



# **TOWN OF BENTLEY**

## **LAND USE BYLAW NO. 189/2016**

Consolidation with Amendments  
Pursuant to By-law 193/2017



## **HOW TO USE THIS BYLAW**

The Town of Bentley Land Use Bylaw establishes the regulations which govern how land and buildings can be developed in our Town. The regulations vary depending on where the land is located and what kind of development is proposed.

If you are not sure you understand the regulations, or if you would like someone to guide you through the process, simply call the Town Office at 403.748.4044 or visit us at 4918 - 50th Avenue, Bentley

### **Step 1**

Locate the property in question on the Land Use Map attached as Schedule A: Land Use District Map on page 43 of this Bylaw.

The map divides the Town into Land Use Districts. Each District has a land use designation such as Low Density Residential District (R1), or General Commercial District (C). Note which Land Use District the property is located in.

### **Step 2**

Check the Table of Contents and find the District that you are interested in. In each District you will find a list of permitted and discretionary uses, development standards and other regulations. Check the list of uses to see if there is a match with what you wish to do with the property. Uses are defined in the Definitions section at the front of this Land Use Bylaw.

### **Step 3**

Review the Table of Contents to see if there are any general regulations which may apply to your project. For example, Schedule B: Supplementary Regulations deals with such items as accessory buildings, parking, landscaping, etc. It also includes regulations for home occupations, vehicular access, bed and breakfasts, signs, and other uses and topics.

### **Step 4**

Discuss your project with the Town's Development Officer. They can assist you with your application and explain the process, whether you are applying for a development permit, subdivision, or Land Use Bylaw amendment.

**We hope this "how to" guide has been useful. Again, if you need help, please ask!**

**\*NOTE:** This page is intended only to assist readers and does not form part of the Land Use Bylaw

**TOWN OF BENTLEY**  
**LAND USE BYLAW NO. 189/2016**  
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## **BYLAW No. 189/2016**

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

**WHEREAS** the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, and amendments thereto, authorizes the Council of a Municipality to enact a Land Use Bylaw to regulate, control and prohibit the use and development of land and buildings within the Municipality.

**NOW THEREFORE** the Council of the Town of Bentley in the Province of Alberta, duly assembled, enacts as follows:

#### **PART ONE: INTERPRETATION**

##### **1.1 Short Title**

This Bylaw may be cited as “**The Town of Bentley 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 issuing of Development Permits;
- (5) provide the manner in which notice of the issuance of a Development Permit is to be given; and
- (6) implement the statutory plans of the Town of Bentley.

##### **1.3 Compliance with Other Legislation**

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

- (1) the requirements of any federal, provincial or other municipal legislation;
- (2) complying with any easement, covenant, agreement or contract affecting the development, and
- (3) the obligation to obtain any other permit, license or other authorization required by this or any other bylaw.

#### **1.4 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.

#### **1.5 Rules of Interpretation**

- (1) Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words used in the masculine gender shall also mean the feminine gender and the neutral. Words have the same meaning whether they are capitalized or not.
- (2) Words, phrases and terms not defined in this Land Use Bylaw may be given their definition in the *Municipal Government Act, Subdivision and Development Regulation* or the Alberta Building Code. Other words shall be given their usual and customary meaning.
- (3) The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to this Land Use Bylaw.
- (4) Where a specific use does not conform to the wording of any use definition or generally conforms to the wording of two or more use definitions, the Development Authority may, using discretion, deem that the use conforms to and is included in that use class considered to be the most appropriate in character and purpose provided that the specific use is substantially similar in nature, character and impact as the other uses listed in the use class. In such case, the use shall be considered a discretionary use, whether or not the use class is listed as permitted or discretionary within the District.
- (4) Imperial equivalents are provided beside every metric value in this Land Use Bylaw for convenience. Such equivalents are rounded to the nearest whole number. The metric value is the actual standard to be used.

#### **1.6 Measurements**

All measurements in this bylaw are metric. Imperial equivalents are provided for convenience only.

#### **1.7 Establishment of Districts**

- (1) For the purpose of this Land Use Bylaw, the Town of Bentley is divided into the following Districts:
 

|     |                         |
|-----|-------------------------|
| R1  | Low Density Residential |
| R1A | Low Density Residential |
| R2  | General Residential     |
| R2A | General Residential     |
| R2B | General Residential     |

|    |                    |
|----|--------------------|
| R3 | Manufactured Home  |
| C  | Central Commercial |
| I1 | Light Industrial   |
| I2 | Heavy Industrial   |
| P  | Public Use         |
| UR | Urban Reserve      |

- (2) The boundaries of the Districts listed above are shown in Schedule A: Land Use District Map located on page 39 of this bylaw. 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.

### 1.8 Definitions

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.

#### In this Land Use Bylaw:

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

**“Accessory Sales”** means the sale of goods customarily incidental and subordinate to the main use;

**“Accessory Residential Building”** means a building separate and subordinate to the principal residential building, the use of which is incidental to that principal building and is located on the same parcel of land, and includes such things as garages, garden sheds and greenhouses;

**“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, and in the opinion of the Development Officer or Municipal Planning Commission any other land;

**“Agricultural Operation”** an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- (a) the cultivation of land,
- (b) the raising of livestock, including game-production animals within the meaning of the livestock industry diversification act and poultry,
- (c) the raising of fur-bearing animals, pheasants or fish,
- (d) the production of agricultural field crops,
- (e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- (f) the production of eggs and milk,
- (g) the production of honey,
- (h) the operation of agricultural machinery and equipment, including irrigation pumps, and
- (i) the operation of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying for agricultural purposes.

**“Animal Services”** means development for the purpose of treatment, boarding, training, or grooming animals and includes the retail sales of related products. This includes, but is not necessarily restricted to, veterinary clinics, pet grooming salons, boarding and breeding kennels, impounding and quarantining facilities, and animal shelters;

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

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

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

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

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

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

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**"Basement"** 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;

**"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;

**"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 the proprietor supplies for a fee sleeping accommodations, with or without meals, for at least three (3) but not more than six (6) persons, exclusive of the proprietor's family;

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

**"Building Demolition"** means the pulling down, tearing down or razing of a building;

**"Building Height"** means the vertical distance between the average grade and the highest point on a building, other than any chimney, poles, vents or other things that, in the opinion of the Development Authority are similar and are not part of the building structure;

**"Building Permit"** means permission or authorization in writing to commence the use, occupancy, relocation, construction or demolition of any building;

**"Building Relocation"** means the act of relocating a building to a new location. This may involve removing a building from one site and placing it on another site, moving a building to a new location on the same site or bringing a building onto a site;

**"Bulk Fuel and Sales and Storage Outlets"** means an outlet for the supply and sale of various fuels in large quantities, and includes the storage thereof; means a development for the purpose of handling petroleum products in bulk quantities, and includes dispensing equipment and supplementary tanker vehicle storage. Card-lock pumps and retail fuel sales may be incorporated as accessory uses.

**"Bus Depot"** means a facility providing for departure and arrival of passengers and freight carried by bus;

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**"Care Residence"** means a building with two or more accommodation units designed to provide long term housing wherein the 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;

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

**“Commercial”** means the primary use of land, building(s), or structure(s) for the purpose of buying and selling commodities and supplying professional and personal services for compensation.

**“Commercial Card Lock”** means a petroleum dispensing outlet without full-time attendants.

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

**“Community Market”** means the use of land, buildings or structures, or part thereof, for the primary purpose of selling agricultural products and handmade merchandise to the general public;

**“Condominium”** means a form of property ownership in which each owner holds title to his/her individual unit, plus a fractional interest in the common areas of the multi-unit project;

**“Contracting Services”** means a business that contracts work, particularly in any of the building trades, to supply certain materials or do certain work for a stipulated sum;

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

**“Crematorium”** means a facility for the reduction of the human body to ashes by heat;

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| <b>D</b> |
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**“Day Care Facility”** means a facility that provides care, development 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;

**“Decorative Pond”** means a man-made enclosure constructed to contain water, which may include vegetation and fish, as a decorative feature;

**“Derelict Vehicle”** means the storage, collection or accumulation of all or part of any wrecked vehicle or all or part of any motor vehicle which is not validly registered in accordance with the *Motor Vehicle Act* and which is not housed in an enclosed building or structure.

**“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 Development Authority Bylaw No. 03/95

**“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;

**“Distribution Facility”** means a warehouse or other structure used for receipt, temporary storage, and redistribution of goods;

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

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

**“Drive Through Business”** means an establishment with facilities for on-site service to customers who remain in their motor vehicles. A drive-through business may include banking, food services, dry cleaning but does not include a drive-in theatre. A drive-through component of a business shall be deemed accessory to that business;

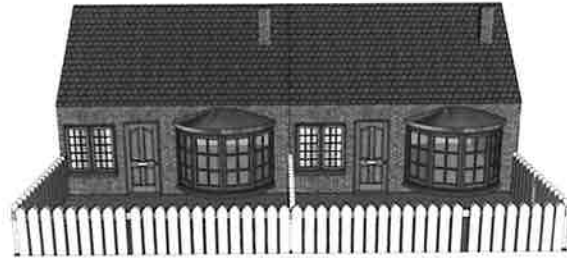
**“Driveway”** means a vehicle access route between the carriageway of a road and a use on a parcel;

**“Duplex”** means a separate residential building consisting of two separate dwelling units only, each above grade and having exterior entrances;

**“Drinking Establishment”** means an establishment where the primary purpose is the sale of alcoholic beverages for consumption on the premises and may also include entertainment, dancing, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in which a “Class A” liquor license has been issued and where minors are prohibited on the premises at any time, by the terms of the license as issued by Alberta Gaming and Liquor Commission, but does not include an adult entertainment establishment;

**“Duplex (semi-detached) Dwelling”** means a separate residential building consisting of two separate dwelling units only, each above grade and having exterior entrances;

**“Dwelling Unit”** means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate toilet facilities intended as a permanent residence and having a separate entrance directly from the outside of the building or through a common area inside the building;



## E

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

**“Equipment Rental”** means a building or part of a building in which residential, commercial and industrial equipment are provided for rent, lease or hire; Where outdoor storage is permitted, it shall be listed with the use in the district.

**“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 accessed to the satisfaction of the Development Authority;

## F

**“Fabric Covered Engineered Structure”** means a modular style, pre-fabricated, framed membrane building system with clear span structures without internal columns which are designed for both semi-permanent and permanent building applications.

**“Fascia 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;

**“Fertilizer Sales and Storage”** means an outlet for the supply and sale of various fertilizers in large quantities, and includes the storage thereof;

**“Floor Area”** means

- (a) for residential buildings, the total area of all floors in a building measured from the outside of exterior walls, but excluding floor areas of basements, 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 but excluding mall areas;

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

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

**“Front Parcel Boundary”** means, in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel, means the shorter of the two boundaries which abut a street [see sketch in Schedule B on page 45];

**“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 “Yards” ];

**“Funeral Home”** means a business establishment where the bodies of the dead are prepared for burial or cremation, and may include facilities for conducting funeral services. Crematoriums are considered a separate use;

## G

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

**“Gas Bar”** means one or more pump islands, each consisting of one or more gasoline pumps and shelter having a floor area of not more than 10m<sup>2</sup>, excluding washrooms, which shall not be used for repairs, oil changes or greasing;

**“Gas Station”** .means a development primarily used for servicing or repairing motor vehicles, and may include the sale of fuels and lubricating oils and other fluids and accessories for motor vehicles and may include the sale of a limited range of convenience goods. A gas station may include a car wash but does not include an auto-body or painting shop or a car sales lot. .

**“Grade”** means the ground elevation established for the purpose of regulating the height of a building. The building grade shall be the finished ground elevation adjacent to the walls of the building if the finished grade is level. If the finished grade is not entirely level, the grade shall be determined by averaging the finished ground elevation for each face of the building;”

**“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;

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**"Hard Landscaping"** means the use of non-vegetative material, such as concrete, asphalt, or gravel, brick, stone, wood or other similar materials as part of a landscaped area. Hard landscaping does not include walkways or sidewalks deemed integral to building access;

**"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, smoke, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land;

**"Home Occupation, Major"** means an accessory use of a residential building or a building accessory thereto by a resident for the purpose of financial gain and which may, in the opinion of the Development Authority, generate any additional vehicular traffic. Bed and breakfast establishments and day care facilities are separate uses;

**"Home Occupation, Minor"** means an accessory use of a residential building or a building accessory thereto by a resident for the purpose of financial gain and which does not, in the opinion of the Development Authority, generate any additional vehicular traffic. Typical uses include self-employed persons providing professional and office services. Bed and breakfast establishments and day care facilities are separate uses;

**"Highway"** means highway pursuant to the *Public Highways Development Act*;

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**I**


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**"Indoor Merchandise Sales"** means the indoor sale or display of merchandise, including indoor storage of merchandise in quantities limited to the needs of the outlet;

**"Intermunicipal Development Plan"** means a plan adopted by the Council of the Town of Bentley and the Council of Lacombe County as an Intermunicipal Development Plan pursuant to the *Municipal Government Act*;

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**L**


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

**"Land Use Bylaw"** means Bylaw No. 153/2011 and amendments thereto;

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

**“Land Use Policies”** mean policies established by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*;

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

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

**“Liquor Store”** means a building or part of a building for the retail sale of alcohol, including wine and cold beer to the public for consumption off the premises, and may include the retail sale of related products such as soft drinks and snack foods;

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

## M

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

**“Main Building”** means a building in which the main or principal use of the parcel is conducted;

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

**“Manufactured Home”** means a detached dwelling built in an enclosed off site factory environment in one or more sections and intended to be occupied in a location other than where it was manufactured. Manufactured homes include homes that are completely self-contained single section dwelling units or are incomplete multi-section modules that are placed together and completed on site. A manufactured home has a steel frame and is transported to the building site on dollies (wheels) or a flatbed truck and after placement, the dollies are removed from the site. Manufactured homes must meet Alberta Building Code requirements.



