



TOWN OF BENTLEY

LAND USE BYLAW

Bylaw #250/2024

Prepared by

Parkland Community Planning Services



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.

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 (Part 4) or specific (Part 5) regulations which may apply to your project. For example, Part 5: Use Specific Regulations deals with such items as accessory buildings, landscaping, etc. It also includes regulations for home occupations, bed and breakfasts, 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.

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

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PART ONE - LEGAL AND INTERPRETATION

1.1 PURPOSE

The purpose of this Bylaw is to, amongst other things

- (1) implement the statutory plans of the Town of Bentley.
- (2) divide the Municipality into Districts;
- (3) prescribe and regulate the use for each District;
- (4) establish the Office of the Development Officer;
- (5) establish a process of making decisions on applications and the issuance of a Development Permits
- (6) establish a method of making decisions on applications for Development Permits
- (7) provide the manner in which notice of the issuance of a Development Permit is to be given.

1.2 Application and Compliance

- (1) This Bylaw shall apply to all lands and buildings located in the Town of Bentley boundaries.
- (2) No person shall commence any development within the Town of Bentley except in conformity with this Bylaw.
- (3) No development shall be undertaken within the Town unless an application for it has been approved and a development permit has been issued except for those items listed in Part Three, Section 3.2 Development Not Requiring a Development Permit.
- (4) Compliance with the requirements of this Land Use Bylaw does not exempt any person from
 - (a) the requirements of any federal, provincial or other municipal legislation;
 - (b) complying with any easement, covenant, agreement or contract affecting the development, and the obligation to obtain any other permit, license or other authorization required by this or any other bylaw.

1.3 Sections Found Invalid

If one or more provisions of this Land Use Bylaw are for any reason declared invalid by a Court of Law or is overturned by a superior jurisdiction, it is intended that all remaining provisions are to remain in full force and effect.

1.4 Rules of Interpretation

- (1) The words “shall” and “must” require mandatory compliance except where a variance or relaxation has been granted pursuant to this Land Use Bylaw. The word “May” means a choice is available, with no direction or guidance intended.
- (2) All measurements in this bylaw are metric. 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.

1.5 Effective Date and Transition

- (1) The Town of Bentley Land Use Bylaw No. 189/2016, as amended, is hereby repealed, and will cease to have effect on the day this bylaw comes into force. This Bylaw comes into full force and effect on Day of 2023.

Applications for Subdivision and Development which were submitted and deemed complete prior to the Bylaw coming into force shall be evaluated under the provisions of Bylaw No. 189/2016.

1.6 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
- R1C Low Density Residential - Compact
- R2 General Residential
- R3 Multi-unit Residential
- RM Manufactured Home
- C1 Central Commercial
- I1 Light Industrial
- I2 Heavy Industrial
- DC Direct Control

- (2) The boundaries of the Districts listed above are shown in Schedule A: Land Use District Map designated in located in 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.

1.7 Definitions

The following definitions pertain to terms and uses within the Land Use Bylaw. 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:

A

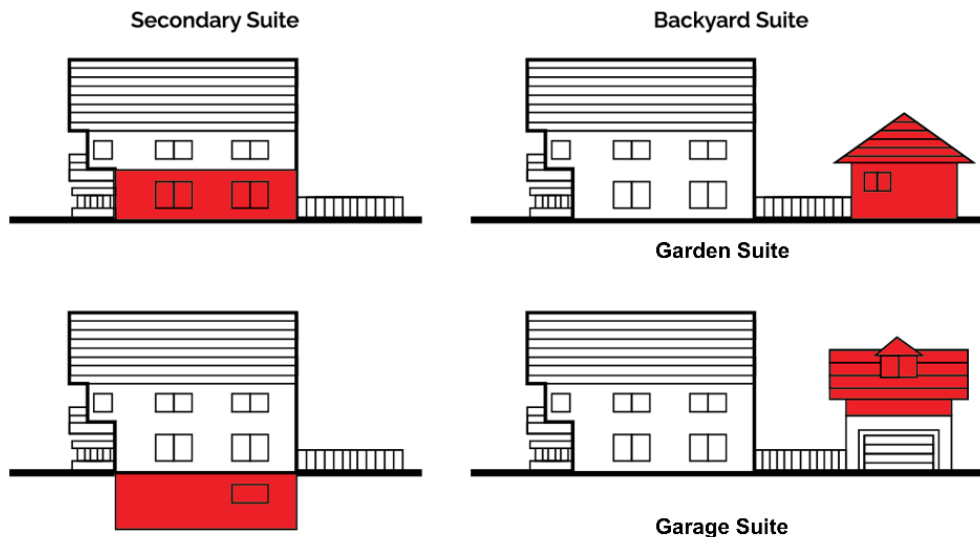
Accessory Building/Structure means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same parcel of land;

Accessory Residential Building means an accessory building to a residence and includes such things as garages, garden sheds and greenhouses;

Accessory Suite means a secondary dwelling unit subordinate to the principal residential building and contains living, sleeping, cooking and sanitation facilities separate from the principal dwelling. An Accessory Suite may be built in of the followings:

- Garage Suite: an accessory suite which is located above a detached garage

- Garden Suite/Back yard Suite: an accessory suite which is located in the rear yard of the principal dwelling.
- Secondary Suite/Basement Suite: an accessory suite which is located in the basement of the principal dwelling.



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

Act means the Municipal Government Act, Revised Statutes of Alberta 2000, Ch. M-26, as amended, and any parallel or successor legislation.

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 means an agricultural activity conducted on agricultural land for gain or reward

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*;

Average grade means the average elevation at the mid-point along the front parcel line and the finished ground elevation at the rear of the building. (Refer to building height.)

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;

Appeal Board means the board hearing a subdivision or development permit appeal in accordance with the Act.

Auto Body Shop means a use where the bodies, but not other parts, of motor vehicles are repaired and painted

Automotive Service means a use for the servicing and repair of motor vehicles within a building, excluding an Auto Body Shop.

Automotive Sales means a Development used for the sale, service, and/or rental of motor vehicles, and may include incidental vehicle servicing and maintenance secondary to the sale or rental use.

Automotive Wash means a Development providing automated/drive-through or individually coin/time operated wand wash facilities for vehicles.

B

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;

Block Face means the side of a street bounded by two intersecting streets, inclusive of all properties facing that street section.

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;

Brewery, Winery and Distillery means a facility where beer, wine, spirits, or other alcoholic beverages are made on the Site and then sold or distributed. This Use may be approved in conjunction with a Drinking Establishment, Eating Establishment, or Retail Service provided both Uses are listed within the district;

Building Inspection Report means a report prepared by a qualified Structural Engineer in support of a Building Permit application;

Building Setback means the distance from a property line to the point on a parcel where a building is located measured at a right angle from the property line to which it relates;

Building Supply Center means a use where building materials, household accessories and other related goods are stored, offered, or kept for sale and may include outdoor storage;

Business Licence means a document issued by the Town which grants the business owner the right to operate the business;

C

Campground means a use for the purpose of providing temporary accommodation for the public in recreational vehicles or tents;

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

Cannabis Accessory means a thing, including but not limited to, rolling paper or wraps, holders, pipes, water pipes, bongs and vaporizers, or any other thing described in the Cannabis Act (Canada) that is used in the consumption or production of cannabis.”;

Cannabis Lounges means an establishment where the primary purpose of the facility is the sale of cannabis and cannabis accessories to the public, for consumption of cannabis within the premises that is authorized by provincial or federal legislation. This use does not include Cannabis Production and Distribution.”;

Cannabis Production and Distribution means an establishment used principally for one or more of the following activities as it relates to Cannabis:

- (a) The production, cultivation, and growth of Cannabis;
- (b) The processing of raw materials;
- (c) The making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;

- (d) The storage or transshipping of materials, goods and products; or
- (e) The distribution and sale of materials, goods and products to Cannabis Retail Sales stores or to individual customers.”

Cannabis Retail Sales means an establishment used for the retail sale of cannabis and cannabis accessories that is authorized by provincial or federal legislation. This use does not include Cannabis Production and Distribution;

Car Wash/Automotive Wash means a use intended for the washing, cleaning, or polishing of motor vehicles;

Child Care Services means a Development that provides temporary childcare, maintenance, supervision and/or education to children for periods of less than twenty-four (24) hours. Typical uses include day care facilities, play schools, preschools, and kindergartens but does not include a Day Home or Education Service;

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;

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;

Community Facility means a Development for use by the public or public/private groups for religious, cultural or community activities. Typical uses include churches, community halls, and public or private clubs;

Community /Public 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. This does not include cannabis retail sales;

Corner parcel means a parcel that abuts two streets which intersect at an angle not exceeding 135 degrees;

D

Deck means an uncovered horizontal structure that may adjoin a principal building for the purpose of private amenity area;

Density means a calculation of the number of dwelling units on a hectare (acre) of land and includes all lands within the lot;

Development Agreement means an agreement that is a contract between a developer and the municipality regarding the specifications for construction of certain items needed to service a development or subdivision, as a condition of development or subdivision in accordance with the Act;

Development Authority means the person or persons appointed pursuant to the Development Authority Bylaw;

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 of land or a building referred to as a discretionary use in the Land Use Districts of this Land Use Bylaw which may be compatible with other uses in the District, for which a development permit may be issued with or without conditions;

District means an area of land designated on the Land Use Map for which a specific set of land uses and rules have been set forth in this Bylaw;

Drive Thru Business/Service 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, cannabis retail sales or cannabis production and distribution. A drive-thru component of a business shall be deemed accessory to that business;

Duplex means a residential building consisting of two dwelling units, located one above the other, each with a separate entrance and not attached to any other residential building;



Dwelling Unit means a complete building or self-contained portion of a building containing sleeping, cooking, and separate toilet facilities for the residential use of one or more people;

E

Easement means a right to use land, generally for access to other property, or as a right-of-way for a public utility;

Eating Establishment means a Development where the primary purpose is the preparation and sale of prepared foods and beverages to the public, for consumption within the premises or off-site. Typical Uses include fast food restaurants, family restaurants, coffee shops, delis, and take- out restaurants;

Encroachment means any portion of a building, fence, driveway, retaining wall or other structure on a parcel which extends beyond the property line onto adjacent public or privately owned property;

Encroachment agreement means a legal agreement, registered on title between a property owner and the owner of adjacent property, either a government or private landowner, confirming that an encroachment has been accepted and authorized;

Enforcement Officer means a person delegated to enforce any or all of the provisions of the Land Use Bylaw;

Existing residence means an existing, as of the effective date of this bylaw, dwelling unit, mobile home or modular home and buildings accessory to the dwelling unit and the parcels upon which it is located, serviced by utilities and access to the satisfaction of the Development Officer;

