facility;

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

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

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

**“Highway”** means highway as defined by the Alberta Traffic Safety Act Revised Statutes of Alberta 2000 Chapter T-6, as amended;

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

**“Hotel”** means a building 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, a restaurant or eating establishment, a dining room, cocktail lounge or public convention facilities;

**“Industrial Service Shop”** means a building used for assembly, fabrication or repairing of goods or products, excluding motor vehicles. Typical uses associated with this category include electrical, heating, metal, plumbing, welding, woodworking, cabinet making, upholstering, furniture repair, painting and similar uses;

**“Intermunicipal Development Plan”** means a plan adopted by Council and Council of Mountain View County as an intermunicipal development plan pursuant to the *Municipal Development Act*;

**“Land Use Bylaw”** means Bylaw No. 2007, and amendments thereto;

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

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

**“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 a land titles office;

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

**“Licensed Medical Marijuana Production Facility”** means land and buildings that are used for the cultivation, processing, testing, destruction, selling, packaging and shipping of marijuana used for medical purposes as permitted and licensed under the Health Canada Marihuana for Medical Purposes Regulations (SOR/2013-119);

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

**“Lumber Yard”** means a parcel or building or both where bulk supplies of lumber and other building materials are stored, offered or kept for retail sale and may include storage on or about the premises of such material. Not included in this category are retail sales of furniture, appliances or other goods not ordinarily used in building and construction;

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

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

**“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 conformance with current Canadian Standards Association Regulation. It contains factory installed electrical, plumbing and heating systems and is suitable for long term occupancy designed to be transported on either its own wheels and chassis or other means to a suitable site.

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

**“Mechanized Excavation, Stripping and Grading”** means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements;

**“Medical Clinic”** means a use where human health services that are preventative, diagnostic, therapeutic or rehabilitative are provided without overnight accommodation for patients;

**“Mixed Use Development”** means an apartment building that contains permitted or discretionary commercial uses that are only listed within the C1A District on the first and second floors and dwelling units on the second and/or third floor(s);

**“Modular Home”** means a factory built, single detached dwelling unit that is transportable and designed to be used on its own or to be incorporated with similar units at a building site into a modular structure and intended for year-round habitation. 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. A “modular home” does not include a “manufactured home”;

**“Motion Picture/Audio Production Facility”** means a use where motion/audio pictures are filmed 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;

**“Municipality”** means the Town of Carstairs;

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

**“Municipal Government Act”** means the *Municipal Government Act*, Revised Statutes of Alberta 2000 Chapter M-26, as amended;

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

**“Municipal Shop and Storage Yard”** means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment;

**“Neighbourhood Convenience Store”** means a commercial establishment where food and other daily household necessities are sold entirely within a building that has a maximum gross floor area of 465 m<sup>2</sup>. Off street parking is established on the same site and the use serves the convenience shopping needs of the immediate neighbourhood only;

**“Non-conforming Building”** means a building

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or land on which the building is situated becomes effective, and

- (b) that on the date a land use bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw;

**“Non-conforming Use”** means a lawful specific use

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

**“Non-renewable Resource Extraction”** means the mining or removal from the ground of deposits of coal, sand, gravel, clay and other minerals;

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

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

**“Office Support Service”** means services provided to businesses such as clerical, secretarial, employment, telephone answering, photocopying, printing, reproduction processes, and similar uses;

**“Open Storage Yard”** means land that is used for the storage of products, goods or equipment;

**“Owner”** means the person who is registered under the *Land Titles Act* as the owner in fee simple estate of the land, or in respect of any property other than land, the person in lawful possession of it;

**“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 in a land titles office;
- (b) where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all those lots or blocks;
- (c) a quarter section of land according to the system of surveys under the *Surveys Act* or any other area of land described on a certificate of title;

**“Parcel Width”** means the distance between the side boundaries of a lot or parcel

measured at the minimum front yard requirements of that lot or parcel;

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

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

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

**“Personal Service”** means the provision of a service to individuals on a commercial basis, and includes, but is not limited to, such services as photographers, travel agencies, beauty salons, tailors, shoe repair shops, laundromats and dry cleaners;

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

**“Private Amenity Space”** means amenity space provided for the use of the occupants of only one unit;

**“Private Clubs and Lodges”** means a development used for the meeting, social or recreational activities of members of a non-profit, philanthropic, social service, athletic or business, without on-site residences;

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

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

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

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

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

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

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

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

**“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 Institutions”** means development 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 and monasteries;

**“Repair Services”** means the restoration and maintenance of objects, excluding motor vehicles, which are compatible with other uses in the District;

**“Research Facility”** means a use engaged in scientific research, research and development and technology commercialization;

**“Retail Store”** means a building where goods, wares, merchandise, substances, articles, or things are stored, offered or kept for sale entirely indoors at retail prices;

**“Road”** means land:

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

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

**“Sales and Service Outlet for Automobiles, Trucks, Recreation Vehicles or Manufactured Homes”** means a facility providing for the sale, rental, service and repair of automobiles, trucks, recreation vehicles or manufactured homes;

**“Sales and Service Outlet for Farm and Industrial Equipment”** means a facility providing for the sale, rental, service or repair of farm and industrial equipment;

**“Sales/Lot Information Centre”** means a temporary building or structure used for a limited period of time for the purpose of marketing land or buildings;

**“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;

**“School, commercial”** means a place of instruction operated for profit, including but not limited to colleges and trade schools, but does not include a public, separate or private school;

**“School, private”** means a school, other than a school operated by a School Board under the School Act, that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Minister of Education;



**“School, public or separate”** means a place of instruction operated with public funds pursuant to The School Act;

**“Sea/Land Cargo Container (Sea Can)”** means a prefabricated metal structure designed for use as an individual shipping container in accordance with international standards or a metal structure designed and built for use as an enclosed truck trailer in accordance with the Department of Transportation standards. Sea Cans are deemed to be an accessory building;

**“Seed Cleaning Plant”** means a building 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;

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

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

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

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

**“Six-Plex”** means a residential building containing six dwelling units, each unit having separate and direct access to the outside;

**“Soft Landscaping”** means the use of vegetative material as part of a landscaped area;

**“Solid Waste Transfer Station”** means a facility for the collection and temporary holding of solid waste in a storage container;

**“Specialty Food Store”** means a use, building, or part of a building that specializes in a specific type or class of food production, processing or packaging such as a butcher shop, delicatessen, bakery, fish monger, and similar foods, and where live animals are not involved in the processing of the food. The food products associated with the use may be sold on the premises.

**“Statutory plan”** means a General Municipal Plan, Municipal Development Plan, Intermunicipal Development Plan, an Area Structure Plan or an Area Redevelopment Plan adopted by a bylaw of the municipality, or any one or more of them;

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

**“Structural Alterations”** means altering the main building components which support a building;

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

**“Subdivision and Development Regulation”** means the current Subdivision and Development Regulation, as amended;

**“Supermarket”** means a use where fresh and packaged food and daily household necessities are sold entirely within a building that has a minimum gross floor area greater than 465 m<sup>2</sup>;

**“Trucking establishment”** means a development used for the purpose of storing and dispatching trucks and tractor trailers for transporting goods;

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

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

**“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;

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

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

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

#### **1.4 Establishment of Development Officer**

- (1) The office of the Development Officer is hereby established, and such office shall be filled by a person or persons to be appointed by resolution of Council.
- (2) The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things
  - (a) keeping and maintaining for the inspection of the public during all

reasonable hours, a copy of this Land Use Bylaw and all amendments thereto, and

- (b) keeping a register of all applications for development, including the decisions thereon and the reasons therefore.

The Municipal Planning Commission established by Bylaw No.772 shall perform such duties as are specified therein.

### **1.5 Establishment of Forms**

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

### **1.6 Establishment of Supplementary Regulations**

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

### **1.7 Establishment of Land Use District Regulations**

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

### **1.8 Establishment of Districts**

- (1) For the purpose of this Land Use Bylaw, the Town of Carstairs 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 [Bylaw 856]
- C1 Central Commercial District
- C1A Neighbourhood Commercial District
- C2 Commercial Service District
- C3 Highway Commercial District
- BP Business Park District
- I1 Light Industrial District

I2 Medium Industrial District  
PFR Public Facility and Recreation District  
UR Urban Reserve District  
DC Direct Control District

- (2) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto. All roads, water courses and lakes are excluded from the Land Use Districts.
- (3) Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
  - (a) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
  - (b) a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
  - (c) a boundary location which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

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

- (1) Council on its own initiative may give first reading to a Bylaw to amend this Land Use Bylaw.
- (2) A person may make application to the Development Officer for amendment to this Land Use Bylaw. The application shall include:
  - (a) a statement of the specific amendment requested;
  - (b) the purpose and reasons for the application;
  - (c) if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
  - (d) the applicant's interest in the lands; and
  - (e) an application fee of \$75.00 of which \$50.00 will be refunded if the proposed amendment is not given first reading and advertised.
- (3) If the amendment is for a redesignation of land, the Development Officer may require:
  - (a) an outline plan for the area to be redesignated, to the level of detail specified by the Development Officer; and
  - (b) payment of a fee equal to the costs incurred by the Town to review the proposed redesignation and/or related outline plan, or if necessary, to

prepare an outline plan.

- (4) Upon receipt of an application for amendment to this Land Use Bylaw, the Development Officer shall determine when the application will be placed before Council and shall issue not less than five (5) days' notice to the applicant advising that he may appear before Council at that time, and speak to the application. An application for amendment shall be placed before Council within 60 days of its receipt by the Development Officer.
- (5) Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:
  - (a) refuse the application; or
  - (b) refer the application for further information; or
  - (c) pass first reading to a Bylaw to amend this Land Use Bylaw, with or without conditions or amendments; or
  - (d) defeat first reading of a Bylaw to amend this Land Use Bylaw; or
  - (e) pass first reading of an alternative amendment to this Land Use Bylaw, with or without conditions.
- (6) Following first reading of an amending bylaw, Council shall
  - (a) establish the date, time and place for a public hearing on the proposed bylaw;
  - (b) if a bylaw to establish procedures for public hearings has not been passed
    - (i) outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and
    - (ii) outline the procedure by which the public hearing will be conducted.
- (7) Following first reading of an amending bylaw, the Development Officer must give notice of the public hearing by
  - (a) publishing notice at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates, or
  - (b) mailing or delivering notice to every residence in the area to which the proposed bylaw relates.

- (8) A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
- (9) A notice must contain
  - (a) a statement of the general purpose of the proposed bylaw and public hearing,
  - (b) the address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected,
  - (c) the date, place and time where the public hearing will be held.
- (10) In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of subsection (7),
  - (a) include in the notice
    - (i) the municipal address, if any, and the legal address of the parcel of land, and
    - (ii) a map showing the location of the parcel of land,
  - (b) give written notice containing the information described in clause (a) and subsection (7) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality, and
  - (c) give written notice containing the information described in clause (a) and subsection (7) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- (11) If the land referred to in subsection (10)(c) is in Mountain View County, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of Mountain View County.
- (12) Notwithstanding subsection (6), the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, and grammatical or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
- (13) In the public hearing, Council
  - (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by Council, and
  - (b) may hear any other person who wishes to make representations and

whom Council agrees to hear.

- (14) After considering the representations made to it about the proposed bylaw at the public hearing and after considering any other matter it considers appropriate, Council may
  - (a) pass the bylaw,
  - (b) refer it for further information or comment,
  - (c) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing, or
  - (d) defeat the bylaw.
- (15) Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal that initiated the application for amendment.
- (16) After third reading of the proposed Bylaw, the Development Officer shall send a copy of it to
  - (a) the applicant;
  - (b) the registered owner of the land if not the applicant;
  - (c) Mountain View County, if it received a copy of the proposed bylaw pursuant to subsection (11).
- (17) The Development Officer 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 3 months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.
- (18) In this section,
  - (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes
    - (i) land that would be contiguous if not for a highway, road, river or stream, and
    - (ii) any additional land identified by the Development Officer;
  - (b) “owner” means the person shown as the owner of land on the assessment roll prepared pursuant to the *Municipal Government Act*.

## **1.10 Sections Found Invalid**

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

## **PART TWO: DEVELOPMENT PERMITS, CONTRAVENTION AND APPEAL**

### **2.1 Purpose of Development Permits**

- (1) No development other than that designated in Section 2.2 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- (2) The following development undertaken within the municipality shall be constructed or developed by a qualified trades person, as determined by the Building Inspector.
- (3) Development site must be kept tidy and clear from all debris and garbage.
- (4) 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**

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

- (a) the carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
- (b) the completion of any development which has lawfully commenced before the passage of this Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within 12 months of the date of commencement;
- (c) the use of any such development as is referred to in subsection (b) for the purpose for which development was commenced;
- (d) the erection or construction of gates, fences, walls or other means of enclosure less than 1 m (3.28 ft) in height in front yards and less than 2 m (6.56 ft) in other yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- (e) a temporary building, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use Bylaw;
- (f) a temporary use of a parcel not exceeding 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 municipality and the location of the business is to the satisfaction of the Development Officer;

- (g) the installation, maintenance and repair of utilities;
- (h) any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
- (i) one accessory building used as a garden or tool shed on a residential parcel, such building not to exceed 13.38 m<sup>2</sup> (144 ft<sup>2</sup>) in floor area and 2.5 m (8.2 ft) in height;
- (j) development specified in Section 618 of the *Municipal Government Act* which includes:
  - (i) a highway or road,
  - (ii) a well or battery within the meaning of the *Oil and Gas Conservation Act*,
  - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline, or
  - (iv) any other action, person, or thing specified by the Lieutenant Governor in Council by regulation.
- (k) the erection of one unilluminated sign of the following nature and size for each use within a building or on a parcel, provided such signs do not resemble or conflict with traffic signs:
  - (i) a facia sign for the purpose of identification, direction and warning not exceeding 0.2 m<sup>2</sup> (2.15 ft<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> (3.23 ft<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> (10.76 ft<sup>2</sup>),
  - (iv) a portable sign or notice, relating to the sale or lease of land or buildings, sale of goods or livestock by auction, carrying out of construction, or the announcement of any local event of a religious, educational, cultural, political, or governmental nature not exceeding 3.0 m<sup>2</sup> (32.29 ft<sup>2</sup>) and limited in display to the period of completion of the sale, lease, construction or event,
  - (v) a flag attached to a single upright flag-pole.