**“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;



**“Mixed Use”** means a mix of land uses that facilitate the mixing rather than the separation of land uses in one distinctive environment, either vertically in the same building or horizontally adjacent and is intended to be compatible with adjacent uses.

**“Modular Unit or Home”** means a prefabricated factory built frame or shell which comprises the wall or siding of a proposed building. A modular unit represents only a section of the dwelling, and such a unit has neither a chassis, running gear nor its own wheels, but units may be placed side by side or stacked vertically, and completed to form one or more complete dwelling units for year round occupancy. A modular unit has a wooden frame. Modular homes are constructed to Alberta Building Code standards. Modular homes are considered to be the same as conventional, on site, framed single family homes.



**“Multiple Unit Dwelling”** means a residential building containing three (3) or more dwelling units separated by common walls and located either on a single lot or each unit is on its own individual lot, and each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, triplexes and fourplexes.

**“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 Bentley;

**“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, Chapter M-26 of the Revised Statutes of Alberta, and amendments thereto;

**“Municipal Planning Commission”** means a Municipal Planning Commission established by Council pursuant to Section 626 of 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;

## N

**“Non-conforming Building”** means a building where a development permit has been issued, however the enactment of this Land Use Bylaw or any amendment thereto would render the building in respect of which the permit was issued, a building that no longer complies with this Land Use Bylaw.

**“Non-conforming Use”** means a use of land where a development permit has been issued, however the enactment of this Land Use Bylaw or any amendment thereto would render the use, in respect of which the permit was issued, a use that no longer complies with this Land Use Bylaw.

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

## O

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

**“Outdoor Boiler”** means any type of solid, gas or combination fuel burning unit located separate from the principal building or any accessory buildings or as a stand alone building for the generation of space heating or water heating;

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

## P

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

**“Parcel 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;

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

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

**"Permanent Foundation"** means

- i) a foundation meeting the Alberta Building Code, or
- ii) an engineer approved wood foundation, or
- iii) a poured concrete basement, or
- iv) a concrete block basement.

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

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

**"Private Pool"** means any outdoor private swimming pool or hot tub, whether above or below the ground, containing water for the purpose of swimming, wading or immersion of human beings;

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

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

**"Principal Building"** means a building which accommodates a principal or main use;

**"Principal Use"** means the primary or main purpose for which a parcel, building, site or dwelling unit is used or intended to be used;

**"Projection"** means a portion or part of a building that extends horizontally above and beyond the foundation of the building including, but not limited to, decks, landings, verandas, unenclosed steps, cantilevered windows, cantilevered living space, fireplace chaises, or eaves;

**"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 maintains an office, or maintains or houses equipment used in connection with the public utility;

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

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

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

**“Recreational Vehicle”** means a motor home, camper, watercraft on a trailer, trailer, tent trailer, or any form of vehicle used or intended to be used for recreational or holiday accommodation;

**“Recycle Depot”** means a facility for collecting, sorting, and temporarily storing recyclable materials such as bottles, cans, paper, boxes and small household goods, but does not include auto wreckers;

**“Repair Services” (with or without outdoor storage)** means a development where broken, damaged, or failed devices, equipment, parts, or goods are restored to an acceptable operating or usable condition or state. This does not include a Gas Station. Where outdoor storage is allowed, the use shall be listed as such within the District.

**“Residential”** means the use of land, buildings or structures primarily for human habitation.

**“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;

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

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

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

**“Secondary Suite”** means a separate, subordinate and self-contained dwelling unit with a cooking facility, located within a principal dwelling. A suite must contain a separate entrance from the principal dwelling;

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

**“Seed Cleaning Plant”** means a building for the storage and preparation of seed used in agriculture;

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

**“Self-Service Storage”** means one or more buildings, storage rooms, or lockers provided on site for the purpose of renting space for the indoor storage of goods;

**“Sewage Treatment Facilities”** means a facility for the processing or treatment of water and waste matter carried by a piped collection system;

**“Shipping Container” (Rail or Sea Can)** means a steel storage container designed to be used for sea, rail or intermodal shipping and which is used strictly for the storage of materials associated with the principal use of the parcel. Shipping containers do not fall into the definitions of temporary building. Shipping containers shall not be used for the storage of dangerous goods. A shipping container is not a rail box car.

**“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 the main building thereon. [see sketch in “Yards”];

**“Sight Triangle”** means an area at the intersection of roadways or roadways 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;

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

**“Single Family 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;



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

**“Soft Sided Building”** means any building that is faced or finished, on any portion of the building exterior, with flexible sheeting capable of being rolled or folded;

**“Solar Energy Infrastructure”** means infrastructure designed to convert solar radiation into electrical or thermal energy. Where structures are required to support the infrastructure, the structures will require a development permit.

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

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

**“Storage Area or Outdoor Storage”** means an area of land provided for the purpose of storing vehicles, equipment, seasonal recreational equipment and/or other items which are associated with the principal use of the parcel.

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

**“Structure”** means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground, but does not include pavements, curbs, walks or open air surfaced areas;

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

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

**“Subdivision and Development Regulation”** means the Subdivision and Development Regulation (AR 43/2002), as amended;

## T

**“Temporary Building”** means a building or structure without a foundation or footing and which is removed when the Development Permit for such a building has expired. Temporary buildings include soft-sided or fabric covered structures and includes a building that is faced or finished with flexible sheeting capable of being rolled or folded;

**“Temporary Commercial Sales”** means the temporary use of a property not exceeding six (6) months for the purpose of mobile commercial sales (e.g. fish trucks, fruit trucks) for which a business license is obtained from the Town and the location is to the satisfaction of the Development Officer;

**“Town House Dwelling”** a dwelling, designed as one cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units



each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling;

**“Trucking Establishment ”** means the use of land, buildings or structures for the purpose of storing, servicing, repairing or loading trucks, transport trailers and/or buses;

**“Truck wash”** means building containing facilities for a self-service truck wash;

## U

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

## V

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

**“Veterinary Hospital”** means a facility for the medical care and treatment of domestic animals and livestock and includes provision for their accommodation and confinement and includes an outdoor pen, run or enclosure;

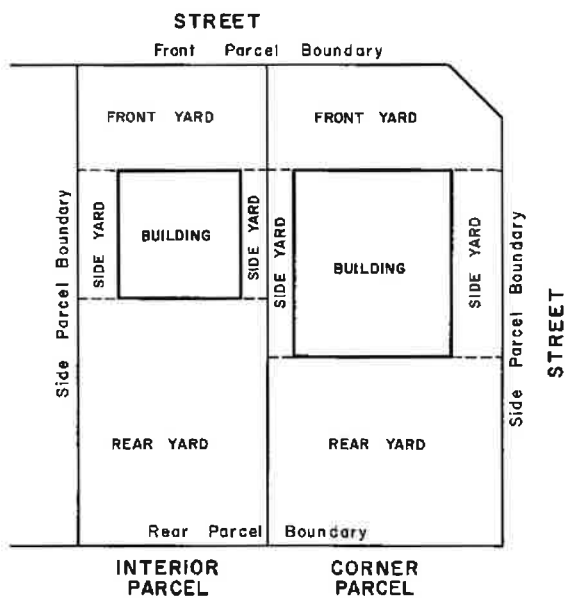
## W

**“Warehousing”** means a facility for the indoor storage of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles thereof, or any waste material, and may include offices related to the administration of the warehouse facility, a showroom and/or the retail sale of goods stored in the warehouse as accessory uses. This does not include self-service storage.

**“Wind turbine generator”** means a structure designed to convert wind energy into mechanical or electrical energy;

## Y

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



## Z

**"Zoning"** means land use zoning, or district, established under this Bylaw;



## **PART TWO: ADMINISTRATION**

### **2.1 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.

### **2.2 Municipal Planning Commission**

- (1) The Municipal Planning Commission, established under Bylaw No. 04/95, shall:
  - (a) issue decisions and if necessary state the terms and conditions for Development Permit applications for those uses listed as Permitted Uses which the Development Officer refers to the Municipal Planning Commission,
  - (b) issue decisions, and if necessary, state the terms and conditions for Development Permit applications for those uses listed as Discretionary Uses,
  - (c) consider, and if necessary, state the terms and conditions or provide direction on any other planning or Development matter referred by the Development Officer or Administration.

### **2.3 Subdivision and Development Appeal Board**

The Subdivision and Development Appeal Board shall be the Board established and appointed by Council pursuant to the Subdivision and Development Appeal Board Bylaw No. 05/95.

### **2.4 Establishment of Forms**

- (1) For the purpose of administering this Land Use Bylaw, the Development Authority shall prepare such forms and notices as he/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.

## **2.5     Establishment of Fees**

The Development Permit application fee and fees for other matters arising through this Land Use Bylaw shall be established by resolution of Council. Council may at anytime, by resolution, increase, decrease or establish new fees for matters covered by this Bylaw.

## **2.6     Establishment of Supplementary Regulations**

Schedule B: Supplementary Regulations are deemed to be part of this Land Use Bylaw, and shall be amended in the same manner as any other part of this Land Use Bylaw.

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

Schedule C: Land Use District Regulations are deemed to be part of this Land Use Bylaw, and shall be amended in the same manner as any other part of this Land Use Bylaw.

## **2.8     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 to be established by resolution of Council.
- (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 to amend this Land Use Bylaw, the Development Officer shall analyze the potential impacts of development that would result from the proposed amendment. This analysis must consider the full development potential for the proposed amendment and shall, among other things, consider the following impact criteria:
  - (a) relationship to and compliance with approved Statutory Plans and Council policies,
  - (b) relationship to and compliance with Statutory Plans or outline plans in preparation,
  - (c) compatibility with surrounding development in terms of land use function and scale of development,
  - (d) traffic impacts,
  - (e) relationship to, or impacts on, water and sewage systems, and other public utilities and facilities such as recreation facilities and schools,
  - (f) relationship to Town land, right-of-way or easement requirements,
  - (g) effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area,
  - (h) necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant, and
  - (i) relationship to the documented concerns and opinions of area residents regarding development implications.
- (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 the Council and shall issue not less than five (5) days notice to the applicant advising that he or she may appear before the Council at that time, and speak to the application. An application for amendment shall be placed before the Council within sixty (60) days of its receipt by the Development Officer.
- (5) The Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:
  - (a) refuse the application; or
  - (b) refer the application for further information; or
  - (c) pass first reading to a bylaw to amend this Land Use Bylaw, with or without conditions or amendments; or
  - (d) defeat first reading of a bylaw to amend this Land Use Bylaw; or
  - (e) pass first reading of an alternative amendment to this Land Use Bylaw, with or without conditions.

- (6) Following first reading of an amending bylaw, the Council shall
  - (a) establish the date, time and place for a public hearing on the proposed bylaw;
  - (b) if a bylaw to establish procedures for public hearings has not been passed
    - (i) outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and
    - (ii) outline the procedure for conducting the public hearing.
- (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 two (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 Lacombe 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 Lacombe 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, grammatical or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
- (13) In the public hearing, the Council
  - (a) must hear any person, group of persons, or person representing them, who claim(s) 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 the 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 which 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) the Director of Parkland Community Planning Services;
  - (d) Lacombe County, if it received a copy of the proposed Bylaw pursuant to subsection (11).

- (17) In this section, "Owner" means the person shown as the owner of land on the assessment roll prepared pursuant to the *Municipal Government Act*.
- (18) 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 three (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.

## **2.9 Repeal of Land Use Bylaw**

Land Use Bylaw No. 153/2011 is hereby repealed and this Bylaw shall take effect on the day of the final passing thereof

## **2.10 Subdivision Approval Application**

1. Upon receipt of an application, the Subdivision Authority shall within 20 days determine whether the application is complete. An application is complete, if in the opinion of the Subdivision Authority, the application contains the documents and other information necessary to review the application. The 20 day timeline may be extended if agreed upon in writing between the applicant and the Subdivision Authority.
2. If the Subdivision Authority deems a subdivision application to be complete, the Subdivision Authority shall issue a letter to the applicant indicating:
  - a. The date the application was received and deemed complete,
  - b. Confirmation the Subdivision Authority will begin processing the application and
  - c. The date the 60 days to process the application expires.
3. If the Subdivision Authority determines an application is incomplete, the Subdivision Authority shall issue a notice in writing to the applicant, indicating the following;
  - a. The application is considered incomplete.
  - b. A detailed list of the outstanding documents and/or information required by the Subdivision Authority in order for the application to be considered complete.
  - c. The date which the required outstanding document and/or information must be submitted to the Subdivision Authority, as either set out in the notice, or as agreed upon between the applicant and Subdivision Authority.

prior to the expiry of the 20 day period.