F

Fabric Covered structure means a structure made of fabric, with or without a structural frame made from the fabric itself or different materials;

Farmers market means a temporary physical retail marketplace where farmers sell their produce, foods, and plants directly to customers;

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;

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 (refers to Accessory Suite);

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 10m², 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;

Group Home means a building or portion of a building used for the care or rehabilitation of no more than six (6) children, adolescents or adults;

H

"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*;

I

"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*;



Landscaping means the modification and enhancement of a Parcel or site through the use of the following elements:

- (a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass and other similar ground cover, or
- (b) hard landscaping consisting of materials such as brick, stone, concrete blocks, tile, wood or other similar materials, or
- (c) a combination of natural landscaping and hard landscaping, but does not include walkways or sidewalks deemed integral to building access;

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;

Lot/Parcel Coverage means the percentage of a Lot which is covered by Buildings, Accessory Buildings and other Structures, but does not include the percentage of a Lot which is covered by hard landscaping, Decks, Patios, Driveways, Parking Pads, exterior storage and swimming pools, or as specified in the Development Standards for a District;

Lot Width means the shortest distance between the Side Property Lines, for irregular or pie-shaped Lots, the Lot Width shall be measured at 6.0 m back from the centre of the Front Property Line;

M

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 residential building containing one dwelling unit constructed off site in one or more sections and intended to be occupied in a place other than where it was manufactured;



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;

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;

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*;

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

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

Off-Site Levy means a levy imposed pursuant to the Municipal Government Act;

Outdoor Storage means the storing, stockpiling, or accumulation of goods, equipment or materials in an area that is open or exposed to the natural elements, and includes vehicles, recreational vehicles and boats, waste materials, debris or garbage;

Outline Plan means a non-statutory, comprehensive future land use and development plan approved by Council. An outline plan shall include detailed information regarding future lands uses, site servicing, roads and phasing;

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;

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;

R

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”];

Rear Yard Setback means the distance that a Development or a specified portion of it, must be set back from a Rear Property Line

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;

Recreational Vehicle Sales and Service means a Development used for the sales, rental, and service of Recreational Units.

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.

Restaurant means an establishment for the preparation or sale of food for consumption on the premises and may include takeout food service and entertainment, excluding adult entertainment, as accessory uses.

Retail Sales/Service means the use of a building or portion thereof for the display and retail sale of merchandise to the public, and includes storage in the building of merchandise associated with such display and sale;

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;

S

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;

SDAB means the Municipality Subdivision and Development Appeal Board and/or the provincial Land and Property Rights Tribunal as provided for in accordance with the Act.

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;

Semi-Detached: refers to a building containing two separate dwellings that are attached on one side only, sharing a common wall and each unit has its own individual entrance.



Setback means the distance between the building foundation and the front, side or rear lot/property line of the lot, measured at right angles to that lot line.

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;

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 Container Transformed means a modified shipping container that its architectural function and appearance with installing new windows, exterior finishing, painting etc. has significantly improved and meets the National Safety Standards.

Short Term Residential Rental means a furnished dwelling unit leased out to customers for a period of less than 30 consecutive nights.

Side Yard means a yard extending from the front yard to the rear yard between the side boundary of the parcel property line and the nearest wall of main building thereon, and shall be measured at right angles to the side property boundary (see sketch in “Yards”);

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;

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

Sign, Billboard means a sign to which advertising copy is affixed to permit its periodic replacement;

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

Sign, Freestanding means a sign that is exclusively supported by post(s) that extend below the frost line;

Sign Area means the entire area of the sign on which the content is intended to be placed; not including any support structure;

Small Wind Energy System means a use where a wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics which is intended to primarily provide electrical power for the on-site consumption;

Small Wind Turbine Type A means a structure(s) that incorporates rotor blades attached to an engine that produces electricity that has a height greater than 12.0 m and less than 30.0 m (including rotor blades) and does not exceed a rated capacity of 100 KW;

Small Wind Turbine Type B means a structure(s) that incorporates rotor blades attached to an engine that produces electricity that has a height less than 12.0 metres and does not exceed a rated capacity of 100 KW;

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;

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

Solar Panel (Collector) means a device that collects and/or

concentrates solar energy from the sun for the purpose of heating or electrical energy production for the on-site consumption.

A Solar Panel (system) may be:

(a) **Ground Mounted:** the structure is mounted on or attached directly to the ground surface.

(b) **Pole Mounted:** the structure is attached to a pole.

(c) **Roof Mounted:** the structure is attached to the roof of a building.

Side Yard Setback means the distance that a Development or a specified portion of it, must be set back from a Side Property Line;

Sleeping Unit means one or more habitable rooms or portions thereof provided as a sleeping facility.

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 Authority means the person, persons or organization appointed pursuant to the Town of Bentley Subdivision Authority Bylaw;

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;

Supportive housing means institutional care facilities that provide residential accommodation alongside professional care, supervision, and health treatment services.

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/Service 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. This does not include cannabis retail sales or medical cannabis counselling;

Temporary Use means a specific Use of land on a specific site that is permitted by a Development Authority for a restricted time.

Town House Dwelling means 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;

V

Variance means an alteration or change to a development standard prescribed by this Bylaw that is authorized by the Subdivision Authority or the Development Authority;

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

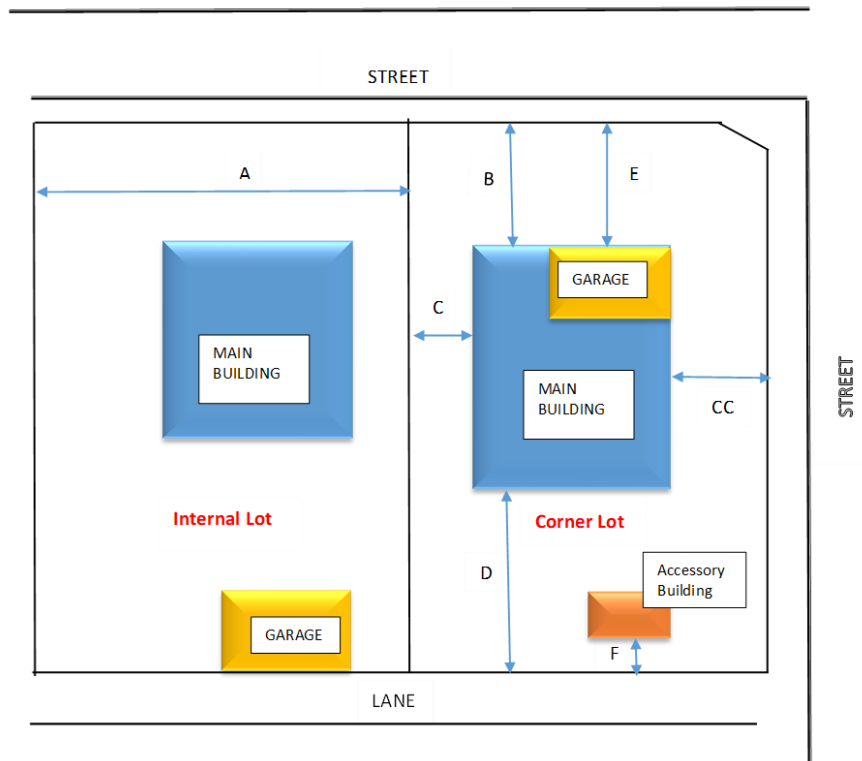
Warehousing means a facility for the indoor storage of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles thereof, or any waste material, and may include offices related to the administration of the warehouse facility, a showroom and/or the retail sale of goods stored 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;

Worship Facility / Place of Worship means a use for the purpose of spiritual worship. Examples may be, but are not limited to, churches, temples, mosques and synagogues;

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.



A	Width of the Parcel
B	Front Yard
C	Side Yard
CC	Side Yard (Corner Parcel)
D	Rear Yard
E	Garage Setback
F	Accessory Building Setback

Z

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

PART TWO - ADMINISTRATION AND DEVELOPMENT APPROVAL

2.1 Development Authority

- (1) Pursuant to the Town of Bentley Development Authority Bylaw, the Development Authority shall exercise powers and perform duties on behalf of the municipality in accordance with the Act.
- (2) The Development Authorities are:
 - (a) Development Officer
 - (b) Municipal Planning Commission

2.2 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
 - (c) (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 keeping a register of all applications for Development, including the decisions thereon and the reasons, therefore.
- (3) The Development Officer may approve, with or without conditions as an enlargement, alteration or addition to a non-conforming building if the non-conforming building complies with the uses prescribed for that land in this Bylaw and the proposed development would not, in their opinion:
 - (a) unduly interfere with the amenities of the neighbourhood; or
 - (b) materially interfere with or affect the use, enjoyment or value of neighbouring properties.
- (4) Pursuant to section 3, the Development Officer may relax up to ten (10) percent of the provisions of this bylaw.
 - (a) Any variance greater than ten (10) percent shall be approved by Municipal Planning Board.

2.3 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.

2.4 Subdivision Authority

- (1) The position of Subdivision Authority, as established by “Subdivision Authority Bylaw, Bylaw No 208/2019 shall perform duties on behalf of the municipality in accordance with the Act, the Land Use Bylaw and all relevant Town of Bentley planning documents.

2.5 Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board shall be the Board established and appointed by Council pursuant to the Assessment Review Board Bylaw 243-2023

2.6 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.

2.7 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. The Development Permit application fees and fees for other matters are established in Schedule B.

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:
- (f) an outline plan for the area to be redesignated, to the level of detail specified by the Development Officer; and
 - (g) 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.
- (5) 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 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 60 days of its receipt by the Development Officer.

- (6) 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.
- (7) 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.
- (8) Following first reading of an amending bylaw, the Development Officer must give notice of the public hearing by
 - (a) publishing notice at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw relates, or
 - (b) mailing or delivering notice to every residence in the area to which the proposed bylaw relates.
- (9) A notice of a public hearing must be advertised at least 5 days before the public hearing occurs.
- (10) 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.
- (11) 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.
- (12) If the land referred to in subsection (11)(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.
- (13) 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.
- (14) 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.
- (15) 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
- (c) pass the bylaw,
 - (d) refer it for further information or comment,
 - (e) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing, or
 - (f) defeat the bylaw.
- (16) 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.
- (17) 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).
- (18) In this section, “Owner” means the person shown as the owner of land on the assessment roll prepared pursuant to the *Municipal Government Act*.
- (19) The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by Council, for a period of 3 months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

2.9 Repeal of Land Use Bylaw

Land Use Bylaw No. to 189/2016 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.

2.11 Enforcement

- (1) A Development Officer pursuant to the Bylaw is a Designated Officer for the purposes of carrying out inspections, remedial actions, and enforcement of this Bylaw pursuant to the Act. The bylaw enforcement, offences and fines are in accordance with Part 8 of this Bylaw.