- (l) one satellite dish antenna, less than 1.0 m (3.3 ft) in diameter, per parcel provided it is sited to the satisfaction of the Development Officer.
- (m) demolition of a building less than 25.0 m<sup>2</sup> (269.1 ft<sup>2</sup>).

### **2.3 Permission for Development**

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

- (2) Each application for a development permit shall be accompanied by a non-returnable processing fee, the amount of which shall be determined from time to time by resolution of Council.
- (3) The Development Officer shall:
  - (a) receive all applications for a development permit; and
  - (b) refer all applications for development which would result in permanent overnight accommodation, including dwellings, or public facilities to the Alberta Energy and Utilities Board, if any of the land which is the subject of the application is within 1.5 km (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Officer, an infill development, and
  - (c) consider and decide on applications for a development permit for those uses, listed in Schedule C, which constitute a permitted use in a District; and
  - (d) refer with his/her recommendations, the Municipal Planning Commission for its consideration and decision applications for a development permit for those uses listed in Schedule C which constitute a discretionary use; and
  - (e) at his/her discretion refer to the Municipal Planning Commission any application which in his/her opinion should be decided by the Municipal Planning Commission; and
  - (f) refer any application to an adjacent municipality or any other agency or person which in his opinion may provide relevant comments or advice respecting the application.
- (4) For a permitted use in any District,
  - (a) the Development Officer/Municipal Planning Commission shall approve, with or without conditions, an application for a development permit where the proposed development conforms in every respect to this Land Use Bylaw, or
  - (b) subject to the provisions of subsection (6), the Development Officer/Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use Bylaw.
- (5) For a discretionary use in any District,
  - (a) the Municipal Planning Commission may approve an application for a development permit

- (i) with or without conditions,
  - (ii) based on the merits of the proposed development including its relationship to any approved statutory plan or approved policy affecting the site,
  - (iii) where the proposed development conforms in every respect to this Land Use Bylaw; or
- (b) the Municipal Planning Commission may refuse an application for a development permit based on the merits of the proposed development, even though it meets the requirements of this Land Use Bylaw; or
  - (c) subject to the provisions of subsection (6), the Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use Bylaw.
- (6) The Development Officer or Municipal Planning Commission, as the case may be, may:
- (a) approve, with or without conditions, an application for a development permit, or
  - (b) advise that a real property report appears to conform with the Land Use Bylaw, or
  - (c) recommend approval of an application for subdivision approval,

notwithstanding that the proposed development or subdivision does not comply with the Bylaw or is a non-conforming building, if in the opinion of the Development Officer/Municipal Planning Commission the proposed development or subdivision or non-conforming building

- (i) would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
  - (ii) conforms with the use prescribed for that land or building in this Land Use Bylaw.
  - (iii) provides not less than 90% of any stated minimum by-law requirement and not more than 110% of any maximum by-law requirement.
- (d) The Municipal Planning Commission, at their sole discretion, may provide

a variance of more than 10% or less than 90%

- (7) The Development Officer/Municipal Planning Commission may require with respect to a development that, as a condition of issuing a development permit, the applicant enter into an agreement with the municipality to do all or any of the following:
- (a) to construct or pay for the construction of a road required to give access to the development, or
  - (b) to construct or pay for the construction of pedestrian walkway systems, or
  - (c) to install or pay for the installation of utilities, other than telecommunications systems or works, that are necessary to serve the development, or
  - (d) to construct or pay for the construction of
    - (i) off-street or other parking facilities, and
    - (ii) loading and unloading facilities,or
  - (e) to pay an off-site levy or redevelopment levy imposed Bylaw, or
  - (f) to give security to ensure that the terms of the agreement under this section are carried out, or;
  - (g) to pay to the Town the costs paid by the Town to any Engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal and planning costs and expenses to which the municipality is put in connection with the Development Agreement and the Agreement relates.
- (8) Prior to imposing any condition upon the issue of a development permit pursuant to subsection (7), the Development Officer/Municipal Planning Commission shall consult with Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition in the development permit.
- (9) The municipality may register a caveat pursuant to the provisions of the *Land Titles Act* and the *Municipal Government Act* in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.
- (10) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal to the Subdivision and

Development Appeal Board the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least 6 months after the date of the final decision unless in the opinion of the Development Officer the reasons for refusal have been inadequately addressed or the circumstances of the application have changed significantly.

## **2.4 Development Permits and Notices**

- (1)
  - (a) A permit issued pursuant to this Part does not come into effect until 14 days after the date on which notice of issuance of the permit is given under subsection 3 (b) or (c) or 21 days after the date on which notice of issuance of the permit is given, if such notice is given under subsection 3 (a) by ordinary mail, whichever last occurs. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
  - (b) The date of issue of any permit shall be the date of notification pursuant to subsection (3).
- (2) Where an appeal is made to the Subdivision and Development Appeal Board, a development permit which has been issued shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) On the same date a development permit is issued, the Development Officer shall publicize a notice of issuance of the permit in any or all of the forms described as follows:
  - (a) mail a notice of the decision to all persons whose use, enjoyment or value of property may, in the opinion of the Development Officer/Municipal Planning Commission, be affected; and/or
  - (b) post a notice of the decision conspicuously on the property for which the application has been made; and/or
  - (c) publish in a newspaper circulating in the municipality a notice of the decision; and/or
  - (d) publish on the Town of Carstairs website a notice of the decision.
- (4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or the date of decision of the Subdivision and Development Appeal Board upon appeal, or not carried out with reasonable diligence as determined by the Development Officer/Municipal Planning Commission, the permit ceases to be effective, unless an extension to this period, being no longer than an additional 12 months, has previously been granted by the Development Office/Municipal Planning Commission.
- (5) A decision of the Development Officer/Municipal Planning Commission on an

application for a development permit shall be given in writing and a copy of it sent to the applicant.

- (6) When the Development Officer/Municipal Planning Commission refuses an application for a development permit, the decision shall contain reasons for the refusal.

## 2.5 Cancellation

The Municipal Planning Commission may cancel a development permit if

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

## 2.6 Contravention

- (1) If the Development Officer/Municipal Planning Commission find that a development, land use or use of a building is not in conformity with
  - (a) the Land Use Bylaw, Part 17 of the *Municipal Government Act* or Subdivision and Development Regulation, or
  - (b) a development permit or subdivision approval,

the Development Officer/Municipal Planning Commission may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to

- (c) stop the development or use of the land or building in whole or in part as directed by the notice,
- (d) demolish, remove or replace the development, or
- (e) carry out other actions required by the notice so that the development or use of the land or building complies with the Land Use Bylaw, Part 17 of the *Municipal Government Act* or Subdivision and Development Regulation, a development permit or subdivision approval,

and in such order establish a time for reasonable compliance with such order.

- (2) If a person fails or refuses to comply with an order under subsection (1) or an order of the Subdivision and Development Appeal Board made pursuant to Part 17 of the *Municipal Government Act*, the municipality may enter on the land or building and take any action necessary to carry out the order.
- (3) The municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection (1) against the certificate of title for the land that is the subject of the order, but if it does so the municipality must discharge the

caveat when the order has been complied with.

## **2.7 Appeal Procedure**

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

## **2.8 Contravention and Enforcement**

- (1) Where the development Officer becomes aware that a development or use of land or buildings does not comply with
  - (a) the *Municipal Government Act*;
  - (b) the Subdivision and Development Regulation;
  - (c) an approved development permit;
  - (d) a subdivision approval; or
  - (e) this By-law

the Development Office may issue a written order, pursuant to Section 645 of the *Municipal Government Act*, to the registered landowner or the person in possession of the land or building, or the person responsible for the contravention to:

- (i) stop the development or use of the land or building(s);
- (ii) demolish, remove or replace the development;
- (iii) take such other measures as are specified in the written order such that the development or use of the land or buildings is in accordance with items (a) through (e) above

within a period of time specified by the written order.

- (2) The Development Officer may, by written notice, suspend a development permit where development or the use of land or building(s) is in contravention with an approved development permit and/or this By-law.
- (3) Any person(s) receiving an order pursuant to Section 2.8.1 above may appeal to the Subdivision and Development Appeal Board in accordance with Section 685 of the *Municipal Government Act*.



## **2.9 Penalty**

- (1) A person(s) who contravenes or does not comply with any of the provisions of this By-law, or Part 17 of the municipal Government Act, or who obstructs or hinders any person in the exercise or performance of their powers, is guilty of an Offence punishable on summary conviction or by the issue of a Bylaw ticket and/or Provincial Violation ticket by a Peace Officer or Special Constable, or other authorized persons.
- (2) The Bylaw ticket shall provide for payment within ten (10) days from the date of issue to the Town in the amount of not less than \$250.00 to a maximum of \$10,000. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution of the same offence;
- (3) The Bylaw ticket shall be issued by personally serving it upon the alleged offender or by leaving it at the residence of the alleged offender.
- (4) If a Bylaw ticket is not paid within ten (10) days from the date of issue of the Bylaw ticket, then the information shall be laid before a Provincial Judge, and prosecution for the alleged offence shall proceed as though no Bylaw ticket had ever been issued;
- (5) Any person who is issued a Bylaw or violation ticket under the provisions of the Bylaw shall immediately cease and desist the offence for which the violation tag was issued.

## **2.10 Occupancy Permits**

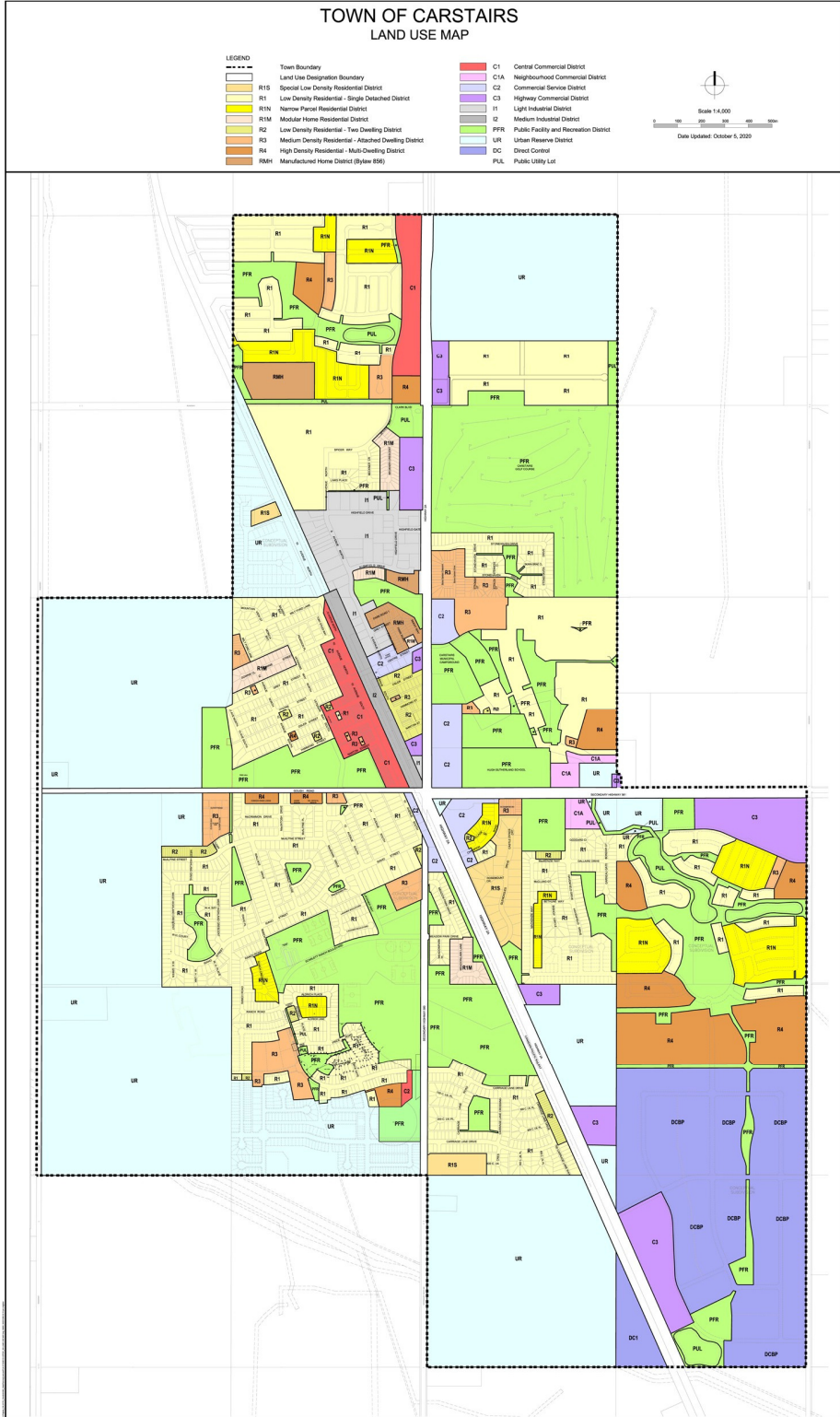
- (1) No development which has been undertaken in accordance with a development permit shall be used until an occupancy permit has been obtained.
- (2) An application for an occupancy permit shall be made to the Development Officer. The Development Officer shall issue an occupancy permit on the form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

## **2.11 Compliance with other Legislation**

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

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

# SCHEDULE A: LAND USE DISTRICT MAP



## SCHEDULE B: SUPPLEMENTARY REGULATIONS

### 1. Buildings

#### 1.11 1(1) Accessory Buildings

- (a) Accessory Residential Buildings
  - (i) Accessory residential buildings or any portion thereof shall not be erected or placed within the front yard of a parcel, except for attached garages;
  - (ii) An accessory residential building on an interior parcel shall be situated so that the exterior wall is at least 1 m (3.28 ft) from the side and rear boundaries of the parcel.
  - (iii) An accessory residential building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 1 m (3.28 ft) to the other side parcel boundary or the rear parcel boundary.
  - (iv) An accessory residential building shall not be more than 5.5 m (18.05 ft) in height, and shall not exceed the height of the main building.
  - (v) Notwithstanding subsections (ii) and (iii) of this Section, an accessory residential building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
  - (vi) Distance requirement between main building and accessory residential building is as follows:
    - (A) 1.22 m (4 ft) between exterior wall of the house and exterior wall of the accessory residential building;
    - (B) 0.61 m (2 ft) between eaves of the house and accessory residential building subject to condition that the accessory building has a one hour fire rating wall.
  - (vii) No accessory residential building or any portion thereof shall be erected or placed on the parcel of land before the construction of the main residential building.
  - (viii) No accessory residential building may be used for the purpose of sheltering livestock or poultry.