4. If the Subdivision Authority determines that the information and documents submitted by the applicant at the request of the Subdivision Authority are complete, the Subdivision Authority shall issue a letter to the applicant indicating;
  - a. The application is complete
  - b. Confirmation the Subdivision Authority will begin processing the application, and
  - c. The date the 60 days to process the application expires.
5. If the applicant fails to submit the outstanding information and documents requested by the Subdivision Authority to complete the application on or before the date referred to in the notice issued to the applicant, the application is deemed to be refused.
6. If the application is deemed refused because the applicant failed to provide the Subdivision Authority with the requested information, the Subdivision Authority shall issue to the applicant a letter indicating the application has been refused and the reason for the refusal, within 7 days of the expiry date.
7. Despite that the Subdivision Authority has issued a letter acknowledging an application as complete, in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.
8. If the Subdivision Authority does not make a determination of an applicant's completeness within 20 days of receiving the application, or within an alternative timeline agreed upon between the applicant and Subdivision Authority, the application is deemed to be complete.

## **2.11 Subdivision Approval Time Limits**

1. The Subdivision Authority shall, within 20 days after the receipt of an application for a subdivision approval, determine whether the application is complete, or within such longer period as the applicant may have agreed to in writing.
2. The Subdivision Authority shall consider and decide on any application for a Subdivision approval, within 60 days of the date of issuance of a letter to an applicant indicating the application is complete, or within such longer period as the applicant may have agreed to in writing.

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

### **3.1 Purpose of Development Permits**

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

### **3.2 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, additions, or change the Use or intensity of the Use of the Building;
- (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 twelve (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 the 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. Such Building is to be removed within thirty (30) days of substantial completion of the Development or as otherwise determined by the Development Authority;
- (f) Temporary Commercial Sales on a Parcel in the Central Commercial District (C) 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 Crown but not including that carried out by or on behalf of a Crown Corporation;
- (i) 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;



- (j) the construction or placement of one Accessory Building used as a garden or tool shed on a residential Parcel having a Floor Area of less than 11.15 m<sup>2</sup> (120 sq. ft.), not exceeding 3.05 m (10 ft) in height, meeting all requirements for Accessory Buildings in this Land Use Bylaw;
- (k) 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;
- (l) the erection of one unilluminated Sign of the following nature and size for each Use within a Building or on a Parcel, provided such Signs do not resemble or conflict with traffic Signs:
  - (i) a Fascia Sign for the purpose of identification, direction and warning not exceeding 0.2 m<sup>2</sup> (2.15 sq. ft.),
  - (ii) a Fascia Sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m<sup>2</sup> (3.23 sq. ft.),
  - (iii) a Fascia or Freestanding Sign relating to a religious, educational, cultural, recreational or similar institution, or to an Apartment not exceeding 1 m<sup>2</sup> (10.76 sq. ft.),
  - (iv) a Portable Sign or notice, relating to the sale or lease of land or Buildings, sale of goods or livestock by auction, carrying out of construction, or the announcement of any local event of a religious, educational, cultural, political, or governmental nature not exceeding 3.0 m<sup>2</sup> (32.29 sq. ft.) and limited in display to the period of completion of the sale, lease, construction or event,
  - (v) a flag attached to a single upright flag-pole.
- (m) 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 Authority.
- (n) demolition of a Building less than 25.0 m<sup>2</sup> (269.1 sq. ft.)

### 3.3 Permission for Development

- (1) (a) An application for a Development Permit shall be made to the Development Officer in writing on the prescribed form and shall be accompanied by:
- (i) a scaled site plan in duplicate showing the treatment of Landscaped Areas if required, the legal description, the front, rear, and side Yards, if any; any provision for off-street loading and vehicle parking and access and egress points to the Parcel;
  - (ii) scaled floor plans, elevations and sections in duplicate;
  - (iii) a statement of existing and proposed Uses;
  - (iv) a copy of the Certificate of Title to the land and, if the applicant is not the Owner, a statement of the applicants 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 Authority may consider necessary to properly evaluate the proposed Development.
- (b) The Development Authority may refuse to accept an application for a Development Permit where the information required by subsection 3.3(1)(a) has not been supplied or where, in the opinion of the Development Authority, the quality of the material supplied is inadequate to properly evaluate the application.
- (c) The Development Authority may deal with an application and make a decision without all of the information required by subsection 3.3(1)(a), if it is the opinion of the Development Authority that a decision on the application can be properly made without such information.
- Amendment**  
**By-law 193/2017** (d) Upon receipt of an application, the Development Authority shall within 20 days determine whether the application is complete. An application is complete if in the opinion of the Development Authority, the application contains the documents and other information necessary to review the application. The 20 day timeline may be extended if agreed upon in writing between the applicant and the Development Authority.
- (e) If the Development Authority deems a development permit application to be complete, the Development Authority shall issue a letter to the applicant indicating:
- a. The date the application was received and deemed complete.
  - b. Confirmation the Development Authority will begin processing the

application, and

- c. The date the 40 days to process the application expires.

#### *Incomplete Applications*

- (f) If the Development Authority determines an application is incomplete, the Development Authority shall issue a notice in writing to the applicant, indicating the following:
  - a. The application is considered incomplete
  - b. A detailed list of the outstanding documents and/or information must be submitted to the Development Authority, as either set out in the notice, or as agreed upon between the applicant and Development Authority, prior to the expiry of the 20 day review period.
- (g) Additional information the Development Authority may request for a development permit application includes, but is not limited to:
  - a. Hosting a public meeting in the community and submitting a record of the meeting and summary of input;
  - b. Traffic Impact Assessment to determine possible effects of the development on the transportation and traffic system;
  - c. Environmental site assessment to identify potential site contamination;
  - d. Noise impact assessment to examine the noise emitted from the development/facility;
  - e. Lighting impact assessment to determine the potential light impact to adjacent properties during construction and operation of the site;
  - f. Sun shadow impact study to determine the impact of development in terms of sun and daylight access to surrounding property;
  - g. Servicing study to assess the capacity of municipal servicing to accommodate future development;
  - h. Geotechnical Assessment of the site for design of structures;
  - i. Real Property Report illustrating locations of property improvements relative to property boundaries;
  - j. Flood proofing assessment of the development if it is located in a flood prone area;
  - k. Slope assessment to assess the safe design of a slope;
  - l. Risk assessment for hazards associated with the use or storage on site;

- m. Crime Prevention Through Environmental Design analysis to analyze the built form in reducing the incidence of crime
- n. Parking Demand Study to estimate the parking demand of the proposed use;
- o. Such other plans and information as the Development Authority may consider necessary to properly evaluate the proposed development.

All submitted documents are to be prepared by qualified registered Professional in their respective fields. All submitted documents shall include certification by the professional who prepared the document.

- (h) If the Development Authority determines that the information and documents submitted by the applicant at the request of the Development Authority are complete, the Development Authority must issue a letter to the applicant indicating:
  - a. The application is complete
  - b. Confirmation the Development Authority will begin processing the application
  - c. The date of 40 days to process the application expires.
- (i) If the applicant fails to submit the outstanding information and documents requested by the Development Authority to complete the application on or before the date referred to in the notice issued to the applicant, the application is deemed to be refused.
- (j) If the application is deemed refused because the applicant failed to provide the Development Authority with the requested information, the Development Authority shall issue to the applicant a letter indicating the Application has been refused and the reason(s) for the refusal, within 7 Days of the expiry date.
- (k) Despite that the Development Authority has issued a letter acknowledging an application as complete, in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
- (l) If the Development Authority does not make a determination of an application's completeness within 20 days of receiving the application or within an alternative timeline agreed upon between the applicant and Development Authority, the application is deemed to be complete.

*Time Limits*

- (m) The Development Authority shall, within 20 days after the receipt of an Application for a development permit, determine whether the application is complete, or within such longer period as the applicant may have agreed to in writing.
  - (n) The Development Authority shall consider and decide on any application for a development permit, within 40 days of the date of issuance of a letter to an applicant indicating the application is complete, or within such period as the applicant may have agreed to in writing.
- (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 Energy Resources Conservation 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 his/her recommendations to 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/her opinion may provide relevant comments or advice respecting the application.
- (4) For a Permitted Use in any District,
- (a) the Development Authority 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 Authority 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 Authority the proposed Development or subdivision or non-conforming Building

  - (i) would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the Use, enjoyment or value of neighbouring Parcels of land, and

- (ii) conforms with the Use prescribed for that land or Building in this Land Use Bylaw.
- (7) The Development Authority may require with respect to a Development that, as a condition of issuing a Development Permit, the applicant submit a Real Property Report to the satisfaction of the Development Officer and/or 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 by 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 Municipality the costs paid by the Municipality to any engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and legal 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 Authority shall consult with the Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition in the Development Permit.
- (9) The Municipality may register a caveat pursuant to the provisions of the *Land Titles Act* and the *Municipal Government Act* in respect of an agreement under this section against the Certificate of Title for the land that is the subject of the Development, which said caveat shall be discharged when the agreement has been complied with.
- (10) In the case where an application for a development permit has been refused, except for those applications refused as incomplete applications, the Development Officer shall refuse to accept another application for the same or similar use on the same lot or site until 6 months have passed from the date of such 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.

### **3.4 Development Permits and Notices**

- (1) A decision of the Development Officer of the MPC on an application for a development permit shall be given, in writing and a copy of it sent by ordinary mail to the applicant on the same day the decision is made.
- (2) (a) A permit issued pursuant to this part does not come into effect until fourteen (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).
- (3) 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.
- (4) 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 Authority, 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.
- (5) If the Development authorized by a permit is not commenced within twelve (12) months from the date of its issue, or the date of decision of the Subdivision and Development Appeal Board upon appeal, or is not carried out with reasonable diligence as determined by the Development Authority, the permit ceases to be effective unless an extension to this period, being no longer than an additional twelve (12) months, has previously been granted by the Development Authority.
- (5) The exterior finish of any Building or structure for which a valid Development Permit has been issued, must be completed within a twelve (12) month period of the start of construction, unless an extension to this period, being no longer than an additional twelve (12) months, has been previously granted by the Development Authority.
- (7) A decision of the Development Authority on an application for a Development Permit shall be given in writing and a copy of it sent to the applicant.



- (8) When the Development Authority refuses an application for a Development Permit, the decision shall contain reasons for the refusal.

### **3.5 Expiration and Validity of Development Permits**

- (1) If the Development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issue or the date of decision of the Subdivision and Development Appeal Board upon appeal, and completed within twelve (12) months of the issue, the permit shall be deemed to be void, unless an extension to the commencement or completion date has first been granted by the Development Authority.
- (2) The Development Authority may grant an extension of the time the permit remains in effect for up to an additional twelve (12) months. Only one extension shall be granted for the commencement date and only one extension shall be granted on the completion date.
- (3) A Development Permit issued according to this Land Use Bylaw is not a Building permit and notwithstanding that plans and specifications for Buildings may have been submitted as part of an application for a Development Permit, work or construction shall neither commence nor proceed until a Building permit has been issued pursuant to applicable Bylaws and regulations.

### **3.6 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.

### **3.7 Contravention**

- (1) If the Development Authority finds 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 Authority 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) Any person who receives an order under subsection (1) may appeal to the Subdivision and Development Appeal Board pursuant to this Land Use Bylaw.
- (3) 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.
- (4) 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.

### **3.8 Appeal Procedure**

- (1) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days of the date of the letter issued to the applicant acknowledging a complete application and an applicant may appeal in writing, as provided for in this Land Use By-law, unless the applicant enters into an agreement with the Development Officer to extend the 40 day period.
- (2) Where the Development Authority:
  - a. Fails to issue a development permit to a person, or
  - b. Refuses an application for a development permit, or
  - c. Issues a development permit subject to conditions, or
  - d. Issues an order under the Municipal Government Act,

the person applying for a permit or affected by an order, a decision, or development permit may appeal to the Subdivision and Development Appeal Board in accordance with the Municipal Government Act.