2.12 Direct Control Districts

The purpose of a Direct Control District is to provide for Development with unique characteristics, unusual Site constraints or innovative design that requires specific considerations that are unavailable under any other land use Districts.

2.12.1 A Direct Control District shall only be applied to lands where Council has determined:

- (a) The proposed Development is appropriate for the lands, having regard for the goals, objectives and policies of the Municipal Development Plan and other applicable statutory or non-statutory plans or policy documents;
- (b) The application of an existing land use District to accommodate the proposed Development would result in potential conflicts with existing or surrounding Developments, should the partial or full Development potential of the existing land use District be realized; or
- (c) The proposed Development is unique or of a complexity that is not contemplated or reasonably regulated by an existing District.

2.12.2 An application for a Direct Control District shall include:

- (a) All information required by this Bylaw for an amendment application;
- (b) Written rationale indicating why, in the applicant's opinion, a Direct Control District is necessary and why the use of another District within this Bylaw is not appropriate;
- (c) A list of Permitted and Discretionary Uses proposed for the Site;
- (d) Plans and elevations or other documentation that would help substantiate the need for the Direct Control District; and e. Any other information as may be required by the Development Authority and Council.

2.12.3 Council may impose standards and conditions it considers appropriate to regulate a Use and/or Development in a Direct Control District.

2.12.4 Council may decide on a Development Permit application within a Direct Control District or may delegate the Development Authority to the Development Officer, or the MPC.

2.12.5 Where a Lot is designated Direct Control, the requirements set out in this Bylaw will continue to apply except to the extent expressly modified by the Direct Control District bylaw.

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 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 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 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 m² (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 m² (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 m² (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 m² (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 m² (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 m² (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.
- (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 required by the Development Authority in order for the application to be considered complete,
 - c. The date which the required 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. CPTED 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 Part 8, 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 Part 8 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.
- (6) 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
 - (iii) 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.
- (7) 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.
- (8) 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.
- (9) 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 or 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 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 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 12 months, has previously been granted by the Development Authority.
- (6) The exterior finish of any Building or structure for which a valid Development Permit has been issued, must be completed within a 12 month period of the start of construction, unless an extension to this period, being no longer than an additional 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 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.

3.10 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.

PART FOUR - GENERAL LAND USE REGULATIONS

4.1 Applicability

4.1.1 The regulations within the General Land Use Regulations shall apply to all developments within the Town, unless otherwise specifically exempted elsewhere in this Bylaw.

4.1.2 Where any regulation in this section may be in conflict with any regulation of a given Land Use District in Part 8. or the Use Specific Regulations in Part 5, the regulation in the District or Specific Use Regulation shall take precedence.

4.2 Buildings

4.2.1 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.

4.2.2 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.
- (b) The exterior finish on all Buildings shall be of permanent material satisfactory to the Development Authority.
- (c) 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.

4.2.3 Number of Buildings on a Parcel

- (a) A Development Permit shall not be issued for more than one Main Building on an unsubdivided Parcel, except where it is proposed to develop more than one Main Building to form a single, unified group of Buildings.
- (b) the number of Dwelling Units permitted on a Parcel shall be limited to one, except where
 - (i) in the opinion of the Development 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.

4.2.4 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.

4.2.5 Building Demolition

- (a) In addition to the requirements of Section 3.3 of Part Three (Permission for Development), an application to demolition of a buildings or structures with a floor area greater than 25.0 m² (270 ft²) shall be accompanied by a statement or plan which indicates:
 - (i) how the demolition will be carried out to avoid or minimize the creation of dust and other nuisances to surrounding properties.
 - (ii) the final reclamation and grading of the parcel;
 - (iii) the proposed means of removing the buildings, disposing of material and time of demolition activity; and
 - (iv) the safety protocols to be used during the demolition activity.

- (b) Whenever a development permit is issued that involves the demolition of a building, it shall be a condition of the permit that:
- (i) the site be properly cleaned, with all debris removed;
 - (ii) the site is left in a graded condition that removes or fills in excavations and is in accordance with the site drainage requirements of this Land Use Bylaw; and
 - (iii) the applicant arranges for the safe disconnection of all municipal and private utilities serving the building to be demolished prior to demolition commencing.
- (c) Where a permit is approved, the Development Authority may require the applicant to provide a letter of credit or other security of such amount to cover the costs of reclamation and any damage to utilities.

4.2.6 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.



Example-Temporary Building

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

4.2.7 Fabric Covered Structure

- (a) The Development Authority may approve an application for Development Permit for a Fabric Covered Structure only if:
- (i) the Building structure 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 structure is approved as a temporary structure with a specified maximum time limit, and subject to annual review, and
 - (iv) the structure meets Alberta Building Code requirements.
 - (v) setback a minimum of 3.0 m (10.0 ft) from any structure or equipment that contains open flames (i.e. burning barrels, fire pits, or other open flame accessories);
 - (vi) maintained in good condition and the fabric not frayed or damaged; and
 - (vii) fully enclosed with closable doors on the ends



Example-Fabric Covered Structure

- (b) The Development Authority may conditionally approve a Fabric Covered Structure to be placed on a Parcel subject to the applicant agreeing to remove the Building Structure in accordance with the terms and conditions of the Development Permit.
- (c) There shall be no more than one (1) Fabric Covered Structure per Parcel
- (d) Within residential districts or a parcel with a principal residential use, a Fabric Covered Structure must not:
- (i) exceed one (1) Accessory Building, Fabric Covered per parcel;
 - (ii) be connected to any Utilities; exceed 20.44 m² (220.0 ft²) in floor area; and

(iii) be used in a manner that would cause or create a nuisance by way of noise, vibration or dust to impact the privacy and enjoyment of adjacent residential uses or the amenities of the neighbourhood.

(e) For non-residential uses in districts other than residential districts: A Fabric Covered may, at the discretion of the Development Authority:

(i) be connected to Utilities; and

(ii) exceed more than one (1) Fabric Covered Structure per parcel.

4.2.8 Murals on external walls

Any specific exterior wall painting and murals on buildings exceeding an area of three-square meters (10 sqft.) are subject to a formal development application process and approval of the Development Authority.



Example-Mural on An External Wall

4.3. Yards

4.3.1 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 4(4)(a) of Part 4 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;

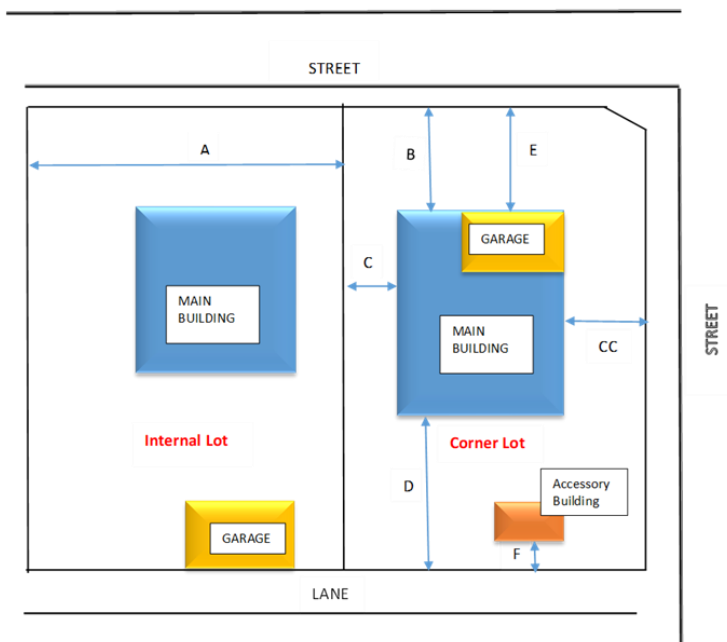
(iv) **Rear Yards**

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.



A	Width of the Parcel
B	Front Yard
C	Side Yard
CC	Side Yard (Corner Parcel)
D	Rear Yard
E	Garage Setback
F	Accessory Building Setback

4.3.2 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 1st and October 15th 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.

4.3.3 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.
- (f) The illumination of a satellite dish antenna is prohibited.

4.4 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.
- (b) In a Laneless subdivision in a commercial or industrial District one Side Yard shall be not less than 6 m (19.69 ft.). This does not apply to an Accessory Building where such Building is located to the rear of the Main Building and separated therefrom by a minimum distance of 12 m (39.37 ft.).

4.6 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 5(18) of Part 5, any portion of the deck is situated within the applicable minimum Yard setback requirement

4.7 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.

4.8 Site Grading and 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 parcel unless otherwise approved by the Municipal Planning Commission.

- (c) The property owner shall be responsible to ensure that grading is maintained over time to provide effective drainage. Where maintenance of a common drainage swale or path at a property line is required, the responsibility of maintenance lies with the owners of both parcels. Where a drainage swale or path is established within an easement or right-of-way on a parcel, swale grades shall be maintained, and the swale shall be kept free of any obstructions.
- (d) Where retaining walls are necessary or proposed in any development, such walls shall be developed with professional quality and shall not negatively affect abutting parcels due to site elevations or drainage.

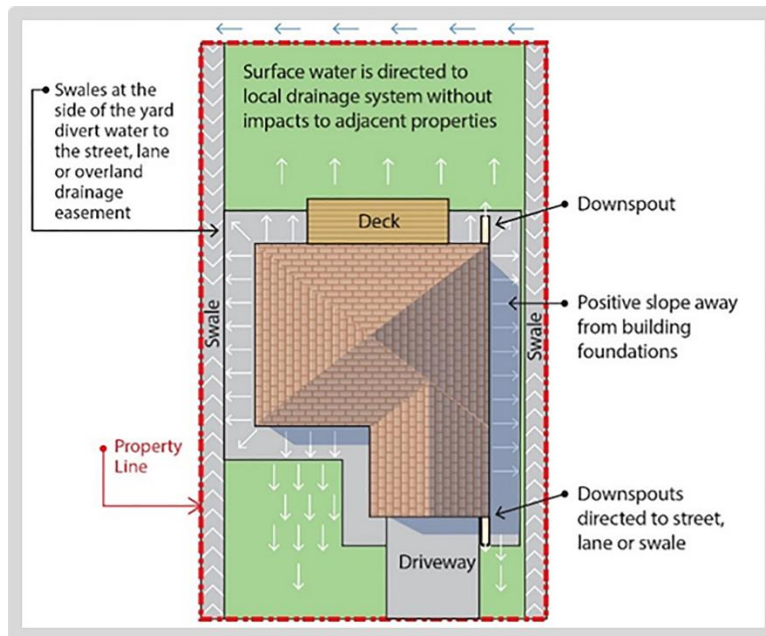


Figure- Site Grading and Drainage

4.9 Landscaping, Environmental Conservation and Development

Unless otherwise specified in Part 8, 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 m² (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.