- (b) Accessory Buildings in Other Districts
  - (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.

**1.12 1(2) Building Orientation and Design**

- (a) The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the Development Officer/Municipal Planning Commission having due regard to
  - (i) amenities such as daylight, sunlight and privacy
  - (ii) the character of existing development in the District, and
  - (iii) its effect on adjacent parcels.
- (b) The main floor for all dwelling units shall be located at or above grade.

**1.13 1(3) Number of Buildings on a Parcel**

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

#### **1.14 1(4) Relocation of Buildings**

- (a) No person shall
  - (i) place on a parcel a building which has previously been erected or placed on a different parcel, or
  - (ii) alter the location on a parcel of a building which has already been constructed on that parcel unless a development permit has been issued by the Municipal Planning Commission.
- (b) In addition to the requirements of Section 2.3(1), PART TWO, the Municipal Planning Commission may require an application for a development permit to be accompanied by
  - (i) recent colour photographs showing all sides of the building;
  - (ii) a statement on the age, size and structural condition of the building; and
  - (iii) a statement of proposed improvements to the building.
- (c) An application for a development permit may be approved by the Municipal Planning Commission if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- (d) Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Municipal Planning Commission may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- (e) All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

#### **1.15 1(5) Building Demolition**

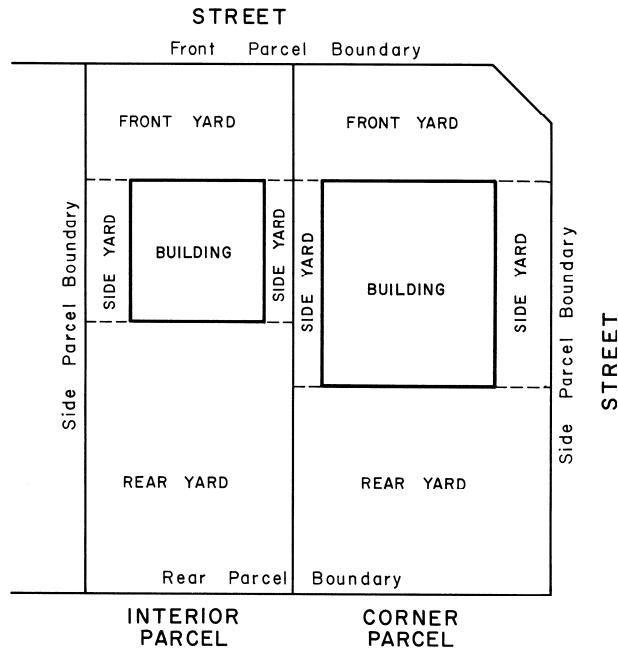
An application to demolish a building shall not be approved without a statement or plan which indicates

- (a) how the operation will be carried out so as to create a minimum of dust or other nuisance, and
- (b) the final reclamation of the parcel which is satisfactory to the Municipal Planning Commission.

## **1.16 1(6) Real Property Reports**

Real Property Reports submitted to the Town of Carstairs for Certificate of Compliance must show all improvements. Real Property Reports dated within ten years of the application will be accepted, exemptions may be granted on Properties with no changes from the previous Certificate of Compliance that the Town has on file. Minimum of 3 originals must be submitted to the Town of Carstairs.

## 2. Yards



### 1.17 2(1) Projections Over Yards

- (a) In residential Districts the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:
- (i) Side Yards  
Any projection not exceeding one-half of the minimum side yard required for the building, except in laneless subdivisions where Section 2(5) (a) of Schedule B shall apply;
  - (ii) Front Yards  
Any projection not exceeding 1.22 m (4.0 ft) over or on the minimum front yard;
  - (iii) Front and Rear Yard  
Unenclosed steps, if they do not project more than 2.5 m (8.20 ft) over or on a minimum front or rear yard;
  - (iv) Rear Yards  
Any projection not exceeding 3 m (9.84 ft) over the minimum rear yard.



- (b) In all other Districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:
  - (i) any projection not exceeding 1.22 m (4.0 ft) into a front or rear yard;
  - (ii) any projection not exceeding 0.6 m (1.97 ft) into a side yard;
  - (iii) any projection that is an exterior fire escape not exceeding 1.2 m (3.94 ft) in width.
- (c) No portion of a building other than eaves, signs or canopies shall project into a public or private right-of-way.

**1.18 2(2) Objects Prohibited or Restricted in Yards**

- (a) No person shall allow a motor vehicle which is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in a residential District, unless it is suitably housed or screened to the satisfaction of the Development Officer/Municipal Planning Commission.
- (b) No person shall park or permit to be parked, a vehicle, trailer or boat 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 roadway or curbside sidewalk is considered an offence and said vehicle or trailer will be required to be removed
- (c) A holiday trailer, motor home or camper parked in a residential District may be used for living and sleeping accommodation only by bona fide tourists for a maximum period of 30 days per annum.
- (d) No person shall allow a vehicle of more than 2,730 kg (6,018.6 lbs) (GVW) and/or a length of 6.5 m (21.3 ft) to be parked or stored in a residential District, except those vehicles described in subsection 2(2) (b) of this Schedule.

**1.19 2(3) Satellite Dish Antennas**

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

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

**1.20 2(4) Zero Side Yard Developments**

- (a) In the Central Commercial District, the minimum side yard is 0 metres in accordance with Schedule C.
- (b) In other Districts, the Municipal Planning Commission may allow one side yard of the main or accessory building to be 0 metres 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.

**1.21 2(5) Laneless Subdivisions**

- (a) In a laneless subdivision in a residential District, one side yard shall not be less than
  - (i) 1.5 m (4.92 ft), in the case of a detached dwelling with attached garage, or
  - (ii) 3 m (9.84 ft), in the case of a detached dwelling without attached garage;
 and both side yards shall not be less than
  - (iii) 1.5 m (4.92 ft), in the case of a duplex with attached garages, or
  - (iv) 3 m (9.84 ft), in the case of a duplex without attached garages.

- (b) In a laneless subdivision in a commercial or industrial District one side yard shall be not less than 6 m (19.69 ft). This does not apply to an accessory building where such building is located to the rear of the main building and separated there by a minimum distance of 12 m (39.37 ft).

### 3. Vehicles

#### 1.22 3(1) Parking

- (a) The following 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 as described in Schedule C of this Land Use Bylaw. Any calculation of the number of parking spaces which produces a requirement for part of a space shall be rounded up to the next highest integer.

<u>Uses</u>	<u>Parking Spaces</u>
<b>Commercial</b>	
Retail stores	
District shopping centres	5.0 per 100 m <sup>2</sup>
Neighbourhood shopping centres	4.0 per 100 m <sup>2</sup>
Other	3.5 per 100 m <sup>2</sup>
Commercial/recreational & entertainment facilities	5.0 per 100 m <sup>2</sup>
Financial Institutions	3.0 per 100 m <sup>2</sup>
Gas bars	2.0 per 100 m <sup>2</sup>
Offices	2.5 per 100 m <sup>2</sup>
Hotels	1.0 per guest room
Personal services	2.5 per 100 m <sup>2</sup>
Repair services	2.0 per 100 m <sup>2</sup>
Medical clinics	6.0 per 100 m <sup>2</sup>
Supermarkets	4.0 per 100 m <sup>2</sup>
Drive-in businesses	5.0 per 100 m <sup>2</sup>
Eating/drinking establishments and lounges	2.85 per 10 m <sup>2</sup>
Vehicle and equipment sales	2.0 per 100 m <sup>2</sup>
Mixed use developments	
Drinking and eating establishments	1.7 per 10 m <sup>2</sup>
All other C1A commercial uses	2.0 per 100 m <sup>2</sup>
<b>Industry</b>	
Manufacturing industry	
Minimum provision	6.0
Office area	2.0 per 100 m <sup>2</sup>
Other area	1.0 per 100 m <sup>2</sup>
Warehousing and Storage	
Minimum provision	4.0
Office area	2.0 per 100 m <sup>2</sup>
Storage area	0.7 per 100 m <sup>2</sup>

**Public**

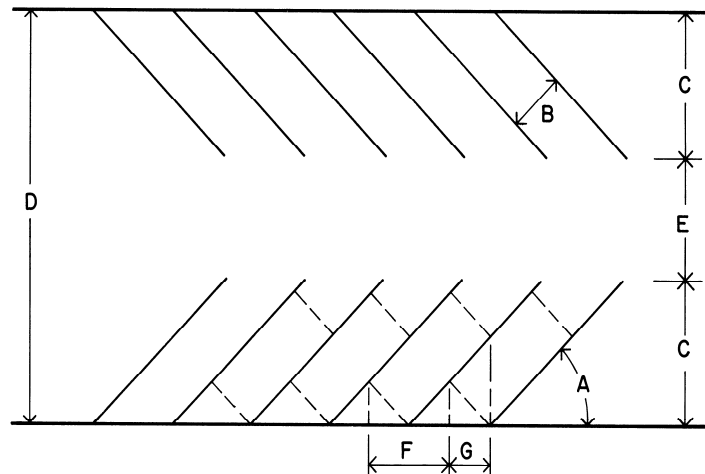
Hospitals and nursing homes	1.0 per 4 beds and 1.0 per 2 workers
Religious Institutions	1.0 per 4 seats
Public assembly buildings	1.0 per 4 seats
Schools (private, public or separate)	
Elementary and junior high	1.0 per 1 worker
Senior high	1.0 per 1 worker and 1.0 per 20 students
Schools, within a commercial district	1.0 per 1 worker and 2.0 per 3 students

**Residential**

Apartments, attached dwellings and multiple housing developments	1.75 per dwelling unit
Accessory 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

**Uses not listed above**      The number of spaces shall be determined by the MPC having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.

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



A	B	C	D	E	F	G
Parking Angle	Stall Width	Stall Depth	Overall Depth	Manoeuvring Space	Curb Length	Row End Length
0°	2.75 m (9.02 ft)	2.75 m (9.02 ft)	9.00 m (29.53 ft)	3.50 m (11.48 ft)	6.70 m (21.98 ft)	0.00 m
30°	2.75 m (9.02 ft)	5.00 m (16.4 ft)	13.50 m (44.29 ft)	3.50 m (11.48 ft)	5.45 m (17.89 ft)	0.85 m (2.79 ft)
45°	2.75 m (9.02 ft)	5.70 m (18.07 ft)	15.40 m (50.52 ft)	4.00 m (13.12 ft)	3.85 m (12.63 ft)	2.05 m (6.72 ft)
60°	2.75 m (9.02 ft)	6.00 m (19.69 ft)	17.50 m (57.41 ft)	5.50 m (18.04 ft)	3.20 m (10.49 ft)	2.00 m (6.56 ft)
90°	2.75 m (9.02 ft)	5.50 m (18.04 ft)	18.00 m (59.06 ft)	7.00 m (22.97 ft)	2.75 m (9.02 ft)	0.00 m

- (g) A minimum standard of 24.75 m<sup>2</sup> (266.4 ft<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) In commercial Districts, in lieu of providing parking spaces and subject to the approval of Council, a payment may be made to the Municipality at a rate per space which Council shall determine.
- (i) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Municipal Planning Commission, the spaces may be located on another parcel within 50 m (164.0 ft) walking distance, provided that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (j) Hard surfacing of the parking area shall be required, where a parking area enters a paved road, otherwise, the surfacing shall be all-weather.
- (k) A minimum of one parking stall, having a minimum width of 4 m (13.1 ft), shall be provided for the handicapped in all parking areas or parking structures, and shall be clearly designated as such and located close to building entrances.

### 1.23 3(2) Loading Spaces

- (a) Loading spaces shall be required for all non-residential development and apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a road.

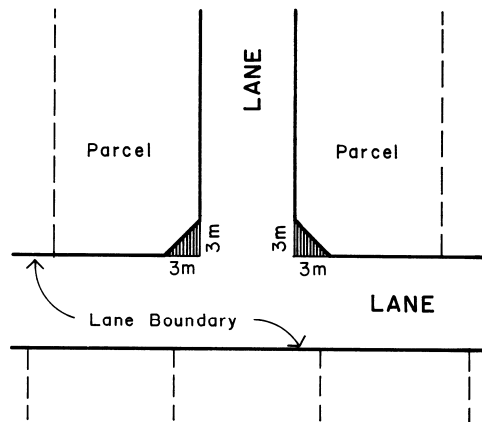
- (c) Loading spaces shall be located in rear and side yards only.
- (d) A loading space shall be at least 3.5 m x 8 m (11.48 ft x 26.25 ft) with an overhead clearance of at least 4.6 m (15.09 ft).
- (e) Hard surfacing of the loading space shall be required, where a loading space enters a paved public roadway, otherwise, the surfacing shall be all-weather.

**1.24 3(3) Vehicle Access to Buildings**

- (a) Any building into which a vehicle may enter shall have a driveway on the parcel at least 6 m (19.69 ft) in length, except where the driveway enters a lane, where it shall be either:
  - (i) 1 m (3.28 ft) in length and parking would not be permitted on the driveway, or
  - (ii) at least 6 m (19.69 ft) in length and parking would be permitted on the driveway.

**1.25 3(4) Sight Lines at Intersections of Roads**

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



- (b) At the intersection of other roads, the Development Officer/Municipal Planning Commission may require the calculation of sight triangles where
  - (i) one or more rights-of-way is less than 15 m (49.21 ft), or
  - (ii) regulated vehicle speed exceeds 50 Km/h, or
  - (iii) one of the carriageways is not centred in its right-of-way, or
  - (iv) an intersection leg is curved or skewed, or

- (v) an intersection leg is sloped at 2% or greater.
- (c) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roads.