### **3.9 Offences and Penalties**

- (1) A person who contravenes or does not comply with
  - (a) the Land Use Bylaw,

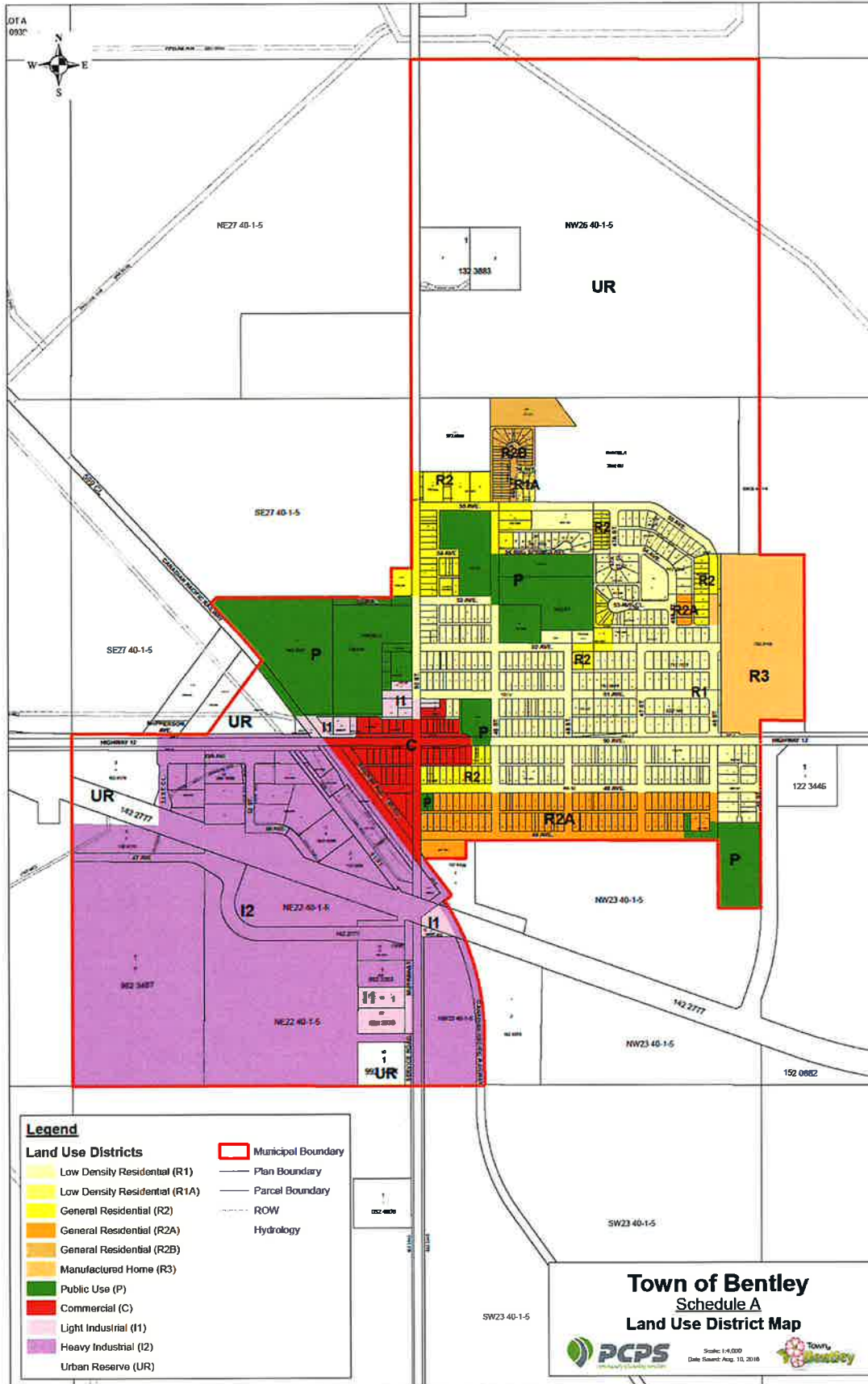
- (b) Part 17 of the *Municipal Government Act*,
- (c) the Subdivision and Development Regulation,
- (d) an order under Section 3.7(1) of this Bylaw,
- (e) a Development Permit or subdivision approval, or a condition therein,
- (f) a decision of the Subdivision and Development Appeal Board, or
- (g) who obstructs or hinders any person in the exercise or performance of his/her powers or duties under this Land Use Bylaw,

is guilty of an offence.

- (2) A person who is guilty of an offence referred to in subsection (1) above is liable to a fine of not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment

**PART FOUR: SCHEDULES**

# Land Use District Map



## **SCHEDULE B: SUPPLEMENTARY REGULATIONS**

### **1. Buildings**

#### **1(1) Accessory Buildings**

##### **(a) Residential Districts**

- (i)** No Accessory Building or any portion thereof shall be erected or placed within the Front Yard of a Parcel.
- (ii)** Subject to section 3(3) Vehicle Access to Buildings, an Accessory Building on an interior Parcel shall be situated so that the exterior wall is at least 1 m (3.28 ft.) from the side and rear boundaries of the Parcel.
- (iii)** Subject to section 3(3) Vehicle Access to Buildings, an Accessory Building on a corner Parcel shall not be situated closer to the Street than the Main Building. It shall not be closer than 1 m (3.28 ft.) to the other side Parcel boundary or the rear Parcel boundary.
- (iv)** An Accessory Building shall not be more than 5 m (16.4 ft.) in height, and shall not exceed the height of the Main Building.
- (v)** Notwithstanding subsections (ii) and (iii) of this Section, an Accessory Building or any portion thereof may be erected or placed on the rear or side boundary common to two Parcels provided the Accessory Building serves the two abutting Parcels.
- (vi)** An Accessory Building erected or placed on a Parcel shall not be used as a dwelling.
- (vii)** Any Accessory Building into which a vehicle may enter shall have a Driveway on the Parcel at least 6 m (19.69 ft.) in length, except where the Driveway enters a Lane, where it shall be either 1.5 m (4.92 ft.) or at least 6 m (19.69 ft.).

##### **(b) Other Districts**

- (i)** No Accessory Building or any portion thereof shall be erected or placed within the Front Yard of a Parcel.

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

- (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 Authority having due regard to:
  - (i)** amenities such as daylight, sunlight and privacy

- (ii) the character of existing Development in the District, and
  - (iii) its effect on adjacent Parcels.
- (c) The exterior finish on all Buildings shall be of permanent material satisfactory to the Development Authority.
- (d) The design, character, and appearance of any Building, structure, or Sign proposed to be erected or located in any District must be acceptable to the Development Authority having due regard to the character of existing Development in the District and its effect on adjacent Parcels.

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

- (a) A Development Permit shall not be issued for more than one Main Building on an un-subdivided 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 Authority, 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 3.3(6) in Part Two, the Development complies with the provisions of this Land Use Bylaw, and
  - (iv) a Development Permit is issued for the Use.

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

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

unless a Development Permit has been issued by the Municipal Planning Commission.

- (b) In addition to the requirements of Section 3.3(1), Part Two, the Municipal Planning Commission may require an application for a Development Permit to be accompanied with
- (i) recent colour photographs showing all sides of the Building,
  - (ii) a statement on the age, size and structural condition of the Building, and
  - (iii) a statement of proposed improvements to the Building.
- (c) An application for a Development Permit may be approved by the Municipal Planning Commission if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- (d) Where a Development Permit has been granted for the relocation of a Building either on the same Parcel or from another Parcel, the Municipal Planning Commission may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- (e) All structural and exterior renovations shall be completed within one year of the issuance of a Development Permit.

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

An application to demolish a Building, greater than 25 m<sup>2</sup> (269.1 sq. ft.), 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(6) Temporary Buildings**

- (a) The Development Authority may issue a Development Permit for a Temporary Building that will include conditions concerning:
- the size, height and location of the Building,
  - the appearance of the Building,
  - the length of time within which the Building may remain erected, to a maximum of 12 months, and
  - the provision of a performance bond to ensure the Building is removed within 30 days of the expiry of the Development.

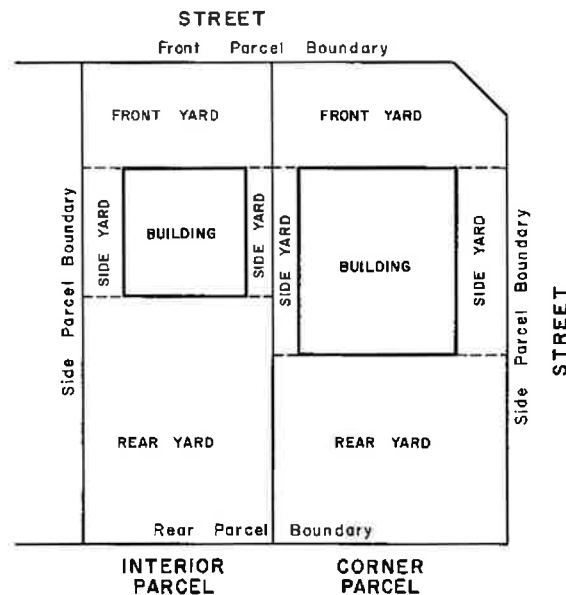


- (b) The Development Authority may consider a renewal of the Development Permit upon the submission of a new Development Permit application.

### 1(7) Soft Sided Buildings

- (a) The Development Authority may approve an application for Development Permit for a Soft Sided Building only if:
- (i) the Building is an Accessory Building on the Parcel and is not erected or placed within the Front Yard of a Parcel, unless otherwise approved by the Development Authority, and
  - (ii) the Building is approved as a temporary structure and subject to annual review, and
  - (iii) the structure meets Alberta Building Code requirements.
- (b) The Development Authority may conditionally approve a Soft Sided Building to be placed on a Parcel subject to the applicant agreeing to remove the Building in accordance with the terms and conditions of the Development Permit.
- (c) There shall be no more than one (1) Soft Sided Building per Parcel
- (d) A Soft Sided Building used as a garage in a residential District must be placed in the Rear Yard only

## 2. Yards



## **2(1) Projections Over Yards**

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

- (a) In residential Districts the portion of and attachments to a main or Accessory Building that may project over or on a minimum Yard are:
  - (i) Side Yards  
Any projection, including unenclosed steps or eaves, not exceeding one-half of the minimum side yard required for the Building, except in Laneless subdivisions where Section 2(4)(a) of Schedule B shall apply;
  - (ii) Front Yards  
Any projection not exceeding 1.5 m (4.92 ft.) over or on the minimum Front Yard;
  - (iii) Front and Rear Yard  
Unenclosed steps, if they do not project more than 2.5 m (8.20 ft.) over or on a minimum front or Rear Yard;
  - (iv) Rear Yards  
Any projection not exceeding 3 m (9.84 ft.) over the minimum Rear Yard.
- (b) In all other Districts, the portion of and attachments to a main or Accessory Building that may project over or on a minimum Yard are:
  - (i) any projection not exceeding 1.5 m (4.92 ft.) into a front or Rear Yard;
  - (ii) any projection not exceeding 0.6 m (1.97 ft.) into a Side Yard;
  - (iii) any projection that is an exterior fire escape not exceeding 1.2 m (3.94 ft.) in width.
- (c) No portion of a Building other than eaves, Signs or canopies shall project into a public or private right-of-way.

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

- (a) No person shall keep or permit in any part of a Parcel in any residential District: a motor vehicle that is in a dilapidated or unsightly condition, or a Derelict Vehicle to remain or be parked on a Parcel in a Residential District, unless it is suitably housed or Screened to the satisfaction of the Development Authority.
- (b) No person shall allow a Recreational Vehicle to be stored in any Yard abutting a Street in a residential District, except in a Rear Yard or on a corner Parcel where it shall be stored no closer to the Street than the Main Building.

This regulation does not apply between April 1<sup>st</sup> and October 15<sup>th</sup> of each year if:

- (i) the Recreational Vehicle will not overhang the sidewalk, Street, or Lane or otherwise create a traffic hazard; and
  - (ii) the parking of the Recreational Vehicle will not, in the opinion of the Development Authority, be unsightly or tend to adversely affect the amenities of the adjacent property Owners.
- (c) A Recreational Vehicle 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.
  - (e) all types of Outdoor Boilers are prohibited.

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

The following requirements apply to satellite dish antennas with a diameter of 1.0 m (3.3 ft.) or more.

- (a) A satellite dish antenna shall only be located in a Rear Yard, or a Side Yard that 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 Authority.
- (e) No advertising other than the manufacture's name/logo shall be allowed on a satellite dish antenna.
- (e) The illumination of a satellite dish antenna is prohibited.

## 2(4) Laneless Subdivisions

- (a) In a Laneless subdivision in a residential District, one Side Yard shall not be less than
- (i) 1.5 m (4.92 ft.) in the case of a Detached Dwelling with attached garage, or
  - (ii) 3 m (9.84 ft.) in the case of a Detached Dwelling without attached garage; and both Side Yards shall not be less than
  - (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.
- (o) In a Laneless subdivision in a commercial or industrial District one Side Yard shall be not less than 6 m (19.69 ft.). This does not apply to an Accessory Building where such Building is located to the rear of the Main Building and separated therefrom by a minimum distance of 12 m (39.37 ft.).