4.10 Outdoor Storage

Where any non-residential development includes outdoor storage, other than an Outdoor Storage Yard:

- (1) The land used must be screened from adjacent roads, and at the discretion of the Development Authority, from adjacent land uses;
- (2) Required screening shall not be less than 2.0m and not more than 2.5m in height;
- (3) The stored material shall not be piled higher than the height of the screening provided.
- (4) Shipping Containers/Sea Can Storage Containers may only be located in industrial, public, and commercial districts providing that:
 - (a) They are not located in a front yard or exterior side yard;
 - (b) They are not stacked. Under special circumstances this requirement may be exempted upon Municipal Planning Commission approval.
 - (c) They are not used to store any dangerous or hazardous materials;
 - (d) They are screened from view to the satisfaction of the Development Authority; and
 - (e) There are no visual or material impacts on neighbouring properties, to the satisfaction of the Development Authority.

PART FIVE - USE SPECIFIC REGULATIONS

5.1 Primary Access

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

5.2 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.

5.3 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.
- (e) A Building permit shall be required for all Private Pool and/or Decorative Ponds in excess of 600 mm in depth.



Figure- Example of a Private Pond

5.4 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.

5.5 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.

5.6 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.

5.7 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.

5.8 Development Setbacks from Landfills and Waste Sites

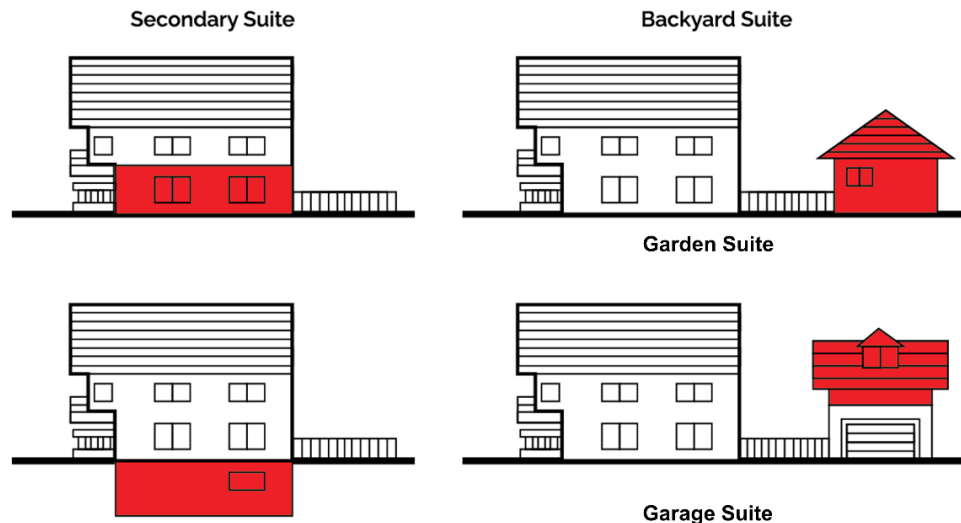
In accordance with the Subdivision and Development Regulation,

- (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

5.9 Accessory Suite

5.9.1 An Accessory Suite may be built in one of the following:

- (a) A Secondary Suite: Attached to the principal dwelling,
- (b) A Backyard Suite which is detached and located in the rear yard of a site, and may be:
 - (i) A Garden Suite (Detached, located at the ground level)
 - (ii) A Garage Suite: located above a detached Garage



- 5.9.2** For the purposes of this Land Use Bylaw, 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.
- 5.9.3** An Accessory Suite may be developed only in those Land Use Districts where it is listed as a permitted use or discretionary use and associated with a principal Detached Dwelling.
- 5.9.4** The issuance of a development permit does not exempt the applicant from the requirement to obtain a building permit for an Accessory Suite.
- 5.9.5** When deciding on an application for an Accessory Suite the Development Authority shall consider:
- (a) Adherence to the purpose of the land Use District;
 - (b) Adherence to the regulations for the Lot and the proposed Development; and
 - (c) The cumulative impacts resulting from the clustering of accessory residential Uses within the subject Block Face or surrounding area, which include but are not limited to approved Accessory Suites, Home Occupations, Day Homes, and Bed and Breakfasts. Impacts may include, but are not limited to:

- (iii) Capacity of existing utilities;
- (iv) Traffic generation relative to the capacity of the existing road network; or
- (v) Parking congestion

5.9.6 A maximum of one (1) Accessory Dwelling Unit is allowed per parcel.

5.9.7 An Accessory Dwelling Unit must not be separated from the principal Detached Dwelling by the registration of a condominium or subdivision.

5.9.8 A “Backyard Suite” located at grade shall:

- (d) Only be located on a Site containing a Single Detached Dwelling;
- (e) Be in a Building with a Building Height not more than one (1) Storey or not more than 16.9 ft;
- (f) Have a maximum Gross Floor Area of 80.0 m²;
- (g) When combined with all other Buildings and structures on the Lot, not exceed a maximum Lot Coverage of 60%, notwithstanding the maximum Lot Coverage in the relevant District;
- (h) Have a minimum separation distance of 2.4m from the Principal Dwelling;
- (i) Have a minimum separation distance of 1.5m from an Accessory Building, unless attached;
- (j) Be setback a minimum of:
 - (i) 1.5m from the Side Property Line; or
 - (ii) 3.0m from the Side Property Line Abutting a Street; and iii. 1.5m from the Rear Property Line; and
- (k) Be designed to the satisfaction of the Development Authority who shall consider Building form, massing, and exterior material and colour, as well as window and door placement in relation to Buildings on the subject property and Adjacent properties;

5.9.9 In addition to Section 5.9.6, the following shall apply to a Backyard Suite located above an Accessory Building:

- (a) Only be located on a Site containing a Single Detached Dwelling;
- (b) The maximum Building Height shall be the lessor of 7.0m or the Building Height of the Principal Building;
- (c) The Backyard Suite shall have an entrance separate from the entrance to the Accessory Building, either from a common indoor landing or from the exterior of the structure.
- (d) Notwithstanding elsewhere in this Bylaw, the Accessory Building containing the Backyard Suite shall be Setback a minimum of:

- (iii) 1.2m from the Side Property Line; or
 - (iv) 3.0m from the Side Property Line Abutting a Street;
 - (v) 1.2m from the Rear Property Line; and
 - (vi) 2.4m from the Principal Building.
- (e) The Accessory Building containing the Backyard Suite shall be designed to the satisfaction of the Development Authority who shall consider Building form, massing, exterior material and colour, as well as window and door placement in relation to Buildings on the subject property and Adjacent properties.

5.10 Bed and Breakfast Establishments

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

5.11 Short-Term Residential Rental

- (a) There are 2 types of short-term residential rental accommodations:
 - (i) Rental of an entire dwelling
 - (ii) Rental of individual rooms or spaces in a home where the host also lives.
- (b) A valid home-based business licence is required for each property that is available for short-term rental;
- (c) A Development Permit for a major home-based business is required if the operator/host resides at the rental premises and is renting out more than two sleeping units. This includes situations where the rental accommodation is a separate secondary or garden suite.
- (d) A building permit may be required if there are changes to the physical floor plan of the property to accommodate the short-term residential rental accommodation.
- (e) Operators must
 - (i) Complete, signed and submit a “Short-Term Residential Rental Accommodation Rules)”
 - (ii) Provide guests with a copy of the “Short-Term Residential Rental Accommodation Rules: Information for Guests guide”.

5.12 Supportive Housing

- (a) Supportive Housing facilities may form a portion of the development of another use, provided Supportive Housing is listed as a Permitted or Discretionary use in the district subject to that application.
- (b) Where a Supportive Housing use is being created in an existing or planned dwelling or building in any residential district, no exterior alterations shall be undertaken which would be inconsistent with the residential character of the building, property, or the surrounding neighbourhood.
- (c) Where a Supportive Housing use is developed in a residential district, it must be consistent with the scale and form of the residential dwelling types that are listed as either Permitted or Discretionary uses in that district, and must meet the same dimensional requirements for lot sizes, building heights, setbacks, coverage, and provision of amenity area

5.13 Solar Collectors

5.13.1 A Solar Collector shall:

- (a) Be located and mounted to ensure that no glare is produced for Adjacent Sites;
- (b) Meet the height requirements of the district in which it is located; and
- (c) Be located in the Rear Yard when located on the ground level of a property in a residential District.

5.13.2 When a Solar Collector is located on the ground of a property in any District, the Setbacks and screening shall be to the satisfaction of the Development Authority.

5.14 Wind Turbines

Small Wind Turbines Type A

5.14.1 All Small Wind Turbine Type A systems shall:

- (a) Be setback at least 150m from the Property Line of any residential parcel;
- (b) Be certified by the Canadian Standards Association (CSA);
- (c) Be supported by any required studies at the discretion of the Development Authority; and
- (d) Include provision to prevent unauthorized climbing of a structure.

5.14.2 For Small Wind Turbines Type A that have a rated capacity of less than 10 kW, the wind turbine shall not exceed noise greater than 35 dB as measured at the closest Dwelling or other occupied Building at any time, including nighttime, as established by the Renewable Energy Framework Policy.

5.14.3 For Small Wind Turbines Type A that have a rated capacity of 10 or more, the wind turbine shall meet the noise control requirements as outline in Alberta Utilities Commission's Rule 012.

5.14.4 For Small Wind Turbines Type A, the following shall be at the discretion of the Development Authority:

- (a) The number of wind turbines erected per Lot, provided that the cumulative impact of the of the wind turbine(s) does not exceed the regulations contained in this section; and
- (b) The setback of the wind turbine from a wetland or water body.

Small Wind Turbines Type B

5.14.5 All Small Wind Turbine Type B systems shall:

- (a) Have a turbine height (including the rotor blade) that is less than 12.0m;
- (b) Have a minimum distance of 36.0m to the nearest Property Line;
- (c) Have a minimum distance of 12.0m to the nearest play structure;
- (d) Not exceed noise greater than 35 dB to the closest residential Dwelling at any time, including nighttime, as established by the Renewable Energy Framework Policy;
- (e) Have a maximum capacity of 100.00 kW;
- (f) Be certified by the Canadian Standards Association (CSA); and
- (g) Be supported by any required studies at the discretion of the Development Authority.

5.14.6 For Small Wind Turbines Type B, the following shall be at the discretion of the Development Authority:

- (a) The number of wind turbines erected per Lot, provided that the cumulative impact of the wind turbine project(s) does not exceed the regulations contained in this Section

5.15 Shipping (Sea and Rail) Containers Regulations

5.15.1 The following regulations shall apply to all shipping containers located on parcels in the Industrial, Commercial and Public Use Districts.