#### **1.26 3(5) Driveways**

- (a) At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than
  - (i) 6 m (19.69 ft) where the driveway serves not more than four dwelling units, or
  - (ii) 15 m (49.21 ft) for all other uses,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (b) The maximum width of a driveway shall be 10 m (32.28 ft).
- (c) The minimum angle for a driveway to a use which generates high traffic volumes shall be 70°.
- (d) To ensure that the movement of traffic is both safe and efficient, driveways are not allowed on the streets identified on Schedule A, unless alternative access is unavailable or access is approved by Alberta Transportation.
- (e) 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 boundary is less than 6 m (19.7 ft).

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

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

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

## **5. Signs**

### **1.27 5(1) General Provisions**

- (a) Applications:  
Unless specifically exempted under Part Two, Section 2.2 (k) of this Land Use Bylaw, all signs shall be subject to approval by the Development Authority.
- 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 lines approaches or driveway locations and distances from existing building;
  - 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 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.
- (b) 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.
- (c) No sign shall project higher than the roof line of the building to which it is attached.
- (d) A sign shall not project closer than 0.75 m (2.46 ft) to the existing or future curb line.
- (e) Where a sign projects over public property, a minimum clearance of 2.5 m (8.20



- ft) above grade level shall be maintained.
- (f) Notwithstanding subsection (e), where a sign is located in or projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.6 m (15.09 ft) above grade level shall be maintained.
  - (g) 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.
  - (h) 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.
  - (i) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
  - (j) The area around sign structures shall be kept clean and free of overgrown vegetation and free from refuse material.
  - (k) 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.
  - (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, portray an unlawful activity, profanity, obscenity, or other message that may be offensive or discriminatory as defined in the Alberta Human Rights Act. In addition all signs must be in compliance with any provincial legislation. A breach of which will be determined by the CAO or Designate.

#### **1.28 5(2) Facia Signs**

A facia sign is a sign placed flat and parallel to the face of the building.

- (a) No facia sign shall be lower than 2.5 m (8.20 ft) above grade, except in the case of signs intended solely for the information of pedestrians, in which case the height shall be determined by the Development Authority having regard, amongst other things, to clarity and safety.
- (b) No facia sign on a single storey building shall be higher than the eave line of the building.
- (c) No facia sign shall project more than 0.4 m (1.31 ft) over a street or public property.
- (d) No facia sign on a building two or more storeys in height shall be higher than the

sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall.

- (e) One fascia sign may be permitted in a residential land use district subject to it being an on-illuminated fascia sign to identify a home occupation. The sign must not be greater than 61.0 cm x 61.0 cm (24 inches x 24 inches) and must be placed within a window or flat against the dwelling unit or any accessory building.

### **1.29 5(3) Projecting Signs**

A projecting sign is a sign which is attached to a building or structure so that part of the sign projects more than 0.3 m (1 ft) from the face of the building or structure.

- (a) No part of a projecting sign shall be less than 2.5 m (8 ft) above finished grade.
- (b) 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.
- (c) The maximum size for projecting signs shall be 1 m<sup>2</sup> (10.76 ft<sup>2</sup>).
- (d) On corner sites, projecting signs shall be placed at equal angles to the walls that form the corner and on other sites, at right angles to the wall.
- (e) Projecting signs shall not project more than 1 m (3.28 ft) over a street or public property.
- (f) Only one projecting sign may be erected on each street frontage of a building.

### **1.30 5(4) Free Standing Signs and Billboards**

A free standing sign means a sign that is supported independently of a building, wall or structure. It does not include a portable sign or signs on fences. A billboard means a sign to which advertising copy is affixed to permit its periodic replacement.

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

natural aesthetics of that District.

- (d) Freestanding signs and billboards shall be separated by a minimum distance of 30 m (98.43 ft) from each other.
- (e) Freestanding signs and billboards shall only be erected on sites to which their display relates except in the case of
  - i) advance directional signs which may be approved by the Municipal Planning Commission in locations where it considers the free and safe flow of traffic may be enhanced, or
  - ii) signs used solely by community organizations.
- (f) No part of the sign shall be located closer than 0.5 m (19.5 inches) to the property line.
- (g) Freestanding or billboard signs may be illuminated and if so, must be serviced with underground electrical wiring.

### **1.31 5(5) Portable Signs**

A portable sign is a sign which is not in a permanently installed or affixed position.

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

### **1.32 5(6) Awning Signs**

An awning is a projection supported solely from the building, constructed with a fabric or plastic skin stretched over a frame used for shelter from the weather.

- (a) Awning signs shall be erected so that they do not project more than 1.2 m (3.93 ft) over public property.
- (b) Awning signs shall be erected so that they are not closer than 0.6 m (1.97 ft) to the curb or edge of a constructed street.

- (c) Awning signs shall be erected so that they have a minimum clearance of 2.5m (8.2 ft) from grade.
- (d) Awning signs shall be erected so that they are not clad with wood, metal or solid fibreglass.
- (e) Awnings shall be constructed of durable, colour-fast material.
- (f) Awnings shall be tightly stretched over a ridged metal frame in order to minimize the accumulation of dirt through sagging, and also to improve their neat appearance.
- (g) In a residential land use district, awnings shall not be used for signage purposes excepting thereout, apartment buildings, which may use awnings for the purpose of identifying the name and address of the apartment building.

### **1.33 5(7) Canopy Signs**

A canopy is any permanently fixed structure other than an awning, which is roofed solid and projects from the face of the building for the purpose of affording protection or shelter from the weather and which is supported solely from the building. A canopy sign is any sign attached to and forming part of the face of a canopy or sign suspended and supported under a canopy.

- (a) Canopy signs shall be attached to the structure to which they refer.
- (b) Canopy signs may be attached to any or all faces of the canopy.
- (c) Under canopy signs shall not exceed a depth of 0.3 m (1 ft) and shall not project beyond the outer edge of the canopy.
- (d) Canopy signs attached to the face of the canopy or under the canopy shall have a minimum clearance to the finished grade of 2.5 m (8 ft).

### **1.34 5(8) A-Frame Signs**

An A-Frame sign is a self supporting A shaped sign that is set upon the ground and has no external supporting structure.

- (a) An A-Frame sign may be allowed in all commercial and industrial districts.
- (b) The sign may be placed on the side of a street or public sidewalks provided that pedestrian traffic or vehicular traffic is not significantly affected.
- (c) The 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.
- (d) The maximum number of A-Frame signs permitted for each business shall be one (1).

- (e) The sign shall not be erected for a period exceeding the normal operating hours of the business.
- (f) The sign shall not exceed a dimension of 1.11 m<sup>2</sup> (12.0 ft<sup>2</sup>) per side.

### 1.35 5(9) Special Event / Temporary Signs

A temporary sign is not permanently affixed to a building or other unremovable structure or the ground. A Special Event sign is used for the announcement or advertising of a community, cultural, religious event or for the promotion of a sales event by a local business. A 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.

- (a) Special Event/Temporary signs shall not display third-party advertising.
- (b) 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. No temporary sign over 0.9 m (3 ft) in height shall be placed within the corner visibility triangle.
- (c) The owner of the private lands shall be allowed one (1) temporary sign per parcel, except where the Town gives permission for the placement of a community event sign.
- (d) Within any residential district one freestanding temporary sign is permitted per parcel and shall consist of the following:
  - i) a real estate sign or property management sign having a maximum sign area of 2.3 m<sup>2</sup> (25 ft<sup>2</sup>);
  - ii) a construction sign having a maximum sign area of 2.3 m<sup>2</sup> (25 ft<sup>2</sup>) and a maximum height of 3.05 m (10 ft) with copy relating to the work being carried out, to a maximum of 14 days after the work is completed;
  - iii) A show home sign is permitted to a maximum sign area of 2.97 m<sup>2</sup> (32 ft<sup>2</sup>) and a maximum height of 3.05 m (10 ft) for the duration that the site is used for the purposes of promoting the show home and/or builder;
  - iv) The Development Authority may permit a temporary sign to a maximum of 8.92 m<sup>2</sup> (96 ft<sup>2</sup>) for the purpose of promoting or marketing the current phase of a residential development which is part of an Outline Plan approved by Council, if the sign is permanently affixed to the ground, up to a maximum duration of two (2) years; and
  - v) A sign with copy pertaining to a garage or yard sale, located on the private land to which the sign relates, for the duration of the sale.
- (e) Within any commercial or industrial district, one freestanding temporary sign is permitted per parcel and shall consist of the following:

- i) A real estate or property management sign;
  - ii) A construction sign having a maximum sign area of 2.97 m<sup>2</sup> (32 ft<sup>2</sup>) per side and a maximum height of 3.05 m (10 ft) per side, with copy relating to the work being carried out on the site, to be displayed for the duration of the work being carried out, to a maximum of fourteen (14) days after the work is completed;
  - iii) An A-board sign;
  - iv) A community event sign having a maximum sign area of 2.97 m<sup>2</sup> (32 ft<sup>2</sup>) and a maximum height of 3.05 m (10 ft); and
  - v) A commercial advertising sign having a maximum sign area of 2.3 m<sup>2</sup> (25 ft<sup>2</sup>) and a maximum height of 3.05 m (10 ft).
- (f) Special Event/Temporary signs must be removed the day after the special event.

### **1.36 5(10) Temporary Inflatable Signs**

One inflatable sign may be permitted per parcel within any commercial or industrial district provided that:

- (a) Any sign shall be placed wholly within the property lines of the premises to which the sign is referring;
- (b) The maximum time the 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;
- (c) The maximum area of the sign is 20 m<sup>2</sup> (215.29 ft<sup>2</sup>);
- (d) The maximum height of the sign is 15 m (49.2 ft); and
- (e) The sign is not a third party sign.

### **1.37 5(11) Landscaping Specifications**

Unless otherwise stated in the Land Use Bylaw, the following standard of landscaping at the base of any freestanding, permanent sign or billboard sign shall be required:

- (a) The sign base, electrical boxes and/or the base of structural support members shall be covered with topsoil and seeded, or concealed by vegetation contained within a planting bed.
- (b) 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.
- (c) All billboard signs shall have the following standard of landscaping to create a uniformed appearance to the Town:

- i) the vegetation contained within the planting bed shall consist of seven plants: one coniferous tree, one deciduous decorative tree and three shrubs and two spreading junipers, within an edged landscaped bed.

### **1.38 5(12) Removal or Repair of Signs**

- (a) 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 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 approving authority.
  - ii) Restore the immediate area around the sign, to the satisfaction of the approving 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.
- (b) If a person fails or refuses to comply with an order issued under Section 5(13)(a), the Development Authority may take action pursuant to Section 2.8 of Part Two.
- (c) Appeals to actions taken may be made as noted in section 2.7. The sign will not be replaced at the discretion of the CAO/Designate until any appeal has been heard.

## **6. Miscellaneous**

### **1.39 6(1) Home Occupations**

Home occupations shall mean an occupation for gain or support, excluding offices-in-the-home, which shall be an incidental and subordinate use to the principal residential use and shall be restricted to the dwelling unit and accessory buildings. Home occupations shall be limited to those uses which do not interfere with the rights of other residents to quiet enjoyment of the residential neighbourhood. The Applicant shall be a resident of the dwelling in which the home occupation is being carried out. A home occupation shall not be staffed on-site by any person other than a resident of the dwelling.

- (a) Home Representatives

Home representatives shall mean an occupation for gain or support involving more than one representative engaged in the sale of a product line for the same manufacturer.

Two categories of Home representatives are recognized; the main supplier or

distributor and the subsidiary representative. The main supplier or distributor shall be defined as that individual, who leases directly with the manufacturer, and who looks after the interests of other representatives. A subsidiary representative is an individual who submits their product requests to a main representative, but who otherwise would limit the operation to a desk and telephone.

(b) General Guidelines

The following general regulations shall apply to all three types of Occupations in Residential Districts; the Office-In-The-Home, Home Occupations and Home Representative:

- (i) Any form of advertising shall comply with Schedule B, Clause 5 - Signs.
- (ii) The occupation shall not detract from the amenities of a residential neighbourhood by way of creating dangerous or objectionable conditions.
- (iii) There shall be no mechanical or electrical interference in radio or television reception.
- (iv) The occupation shall not generate pedestrian or vehicular traffic or parking, in excess of that which is characteristic of the District in which it is located.
- (v) There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the occupation.
- (vi) A home occupation shall not involve the on-site use and/or storage of hazardous or dangerous goods.
- (vii) The occupation shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling involved.
- (viii) The occupation shall not be permitted in a residence if, in the opinion of the Municipal Planning Commission it would be more appropriately located in a Commercial or Industrial District.
- (ix) A development permit when first issued for an Occupation in a Residential District shall expire on December 31st, of the following calendar year.
- (x) If, at any time, any of the requirements for occupations in Residential Districts are not complied with, the Municipal Planning Commission may suspend or cancel a development permit for that occupation.
- (xi) A home occupation permit does not exempt the Applicant from compliance with Federal or Provincial Health or Licensing regulations or



any other municipal permit requirements.

(xii) When a permit holder moves to another location within the Town limits during the period for which their permit is valid, they shall:

(A) notify the Development Officer of any address change and re-apply at no additional cost;

(B) submit new letters of approval from adjacent neighbours.

(xiii) Not more than one (1) business vehicle used in or for the home occupation shall be parked on-site or any street adjacent thereto.

(c) Special Requirements

(i) The floor space of a Home Occupation should not exceed 27.87 m<sup>2</sup> (300 ft<sup>2</sup>).

(ii) An Office-In-The-Home shall not have any warehousing of saleable goods.

(iii) The Municipal Planning Commission may at their discretion, require a probationary term of not less than six (6) months, for any Occupation in a Residential District. If the Municipal Planning Commission is satisfied that the Occupation in the Residential District still meets the requirements of the Bylaw, then a full term permit may be issued.

(d) The following conditions shall apply for any application classified as a Home Representative:

(i) a development permit when issued for a main distributor, or supplier, shall follow the terms and conditions set out for Home Occupation Permits;

(ii) a development permit when issued for subsidiary representative shall follow the terms and conditions set out for Office-In-The-Home permits;

(iii) notwithstanding Section 6(2)(b)(ix), all development permits issued for a Home Representative shall be reviewed on or before December 31st, of that calendar year;

(iv) only where there is more than one home representative for any particular product line may a subsidiary representative be recognized.