## 3. Vehicles

### 3(1) Parking

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

| <u>Uses</u>                       | <u>Parking Spaces</u>   |                   |
|-----------------------------------|-------------------------|-------------------|
| <b>Commercial</b>                 |                         |                   |
| Indoor Merchandise Sales          |                         |                   |
| District Shopping Centres         | 5.0/100 m <sup>2</sup>  | (1,076.4 sq. ft.) |
| Neighbourhood Shopping Centres    | 4.0/100 m <sup>2</sup>  | (1,076.4 sq. ft.) |
| Other                             | 3.5 /100 m <sup>2</sup> | (1,076.4 sq. ft.) |
| Offices                           | 2.5 /100 m <sup>2</sup> | (1,076.4 sq. ft.) |
| Motels                            | 1.0/guest room          |                   |
| Personal Services                 | 2.5 /100 m <sup>2</sup> | (1,076.4 sq. ft.) |
| Repair Services                   | 2.0 /100 m <sup>2</sup> | (1,076.4 sq. ft.) |
| Restaurants, lounges and taverns  | 1.0/4 seats             |                   |
| Outdoor patios                    | 1.0/12 outdoor seats    |                   |
| Vehicle and equipment sales       | 2.0/100 m <sup>2</sup>  | (1,076.4 sq. ft.) |
| <b>Industry</b>                   |                         |                   |
| Manufacturing/Warehousing/Storage |                         |                   |
| Minimum provision                 | 4.0                     |                   |
| Office area                       | 2.0/100 m <sup>2</sup>  | (1,076.4 sq. ft.) |
| Other area                        | 1.0/100 m <sup>2</sup>  | (1,076.4 sq. ft.) |

**Public**

|                             |                                  |
|-----------------------------|----------------------------------|
| Hospitals and nursing homes | 1.0/4 beds and 1.0/2 workers     |
| Places of worship           | 1.0/4 seats                      |
| Public assembly Buildings   | 1.0/4 seats                      |
| Schools                     |                                  |
| Elementary and junior high  | 1.0/1 worker                     |
| Senior high                 | 1.0/1 worker and 1.0/10 students |

**Residential**

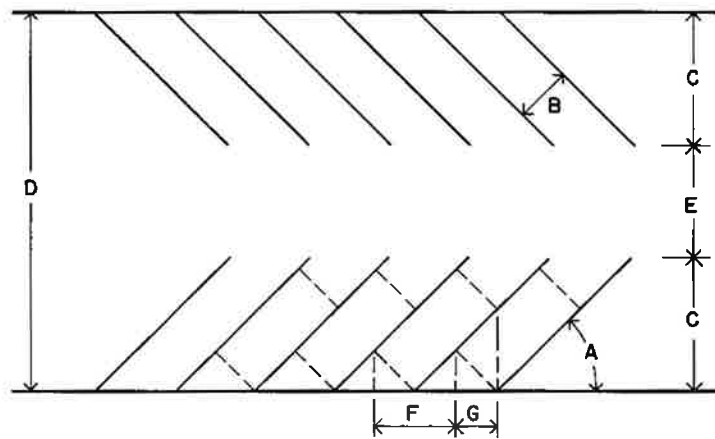
|   |                                       |
|---|---------------------------------------|
| Apartments, Four-Plexes and multiple housing Developments | 1.75/dwelling + 1 guest / 5 dwellings |
| Adult Care Residence                                      | 1 / 3 units of accommodation          |
| Accessory Suites  | 1 / suite                             |
| Boarding and Rooming House                                | 1 / 2 persons being accommodated      |
| Bed and Breakfast   | 1 / guest room                        |
| Garden Suite  | 1                                     |
| All other   | 2.0/dwelling                          |

**Uses not listed above**

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

- (b) The Development Authority may, in its discretion, impose additional parking space requirements depending on the nature of an application.
- (c) On-site parking requirements for non-residential Uses may be relaxed where in the opinion of the Development Authority
  - (i) sufficient on-street parking is available without causing congestion, or
  - (ii) sufficient parking is available in public parking lots, or
  - (iii) private parking can be shared because peak use times are different
- (c) When a Building is enlarged or the Use of a Parcel or a Building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original Building or Use and that of the enlarged Building or changed or intensified Use.
- (d) The parking space requirement on a Parcel which has or is proposed to have more than one Use shall be the sum of the requirements for each of those Uses.
- (e) Any loading space provided pursuant to subsection 3 (2) of this Schedule may be Used as parking space.
- (f) Each parking space shall have dimensions of not less than 2.75 m (9.02 ft.) by 5.5 m (18.04 ft.).

- (g) 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          | Maneuvering Space     | Curb Length           | Row End Length       |
| 0°            | 2.75 m<br>(9.02 ft.) | 2.75 m.<br>(9.02 ft.)  | 9.00 m<br>(29.53 ft.)  | 3.50 m<br>(11.48 ft.) | 6.70 m<br>(21.98 ft.) | 0.00 m               |
| 30°           | 2.75 m<br>(9.02 ft.) | 5.00 m.<br>(16.4 ft.)  | 13.50 m<br>(44.29 ft.) | 3.50 m<br>(11.48 ft.) | 5.45 m<br>(17.89 ft.) | 0.85 m<br>(2.79 ft.) |
| 45°           | 2.75 m<br>(9.02 ft.) | 5.70 m.<br>(18.07 ft.) | 15.40 m<br>(50.52 ft.) | 4.00 m<br>(13.12 ft.) | 3.85 m<br>(12.63 ft.) | 2.05 m<br>(6.72 ft.) |
| 60°           | 2.75 m<br>(9.02 ft.) | 6.00 m<br>(19.69 ft.)  | 17.50 m<br>(57.41 ft.) | 5.50 m<br>(18.04 ft.) | 3.20 m<br>(10.49 ft.) | 2.00 m<br>(6.56 ft.) |
| 90°           | 2.75 m<br>(9.02 ft.) | 5.50 m<br>(18.04 ft.)  | 18.00 m<br>(59.06 ft.) | 7.00 m<br>(22.97 ft.) | 2.75 m<br>(9.02 ft.)  | 0.00 m               |

- (h) A minimum standard of 24.75 m<sup>2</sup> (266.4 sq. ft.) per parking space shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a Parking Facility,
- (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) Designated parking stalls shall be required for those with disabilities as required by provincial regulations and shall be considered as part of the number of stalls required for the Development.

### 3(2) Loading Spaces

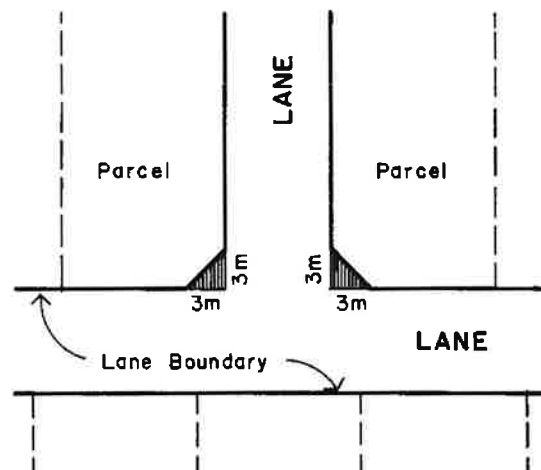
- (a) Loading spaces shall be required for all non-residential Development and Apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the Parcel before moving onto a Road.
- (c) Loading spaces shall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

### 3(3) Vehicle Access to Buildings

- (a) Any Building into which a vehicle may enter shall have a Driveway on the Parcel at least 6 m (19.69 ft.) in length, except where the Driveway enters a Lane, where it shall be either 1.5 m (4.92 ft.) or at least 6.0 m (19.69 ft.).

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

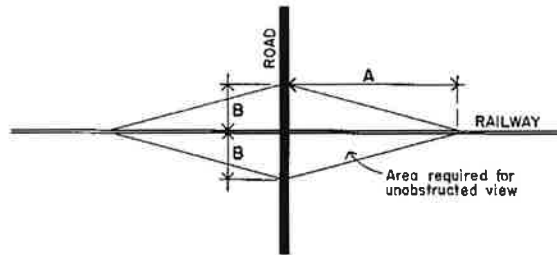
- (a) At the intersection of Lanes, a 3 m (9.84 ft.) Sight Triangle shall be provided (see diagram below)



- b) At the intersection of other Roadways, the Development Authority 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 centered in its right-of-way, or
  - (iv) an intersection leg is curved or skewed, or
  - (v) an intersection leg is sloped at 2% or greater.
- c) Sight Triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for Roadways.

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

- (a) At the intersections of Roadways and railways which are unprotected by automatic warning Signals, Sight Triangles shall be determined using the diagram below.



$$A = 228.6 \text{ m (750 ft.)}$$

$$B = 112.78 \text{ m (370 ft.)}$$

### 3.6 Driveways

- (a) At Street intersections, Driveways shall be Set Back from the Parcel boundaries which form the intersection not less than
- (i) 6 m (19.69 ft.) where the Driveway serves not more than four Dwelling Units, or
  - (ii) 15 m (49.21 ft.) for all other Uses,
- except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (b) The maximum width of a Driveway shall be 10 m (32.28 ft.).



- (c) The minimum distance between Driveways shall be:
  - (i) nil where the Driveways serve single Dwelling Units,
  - (ii) 6 m (19.69 ft.) where the Driveways serve any other Use,except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (d) The minimum angle for a Driveway to a Use which generates high traffic volumes shall be 70°.

#### **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 Authority considers it necessary, or
  - (iii) in accordance with the provisions of section 3.3(6) of Part Two
- (e) If a non-conforming Building is damaged or destroyed more than 75% of the market value of the Building above its foundation, the Building may not be repaired or rebuilt except in accordance with this Land Use Bylaw.
- (f) The land Use or the Use of a Building is not affected by a change of Ownership or tenancy of the land or Building.

### **5 Signs**

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

- (a) A Sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby Buildings or be liable to create a cluttered appearance to the streetscape.

- (b) No Sign shall project higher than the roof-line of the Building to which it is attached.
- (c) A Sign shall not project closer than 0.75 m (2.5 ft.) to the existing or future curb line.
- (d) Where a Sign projects over public property, a minimum clearance of 2.5 m (8.2 ft.) above Grade level shall be maintained.
- (e) Notwithstanding subsection (d), where a Sign is located in or projects into or over a Driveway or other area of vehicle movement, a minimum clearance of 4.6 m (15.1 ft.) above Grade level shall be maintained.
- (f) A Sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- (g) A Sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.

## **5(2) Fascia and Projecting Signs**

- (a) No Fascia or Projecting Sign shall be lower than 2.5 m (8.2 ft.) above Grade, except in the case of Signs intended solely for the information of pedestrians in which case the height shall be determined by the Municipal Planning Commission having regard, amongst other things, to clarity and safety.
- (b) No Fascia or Projecting Sign on a single storey Building shall be higher than the Eave-line of the Building.
- (c) No Fascia Sign shall project more than 0.4 m (1.3 ft.) over a Street or public property.
- (d) No Fascia or Projecting Sign on a Building two or more storeys in height shall be higher than the sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall.
- (e) The maximum size for Projecting Signs shall be 1.0 m<sup>2</sup> (10.8 sq. ft.)
- (f) On corner sites, Projecting Signs shall be placed at equal angles to the walls that form the corner and on other sites, at right angles to the wall.
- (g) Projecting Signs shall not project more than 1.0 m (3.3 ft.) over a Street or public property.
- (h) Only one Projecting Sign may be erected on each Street frontage of a Building.

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

- (a) No Freestanding Sign or Billboard shall extend beyond 6.0 m (19.7 ft.) above Grade or be larger than 4.5 m<sup>2</sup> (48.4 sq. ft.) except in a Central Commercial District where
  - (i) the maximum in all cases other than a District Shopping Centre, shall be 7.0 m (23.0 ft.) in height and 9.5 m<sup>2</sup> (102.3 sq. ft.) in area, and
  - (ii) at a District Shopping Centre, the maximum shall be 8.5 m (27.9 ft.) in height and 14.0 m<sup>2</sup> (150.7 sq. ft.)
- (b) Only one Freestanding Sign or Billboard may be erected on each of a Parcel's boundaries with a Street.
- (c) No Freestanding Sign or Billboard shall be erected in such proximity to a Public Use 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 30.0 m (98.4 ft.) from each other.
- (e) Freestanding Signs and Billboards shall only be erected on sites to which their display relates except in the case of
  - (i) advance directional signs which may be approved by the Municipal Planning Commission in locations where it considers the free and safe flow of traffic may be enhanced, or
  - (ii) Signs used solely by community organizations.

### **5(4) Portable Signs**

- (a) Portable Signs subject to subsection 5(4)(e), 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 2.0 m (6.6 ft.) above Grade or larger than 3.0 m<sup>2</sup> (32.3 sq. ft.)
- (e) Notwithstanding subsections 5(4)(a), (b) and (c), a Portable Sign may be used to advertise community events of a public or quasi-public nature, if it is placed on public property and any advertisement of any business is limited to the name of the permanent sponsor, permanently affixed to the Sign.

**5(5) Awning Signs**

Awning Signs shall only be permitted if the awning is a minimum of 2.5 m (8.2 ft.) above Grade level.

**5(6) Other Signs**

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

**5(7) Sign Removal**

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

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

**6. Miscellaneous**

**6(1) Primary Access**

The primary physical and legal access to all Parcels shall be via a Street. A Lane may provide secondary access only.

**6(2) Home Occupations**

Home occupations shall comply with the following:

- (a) a home occupation shall not include any Use or operation which detracts from the amenities of a residential neighbourhood by way of creating dangerous or objectionable conditions;
- (b) a home occupation shall be incidental and subordinate to the residential Use of the dwelling and any Accessory Residential Building;
- (c) there shall be no exterior display or advertisement other than a professionally prepared business identification plaque or Sign having maximum dimensions of 60 cm X 45 cm (24 in. X 18 in.) being located within a window or, at the discretion of the Development Authority, located on the Building or other suitable location on the site.