- (a) A maximum of one (1) shipping container/per hectare of parcel area (rounded up to the next whole number) may be permitted.
- (b) A shipping container must not exceed the following dimensions 13.716m (L) x 2.438m (W) x 2.896m (H);
- (a) Shipping containers shall only be placed on the ground and shall not be stacked upon one another or on any other structure.
 - (i) To promote businesses and economic development, under specific circumstances the Development Authority may approve applications for stacked containers. Stacked containers need a building permit and shall be certified by the Canadian Standards Association.
- (b) 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.
- (c) 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
- (d) Unless otherwise specified in Part 4, the following standard of landscaping shall be required for all areas of a Parcel not covered by Buildings, Driveways, storage, and display areas:
 - (i) the conservation of existing trees and shrubs to the maximum extent possible;
 - (ii) the appropriate Screening of outside storage areas, parking facilities and loading areas from adjacent Buildings and Roads.
 - (iii) the planting of additional trees and shrubs to provide

5.15.2 The use of a Shipping Container/Sea Can Storage Container as an Accessory Building:

- (a) Shall be subject to an application for Development Permit;
- (b) May only be permitted in industrial, public, and commercial districts;

(c) Shall meet all provisions outlined in Part 4 (Outdoor Storage).

1. Shipping containers do not fall into the definitions of temporary building.
2. Shipping containers shall not be used for the storage of dangerous goods.
3. Shipping containers shall not be used for residential purposes.
4. A shipping container is not a rail box car.

A “Transformed Shipping Container” may be considered as a building by the Development Authority (Municipal Planning Commission) if it is significantly improved in function and appearance with the installation of new windows, exterior finishing, painting etc. and meets the National Safety Standards.

5.16 Cannabis Retail Sales

5.16.1 Distance from Schools and Public Libraries

(a) A cannabis retail sales use shall not be located within 10m of any building being used for a public library, or 100m of any building or any lot being used for a private or public education or any lot designated as School Reserve or Municipal and School Reserve at the time of application for approval of the cannabis retail sales use. For the purposes of this subsection only:

- (i) The 10m distance shall be measured from the closest point of the cannabis retail sales use to the closest point of the building or part of a building being used by a public library;
- (ii) The 100m distance shall be measured from the closest point of the cannabis retail sales use to the closest point of the boundary of the lot being used for private or public education use;
- (iii) The 100m distance shall be measured from the closest point of the cannabis retail sales use to the closest point of the boundary of the lot designated as School Reserve or Municipal and School Reserve;
- (iv) The term “Public library” is limited to the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use, and does not include private libraries, museums or art galleries;
- (v) The term “public or private education” is limited to elementary through to high schools, and does not include dance schools, driving schools or other forms of commercial schools;
- (vi) The terms “school reserve” and “municipal and school reserve” means those parcels with the suffix “SR” or “MSR” in accordance with the Municipal Government Act; and
- (vii) The Development Authority shall not grant a variance to reduce the separation distance.

5.16.2 Distance from Provincial Health Care Facility

- (a) A cannabis retail sales use shall not be located within 100m of any building or any lot used for a provincial health care facility. For the purposes of this subsection only:
- (i) The 100m distance shall be measured from the closest point of the cannabis retail sales use to the closest point of the boundary of the lot being used for a provincial health care facility;
 - (ii) The term “provincial health care facility” means an approved hospital as defined by the Hospitals Act; and
 - (iii) The Development Authority shall not grant a variance to reduce the separation distance.

5.16.3 Co-Location with Other Uses

- (a) Cannabis retail sales shall not be co-located with, or approved in combination with, any other use within the same building designed to house a single tenant or the same commercial bay of a building designed to house multiple tenants.

5.16.4 Cannabis retail sales shall include design elements and considerations that readily allow for natural surveillance and the promotion of a safe urban environment, which, to the satisfaction of the Development Authority, includes the following requirements:

- (a) Customer access to the store is limited to a store front that is visible from the street, or a parking lot, or the interior hallway of a mall;
- (e) The exterior of all stores shall have as much visibility from the street as possible;
- (f) Outdoor lighting shall be designed to ensure a well-lit exterior for pedestrians and illumination of the property; and
- (g) Landscaping shall consist of low-growing shrubs or trees with a sufficiently high canopy to maintain natural surveillance between heights of 1m and 2.5m above grade.

5.16.5 No outdoor storage relating to cannabis retail sales shall be allowed.

5.16.6 All solid waste containers shall be identified and secured to the satisfaction of the Development Authority.

5.16.7 All loading facilities shall be provided and secured to the satisfaction of the Development Authority.

5.16.8 No nuisances, including but not limited to odour, noise, or light, shall be emitted.

5.16.9 Drive through facilities and windows are not permitted.

- 5.16.10** Hours of operation for cannabis retail sales shall be limited to the hours between 10:00 am and 11:00 pm.
- 5.16.11** Onsite parking shall be provided at a rate of 3.5 parking stalls per 100 m² (1,076 ft²) of floor area, or to the satisfaction of the Development Authority.
- 5.16.12** The Development Authority shall not grant a variance to any standard that applies to a cannabis retail sales use.
- 5.16.13** In addition to the requirements for a development permit application, the applicant proposing a cannabis retail sales development shall provide:
- (a) A drawing illustrating the proposed location of the cannabis retail sales and its distance from any other use or facility that requires a distance separation under this Land Use Bylaw or the provincial legislation; and
 - (h) Written confirmation from the Alberta Gaming, Liquor and Cannabis Commission (AGLC) that the applicant has satisfied the AGLC requirements to be a person eligible to sell cannabis in Alberta.

5.17 Manufactured Homes outside the Manufactured Home District (RM)

- (a) A manufactured home and any additions to the manufactured home in a District other than the Manufactured Home District (RM) shall meet all of the requirements that apply to a single family detached dwelling for that District.
- (i) In addition to the requirements that apply to a single family detached dwelling, a manufactured home and any additions to the manufactured home in a District other than the Manufactured Home District (RM) shall have:
 - (i) a minimum roof pitch of 4:12 (rise:run);
 - (ii) a roof surface of wood or asphalt shingles, clay or concrete tiles, slate or wood shakes, or metal or composite material;
 - (iii) a minimum roof overhang or eaves of 0.3m (1.0 ft) from each external wall surface;
 - (iv) a permanent foundation consisting of a concrete basement or crawl space with footings;
 - (v) a maximum length to width ratio of 3:1 (3 units of length to 1 unit of width);
 - (vi) a minimum width of 6.1m (20 ft) measured from external wall surface to external wall surface; and
 - (vii) a minimum floor area as required in the applicable District.
- (j) The maximum age of any manufactured home on a parcel in a District other than the Manufactured Home District (RM) shall be five (5) years. The age shall be measured from the date the manufactured home was created to the date that it is proposed to be developed on the parcel.

5.18 Projection

Any projection and/or locating any structure such as an air condition system on any side of a yard must meet all Alberta Building Code and Fire Code requirements in addition to this Bylaw setback regulations.

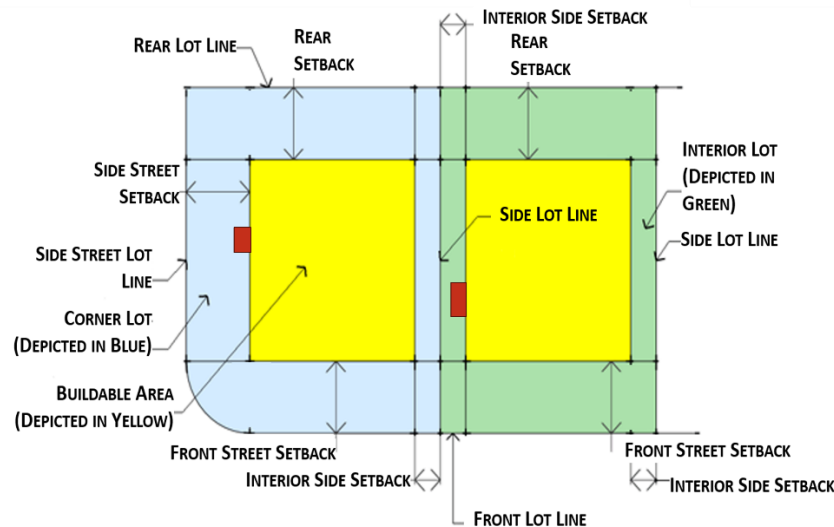


Figure-Projections

5.19 Temporary Uses

- (a) Temporary uses, buildings, or structures may be permitted in all Districts at the discretion of the Development Authority, provided that temporary buildings or structures are not placed on permanent foundations and provided that the use, building or structure is listed as a permitted, discretionary, or similar use in the relevant land use district.
- (k) Except as otherwise noted in this Bylaw, temporary uses, buildings, or structures may be approved for a period of up to three (3) years. Renewal of these approvals may be permitted but such renewals shall not extend the total length of a temporary approval beyond ten (10) years.
- (l) Where a person proposes to extend the temporary period beyond the time set out in the permit, he shall, not later than sixty days prior to the day on which the Development Permit will cease to be in effect, make written application to the Development Authority for renewal of the permit setting forth the reasons for the extension.
- (m) For any Temporary Use, the Development Authority may require the submission of a site remediation plan and securities to ensure that the use is properly removed and the site remediated.
- (n) (5) The Development Authority may vary landscaping and hard-surfacing requirements for a temporary use(s), building(s), or structure(s), where there are

concurrent applications for a principal use and meeting the requirements for the temporary use(s), building(s), or structure(s) would cause undue hardship for the final build-out of the site.

5.20 Guidelines for other Land Uses

All Uses that are not covered by specific regulations in Part 6 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,
- (o) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a Statutory Plan,
- (p) 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,
- (q) of a height which will be consistent with that prevailing in the area,
- (r) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent Roads, and
- (s) developed in conformance with any applicable Statutory Plan policies.

PART SIX - VEHICLES AND PARKING

6.1 Driveways - Vehicle Access To Buildings

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

6.1.2 At street intersections, driveways shall be set back from the parcel boundaries which form the intersection not less than

- (a) 6 m (19.69 ft.) where the driveway serves not more than four dwelling units, or
- (t) 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.