(e) As set by council in the current year "Rates Bylaw"

Penalties

(i) Failure to obtain a License for Home Occupations - \$100.00 per occasion.

- (ii) Other penalties as shown in this Land Use Bylaw.

**1.40 6(2) Swimming Pools**

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

**1.41 6(3) Dangerous Goods**

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

**1.42 6(4) Mechanized Excavation, Stripping and Grading of Parcels**

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

**1.43 6(5) Landscaping, Environmental Conservation and Development**

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

- (a) the conservation of existing trees and shrubs to the maximum extent possible;
- (b) the retention, in their natural state, of
  - (i) swamps, gullies and natural drainage courses,
  - (ii) unstable land,
  - (iii) land with a natural gradient of 15% or greater, and
- (c) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and roads;

- (d) completion of the landscaping by the end of the first full growing season following completion of the construction or commencement of the use.

**1.44 6(6) Municipal Historic Area**

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

**1.45 6(7) Development in Proximity to Oil and Gas Wells**

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

**1.46 6(8) Development Setbacks from Landfills and Waste Sites**

In accordance with the Subdivision and Development Regulation,

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

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

**1.47 6(9) Land Use Policies**

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

**1.48 6(10) Decks**

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 (2.0 ft) above grade.

#### **1.49 6(11) Drainage**

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

#### **1.50 6(12) Accessory Suites**

- (a) Accessory suites may be situated within a detached dwelling or as a separate building in either the rear or side yard of a parcel containing a detached dwelling.
- (b) No parcel shall have more than one (1) accessory suite.
- (c) Accessory suites shall not exceed 65 m<sup>2</sup> (700 ft<sup>2</sup>) in total floor area excluding the area covered by stairways.
- (d) One additional off-street parking space will be provided in accordance with Section 3(1) of Schedule B.
- (e) Accessory suites must meet current Alberta Building Code standards.
- (f) Shall not exceed one storey in height unless it is situated on the second floor of a detached garage.
- (g) Shall be sited so that it is at least:
  - (i) 1.5 m (5 ft) from the side property boundary except that on a corner parcel, the accessory suite shall be no closer to the street than the primary dwelling;
  - (ii) 1.5 m (5 ft) from the rear property boundary when the accessory suite has a blank wall facing that boundary;
  - (iii) 3.0 m (10 ft) from the rear property boundary when the accessory suite has a window opening in the wall facing that boundary;
  - (iv) 2.5 m (8 ft) from the primary dwelling and all other buildings on the parcel.
- (h) Shall be connected to the utilities servicing the primary dwelling.
- (i) Shall be of a design and appearance that is acceptable to the Municipal Planning Commission.

### **1.51 6(13) Bed & Breakfast Establishments**

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

### **7. Guidelines for Other Land Uses**

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

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

## SCHEDULE C: LAND USE DISTRICT REGULATIONS

### SPECIAL LOW DENSITY RESIDENTIAL DISTRICT (R1S)

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General Purpose:	To provide an area for residential development in the form of detached dwellings and compatible uses, herein listed, at densities below the low density district.
Permitted Uses:	Accessory residential buildings Detached dwellings Parks and playgrounds Public Utility buildings
Discretionary Uses:	Accessory suites Accessory uses Bed and breakfast establishments Home occupations Modular homes (with a minimum 5 to 12 roof pitch) Public and quasi-public uses Signs Temporary Residential Sales Centres

The following regulations apply:

Minimum Parcel Area: 0.186 ha (0.460 ac)

Maximum Parcel Coverage: 20%

Minimum Front  
Yard Setback: 7.5 m (24.6 ft)

Minimum Side  
Yard Setback: 4.5 m (14.76 ft)

Minimum Rear  
Yard Setback: 12 m (29.37 ft)

Minimum Front  
Parcel Width: 20 m (65.6 ft)

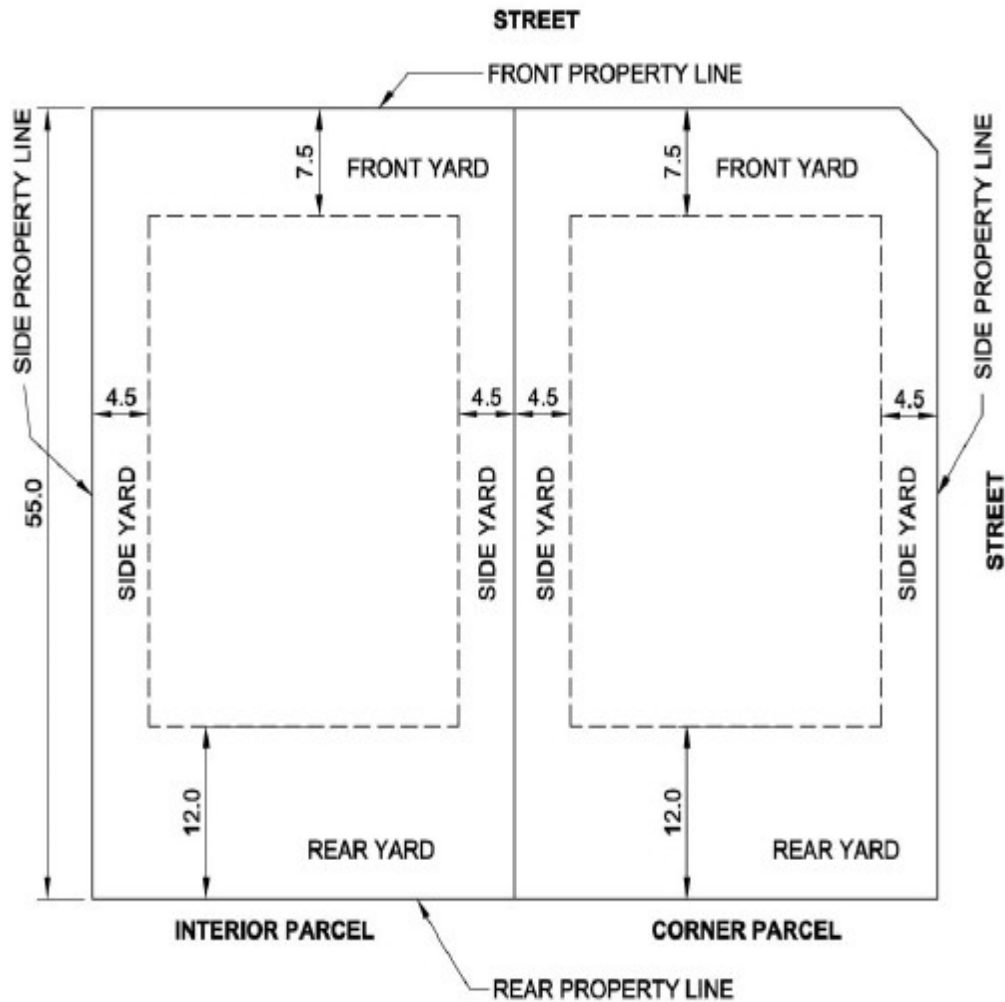
Minimum Parcel Depth: 55 m (180.4 ft)

Maximum Density: One (1) unit per parcel

Maximum Building Height: 10 m (32.8 ft)

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

## R1S - Minimum Requirements For Main Building



1. MINIMUM PARCEL AREA: 0.186 ha (0.460 ac)
2. MINIMUM FRONT YARD: 7.5 m (24.6 ft)
3. MINIMUM SIDE YARD: 4.5 m (14.76 ft)
4. MINIMUM REAR YARD: 12 m (29.37 ft)
5. MINIMUM PARCEL DEPTH: 55 m
6. MAXIMUM PARCEL COVERAGE: 20%

NOTE: THE BUILDABLE AREA SHOWN IN THE ILLUSTRATION SUBSTANTIALLY EXCEEDS THE 20% MAXIMUM PARCEL COVERAGE.

\* ALL DIMENSIONS ARE SHOWN IN METRES (m).

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

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General Purpose:	To provide an area for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.
Permitted Uses:	<ul style="list-style-type: none"> <li>Accessory residential buildings</li> <li>Detached dwellings</li> <li>Parks and playgrounds</li> <li>Public utility buildings</li> </ul>
Discretionary Uses:	<ul style="list-style-type: none"> <li>Accessory suites</li> <li>Accessory uses</li> <li>Adult care residences</li> <li>Bed and breakfast establishments</li> <li>Day care facilities</li> <li>Duplexes existing at the date of passage of this Land Use Bylaw</li> <li>Home occupations</li> <li>Modular homes (with a minimum 5 to 12 roof pitch)</li> <li>Public and quasi-public uses</li> <li>Religious institutions</li> <li>Signs</li> <li>Temporary Residential Sales Centres</li> </ul>

The following regulations apply:

Minimum Front Yard Setback:	Main building: 4 m (13.12 ft) unless MPC requires additional front yard to ensure consistency with existing development in an area Attached garages: 6 m (19.7 ft) excluding the main building				
Maximum Front Yard Setback:	8 m (26.2 ft) for the main building, excluding attached garages				
Minimum Side Yard Setback:	<table> <tr> <td>Interior parcels:</td> <td>1.5 m (4.92 ft)</td> </tr> <tr> <td>Street side of corner parcels:</td> <td>3 m (9.84 ft)</td> </tr> </table>	Interior parcels:	1.5 m (4.92 ft)	Street side of corner parcels:	3 m (9.84 ft)
Interior parcels:	1.5 m (4.92 ft)				
Street side of corner parcels:	3 m (9.84 ft)				
Minimum Rear Yard Setback:	6 m (19.69 ft)				
Minimum Parcel Area:	<table> <tr> <td>Interior Parcels:</td> <td>420 m<sup>2</sup> (4521 ft<sup>2</sup>)</td> </tr> <tr> <td>Corner Parcels:</td> <td>464 m<sup>2</sup> (4994.2 ft<sup>2</sup>)</td> </tr> </table>	Interior Parcels:	420 m <sup>2</sup> (4521 ft <sup>2</sup> )	Corner Parcels:	464 m <sup>2</sup> (4994.2 ft <sup>2</sup> )
Interior Parcels:	420 m <sup>2</sup> (4521 ft <sup>2</sup> )				
Corner Parcels:	464 m <sup>2</sup> (4994.2 ft <sup>2</sup> )				



Minimum Parcel Width:	Interior parcels:	13 m (42.65 ft)
	Corner parcels:	14.5 m (47.57 ft)
	Parcels fronting onto the bulb of a cul-de-sac:	11.0 m (36.1 ft) frontage

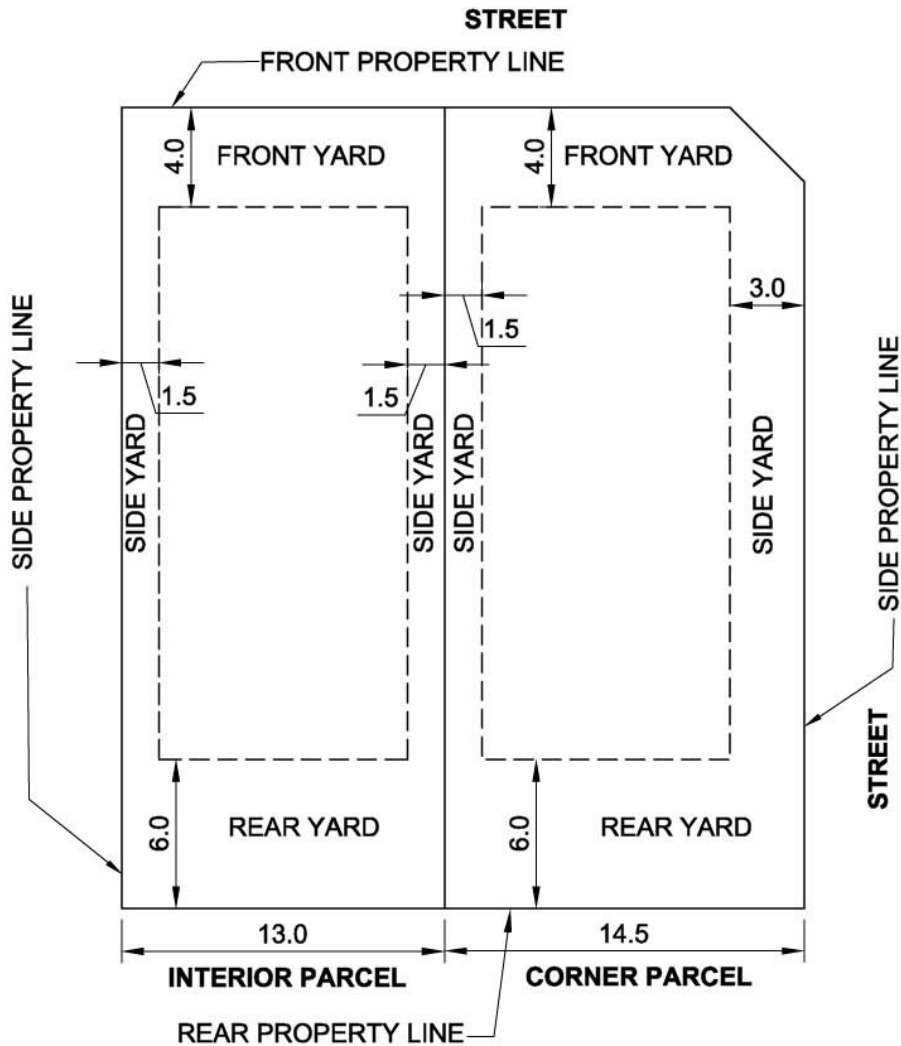
Maximum Parcel Coverage: 55%

Maximum Density: One (1) unit per parcel

Maximum Building Height: 10 m (32.8 ft)

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

# R1 - Minimum Requirements For Main Building



- |                             |  |
|-----------------------------|--|
| 1. MINIMUM FRONT YARD:      | 4 m (13.1 ft)  |
| 2. MAXIMUM FRONT YARD:      | 8 m (26.2 ft)  |
| 3. MINIMUM SIDE YARD:       | INTERIOR PARCELS 1.5 m (4.9 ft)<br>STREET SIDE OF CORNER PARCELS 3 m (9.8 ft)  |
| 4. MINIMUM REAR YARD:       | 6 m (19.7 ft)  |
| 5. MINIMUM PARCEL AREA:     | INTERIOR PARCELS 420 m <sup>2</sup> (4,520.9 ft <sup>2</sup> )<br>CORNER PARCELS 464 m <sup>2</sup> (4,994.5 ft <sup>2</sup> ) |
| 6. MINIMUM PARCEL WIDTH:    | INTERIOR PARCELS 13 m (33 ft)<br>CORNER PARCELS 14.5 m (36.8 ft)   |
| 7. MAXIMUM PARCEL COVERAGE: | 55%  |

NOTE: THE BUILDABLE AREA SHOWN IN THE ILLUSTRATION SUBSTANTIALLY EXCEEDS THE 55% MAXIMUM PARCEL COVERAGE.