- (d) there shall be no outside storage of materials, commodities or finished products;
- (e) no commodity other than the product or service of the home occupation shall be sold on the premises; and
- (f) a home occupation shall not be staffed on site by any person other than a resident of the dwelling.
- (g) a home occupation license does not exempt the applicant from compliance with any federal or provincial regulation, or any municipal bylaw or regulation.
- (h) a home occupation shall not involve the use and/or storage of hazardous or dangerous goods.
- (i) not more than one business vehicle used in or for the home occupation shall be parked on the site or any Street adjacent thereto.
- (j) a permit for a home occupation may be revoked at any time if, in the opinion of the Development Authority, the home occupation has become detrimental to the residential nature and amenity of the neighbourhood or otherwise does not meet the criteria or intent of a home occupation.

### **6(3) Private Pools and Decorative Ponds**

- (a) A Private Pool or Decorative Pond must be:
  - (i) at least 1 m (3.28 ft) from the side and rear property lines;
  - (ii) located in a Rear or Side Yard on an interior lot; and
  - (iii) on a corner lot, located in a Rear Yard or the Side Yard not adjacent to a Street.
- (b) A Decorative Pond must not be located in a Front Yard, unless:
  - (i) the Decorative Pond is 600 mm or less in depth; and
  - (ii) the Decorative Pond is located a minimum of 1 m (3.28 ft) from the front and side property lines.
- (c) Subject to subsection (d) below, every Private Pool shall be secured against entry of the public other than Owners, tenants or their guests by being enclosed by a 1.82 m (6 ft.) fence and shall be designed to deter children from climbing over or crawling through or under it to gain access.
- (d) Every hot tub shall be fenced or have in place a lockable lid.
- (f) A Building permit shall be required for all Private Pool and/or Decorative Ponds in excess of 600 mm in depth.

**6(4) Dangerous Goods**

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

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

- (a) A temporary fence shall be erected around all excavations which, in the opinion of the Development Authority, may be hazardous to the public.
- (b) Where finished ground elevations are established, all grading shall comply therewith.
- (c) All Parcels shall be Graded to ensure that storm water is directed to a Road without crossing Adjacent Land, except as permitted by the Municipal Planning Commission.
- (d) All topsoil shall be retained on the Parcel, except where it must be removed for Building purposes.

**6(6) 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 Authority, it may be considered an infill Development or is otherwise approved in writing by the Energy Resources Conservation Board.

**6(7) Development Setbacks from Wastewater Treatment Plants**

In accordance with the Subdivision and Development Regulation,

- (a) a school, hospital, food establishment or residential Building must not be approved and a residential Building must not be constructed within 300 m (984.25 ft.) of the working area of an operating wastewater treatment plant, and
- (b) a wastewater treatment plant must not be approved unless the working area of the plant is at least 300 m (984.25 ft.) from any existing or proposed school, hospital, food establishment or residential Building,

unless the Development is approved in writing by the Deputy Minister of the Environment.

**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, residence, or food establishment specified in the Subdivision and Development Regulation,

unless the Development is approved in writing by the Deputy Minister of the Environment

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

Every action undertaken by the Municipality and the Development Authority must be consistent with any Land Use Policies established pursuant to the *Municipal Government Act*.

#### **6(10) Secondary Suites In Residential Districts**

- (a) For the purposes of this Land Use By-law, all existing secondary suites are considered unauthorized dwelling units, except where a development permit approval has been given and they were lawfully constructed in conformation with any other Act or regulation having effect on the date of the development permit.
- (b) Secondary Suites may only be situated in a single family detached dwelling.
- (c) Secondary Suites will only be permitted in R-2, R-2A and R-2B Districts where the subject parcel area is a minimum 470 m<sup>2</sup> (5,059.2 sq. ft.) for interior parcels and 560 m<sup>2</sup> (6,028.8 sq. ft.) for corner parcels.
- (d) Secondary suites are prohibited in multi-family dwellings, including duplexes and multiple unit dwellings.
- (e) The number of Secondary Suites per detached dwelling is limited to one (1).
- (f) Secondary Suites must meet Alberta Building, Fire and Energy Code regulations.
- (g) Off-street parking must be provided in accordance with Section 3(1) of Schedule B.

#### **6(11) Garden Suites**

A Garden Suite:

- (a) shall only be situated in the Rear Yard of a Parcel.
- (b) shall not exceed one storey in height.
- (c) shall be sited so that it is at least:
  - (i) 1.5 m (5 ft.) from the side property boundary except that on a corner

Parcel, the Garden Suite shall be no closer to the Street than the primary dwelling;

(ii) 1.5 m (5 ft.) from the rear property boundary when the Garden Suite has a blank wall facing that boundary;

(iii) 3.0 m (10 ft.) from the rear property boundary when the Garden Suite has a window opening in the wall facing that boundary;

(iv) 2.5 m (8 ft.) from the primary dwelling and all other Buildings on the Parcel.

- (d) shall be placed on prepared cribbings or piers and shall be skirted within 30 days of its placement on the Parcel.
- (e) shall be connected to the utilities servicing the primary dwelling.
- (f) shall not, in combination with the primary residence, result in site coverage in excess of 40% of the area of the Parcel.
- (g) shall be of a design and appearance that is acceptable to the Municipal Planning Commission.
- (h) shall be removed from a Parcel within thirty (30) days of the death or permanent departure of the occupants, or the sale or rental of the primary dwelling.
- (i) Development Permits issued for Garden Suites shall be reviewed every two (2) years.

#### **6(12) Bed and Breakfast Establishments**

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

#### **6(13) Decks**

A Development Permit is required for the construction of a deck if:

- (a) it will be constructed so that the decking is situated more than 0.61 m (2.0 ft.) above Grade, or
- (b) subject to section 2(1) of Schedule B, any portion of the deck is situated within the applicable minimum Yard setback requirement



#### **6(14) Drainage**

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

#### **6(15) 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 appropriate Screening of outside storage areas, parking facilities and loading areas from adjacent Buildings and Roads.
- (c) the planting of additional trees and shrubs to provide
  - (i) a minimum overall density of one tree per 35.0 m<sup>2</sup> (376.7 sq. ft.) of Landscaped Area,
  - (ii) a minimum of 33% coniferous trees, and
  - (iii) a minimum height of 1.5 m (4.9 ft.) for deciduous trees and 1.0 m (3.3 ft.) for coniferous trees;
- (d) a maximum of 15% of the Parcel area being hard-landscaped;
- (e) a sufficient depth of topsoil to facilitate growth in the soft-landscaped areas, with areas not planted to trees and shrubs being seeded to grass, sodded or left with its natural grass cover; and
- (f) completion of the landscaping by the end of the first full growing season following completion of construction or the commencement of the Use.

#### **6(16) Shipping (Sea and Rail) Containers Regulations**

The following regulations shall apply to all shipping containers located on parcels in the Industrial and Public Use Districts. A maximum of one (1) shipping container/hectare of parcel area (rounded up to the next whole number) may be permitted:

- (a) A shipping container must not exceed the following dimensions 13.716m (L) x 2.438m (W) x 2.896m (H);
- (b) Shipping containers shall only be placed on the ground, and shall not be stacked upon one another or on any other structure;

- (c) Shipping containers will only be allowed on parcels where the approved building has already been constructed;
- (d) Shipping containers must be located at the rear yard of the property and shall:
  - (i) standalone so that they are not connected to one another or to any structures on the property (e.g. through the development of a roof structure, or other means);
  - (ii) be finished in the same colour as the primary colour of the principal building on the parcel; or
  - (iii) be screened, using either vinyl fencing measuring 1.8m in height or coniferous trees, planted at a minimum height of 1.8m and spaced to provide a wall of fencing.
- (e) Where the rear yard is adjacent to a residential district, or public street, additional landscaping and screening shall be provided to screen the shipping containers, to the satisfaction of the Municipal Planning Commission.

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

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

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

**SCHEDULE C: LAND USE DISTRICT REGULATIONS**

## **LOW DENSITY RESIDENTIAL DISTRICT (R1)**

**General Purpose:** To provide an area for low density residential development in the form of detached dwellings and compatible uses.

**Permitted Uses:** Single Family Detached Dwellings  
Accessory Residential Buildings where the total floor area is less than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Building Demolition

**Discretionary Uses:** Accessory Residential Buildings where the total floor area is more than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Accessory Uses  
Care Residence  
Bed and Breakfast Establishment  
Building Demolition  
Day Care Facility  
Duplexes existing at the date of passage of this Land Use Bylaw  
Existing Manufactured Home  
Garden Suite  
Home Occupation, Major  
Home Occupation, Minor  
Parking facilities for Uses in this District  
Parks and Playgrounds  
Public and Quasi-public Uses  
Public Works Buildings and Structures  
Signs

## **PARCEL DEVELOPMENT REGULATIONS**

### **Single Family Detached Dwellings and Modular Homes**

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 8 m (26.24 ft.)  |
| <b>Minimum Side Yard</b>       | 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater          |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.)   |
| <b>Minimum Parcel Area</b>     | Interior Parcels 550 m <sup>2</sup> (5,925.15 ft <sup>2</sup> )<br>Corner Parcels 610 m <sup>2</sup> (6,563.60 ft <sup>2</sup> )           |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable floor area of dwelling above grade  |
| <b>Maximum Parcel Coverage</b> | 55%  |
| <b>Landscaped Area</b>         | No specific requirements. In the case of applications for Development Permits for uses other than Detached Dwellings, refer to Schedule B. |
| <b>Maximum Building Height</b> | 10 m (33 ft.)  |

### **Supplementary Regulations:**

1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.

## **LOW DENSITY RESIDENTIAL DISTRICT (R1A)**

**General Purpose:** To provide an area for low density residential development in the form of detached dwellings and compatible uses with reduced front yards.

**Permitted Uses:** Single Family Detached Dwellings  
Modular Homes  
Accessory Residential Buildings where the total floor area is less than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Building Demolition

**Discretionary Uses:** Accessory Residential Buildings where the total floor area is more than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Accessory Uses  
Care Residence  
Bed and Breakfast Establishment  
Building Demolition  
Day Care Facility  
Garden Suite  
Home Occupation, Major  
Home Occupation, Minor  
Parking facilities for Uses in this District  
Parks and Playgrounds  
Public and Quasi-public Uses  
Public Works buildings and structures  
Signs

## **PARCEL DEVELOPMENT REGULATIONS**

### **Single Family Detached Dwellings and Modular Homes**

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 6 m (19.6 ft.)   |
| <b>Minimum Side Yard</b>       | 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater          |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.)   |
| <b>Minimum Parcel Area</b>     | Interior Parcels 550 m <sup>2</sup> (5,925.15 ft <sup>2</sup> )<br>Corner Parcels 610 m <sup>2</sup> (6,563.60 ft <sup>2</sup> )           |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable floor area of the dwelling above grade  |
| <b>Maximum Parcel Coverage</b> | 55%  |
| <b>Landscaped Area</b>         | No specific requirements. In the case of applications for Development Permits for Uses other than detached dwellings, refer to Schedule B. |
| <b>Maximum Building Height</b> | 10 m (33 ft.)  |

### **Supplementary Regulations:**

1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.