6.1.3 The maximum width of a driveway shall be 10.00 m (32.28 ft.).

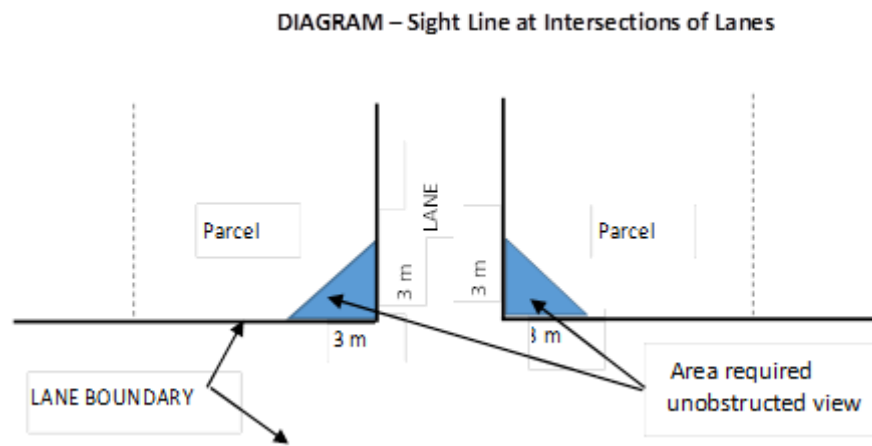
6.1.4 The minimum distance between driveways shall be:

- (a) Nil, where the driveways serve single dwelling units,
- (u) 6.000 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.

To ensure that the movement of traffic is both safe and efficient, driveways are not allowed on the streets, unless alternative access is not available.

6.2 Sight Lines At Intersections Of Roadways

6.2.1 At the intersection of lanes, a 3 m (9.84 ft.) sight triangle shall be determined using the diagram below

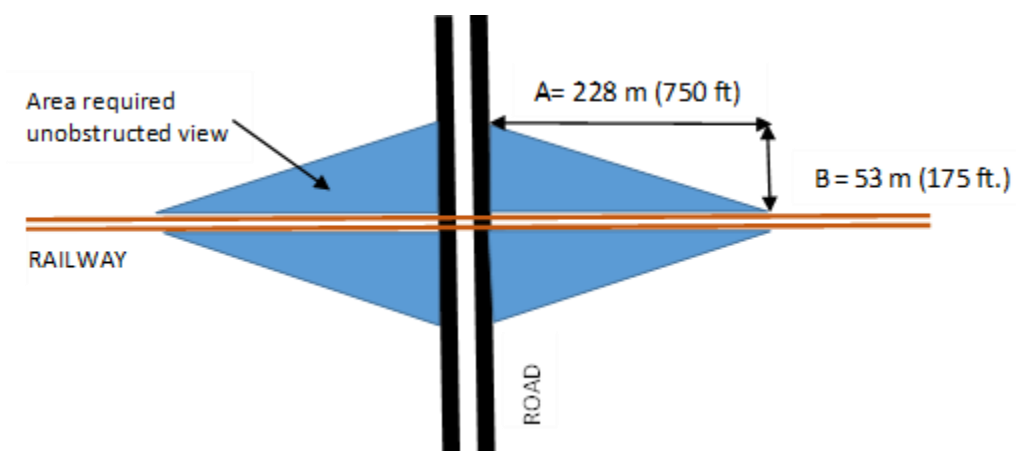


6.2.2 At the intersection of other roads, the Development Officer may require the calculation of sight triangles.

6.2.3 Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roads.

6.3 Sight Triangles At Road And Rail Intersections

6.3.1 At the intersections of roads and railways which are unprotected by automatic warning signals, sight triangles shall be determined using the diagram below.



6.4 Loading Spaces

6.4.1 Loading spaces shall be required for all non-residential development.

6.4.2 Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and maneuverer entirely within the bounds of the parcel before moving onto a road.

6.4.3 Loading spaces shall be located in rear and side yards only.

6.4.4 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.).

6.1.5 Hard surfacing of the loading space shall be required, where a loading space enters a paved road, otherwise, the surfacing shall be all-weather.

6.5 Parking

6.5.1 The following minimum number of parking spaces shall be provided and maintained upon the use of a parcel or a building in any District as described in Part Six 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.

USES		PARKING SPACES (Proposed)
COMMERCIAL	Indoor merchandise sales	3.5/100 m2 (1,076.4 sq.ft.)
	Offices	2.5/100 m2 (1,076.4 sq.ft.)
	Repair services	2.0/100 m2 (1,076.4 sq.ft.)
	Restaurants, lounges and taverns	1.0/4 seats
	Vehicle and equipment sales	2.0/100 m2 (1,076.4 sq.ft.)
INDUSTRIAL	Manufacturing industry Minimum provision	6.0
	Office area	2.0/100 m2 (1,076.4 sq.ft.)
	Other area	1.0/100 m2 (1,076.4 sq.ft.)
	Storage area	0.7/100 m2 (1,076.4 sq.ft.)
PUBLIC	Places of worship	1.0/4 seats
	Public assembly buildings	1.0/4 seat
	Schools - Elementary and junior high	1 per classroom
	Senior high	4 per classroom
RESIDENTIAL	Senior citizens housing	0.5 stalls per resident room
	Apartment	1.5 per unit plus 1 visitor parking per 6 units
	Secondary Suite	1.0 stall per Studio/ 1 bedroom Accessory Suite; 2.0 stalls per 2 or more-bedroom Accessory Suite
	Bed & Breakfast / Short term rental	1.0 per unit
	All other	2.0 per dwelling
All other uses not listed above		The number of spaces shall be determined by the Development Officer having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.

- 6.5.2 The Development Authority may, in its discretion, impose additional parking space requirements depending on the nature of an application.
- 6.5.3 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
- 6.5.4 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.
- 6.5.5 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.
- 6.5.6 Any loading space provided pursuant to any land use districts in this Bylaw may be used as parking space.
- 6.5.7 Each parking space shall have dimensions of not less than 2.75 m (9.02 ft.) by 5.50m (18 ft.).
- 6.5.8 The dimensions of parking areas shall be as set out in the diagram and table shown below.

Figure 1 Dimensions of Parking Area

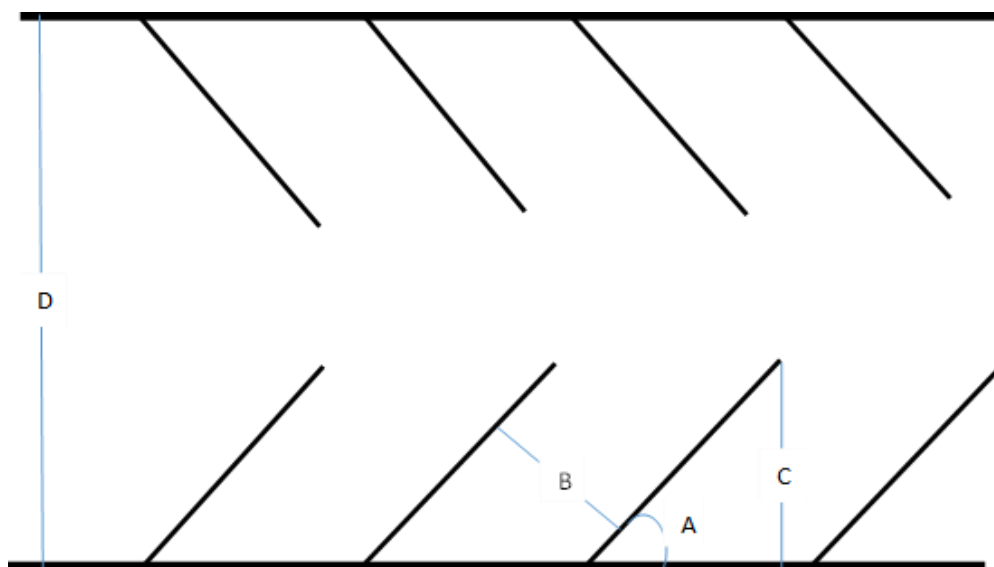


Table 6.1 Minimum Dimensions of Parking Stall

A	B	C	D
Parking Angle	Stall Width	Stall Depth	Overall Depth
0	2.75 m (9 ft.)	2.75 m (9 ft.)	9.00 m (30 ft.)
30	2.75 m (9 ft.)	5.00 m. (16 ft.)	13.50 m (44 ft.)
45	2.75 m (9 ft.)	5.70 m (18 ft.)	15.40 m (51 ft.)
60	2.75 m (9 ft.)	6.00 m (20 ft.)	17.50 m (57 ft.)
90	2.75 m (9 ft.)	5.50 m (18 ft.)	18.00 m (59 ft.)

6.5.9 A minimum standard of 24.75 m² (266 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.

6.5.10 In commercial Districts, in lieu of providing parking spaces and subject to the approval of the Council, a payment may be made to the Council at a rate per space which the Council shall determine.

6.5.11 Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Development Officer, the spaces may be located on another parcel within 50.00 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.

6.5.12 Hard surfacing of the parking area shall be required, where a parking area enters a paved public roadway, otherwise, the surfacing shall be all-weather.

6.5.13 Recreational Vehicle Parking in Residential Districts

(a) A maximum of two (2) Recreational Vehicles may be parked or stored on a residential Site at a time.

(v) The Recreational Vehicles shall be located as follows:

- (i) A maximum of two (2) Recreational Vehicles may be parked or stored in the Rear Yard, Side Yard at a time; and
- (ii) A maximum of one (1) Recreational Vehicle may be parked within the Front Yard between May 1 and October 31, provided it is parked on a Driveway or Parking Pad.

6.5.14 A Recreational Vehicle parked or stored in a residential District shall:

- (a) Not occupy or obstruct access to any required Parking Stalls;
- (w) Not be used for sleeping, food preparation or personal hygiene while parked or stored on a Site; and
- (x) Be located wholly within the Site and be setback a minimum of 0.6m from the Rear Property Line where there is a rear Lane.

6.5.15 Parking and loading requirements for other similar uses as set out in Section 6.5 shall be provided as determined by the Development Authority.

PART SEVEN - SIGNS

7.1 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.

7.2 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 m² (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.

7.3 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 m² (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 m² (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 m² (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.

7.4 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 m² (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.

7.5 Awning Signs

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

7.6 Other Signs

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

7.7 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.

7.8 Calculation of Sign Area

Where any provision of this Section limits the area of any Sign in any circumstances,

- (a) The Sign area shall be calculated as the area of the Sign face where the content is intended to be placed, not including any support structure;
- (b) Only one (1) side of a double-faced Sign is used for calculating Sign area.

7.9 Sign Regulations Variance and Relaxation

To support local businesses, protect public interests and the character of the surrounding area:

- (a) The Development Officer may relax the maximum size and or dimensions of an individual size and the maximum number of signs for a single site up to ten (10) percent of the provisions of this bylaw. Any variance greater than ten (10) percent shall be approved by Municipal Planning Board.

7.10 Mural Sign

A Mural Sign shall not have sign content that shows a product or business advertising unless it is considered historic in content, at the discretion of the Development Officer.