\* ALL DIMENSIONS ARE SHOWN IN METRES (m).

## NARROW PARCEL RESIDENTIAL DISTRICT (R1N)

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General Purpose: To provide an area for narrow parcel single family residential development and compatible uses, herein listed which are connected to the municipal water and sewer systems

Permitted Uses: Accessory residential buildings  
Detached dwellings  
Parks and playgrounds  
Public utility buildings

Discretionary Uses: Accessory uses  
Day care facilities  
Home occupations  
Public and quasi-public uses  
Signs  
Temporary Residential Sales Centres

The following regulations apply:

Minimum Front Yard Setback: Main building:  
4 m (13.12 ft) unless MPC requires additional front yard to ensure consistency with existing development in an area

Attached garages:  
6 m (19.7 ft) excluding the main building

Maximum Front Yard Setback: 8 m (26.2 ft) for the main building, excluding attached garages

Minimum Side Yard Setback: Interior parcels: 1.5 m (4.92 ft)  
Street side of corner parcels: 3 m (9.84 ft)

Minimum Rear Yard Setback: 6 m (19.69 ft)

Minimum Parcel Area: Interior parcels: 313 m<sup>2</sup> (3360 ft<sup>2</sup>)  
Corner parcels: 360.7 m<sup>2</sup> (3882.7 ft<sup>2</sup>)

Minimum Parcel Width: Interior parcels: 9 m (29.5 ft)  
Corner parcels: 10.5 m (34.4 ft)

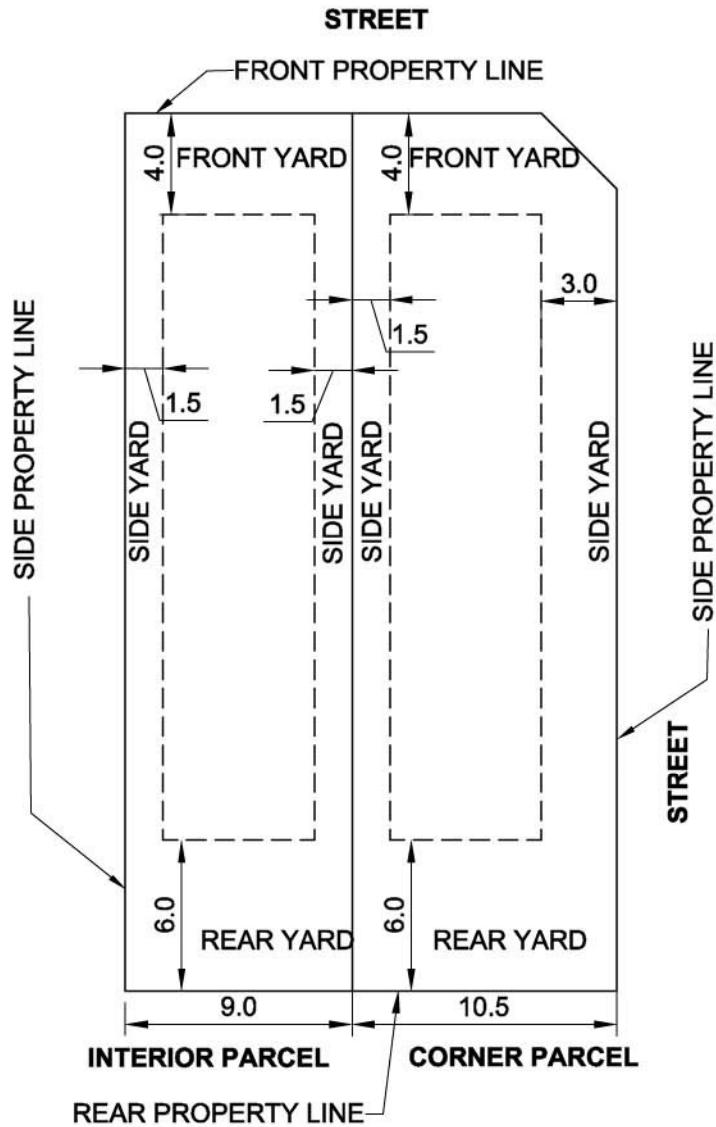
Maximum Parcel Coverage: 55%

Maximum Density: One (1) unit per parcel

Maximum Building Height: 10 m (32.8 ft)

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

# R1N - Minimum Requirements For Main Building



- |                             |  |
|-----------------------------|--|
| 1. MINIMUM FRONT YARD:      | 4 m (13.1 ft)  |
| 2. MAXIMUM FRONT YARD:      | 8 m (26.2 ft)  |
| 3. MINIMUM SIDE YARD:       | INTERIOR PARCELS 1.5 m (4.9 ft)<br>STREET SIDE OF CORNER PARCELS 3 m (9.8 ft)  |
| 4. MINIMUM REAR YARD:       | 6 m (19.7 ft)  |
| 5. MINIMUM PARCEL AREA:     | INTERIOR PARCELS 313 m <sup>2</sup> (3360 ft <sup>2</sup> )<br>CORNER PARCELS 360.7 m <sup>2</sup> (3882.6 ft <sup>2</sup> ) |
| 6. MINIMUM PARCEL WIDTH:    | INTERIOR PARCELS 9 m (29.5 ft)<br>CORNER PARCELS 10.5 m (34.4 ft)  |
| 7. MAXIMUM PARCEL COVERAGE: | 55%  |

NOTE: THE BUILDABLE AREA SHOWN IN THE ILLUSTRATION SUBSTANTIALLY EXCEEDS THE 55% MAXIMUM PARCEL COVERAGE.

\* ALL DIMENSIONS ARE SHOWN IN METRES (m).

## MODULAR HOME RESIDENTIAL DISTRICT (R1M)

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General Purpose:	To provide an area for low density residential development in the form of modular homes and detached dwellings, which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory residential buildings Detached dwellings Modular homes Parks and playgrounds Public utility buildings
Discretionary Uses:	Accessory uses Adult care residences Day care facilities Home occupations Public and quasi-public uses Religious institutions Signs Temporary Residential Sales Centres

The following regulations apply to detached dwellings and modular homes:

Minimum Front Yard Setback:	Main building: 4 m (13.12 ft) unless MPC requires additional front yard to ensure consistency with existing development in an area Attached garages: 6 m (19.7 ft) excluding the main building
Maximum Front Yard Setback:	8 m (26.2 ft) for the main building, excluding attached garages
Minimum Side Yard Setback:	Interior parcels: 1.5 m (4.92 ft) Street side of corner parcels: 3 m (9.84 ft)
Minimum Rear Yard Setback:	6 m (19.69 ft)
Minimum Parcel Area:	Interior Parcels: 350 m <sup>2</sup> (3767.5 ft <sup>2</sup> ) Corner Parcels: 393.2 m <sup>2</sup> (4232.5 ft <sup>2</sup> )
Minimum Parcel Width:	Interior parcels: 11 m (36.1 ft) Corner parcels: 12.5 m (41.0 ft)
Maximum Parcel Coverage:	55%

Maximum Density: One (1) unit per parcel

Maximum Building Height: 10 m (32.8 ft)

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

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

---

General Purpose: To provide an area for low density residential development in the form of single-detached, semi-detached and duplex dwellings, all of which are connected to the municipal sewer and water systems.

Permitted Uses: Accessory residential buildings  
Detached dwellings  
Duplexes  
Parks and playgrounds  
Public utility buildings  
Semi-detached dwellings

Discretionary Uses: Accessory suites (located only on the same parcel as detached dwellings)  
Accessory uses  
Adult care residences  
Bed and breakfast establishments  
Boarding and rooming houses  
Day care facilities  
Home occupations  
Modular homes (with a minimum 5:12 roof pitch)  
Public and quasi-public uses  
Religious institutions  
Temporary Residential Sales Centres

The following regulations apply:

Minimum Front Yard Setback: Main building:  
4 m (13.12 ft) unless MPC requires additional front yard to ensure consistency with existing development in an area  
Attached garages:  
6 m (19.7 ft) excluding the main building

Maximum Front Yard Setback: 8 m (26.2 ft) for the main building, excluding attached garages

Minimum Side Yard Setback: Interior parcels: 1.5 m (4.92 ft)  
Street side of corner parcels: 3 m (9.84 ft)

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.



Minimum Rear  
Yard Setback: 6.0 m (19.7 ft)

Minimum Parcel Area: Detached dwellings:  
Interior parcels: 375 m<sup>2</sup> (4036.6 ft<sup>2</sup>)  
Corner parcels: 433 m<sup>2</sup> (4660.9 ft<sup>2</sup>)

Semi-detached dwellings and duplexes:  
Interior parcels: 470 m<sup>2</sup> (5059.2 ft<sup>2</sup>)  
Corner parcels: 512 m<sup>2</sup> (5511.3 ft<sup>2</sup>)  
If a parcel containing a semi-detached dwelling is  
subsequently subdivided, a minimum area of 235 m<sup>2</sup>  
(2529.6 ft<sup>2</sup>) must be provided for each dwelling unit.

All other uses at the discretion of the MPC

Minimum Parcel Width: Detached dwellings:  
Interior parcels: 9 m (29.5 ft)  
Corner parcels: 10.5 m (34.4 ft)

Semi-detached dwellings and duplexes:  
Interior parcels: 15 m (49.2 ft)  
Corner parcels: 16.5 m (54.1 ft)  
If a parcel containing a semi-detached dwelling is  
subsequently subdivided, a minimum parcel width of 7.5 m  
(24.6 ft) must be provided for each dwelling unit.

All other uses at the discretion of the MPC

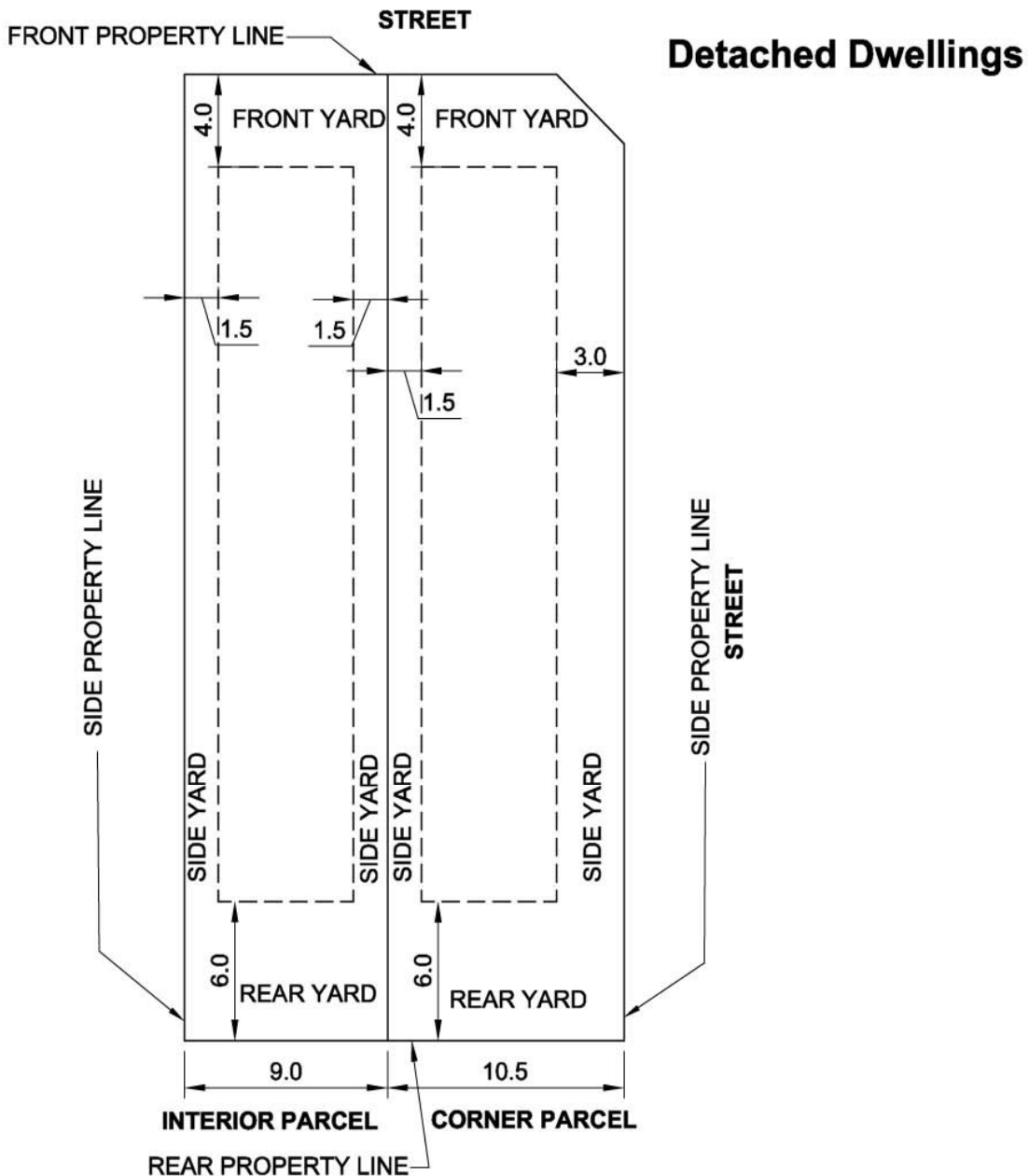
Maximum Parcel Coverage: 50%

Maximum Density: Two (2) units per parcel

Maximum Building Height: 10 m (32.8 ft)