## **GENERAL RESIDENTIAL DISTRICT (R2)**

- General Purpose:** To provide an area for a variety of dwelling types from detached to semi-detached dwellings, multiple unit dwellings, apartments and other uses.
- Permitted Uses:** Single Family Detached Dwellings  
Modular Homes  
Accessory Residential Buildings where the total floor area is less than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Building Demolition
- Discretionary Uses:** Accessory Uses  
Accessory Residential Buildings where the total floor area is more than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Secondary Suite, in Detached Dwellings only  
Apartments  
Bed and Breakfast Establishment  
Care Residence  
Day Care Facility  
Duplexes and Semi-Detached Dwellings  
Multiple Unit Dwellings  
Garden Suites  
Home Occupation, Minor  
Home Occupation, Major  
Parking facilities for Uses in this District  
Parks and Playgrounds  
Public and Quasi-public Uses  
Public Works Buildings or Structures  
Signs

## **PARCEL DEVELOPMENT REGULATIONS**

### **Single Family Detached Dwellings and Modular Homes**

|                                |   |
|--------------------------------|---|
| <b>Minimum Front Yard</b>      | 8 m (26.24 ft.)   |
| <b>Minimum Side Yard</b>       | 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.)  |
| <b>Minimum Parcel Area</b>     | Interior Parcels 465 m <sup>2</sup> (5,003.40 ft <sup>2</sup> )<br>Corner Parcels 512 m <sup>2</sup> (5,509.12 ft <sup>2</sup> )  |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable floor area of the dwelling above grade   |
| <b>Maximum Parcel Coverage</b> | 55%   |
| <b>Landscaped Area</b>         | No specified requirements. For other uses refer to Schedule "B"   |
| <b>Maximum Building Height</b> | 10 m (33 ft.)   |

## Multiple-Unit Dwellings Semi-Detached, Duplexes, Townhouses, 4-plexes

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 8 m (26.24 ft.)  |
| <b>Minimum Side Yard</b>       | 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater<br>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. |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.). Each dwelling unit shall have a private, screened yard area of not less than 45 m <sup>2</sup> (484.39 ft <sup>2</sup> )   |
| <b>Minimum Parcel Area</b>     | Duplexes/Semi-Detached (per Dwelling Unit):<br>Interior Parcels 280m <sup>2</sup> (3,013.89 ft <sup>2</sup> )<br>Corner Parcels 330m <sup>2</sup> (3,552.09 ft <sup>2</sup> )  |
|                                | Town houses (per Dwelling Unit):<br>Interior Parcels 180 m <sup>2</sup> (1,937.50 ft <sup>2</sup> )<br>Corner Parcels 280 m <sup>2</sup> (3,013.89 ft <sup>2</sup> )   |
|                                | Four-Plexes (per Dwelling Unit):<br>Interior Parcels 200 m <sup>2</sup> (2,152.73 ft <sup>2</sup> )<br>Corner Parcels 220 m <sup>2</sup> (2,368.06 ft <sup>2</sup> )   |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable Floor Area of dwelling above Grade  |
| <b>Maximum Parcel Coverage</b> | 55%  |
| <b>Landscaped Area</b>         | An area 6 m (19.69 ft.) in perpendicular depth and 1 m (3.28 ft.) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Schedule B.         |
| <b>Maximum Building Height</b> | 10 m (33 ft.)  |

## Apartments

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 8 m (26.24 ft.)  |
| <b>Minimum Side Yard</b>       | 3 m (9.84 ft.), except where it abuts a road - 6.0 m (19.69 ft.), or as required in the Alberta Building Code, whichever is greater.   |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.)   |
| <b>Minimum Parcel Area</b>     | 2 times the building's total floor area  |
| <b>Maximum Parcel Coverage</b> | 75%  |
| <b>Landscaped Area</b>         | An area 6 m (19.69 ft.) in perpendicular depth and 1 m (3.28 ft.) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Schedule B. |
| <b>Maximum Building Height</b> | 13.5 m (44 ft.)  |

### Supplementary Regulations:

1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.

## **GENERAL RESIDENTIAL DISTRICT (R2A)**

**General Purpose:** To provide an area for a variety of dwelling types from detached to semi-detached dwellings multiple units and other uses.

**Permitted Uses:** Single Family Detached Dwellings  
Modular Homes  
Duplexes and Semi-Detached Dwellings  
Accessory Residential Buildings where the total Floor Area is less than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Building Demolition

**Discretionary Uses:** Accessory Uses  
Secondary Suite, in Detached Dwellings only  
Bed and Breakfast Establishment  
Day Care Facility  
Multiple Unit Dwellings  
Garden Suites  
Home Occupation, Minor  
Home Occupation, Major  
Parking facilities for Uses in this District  
Parks and Playgrounds  
Public and Quasi-public Uses  
Public Works Buildings or Structures  
Signs

## **PARCEL DEVELOPMENT REGULATIONS**

### **Single Family Detached Dwellings and Modular Homes**

|                                |   |
|--------------------------------|---|
| <b>Minimum Front Yard</b>      | 8 m (26.24 ft.)   |
| <b>Minimum Side Yard</b>       | 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.)  |
| <b>Minimum Parcel Area</b>     | Interior Parcels 465 m <sup>2</sup> (5,003.40 ft <sup>2</sup> )<br>Corner Parcels 512 m <sup>2</sup> (5,509.12 ft <sup>2</sup> )  |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable floor area of the dwelling above grade   |
| <b>Maximum Parcel Coverage</b> | 55%   |
| <b>Landscaped Area</b>         | No specified requirements. For other uses refer to Schedule "B"   |
| <b>Maximum Building Height</b> | 10 m (33 ft.)   |



## Multiple-Unit Dwellings Semi-Detached, Duplexes, Townhouses, 4-plexes

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 8 m (26.24 ft.)  |
| <b>Minimum Side Yard</b>       | 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater<br>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. |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.) Each Dwelling Unit shall have a private, screened yard area of not less than 45 m <sup>2</sup> (484.39 ft <sup>2</sup> )  |
| <b>Minimum Parcel Area</b>     | Duplexes/Semi-Detached (per dwelling unit):<br>Interior Parcels 280m <sup>2</sup> (3,013.89 ft <sup>2</sup> )<br>Corner Parcels 330m <sup>2</sup> (3,552.09 ft <sup>2</sup> )  |
|                                | Town houses (per dwelling unit):<br>Interior Parcels 180 m <sup>2</sup> (1,937.50 ft <sup>2</sup> )<br>Corner Parcels 280 m <sup>2</sup> (3,013.89 ft <sup>2</sup> )   |
|                                | Four-Plexes (per dwelling unit):<br>Interior Parcels 200 m <sup>2</sup> (2,152.73 ft <sup>2</sup> )<br>Corner Parcels 220 m <sup>2</sup> (2,368.06 ft <sup>2</sup> )   |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable floor area of the dwelling above grade  |
| <b>Maximum Parcel Coverage</b> | 55%  |
| <b>Landscaped Area</b>         | An area 6 m (19.69 ft.) in perpendicular depth and 1 m (3.28 ft.) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the Parcel, in accordance with Schedule B.         |
| <b>Maximum Building Height</b> | 10 m (33 ft.)  |

### Supplementary Regulations:

1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.

## **GENERAL RESIDENTIAL DISTRICT (R2B)**

**General Purpose:** To provide an area for a variety of dwelling types from detached to semi-detached dwellings multiple units and other uses.

**Permitted Uses:** Single Family Detached Dwellings  
Modular Homes  
Duplexes and Semi-Detached Dwellings, Townhouses, Multiple Unit Dwellings  
Accessory Residential Buildings where the total floor area is less than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Building Demolition\

**Discretionary Uses:** Accessory Uses  
Accessory Residential Buildings where the total floor area is greater than 70 m<sup>2</sup> (753 ft<sup>2</sup>)  
Secondary Suite, in Detached Dwellings only  
Day Care Facility  
Home Occupation, Minor  
Parking facilities for Uses in this District  
Parks and Playgrounds  
Public and Quasi-public Uses  
Public Works Buildings or Structures  
Signs

## **PARCEL DEVELOPMENT REGULATIONS**

### **Single Family Detached Dwellings and Modular Homes**

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 6 m (19.6 ft.)   |
| <b>Minimum Side Yard</b>       | 1.5 m (6.0 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.)   |
| <b>Minimum Parcel Area</b>     | Interior parcels 465 m <sup>2</sup> (5,003.40 ft <sup>2</sup> )<br>Corner parcels 512 m <sup>2</sup> (5,509.12 ft <sup>2</sup> ) |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable floor area of the dwelling above grade  |
| <b>Maximum Parcel Coverage</b> | 55%  |
| <b>Landscaped Area</b>         | No specified requirements. For other uses refer to Schedule "B"  |
| <b>Maximum Building Height</b> | 10 m (33 ft.)  |

## Multi-Unit Dwellings Semi-Detached, Duplexes, Townhouses, 4-plexes

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 6 m (19.6 ft.)   |
| <b>Minimum Side Yard</b>       | 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater<br>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. |
| <b>Minimum Rear Yard</b>       | 10 m (32.81 ft.) Each dwelling unit shall have a private, screened yard area of not less than 45 m <sup>2</sup> (484.39 ft <sup>2</sup> )  |
| <b>Minimum Parcel Area</b>     | Duplexes/Semi-Detached (per dwelling unit):  |
|                                | Interior Parcels 280m <sup>2</sup> (3,013.89 ft <sup>2</sup> )   |
|                                | Corner Parcels 330m <sup>2</sup> (3,552.09 ft <sup>2</sup> )   |
|                                | Town houses (per dwelling unit):   |
|                                | Interior Parcels 180 m <sup>2</sup> (1,937.50 ft <sup>2</sup> )  |
|                                | Corner Parcels 280 m <sup>2</sup> (3,013.89 ft <sup>2</sup> )  |
| <b>Minimum Floor Area</b>      | Four-Plexes (per dwelling unit):   |
|                                | Interior Parcels 200 m <sup>2</sup> (2,152.73 ft <sup>2</sup> )  |
|                                | Corner Parcels 220 m <sup>2</sup> (2,368.06 ft <sup>2</sup> )  |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable floor area of the dwelling above grade  |
| <b>Maximum Parcel Coverage</b> | 55%  |
| <b>Landscaped Area</b>         | An area 6 m (19.69 ft.) in perpendicular depth and 1 m (3.28 ft.) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Schedule B.         |
| <b>Maximum Building Height</b> | 10 m (33 ft.)  |

## Supplementary Regulations:

1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.

## **MANUFACTURED HOME DISTRICT (R3)**

**General Purpose:** To provide an area for and to regulate the Development and Use of land for Manufactured Homes, and other Uses which are compatible with a residential area, either on separately registered Parcels or in comprehensively designed parks wherein sites are rented or owned as part of a condominium. The area is to be connected to municipal sewer and water systems.

**Permitted Uses:** Manufactured Homes  
Manufactured Home Park  
Accessory Residential Buildings where the total floor area is less than 70 m<sup>2</sup> (753.5ft<sup>2</sup>)  
Building Demolition

**Discretionary Uses:** Accessory Residential Buildings where the total floor area is more than 70 m<sup>2</sup> (753.5 ft<sup>2</sup>)  
Accessory Uses  
Building Demolition  
Day Care Facility  
Home Occupation, Minor  
Parking facilities for Uses in this District  
Parks and Playgrounds  
Public Works Buildings and Structures  
Signs

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**

|                                  |   |
|----------------------------------|---|
| <b>Maximum Gross Density</b>     | 17 Manufactured Homes per hectare (7 per acre)  |
| <b>Minimum Park Area</b>         | 2 hectares (4.94 acres)   |
| <b>Minimum Yard Requirements</b> | Manufactured Homes Parks and their attached structures shall be at least:<br>a) 6m (19.69 ft.) from one another<br>b) 7m (22.97 ft.) from any other Manufactured Home park boundary<br>c) 3m (9.84 ft.) from any internal access Road or common parking area<br>d) 1.5m (4.92 ft.) from any side lot line<br>e) 4.5m (14.76 ft.) from any rear lot line |
| <b>Minimum Lot Area</b>          | The minimum lot area for single wide Manufactured Homes shall be 370 m <sup>2</sup> (3,982.6 ft <sup>2</sup> )  |

|   |  |
|---|--|
|   | The minimum lot area for double wide Manufactured Homes shall be 470 m <sup>2</sup> (5,059.0 ft <sup>2</sup> ).<br>The lot area requirements shall not apply to Manufactured Home Parks existing prior to the adoption of this Land Use Bylaw, provided the minimum yard requirements are complied with. |
| <b>Maximum Lot Coverage</b>                 | 55%  |
| <b>Minimum Building Height</b>              | 6.0 m (19.68 ft.)<br>No attached structure shall exceed the height of the main building.   |
| <b>Minimum Manufactured Home Width</b>      | 4.325 m (14.0 ft)  |
| <b>Minimum Manufactured Home Floor Area</b> | 78 m <sup>2</sup> (840 ft <sup>2</sup> ) excluding any attached structures   |
| <b>Maximum Manufactured Home Age</b>        | All Manufactured Homes shall be a maximum age of five (5) years or less from the date of manufacture. Only the Municipal Planning Commission can vary the maximum age of Manufactured Homes through the application process.   |

**Park Site Plan:** The Municipal Planning Commission may require the developer to provide a site plan showing all lot boundaries and dimensions. Each lot in a Manufactured Home Park shall have a street accessible water curb stop on new lot development and park expansion only.

**Recreation Area:** A minimum of 5% of the total area of a Manufactured Home Park shall be set aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Authority.

**Roadways:** All Manufactured Home Park roadways shall have at least a 12 m (39.4 ft.) right-of-way and a carriageway no less than 10 m (32.8 ft.) in width.

**Walkways:** Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m (4.9 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 and shall have an area of not less than 20 m<sup>2</sup> (215.3 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.