PART EIGHT - LAND USE DISTRICTS

Category	District	Symbol
RESIDENTIAL	Low Density Residential	R1
	Low Density Residential-Compact	R1C
	General Residential	R2
	Multi-unit Residential	R3
	Manufacture Homes	RM
COMMERCIAL	Central Commercial	C1
INDUSTRIAL	Industrial - Light	I1
	Industrial - Heavy	I2
PUBLIC USE	Institutional and Public Use	P
URBAN RESERVE	Urban Reserve	UR

8.1 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 m² (753.5 ft²)
Building Demolition
Home Occupation-Class I (Minor)

Discretionary Uses: Accessory Residential Buildings where the total floor area is more than 70 m² (753.5 ft²)
Accessory Uses
Accessory Suite
Care Residence
Bed and Breakfast Establishment
Day Care Facility
Duplexes existing at the date of passage of this Land Use Bylaw
Home Occupation-Class II (major)
Manufactured Home existing on site as of April 27, 2021"
Public uses and building

Parcel Development Regulations

Single Family Detached Dwellings

Minimum Front Yard	8 m (26.24 ft.)
Minimum Side Yard	1.5 m (4.9 ft.) except where it abuts a road - 3 m (9.8 ft.), or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	10 m (32.81 ft.)
Minimum Parcel Area	Interior Parcels 550 m ² (5,925 ft ²) Corner Parcels 610 m ² (6,563 ft ²)
Minimum Floor Area	90 m ² (969 ft ²) habitable floor area of dwelling above grade
Maximum Parcel Coverage	55%
Landscaped Area	No specific requirements. In the case of applications for Development Permits for uses other than Detached Dwellings, refer to Part 4.
Maximum Building Height	10 m (33 ft.)

Supplementary Regulations:

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

8.2 Low Density Residential District (R1C) – Compact

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 m² (753.5 ft²)
Building Demolition
Home Occupation-Class I (Minor)

Discretionary Uses: Accessory Residential Buildings where the total floor area is more than 70 m² (753.5 ft²)
Accessory Uses
Accessory Suite
Care Residence
Bed and Breakfast Establishment
Day Care Facility
Duplexes existing at the date of passage of this Land Use Bylaw
Home Occupation-Class II (major)
Manufactured Home meeting the requirements of Part 5
Public uses and buildings

Parcel Development Regulations

Single Family Detached Dwellings

Minimum Front Yard	(6.0 m (19.68 ft))
Minimum Side Yard	1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	10 m (32.8 ft.)
Minimum Parcel Area	Interior Parcels 380 m ² (4000 ft ²) Corner Parcels 420 m ² (4,430 ft ²)
Minimum Floor Area	90 m ² (969 ft ²) habitable floor area of dwelling above grade
Maximum Parcel Coverage	55%
Landscaped Area	No specific requirements. In the case of applications for Development Permits for uses other than Detached Dwellings, refer to Part 4.
Maximum Building Height	10 m (33 ft.)

Supplementary Regulations:

1) All uses must comply with the regulations in Part 4. The regulations for all other uses shall be determined by the Development Authority.

8.3 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 and other uses.

Permitted Uses: Single Family Detached Dwellings
Semid-detached and Duplexes
Accessory Residential Buildings where the total floor area is less than 70 m² (753.5 ft²)
Building Demolition
Home Occupation Class I (Minor)

Discretionary Uses: Accessory Uses
Accessory Residential Buildings where the total floor area is more than 70 m² (753.5 ft²)
Accessory Suite
Duplexes and Semi-Detached Dwellings
Multiple Unit Dwellings (Town houses and Row houses)
Manufactured Homes meeting the requirements of Part 5
Bed and Breakfast Establishment
Care Residence
Day Care Facility
Home Occupation - Class II (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

Minimum Front Yard	8 m (26.24 ft.)
Minimum Side Yard	1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	10 m (32.81 ft.)
Minimum Parcel Area	Interior Parcels 464 m ² (5,000 ft ²) Corner Parcels 511 m ² (5,500 ft ²)
Minimum Floor Area	90 m ² (969 ft ²) habitable floor area of the dwelling above

	grade
Maximum Parcel Coverage	55%
Landscaped Area	No specified requirements. For other uses refer Part 4.
Maximum Building Height	10 m (33 ft.)

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

Minimum Front Yard	8 m (26 ft.)
Minimum Side Yard	1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater Separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	10 m (32.81 ft.). Each dwelling unit shall have a private, screened yard area of not less than 45 m ² (484.39 ft ²)
Minimum Parcel Area	Duplexes/Semi-Detached (per Dwelling Unit): Interior Parcels 280m ² (3,013.89 ft ²) Corner Parcels 330m ² (3,552.09 ft ²)
	Town houses (per Dwelling Unit): Interior Parcels 180 m ² (1,937.50 ft ²) Corner Parcels 280 m ² (3,013.89 ft ²)
	Four-Plexes (per Dwelling Unit): Interior Parcels 200 m ² (2,152.73 ft ²) Corner Parcels 220 m ² (2,368.06 ft ²)
Minimum Floor Area	90 m ² (969 ft ²) habitable Floor Area of dwelling above Grade
Maximum Parcel Coverage	55%
Landscaped Area	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 Part 4.
Maximum Building Height	10 m (33 ft.)

Architectural Requirements:

The development of all principal buildings shall be required to contribute to an attractive and aesthetically pleasing appearance along the public street. Each principal building shall be designed and constructed to address the following requirements:

- (a) A roof line that is made up of varying surfaces, valleys and peaks to create variety and, through the use of dormers, gables or similar features, divide the overall mass of the roof into segments;
- (c) Large, prominent windows on upper and lower floor elevations to create visual interest on wall surfaces;
- (d) A front entrance that is highly visible from the street through the use of landings, porches, verandas or similar features;
- (e) Jut-outs, protruding wall surfaces, recessed entrances, window boxes or similar features to create visual variety along wall surfaces that face a public street;
- (f) Use of at least two different types of exterior cladding materials, such as vinyl, cement board or composite material siding, stone or brick, stone or brick veneer, or similar materials on each wall surface that faces a public street;
- (g) Use of at least two colours of exterior cladding on each wall surface to break the wall surface into segments and/or the use of bands of a sufficiently contrasting colour (e.g. white banding and dark primary colour) to accent the point where each floor/level of the building meet;
- (h) Use of a contrasting colour as trim around doors and windows and on corners or common walls between units to add visual interest and give the appearance of separate buildings;
- (i) Avoiding mirror duplication of an existing or approved principal building on an adjacent parcel on the same street through the use of differing colours and/or exterior cladding materials.

8.4 Multi-Unit Residential District (R3)

General Purpose: To provide an area for a variety of multiple unit dwellings, apartments and other uses.

Permitted Uses: Apartments
Multiple Unit Dwellings (Town houses, 4 plexes and Row houses)
Accessory Residential Buildings where the total floor area is less than 70 m² (753.5 ft²)
Building Demolition
Home Occupation Class I (Minor)

Discretionary Uses: Accessory Uses
Accessory Residential Buildings where the total floor area is more than 70 m² (753.5 ft²)
Accessory Suite
Semi-Detached, Duplexes
Manufactured Homes meeting the requirements of Part 5
Bed and Breakfast Establishment
Care Residence
Day Care Facility
Home Occupation - Class II (Major)
Parking facilities for Uses in this District
Parks and Playgrounds
Public and Quasi-public Uses
Public Works Buildings or Structures
Signs

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

Minimum Front Yard	8 m (26.24 ft.)
Minimum Side Yard	1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater Separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	10 m (32.81 ft.). Each dwelling unit shall have a private, screened yard area of not less than 45 m ² (484.39 ft ²)

Minimum Parcel Area	Duplexes/Semi-Detached (per Dwelling Unit): Interior Parcels 280m ² (3,013.89 ft ²) Corner Parcels 330m ² (3,552.09 ft ²)
	Town houses (per Dwelling Unit): Interior Parcels 180 m ² (1,937.50 ft ²) Corner Parcels 280 m ² (3,013.89 ft ²)
	Four-Plexes (per Dwelling Unit): Interior Parcels 200 m ² (2,152.73 ft ²) Corner Parcels 220 m ² (2,368.06 ft ²)
Minimum Floor Area	90 m ² (969 ft ²) habitable Floor Area of dwelling above Grade
Maximum Parcel Coverage	55%
Landscaped Area	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 Part 4.
Maximum Building Height	10 m (33 ft.)

Apartments

Minimum Front Yard	8 m (26.24 ft.)
Minimum Side Yard	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.
Minimum Rear Yard	10 m (32.81 ft.)
Minimum Parcel Area	50% of the building's total floor area
Maximum Parcel Coverage	75%
Landscaped Area	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 Part 4.
Maximum Building Height	13.5 m (44 ft.)

Supplementary Regulations:

1) All uses must comply with the regulations in Part 4. The regulations for all other uses shall be determined by the Development Authority.

8.5 Manufactured Home District (RM)

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 ² (753.5 ft ²) Home Occupation Class I, Minor Building Demolition
Discretionary Uses:	Accessory Residential Buildings where the total floor area is more than 70 m ² (753.5 ft ²) Accessory Uses Building Demolition Day Care Facility Manufacture Home Park 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.

Manufactured Home Park Standards

Maximum Gross Density	17 Manufactured Homes per hectare (7 per acre)
Minimum Park Area	2 hectares (4.94 acres)
Minimum Yard Requirements	Manufactured Homes Parks and their attached structures shall be at least: a) 6m (19.69 ft.) from one another b) 7m (22.97 ft.) from any other Manufactured Home park boundary c) 3m (9.84 ft.) from any internal access Road or common parking area d) 1.5m (4.92 ft.) from any side lot line e) 4.5m (14.76 ft.) from any rear lot line
Minimum Lot Area	The minimum lot area for single wide Manufactured Homes shall be 370 m² (3,982.6 ft²) The minimum lot area for double wide Manufactured Homes shall be 470 m² (5,059.0 ft²). 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.
Maximum Lot Coverage	55%
Minimum Building Height	6.0 m (19.68 ft.) No attached structure shall exceed the height of the main building.
Minimum Manufactured Home Width	4.325 m (14.0 ft)
Minimum Manufactured Home Floor Area	78 m ² (840 ft ²) excluding any attached structures
Maximum Manufactured Home Age	The maximum age of any manufactured home shall be five (5) years. The age shall be measured from the date the manufactured home was created to the date that it is proposed to be developed on the parcel. Only the Municipal Planning Commission can vary the maximum age requirement through the development permit 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 m² (215.3 ft²) 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.