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

## R2 - Minimum Requirements For Main Building



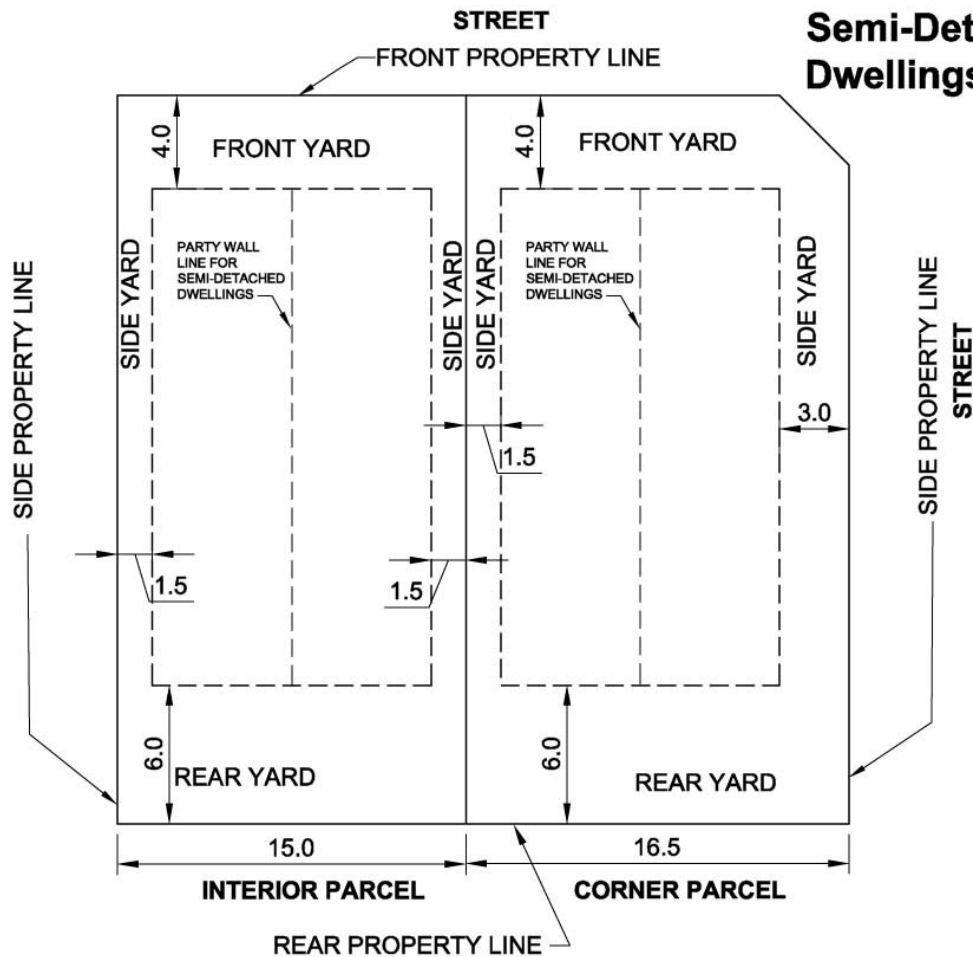
- |                             |   |
|-----------------------------|---|
| 1. MINIMUM FRONT YARD:      | 4 m (13.1 ft)   |
| 2. MAXIMUM FRONT YARD:      | 8 m (26.2 ft)   |
| 3. MINIMUM SIDE YARD:       | INTERIOR PARCELS 1.5 m (4.9 ft)<br>STREET SIDE OF CORNER PARCELS 3 m (9.8 ft)   |
| 4. MINIMUM REAR YARD:       | 6 m (19.7 ft)   |
| 5. MINIMUM PARCEL AREA:     | INTERIOR PARCELS 375 m <sup>2</sup> (4036.6 ft <sup>2</sup> )<br>CORNER PARCELS 433 m <sup>2</sup> (4660.8ft <sup>2</sup> ) |
| 6. MINIMUM PARCEL WIDTH:    | INTERIOR PARCELS 9 m (29.5 ft)<br>CORNER PARCELS 10.5 m (34.4 ft)   |
| 7. MAXIMUM PARCEL COVERAGE: | 50%   |

NOTE: THE BUILDABLE AREA SHOWN IN THE ILLUSTRATION SUBSTANTIALLY EXCEEDS THE 50% MAXIMUM PARCEL COVERAGE.

\* ALL DIMENSIONS ARE SHOWN IN METRES (m).

## R2 - Minimum Requirements For Main Building

### Semi-Detached Dwellings & Duplexes



- |                             |  |
|-----------------------------|--|
| 1. MINIMUM FRONT YARD:      | 4 m (13.1 ft)  |
| 2. MAXIMUM FRONT YARD :     | 8 m (26.2 ft)  |
| 3. MINIMUM SIDE YARD:       | INTERIOR PARCELS 1.5 m (4.9 ft)<br>STREET SIDE OF CORNER PARCELS 3 m (9.8 ft).   |
| 4. MINIMUM REAR YARD:       | 6 m (19.7 ft)  |
| 5. MINIMUM PARCEL AREA:     | INTERIOR PARCELS 470 m <sup>2</sup> (5059.2 ft <sup>2</sup> )<br>CORNER PARCELS 512 m <sup>2</sup> (5511.3 ft <sup>2</sup> ) |
| 6. MINIMUM PARCEL WIDTH:    | INTERIOR PARCELS 15 m (49.2 ft)<br>CORNER PARCELS 16.5 m (54.1 ft)   |
| 7. MAXIMUM PARCEL COVERAGE: | 50%  |

NOTE: THE BUILDABLE AREA SHOWN IN THE ILLUSTRATION SUBSTANTIALLY EXCEEDS THE 50% MAXIMUM PARCEL COVERAGE.

\* ALL DIMENSIONS ARE SHOWN IN METRES (m).

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

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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.
Permitted Uses:	Accessory residential buildings Detached dwellings Duplexes Parks and playgrounds Public utility buildings Semi-detached dwellings
Discretionary Uses:	Accessory uses Adult care residence Attached dwellings Bed and breakfast establishments Day care facilities Four-plexes Home occupations Multiple housing developments Public and quasi-public buildings and uses Religious Institutions Row housing Signs Six-plexes Temporary Residential Sales Centres

The following regulations apply except for duplexes and detached and semi-detached dwellings (which shall follow the regulations set out in the R2 District):

Minimum Front Yard Setback: 4 m (13.12 ft) unless MPC requires additional front yard to ensure consistency with existing development in an area. 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.

Minimum Side Yard Setback:

Four-plexes:	
Interior parcels:	1.5 m (4.9 ft)
Street side of corner parcels:	3 m (9.8 ft)
Six-plexes:	
Interior parcels:	3 m (9.8 ft)
Street side of	

	corner parcels:	4.5 m (14.8 ft)
Row housing:	Interior parcels:	1.5 m (4.9 ft)
	Street side of corner parcels:	3 m (9.8 ft)
	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.	
Minimum Rear Yard Setback:		6 m (19.7 ft)
Minimum Parcel Area:	Row housing:	185 m <sup>2</sup> (1991.3 ft <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.	
	Four-plexes	165 m <sup>2</sup> (1776 ft <sup>2</sup> ) per dwelling unit
	Six-plexes:	142.8 m <sup>2</sup> (1537 ft <sup>2</sup> ) per dwelling unit
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 (19.7 ft) for each internal unit
		(b) 7.5 m (24.6 ft) for each end unit
		(c) 9 m (29.5 ft) for each end unit abutting a street
Maximum Parcel Coverage:	50%	
Maximum Density:	70 units per net hectare (28.3 units per net acre)	
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.	
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> (80.7 ft <sup>2</sup> ) with no dimension less than 2 m (6.6 ft)	
	(c) in the form of a balcony, deck, patio or soft/hard landscaped areas	

Minimum Requirements for  
Multiple Housing  
Developments:

Unless otherwise referenced above, the following shall apply:

- (a) Attached dwellings shall not be setback less than 6 m (19.7 ft) from any property boundary or another attached dwelling within multiple housing developments
- (b) Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the Alberta Building Code, whichever is greater

Maximum Building Height: 12 m (39.4 ft) with a maximum of three (3) floors

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

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

---

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.
Permitted Uses:	Accessory residential buildings Parks and playgrounds Public utility buildings
Discretionary Uses:	Accessory uses Apartments Attached dwellings Day care facilities Four-plexes Home occupations Multiple housing developments Public and quasi-public buildings and uses Religious institutions Row housing Signs Six-plexes Temporary Residential Sales Centres

The following regulations shall apply except for attached dwellings, four-plexes, six-plexes and row housing (which shall follow the regulations set out in the R3 District):

Minimum Front Yard Setback:	Apartments: 4 m (13.12 ft) unless MPC requires additional front yard to ensure consistency with existing development in an area Mixed use developments: None. Attached garages and vehicular parking shall not be permitted within the front yard of apartments and multiple housing developments.
Minimum Side Yard Setback:	Interior parcels: 3 m (9.8 ft) Street side of corner parcels: 4.5 m (14.8 ft)
Minimum Rear Yard Setback:	7.5 m (24.6 ft)
Maximum Parcel Coverage:	55%

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.

Maximum Density: 99 units per net hectare (40 units per net acre)

Minimum Amenity Space: (a) The required minimum amenity space is 5 m<sup>2</sup> (53.8 ft<sup>2</sup>) per unit and may be provided in the form of private or common amenity space  
(b) Private amenity space must be in the form of a balcony, deck or patio with no dimension less than 2 m (6.6 ft)  
(c) Common amenity space must be accessible from all the units, must have a contiguous area of not less than 50 m<sup>2</sup> (538.2 ft<sup>2</sup>) with no dimension less than 6 m (19.7 ft), must not be located in a required setback area and when provided as part of a multiple housing development, must be located at grade

Minimum Requirements for Multiple Housing Developments:

(a) Buildings shall not be setback less than 6 m (19.7 ft) from any property boundary and another building within multiple housing developments  
(b) Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the Alberta Building Code, whichever is greater

Maximum Building Height: 12 m (39.4 ft) with a maximum of three (3) floors

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



## MANUFACTURED HOME DISTRICT (RMH)

---

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.

Permitted Uses: Accessory residential buildings/structures  
Manufactured homes  
Manufactured home park  
Modular homes  
Parks and playgrounds  
Public utility buildings

Discretionary Uses: Accessory uses  
Day care facilities  
Home occupations  
Public and quasi-public uses  
Signs  
Temporary Residential Sales Centres

In this District,

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

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

### (1) Manufactured Home Park Standards

Maximum Gross Density: 32 manufactured homes per hectare (12.95 per acre)

Minimum Park Area: 2 hectares (4.94 acres)

Maximum Park Area: 20 hectares (49.4 acres)

Recreation Area: A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Officer/Municipal Planning Commission.

Roadways: All manufactured home park roads shall have at least a 12 m (39.37 ft) right-of-way and a carriageway no less than 8 m (26.25

Walkways:	ft) in width. Internal pedestrian walkways, where provided, shall be a minimum of 2.5 m (8.22 ft) in width.
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.  Such storage areas shall have an area of not less than 20 m <sup>2</sup> (215.29 ft <sup>2</sup> ) per manufactured home lot.
Utilities:	All utility services and all utility wires and conduits shall be installed underground.
Fences and Lot Lines:	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. All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system.
Minimum Yard Requirements:	Manufactured homes and their attached structures shall be at least: <ul style="list-style-type: none"> <li>i) 4.5 m (14.76 ft) from one another</li> <li>ii) 7 m (22.97 ft) from any park boundary</li> <li>iii) 3 m (9.84 ft) from any internal access road or common parking area</li> <li>iv) 1.5 m (4.92 ft) from any side lot line</li> <li>v) 4.5 m (14.76 ft) from any rear lot line</li> </ul>
Minimum Lot Area:	As determined by the size of the manufactured home units and the lot coverage and minimum yard requirements specified in this Section.
Maximum Lot Coverage:	55%
Building Design:	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. Each manufactured home shall be levelled, blocked and skirted, and the hitch skirted within 30 days of being placed on a lot.
Minimum Manufactured Home Width:	3.5 m (11.48 ft)

Minimum Manufactured Home  
Floor Area:

(2) 65 m<sup>2</sup> (699.68 ft<sup>2</sup>)  
Manufactured Home Subdivision Standards

The following regulations apply to a manufactured home subdivision:

Minimum Yard  
Requirements:

Manufactured homes and their attached structures shall be at least:

- i) 6 m (19.69 ft) from one another
- ii) 6 m (19.69 ft) from the front parcel boundary
- ii) 3 m (9.84 ft) from the rear parcel boundary
- iv) 1.5 m (4.92 ft) from the side parcel boundary except on a corner parcel where the side yard abutting a public roadway shall be at least 3 m (9.84 ft)

Minimum Parcel Area: Interior parcels 460 m<sup>2</sup> (4,951.6 ft<sup>2</sup>)  
Corner parcels 510 m<sup>2</sup> (5,489.8 ft<sup>2</sup>)

Maximum Parcel Coverage: 55%

Minimum Parcel Width: 6.5 m (21.3 ft)

Manufactured Home  
Design:

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

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

1. A minimum roof pitch of 3.5:12
2. A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
3. A minimum roof overhang or eaves of 0.45 m (1.48 ft.) from each external wall
4. A maximum length to width ratio of 3:1
5. A minimum width of 4.25 m (13.94 ft)
6. A permanent foundation
7. A minimum floor area of 65 m<sup>2</sup> (699.68 ft<sup>2</sup>)
8. A maximum building height of 8 m (27.1 ft).

Servicing: Each parcel shall have separately regulated and metered municipal servicing.