## 2. Manufactured Home Individually Titled Lot Standards

|                                 |  |                    |                             |
|---------------------------------|--|--------------------|-----------------------------|
| Manufactured Homes              | New Manufactured Homes only  |                    |                             |
| Minimum Yards                   | Manufactured Homes and their attached structures shall be at least:<br>(i) 6 m (19.6 ft.) from one another (except attached structures)<br>(ii) 6 m (19.6 ft.) from the Front Parcel Boundary<br>(iii) 6 m (19.6 ft.) from the rear Parcel boundary<br>(iv) 1.5 m (5 ft.) from the side Parcel boundary except on a corner parcel where the Side Yard abutting a Road shall be at least 3 m (9.84 ft.)   |                    |                             |
| Minimum Parcel Area             | Interior Parcels   | 465 m <sup>2</sup> | (5,003.40 ft <sup>2</sup> ) |
|                                 | Corner Parcels   | 512 m <sup>2</sup> | (5,509.12 ft <sup>2</sup> ) |
| Minimum Floor Area              | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) excluding any attached structures   |                    |                             |
| Maximum Parcel Coverage         | 55%  |                    |                             |
| Minimum Manufactured Home Width | 4.92 m (16.0 ft.)  |                    |                             |
| Landscape Area                  | No specific requirements. For all other uses refer to Schedule "B"   |                    |                             |
| Maximum Building Height         | 7.5 m (25 ft.)<br>No attached structure shall exceed the height of the Main Building.  |                    |                             |
| Building Design                 | All Manufactured Homes shall be factory built and meet Alberta Building Code and Alberta Fire Code regulations.<br>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.<br>All wheels must be removed and the Manufactured Home placed on Permanent Foundation or concrete piers in accordance with the requirements of the Alberta Building Code. |                    |                             |

### Supplementary Regulations:

1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.



## **CENTRAL COMMERCIAL DISTRICT (C)**

**General Purpose:** To provide an area for commercial uses offering a wide variety of goods and services.

**Permitted Uses:**

- Retail Sales
- Commercial Uses and Activities
- Drive Through Business
- Offices
- Personal Services
- Public and Quasi-public uses
- Public Works Buildings and Structures
- Restaurants
- Sales and service outlets for motor vehicles, trucks and recreational vehicles
- Small-scale repair trades, craftspeople and similar trades, including retail sales of related products;
- Building Demolition

**Discretionary Uses:**

- Accessory Uses
- Secondary Dwelling Units attached to and behind commercial establishments
- Building Demolition
- Bus Depots
- Commercial recreation and entertainment facilities
- Day Care Facility
- Drinking Establishment
- Mixed Use Developments
- Funeral Home
- Liquor Store
- Parking facilities
- Public and Quasi-public Uses
- Recycle Depot
- Repair Services(no outdoor storage), excluding heavy equipment
- Signs
- Veterinary Clinic
- Any use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.

## **PARCEL DEVELOPMENT REGULATIONS**

### **Permitted Uses**

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | Nil  |
| <b>Minimum Side Yard</b>       | Nil, or as required in the Alberta Building Code, whichever is greater                               |
| <b>Minimum Rear Yard</b>       | Shall provide for parking and loading spaces in accordance with Section 3(1) and 3(2) of Schedule B. |
| <b>Minimum Floor Area</b>      | 90 m <sup>2</sup> (969 ft <sup>2</sup> ) habitable Floor Area of the dwelling above Grade            |
| <b>Maximum Parcel Coverage</b> | 100%   |

|                                    |   |
|------------------------------------|---|
| <b>Outdoor Storage and Display</b> | Outdoor storage or display is not permitted |
|------------------------------------|---|

### **Supplementary Regulations:**

- 1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.
- 2) Secondary Dwelling Units:
  - a) Approved dwelling units are permitted as long as the principal use is active;
  - b) All dwelling units shall have an entrance separate from that of the commercial establishment;
  - c) Secondary dwelling units shall be located above or at the rear and attached to the principal commercial use; and
  - d) Secondary dwelling units shall have a floor area smaller than or equal to the floor area in commercial use;
  - e) The minimum floor area for each dwelling unit shall be 46 m<sup>2</sup>;
  - f) One parking site/dwelling unit shall be provided in the rear yard;
  - g) Secondary dwelling units shall conform to the current Alberta Building Code Regulations and the Alberta Fire Code Regulations, and have a secondary fire exit.

### **COMMERCIAL PERFORMANCE STANDARDS**

A commercial activity shall conform to the following standards:

- a) The activity must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- b) No equipment or process used in the commercial activity shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the parcel where the commercial business or activity takes place.
- c) There shall be no exterior display or storage of any merchandise or material relating to the commercial activity.
- d) The commercial activity shall be compatible with the surrounding commercial area and not of a size that provides services or products that would detrimentally affect the business climate of the Town centre.



## **LIGHT INDUSTRIAL DISTRICT (I1)**

**General Purpose:** To provide an area for a variety of light and other service related industrial activities that do not create nuisances beyond their property boundaries.

**Permitted Uses:** Accessory Sales related to manufacturing  
Animal Services (no outdoor enclosures, pens, or runs)  
Bulk Fuel and Sales Outlets  
Repair Services  
Contracting Services  
Commercial Greenhouse  
Equipment Rental  
Light Manufacturing  
Sales and service outlets for farm equipment  
Shipping Containers  
Veterinary Hospital  
Warehousing  
Building Demolition

**Discretionary Uses:** Accessory Uses  
Building Demolition  
Crematorium  
Secondary Dwelling Unit for the Occupancy of the Owner, Operator or Caretaker  
Fabric Covered Engineered Structures  
Funeral Home  
Mechanized Excavation, Stripping and Grading  
Parking facilities for Uses in this District  
Public Works Buildings or Structures  
Railway Uses  
Repair Services and yards  
Self-Service Storage  
Signs  
Solid Waste Transfer Station  
Trucking Establishment  
Any use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.

## **PARCEL DEVELOPMENT REGULATIONS**

**Permitted Uses:**

|                                |  |
|--------------------------------|--|
| <b>Minimum Front Yard</b>      | 9 m (29.53 ft.)  |
| <b>Minimum Side Yard</b>       | 3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater |
| <b>Minimum Rear Yard</b>       | 6 m (19.69 ft.)  |
| <b>Minimum Parcel Frontage</b> | 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.  |
| <b>Maximum Parcel Coverage</b>           | 80%   |
| <b>Outdoor Storage and Display Areas</b> | All outdoor storage and display areas shall be screened.  |
| <b>Landscaped Area</b>                   | <p>The 9m (29.53 ft.) wide strip of land abutting the Front Parcel Boundary shall be a Landscaped Area. The 3 m (9.84 ft.) wide strip of land abutting the side Parcel boundary, which is adjacent to a Street or a Residential District, shall be a Landscaped Area.</p> <p>The 6 m (19.69 ft.) wide strip of land abutting the rear Parcel boundary, which is adjacent to a Residential District, shall be a Landscaped Area.</p> <p>All applications for Development Permits shall include details of landscaping on the site plan for the consideration of the Development Officer.</p> |

### **Supplementary Regulations:**

- 1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.
- 2) The regulations for all Discretionary Uses shall be as established in Schedule B, or as determined by the Municipal Planning Commission.
- 3) Secondary Dwelling Units:
  - a) Approved dwelling units are permitted as long as the principal use is active;
  - b) All dwelling units shall have an entrance separate from that of the commercial establishment;
  - c) Secondary dwelling units shall be located above or at the rear and attached to the principal commercial use; and
  - d) Secondary dwelling units shall have a floor area smaller than or equal to the floor area in commercial use;
  - e) The minimum floor area for each dwelling unit shall be 46 m<sup>2</sup>;
  - f) One parking site/dwelling unit shall be provided in the rear yard;
  - g) Secondary dwelling units shall conform to the current Alberta Building Code Regulations and the Alberta Fire Code Regulations, and have a secondary fire exit.
- 4) Shipping Container regulations are provided in Schedule B.

## **INDUSTRIAL PERFORMANCE STANDARDS**

An Industrial Operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
- b) Smoke - no process involving the use of solid fuel is permitted;
- c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
- d) Odour - the emission of any odourous gas or other odourous matter is prohibited;
- e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat noticed

- beyond the property line of the lot;
- g) External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the Municipal Planning Commission. No storage shall be permitted in the front yard;
  - h) Industrial wastes - waste which does not conform to the standards established from time to time by Town Bylaws shall not be discharged into any Town sewers; and
  - i) The onus of proving to Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

## **HEAVY INDUSTRIAL DISTRICT (I2)**

**General Purpose:** To provide an area for a variety of manufacturing, warehousing, transportation-related and other industrial activities, which may, in the course of normal operations, create nuisance factors apparent beyond their property boundaries.

**Permitted Uses:** All I1 Permitted Uses  
Distribution Facility  
Equipment Rental  
Heavy Equipment Assembly, Sales and Service  
Heavy Manufacturing  
Open Storage Yards  
Public Works Buildings and Structures  
Repair Services  
Shipping Containers  
Trucking Establishment  
Veterinary Hospitals  
Warehousing  
Building Demolition

**Discretionary Uses:** Accessory Uses  
Auction Markets including Livestock Sales  
Auto Salvage Yards  
Building Demolition  
Commercial Greenhouses  
Crematorium  
Secondary Dwelling Unit for Occupancy by the Owner, Operator or Caretaker  
Fabric Covered Engineered Structures  
Feed Mills and Grain Elevators  
Fertilizer Sales and Storage  
Funeral Home  
Mechanized Excavation, Stripping and Grading  
Non-renewable Resource Extraction  
Parking facilities for Uses in this District  
Railway Uses  
Seed Cleaning Plants  
Self-Storage Units  
Sewage Treatment Facilities  
Signs  
Solid Waste Transfer Stations  
Any use that is similar, in the opinion of the Development Authority, to the uses above may apply for a discretionary use development permit.

## PARCEL DEVELOPMENT REGULATIONS

### Permitted Uses:

|                                |   |
|--------------------------------|---|
| <b>Minimum Front Yard</b>      | 9 m (29.53 ft.)   |
| <b>Minimum Side Yard</b>       | 3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater  |
| <b>Minimum Rear Yard</b>       | 6 m (19.69 ft.)   |
| <b>Minimum Parcel Frontage</b> | 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. |
| <b>Maximum Parcel Coverage</b> | 80%   |

### Supplementary Regulations:

- 1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.
- 2) The regulations for all Discretionary Uses shall be as established in Schedule B, or as determined by the Municipal Planning Commission.
- 3) Shipping Container regulations are provided in Schedule B.

## PERFORMANCE STANDARDS FOR HEAVY INDUSTRIAL ACTIVITIES

An Industrial Operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- a) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted beyond the parcel boundary.
- b) Odour - the emission of any odourous gas or other odourous matter is prohibited;
- c) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- d) Glare or heat - no industrial operation shall be carried out that would produce glare or heat noticed beyond the property line of the lot;
- e) External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the Municipal Planning Commission. No storage shall be permitted in the front yard;
- f) Industrial wastes - waste which does not conform to the standards established from time to time by Town Bylaws shall not be discharged into any Town sewers; and
- g) The onus of proving to Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

## **PUBLIC USE DISTRICT (P)**

**General Purpose:** To provide an area for the development of publicly and privately owned cultural, educational, institutional, recreational Uses, and other uses.

**Permitted Uses:** Parks and Playgrounds  
Public and Quasi-public Uses  
Public Works Buildings and Structures  
Recreation Facilities  
Building Demolition

**Discretionary Uses:** Accessory Uses  
Golf course  
Building Demolition  
Cemeteries (public)  
Mechanized Excavation, Stripping and Grading  
Parking facilities (public)  
Shipping Container  
Signs (Public)

## **PARCEL DEVELOPMENT REGULATIONS**

**Permitted Uses:**

|  |   |
|--|---|
| <b>Minimum Front Yard</b>                | 9 m (29.53 ft.)   |
| <b>Minimum Side Yard</b>                 | 3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater  |
| <b>Minimum Rear Yard</b>                 | 6 m (19.69 ft.)   |
| <b>Minimum Parcel Frontage</b>           | 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. |
| <b>Maximum Parcel Coverage</b>           | 80%   |
| <b>Maximum Building Height</b>           | 12m (39.37ft.)  |
| <b>Outdoor Storage and Display Areas</b> | All outdoor storage and display areas shall be screened.  |

**Supplementary Regulations:**

- 1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.

## **URBAN RESERVE DISTRICT (UR)**

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

**Permitted Uses:** Agricultural operations, excluding feedlots  
Building Demolition

**Discretionary Uses:** Accessory Uses  
Building Demolition  
Existing Dwelling and future dwelling and other related improvements on Lots 1 & 2, Block 1, Plan 132-3883  
Mechanized excavation, stripping and grading  
Public Works Buildings and Structures  
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

## **PARCEL DEVELOPMENT REGULATIONS**

The following regulations apply to all Uses:

|  |  |
|--|--|
| <b>Minimum Parcel Area</b>               | 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. |
| <b>Outdoor Storage and Display Areas</b> | All outdoor storage and display areas shall be screened.   |

### **Supplementary Regulations:**

1) All uses must comply with the regulations in Schedule B. The regulations for all other uses shall be determined by the Development Authority.

**PART FIVE: BY-LAW READINGS AND FINAL PASSING**

Land Use Bylaw No. 153/2011 and amendments thereto are hereby repealed.

By-law No. 189/2016 read a first time this 16<sup>th</sup> day of August, 2016.

By-law No. 189/2016 read a second time this 13<sup>th</sup> day of September, 2016

By-law No. 189/2016 read a third time and finally passed this 13<sup>th</sup> day of September, 2016.

  
Mayor

  
Chief Administrative Officer

Land Use By-law amendments, as set out in By-law No. 193/2017 and passed September 12, 2017, have been consolidated with By-law No. 189/2016.

  
Mayor

  
Chief Administrative Officer