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

## CENTRAL COMMERCIAL DISTRICT (C1)

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

**Permitted Uses:** Eating establishments  
Financial Institutions  
Medical clinics  
Offices  
Office support services  
Personal services  
Retail stores

**Discretionary Uses:** Accessory uses  
Bus depots  
Commercial recreation and entertainment facilities  
Day care facilities  
Drinking establishment  
Dwelling units above the ground floor  
Food caterers  
Funeral homes  
Mixed use developments  
Parking facilities  
Public and quasi-public uses  
Public Utility buildings  
Repair services  
Signs  
**Specialty food store**

The following regulations apply:

**Minimum Front Yard:** No minimum requirement.  
Vehicular parking shall not be permitted within the front yard of mixed use developments.

**Minimum Side Yard:** No minimum requirement.

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

**Maximum Parcel Coverage:** 100%

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

Maximum Building Height: 12 m (39.4 ft)

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

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

## NEIGHBOURHOOD COMMERCIAL DISTRICT (C1A)

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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.
Permitted Uses:	Neighbourhood convenience stores Parks and playgrounds Personal services Public utility buildings
Discretionary Uses:	Accessory uses Drinking establishments Drive-in business Eating establishments Financial Institutions Gas bar Medical clinic Mixed use developments Offices Parking facilities Public and quasi-public uses Repair services Retail stores Signs Specialty food store

The following regulations apply:

Minimum Front Yard:	No minimum requirement. Vehicular parking shall not be permitted within the front yard of mixed use developments.
Minimum Side Yard:	(a) 6 m (19.7 ft) for a side yard adjacent to a residential parcel (b) 3 m (9.8 ft) for a side yard on the street side of a corner parcel (c) 1.5 m (4.9 ft) for all other parcels (d) none at the discretion of MPC
Minimum Rear Yard:	7.5 m (24.6 ft)
Maximum Parcel Area:	4047 m <sup>2</sup> (1 ac)
Maximum Parcel Coverage:	80%
Outdoor Storage & Display:	Outdoor storage and display is not permitted

Maximum Building Height: 12 m (39.4 ft)

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

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



## COMMERCIAL SERVICE DISTRICT (C2)

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General Purpose:	To provide for a range of commercial, entertainment and professional office development in an attractive and comprehensively planned shopping centre environment.
Permitted Uses:	Eating establishments Financial Institutions Food caterers Medical clinics Neighbourhood convenience stores Offices Office support services Parks and playgrounds Personal services Public utility buildings Retail stores Wholesale distributors Signs
Discretionary Uses:	Accessory uses Car and truck washing establishments Commercial recreation and entertainment facilities Drinking establishments Drive-in businesses Gas bars Hotels Retail stores Dwelling unit for the occupancy of the owner, operator or caretaker Parking facilities Public and quasi-public uses Repair services Sales and service outlets for automobiles, trucks, recreation vehicles and manufactured homes <b>Specialty food store</b> Supermarkets

The following regulations apply:

Minimum Front Yard:	6 m (19.69 ft)
Minimum Side Yard:	2 m (6.56 ft), or 6 m (19.7 ft) where adjacent to a residential parcel
Minimum Rear Yard:	6 m (19.69 ft)
Minimum Parcel Frontage:	12 m (39.37 ft)
Maximum Parcel Coverage:	80%

Outdoor Storage  
and Display:

1. All outdoor storage shall be screened.
2. All outdoor display shall be screened from residential Districts.

Maximum Building Height: 12 m (39.4 ft)

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

## HIGHWAY COMMERCIAL DISTRICT (C3)

---

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.

Permitted Uses: Car and truck washing establishments  
Drive-in businesses  
Gas bars  
Parks  
Personal services  
Public utility buildings  
Retail stores  
Supermarkets

Discretionary Uses: Accessory uses  
Auction marts  
Commercial recreation and entertainment facilities  
District shopping centres  
Drive-in theatres  
Dwelling unit for the occupancy of the owner, operator or caretaker  
Funeral homes  
Greenhouses, commercial  
Hotels  
Parking facilities  
Public and quasi-public uses  
Repair services  
Sales and service outlets for automobiles, trucks, recreation vehicles and manufactured homes  
Sales and service outlets for farm and industrial equipment  
Signs  
Specialty food store

The following regulations apply:

Minimum Front Yard: 9 m (29.53 ft) adjacent to service or local road  
Minimum Side Yard: 3 m (9.84 ft), or 6 m (19.7 ft) where adjacent to a residential parcel  
Minimum Rear Yard: 6 m (19.69 ft)  
Minimum Parcel Frontage: 15 m (49.21 ft) adjacent to a service or local road  
46 m (150.92 ft) without a service road

Maximum Parcel Coverage: 80%

Outdoor Storage and Display: 

1. All outdoor storage shall be screened
2. All outdoor display shall be screened from residential districts.

Maximum Building Height: 12 m (39.4 ft)

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

## LIGHT INDUSTRIAL DISTRICT (I1)

---

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.

Permitted Uses: Antenna structures  
Arts and crafts studios  
Building supply centres  
Car and truck washing establishments  
Gas bars  
Greenhouses, commercial  
Industrial service shops  
Light manufacturing  
Office support services  
Offices  
Parks  
Public utility buildings  
Recreational facilities  
Recycling depots  
Research facilities  
Sales and service outlet for automobiles, trucks, recreation vehicles or manufactured homes  
Sales/lot information centres  
Trucking establishments  
Veterinary clinic  
Warehousing  
All permitted uses in the C2 District

Discretionary Uses: Accessory uses  
Auction marts  
Automotive Parts Sales  
Automotive Storage  
Bulk fuel storage and distribution facilities  
Food processing and packaging  
Greenhouses (wholesale only)  
Lumber Yards  
Open storage yards  
Parking facilities for uses in this District  
Public and quasi-public uses  
Repair services  
Sales and service outlets for farm equipment  
Signs  
Solid waste transfer station

The following regulations apply:

Minimum Front Yard: 6 m (19.7 ft)

Minimum Side Yard:	Interior parcels:	3 m (9.8 ft), or 6 m (19.7 ft) where adjacent to a residential or PFR parcel
	Street side of corners parcels:	6 m (19.7 ft)
Minimum Rear Yard:		6 m (19.69 ft)
Minimum Parcel Frontage:		15 m (49.21 ft), except where abutting a highway without a service road, in which case 30 m (98.43 ft) shall be required.
Maximum Parcel Coverage:		80%
Landscape Requirements:		Soft landscaping shall be provided within the boulevard and at a minimum depth of 6 m (19.7 ft) from the front property line along the frontage of the parcel.
Maximum Building Height:		12 m (39.4 ft)
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, earthborne vibrations, heat, or high brightness light sources.
Parking:		Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority.
Supplementary Regulations:		All uses must also comply with the regulations in Schedule B.

## MEDIUM INDUSTRIAL DISTRICT (I2)

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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.

Permitted Uses: Antenna Structures  
Light manufacturing  
Municipal shops and storage yards  
Parks  
Public utility buildings  
Veterinary clinics  
Warehousing  
All permitted uses in the I1 and C2 Districts

Discretionary Uses: Accessory uses and buildings  
Auto wrecking yards  
Bulk fuel storage and distribution facility  
Cartage and freight terminals  
Feed mills and grain elevators  
Food processing and packaging  
Heavy equipment assembly, sales and services  
Livestock auction markets  
Non-renewable resource extraction  
Open storage yards  
Parking facilities for uses in this District  
Public and quasi-public uses  
Railway uses  
Repair services  
Sales and service outlets for farm equipment  
Seed cleaning plants  
Signs  
Solid waste transfer stations  
Utility uses  
Veterinary hospitals and clinics

The following regulations apply:

Minimum Front Yard: 6 m (19.7 ft)

Minimum Side Yard: Interior parcels: 3 m (9.8 ft), or 6 m (19.7 ft) where adjacent to a residential or PFR parcel  
Street side of corners parcels: 6 m (19.7 ft)

Minimum Rear Yard: 6 m (19.69 ft)

Minimum Parcel Frontage: 15 m (49.21 ft), except where abutting a highway without a service

road, in which case 30 m (98.43 ft) shall be required.

Maximum Parcel Coverage: 80%

Landscape Requirements: Soft landscaping at a minimum depth of 6 m (19.7 ft) from the front property line along the frontage of the parcel.

Maximum Building Height: 12 m (39.4 ft)

Performance Standards: No use or operation shall cause or create conditions that may be objectionable beyond the boundaries of the I2 District.

Parking: Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority.

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



## **PUBLIC FACILITY & RECREATION DISTRICT (PFR)**

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

Permitted Uses: Parks and playgrounds  
Public utility buildings  
Recreation facilities  
Schools, public or separate

Discretionary Uses: Accessory uses  
Campgrounds  
Cemeteries (public)  
Golf courses  
Parking facilities (public)  
Public and quasi-public uses  
Schools, private  
Signs (public)

The following regulations apply:

Minimum Front Yard: 9 m (29.53 ft)

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

Minimum Rear Yard: 6 m (19.69 ft)

Maximum Parcel Coverage: 80%

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

Maximum Building Height: 12 m (39.37 ft)

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

## URBAN RESERVE DISTRICT (UR)

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

- (a) be applied to lands that are awaiting urban development and utility servicing;
- (b) protect lands for future urban forms of development and density by restricting premature subdivision and development of parcels of land;
- (c) 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
- (d) accommodate extensive agricultural uses prior to development to urban uses.

Permitted Uses: Detached dwellings  
Home occupations  
Farms and farming operations, excluding feedlots  
Public utility buildings

Discretionary Uses: Accessory uses  
Existing residence and other related improvements  
Signs  
Uses that will not, in the opinion of the Municipal Planning Commission,  

- (1) materially alter the use of the land from that existing on the date the land was designated to this Land Use District, or
- (2) conflict with future urban expansion

The following regulations apply:

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

Outdoor Storage and Display: 

- 1. Outdoor storage shall be screened
- 2. Outdoor display shall be screened from residential Districts

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

## DIRECT CONTROL DISTRICT (DC)

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General Purpose:	Direct Control Districts enable Council to exercise particular control over the use and development of land or buildings within designated areas of the Town. Direct Control Districts shall only be used for the purpose of providing for developments that, due to their unique characteristics, innovative ideas or unusual site constraints, require specific regulation unavailable in other land use districts.
Requirements, Standards and Decisions:	<p>(1) Uses allowed in a Direct Control District and standards of development shall be at the discretion of Council.</p> <p>(2) Direct Control Districts should not be used:</p> <p>(a) 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</p> <p>(b) to regulate matters that are regulated by subdivision or development permit approval conditions.</p>
Schedule 'D'	All direct control districts adopted by Council shall be included in Schedule 'D' of this Bylaw. All districts shall be titled 'Direct Control District' followed by a specific name or reference number, which shall be the next in a series of sequential numbers of the direct control districts.

## SCHEDULE D: DIRECT CONTROL DISTRICT REGULATIONS

### DIRECT CONTROL DISTRICT - BUSINESS PARK DISTRICT (DCBP)

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**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.

**Permitted Uses:** Antenna structures  
Commercial recreation and entertainment facilities  
Eating establishments  
Financial Institutions  
Offices  
Office Support Services  
Parks  
Public utility buildings  
Recreational facilities  
Research facilities  
Schools, commercial

**Discretionary Uses:** Accessory buildings and uses  
Day care facilities  
Drinking establishments  
Food caterers  
Greenhouses, commercial  
Hotels  
Light manufacturing  
Motion picture/audio production facilities  
Personal services  
Private clubs and lodges  
Public and quasi-public buildings and uses  
Signs  
Veterinary Clinics

The following regulations apply:

**Minimum Front Yard:** 6 m (19.7 ft)

**Minimum Side Yard:** Interior parcels: 3 m (9.8 ft), or 6 m (19.7 ft) where adjacent to a residential or PFR parcel  
Street side of corners parcels: 6 m (19.7 ft)

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

**Minimum Parcel Frontage:** 15 m (49.21 ft), except where abutting a highway without a service

road, in which case 30 m (98.43 ft) shall be required.

Maximum Parcel Coverage: 80%

Maximum Building Height: 12 m (39. 4 ft)

Landscape Requirements: Soft landscaping shall be provided at a minimum depth of 6 m (19.7 ft) from the front property line along the frontage of the parcel. A minimum of 20% of the parcel shall be landscaped.

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.

Outside Storage and display: Outside storage and display is not permitted

Parking: Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority.

Connectivity: Pedestrian pathway connections to and between buildings shall be provided.

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

## DIRECT CONTROL DISTRICT - 1 (DC1)

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General Purpose:	To provide for a range of agricultural uses engaged in production and distribution of products, which may require an indoor storage component.
Permitted Uses:	Building supply centres Greenhouses, commercial Light manufacturing Office support services Offices Public utility buildings Warehousing
Discretionary Uses:	Agri-food services Accessory uses Detached dwellings Greenhouses (wholesale only) Lumber Yards Open storage yards Parking facilities for uses in this District Signs
General Regulations:	<p>The Subdivision Authority shall be responsible for decisions regarding subdivision applications affecting the land subject of this Bylaw.</p> <p>The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.</p> <p>Part One (General), and Part Two (Development Permits, Contravention and Appeal) of the Land Use Bylaw No. 2007 shall apply unless otherwise specified in this Bylaw.</p>
The following regulations apply:	
Minimum Front Yard:	6 m (19.7 ft)
Minimum Side Yard:	6 m (19.7 ft)
Minimum Rear Yard:	6 m (19.7 ft)
Maximum Parcel Coverage:	80%
Maximum Number of Dwelling Units:	1 (one)

Landscape Requirements: Soft landscaping shall be provided within the boulevard and at a minimum depth of 6 m (19.7 ft) from the front property line along the frontage of the parcel.

Maximum Building Height: 12 m (39.4 ft)

Performance Standards: 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, earthborne vibrations, heat, or high brightness light sources.

The Development Authority shall have regard to the most current *Guidelines for New Development in Proximity to Railway Operations* when considering applications for development.

Parking: Where parking is located in the front yard, the parking area shall be adequately landscaped to the satisfaction of the Development Authority and shall comply with the “Industry” parking provisions in Schedule B, of the Land Use Bylaw No. 2007.

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

All development permit applications on the subject parcel shall be circulated to the right-of-way holder / pipeline operator for review and comment.

Definitions: “Agri-food service” means a service that engages in 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 shall have minimal off-site impacts. This may include, but is not limited to, services such as flour mills, aquaculture, packaged food production, etc.