Manufactured Home Individually Titled Lot Standards

Manufactured Homes	New Manufactured Homes only		
Minimum Yards	Manufactured Homes and their attached structures shall be at least: (i) 6 m (19.6 ft.) from one another (except attached structures) (ii) 6 m (19.6 ft.) from the Front Parcel Boundary (iii) 6 m (19.6 ft.) from the rear Parcel boundary (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 ²	(5,000.40 ft ²)
	Corner Parcels	511 m ²	(5,500.12 ft ²)
Minimum Floor Area	90 m ² (969 ft ²) 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.) 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. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the Manufactured Home. All wheels must be removed and the Manufactured Home placed on Permanent Foundation or concrete piers in accordance with the requirements of the Alberta Building Code.

Supplementary Regulations:

All uses must comply with the regulations in Part4. The regulations for all other uses shall be determined by the Development Authority.

8.6 Central Commercial District (C1)

General Purpose:	To provide an area for commercial uses offering a wide variety of goods and services.
Permitted Uses:	Retail Sales, except Cannabis Retail Sales and Medical Cannabis Counselling Commercial Uses and Activities Drive Through Business Offices Personal Services Public and Quasi-public uses Public Works Buildings and Structures Restaurants, except Cannabis Lounges 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 Cannabis Retail Sales 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

Section 6.5	Nil
Minimum Side Yard	Nil, or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	Shall provide for parking and loading spaces in accordance with Section 4.3 – Part 4.
Minimum Floor Area	90 m ² (969 ft ²) habitable Floor Area of the dwelling above Grade
Maximum Parcel Coverage	100%
Outdoor Storage and Display	Outdoor storage or display is not permitted

Supplementary Regulations:

1) All uses must comply with the regulations in Part 4. 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 m²;
- 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.

8.7 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
Cannabis Retail Sales
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:

Minimum Front Yard	9 m (29.5 ft.)
Minimum Side Yard	3 m (9.8 ft.) or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	6 m (19.69 ft.)
Minimum Parcel Frontage	15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.
Maximum Parcel Coverage	80%
Outdoor Storage and Display Areas	All outdoor storage and display areas shall be screened.
Landscaped Area	of l The 9m (29.5 ft.) wide strip of land abutting the Front Parcel Boundary shall be a Landscaped Area. The 3 m (9.8 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. The 6 m (19.7 ft.) wide strip of land abutting the rear Parcel boundary, which is adjacent to a Residential District, shall be a Landscaped Area. All applications for Development Permits shall include details of landscaping on the site plan for the consideration of the Development Officer.

Supplementary Regulations:

- 1) All uses must comply with the regulations in Part 4. 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 Part 4, 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 m²;
 - 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 Part 4.

Light 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.

8.8 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 - Cannabis Retail Sales - 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:

Minimum Front Yard	9 m (29.53 ft.)
Minimum Side Yard	3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	6 m (19.69 ft.)
Minimum Parcel Frontage	15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.
Maximum Parcel Coverage	80%

Supplementary Regulations:

- 1) All uses must comply with the regulations in Part 5. 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 Part 4, or as determined by the Municipal Planning Commission.
- 3) Shipping Container regulations are provided in Part 5.

Heavy 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) 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.

8.9 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:

Minimum Front Yard	9 m (29.53 ft.)
Minimum Side Yard	3 m (9.84 ft.) or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	6 m (19.69 ft.)
Minimum Parcel Frontage	15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.
Maximum Parcel Coverage	80%
Maximum Building Height	12m (39.37ft.)
Outdoor Storage and Display Areas	All outdoor storage and display areas shall be screened.

Supplementary Regulations:

- 1) All uses must comply with the regulations in Part 4. The regulations for all other uses shall be determined by the Development Authority.

8.10 Urban Reserve District (UR)

General Purpose:	To ensure continued agricultural production and to continue existing and non-permanent land uses until overall plans for future uses are prepared and approved by Council.
Permitted Uses:	Accessory building (for permitted use only); Agricultural building; Agricultural operations, excluding confined feeding operations, Municipal and/or Public Services, Small Wind Energy System, Beekeeping, Existing Dwellings and other related improvements; Home based business Class I (Minor)
Discretionary Uses:	Accessory building (for discretionary use); Accessory suite, Recreational equipment storage; Agri-tourism business; Alternative energy;, commercial Bed and breakfast Cemetery; Community facility Crematorium Dwelling, secondary suite; Existing Dwelling and future dwelling and other related improvements on Lots 1 & 2, Block 1, Plan 132-3883 Home based business, major; Kennel; Mechanized excavation, stripping and grading Outdoor storage Recreation facilities, outdoor Riding and boarding facility, Solar collectors Special event, major; Special event, minor; Tourist home Wind Turbines Any other use that is compatible, in the opinion of the Development Officer, with the permitted or discretionary uses described above and that will not: 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:

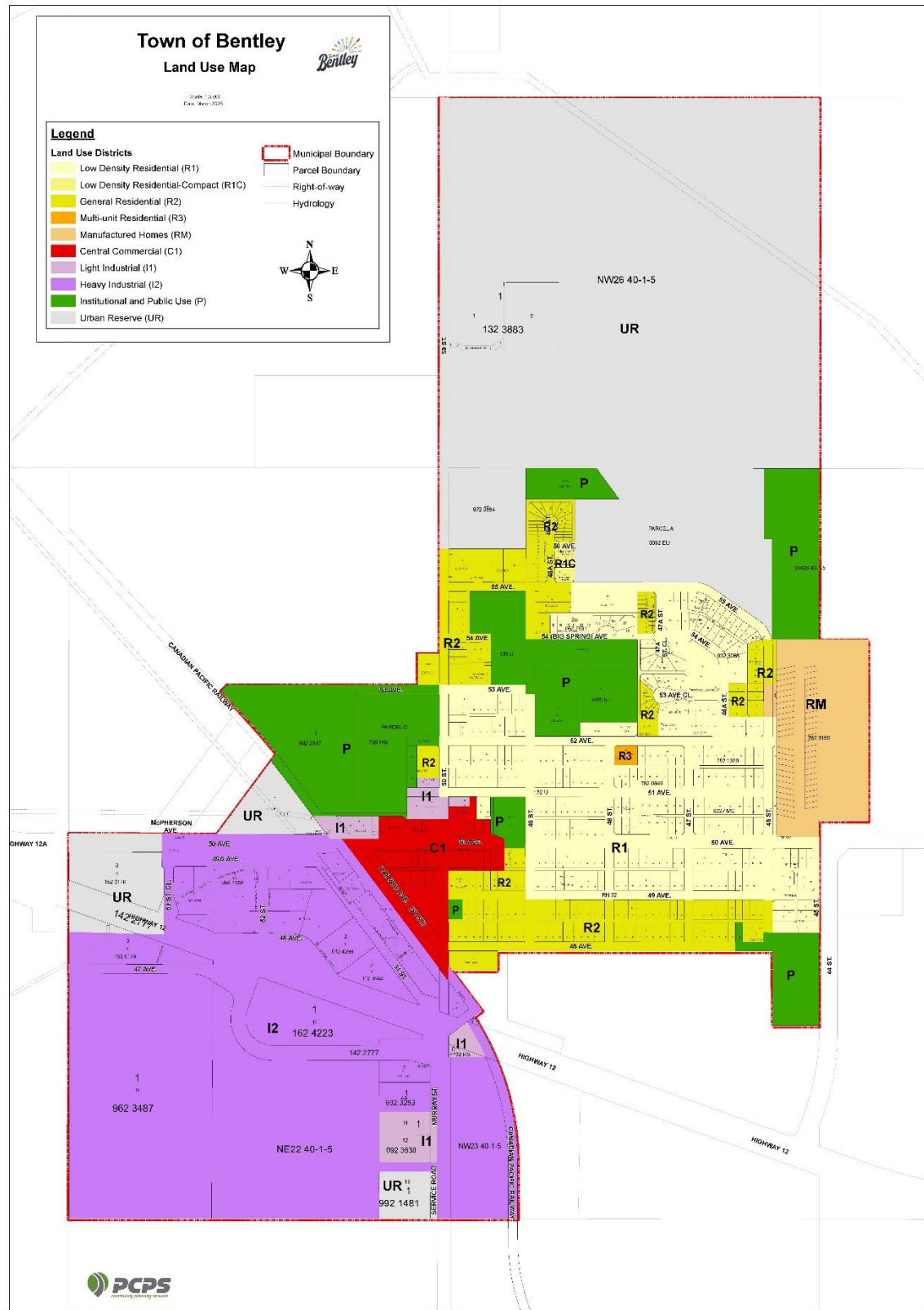
Minimum Parcel Area	All the land contained in the existing Certificate of Title area, unless otherwise approved by the Subdivision Authority.
Subdivision	Subdivision of a first parcel out, for an agricultural parcel subdivision for an intensive or specialized agricultural operation, for a fragmented parcel subdivision, or to adjust property lines in anticipated of urban development may be considered, having regard to any applicable statutory plan and future use of the parcel and the form of future subdivision and development.
Setbacks	Setbacks from rights-of-way shall be in accordance with this Bylaw Setback from any Property Line adjoining a Lot located in any other Land Use District in this Bylaw shall be a minimum of 22.86 m (75.00 ft) Setback from the property boundary in the Urban Reserve District shall be 7.62 m (25.00 ft)

Supplementary Regulations:

All permitted uses must comply with the regulations in Part 4. The regulations for all other uses shall be determined by the Development Authority.

SCHEDULE A

LAND USE MAP



SCHEDULE B DEVELOPMENT PERMIT APPLICATION FEES

APPLICATION	FEES
Permitted Uses	\$75.00 (base fee) plus \$2.00 per \$1,000 of development value
Discretionary Uses	\$150 (base fee) plus \$2.00 per \$1,000 of development value
Home Occupations	\$75.00
Development Appeals	\$1,000.00
Amendments to Land Use Bylaw	\$250.00 (base fee) plus the cost of advertising

SCHEDULE C

LAND USE BYLAW ENFORCEMENT

DEFINITIONS

- 1) Violation Tag – shall mean a tag or similar document used by the Town of Bentley pursuant to the Municipal Government Act, RSA 2000, cM-26, as amended
- 2) Violation Ticket – shall mean a ticket issued pursuant to Part II of the Provincial Offences Procedures Act, RSA 2000, cP-34 amended , and Regulations there under.

OFFENCES AND FINES

- 1) A Person who contravenes or fails to comply with any provision of the Land Use Bylaw is guilty of an offence and is liable upon summary conviction to the fines as specified in this Schedule “C”.
- 2) A Development Officer or Bylaw Officer who reasonably believes that a person has contravened any provision of the Land Use Bylaw, may without restricting the availability of other remedies under this Bylaw or at law, serve upon the person a violation tag, in the form approved by Council, requiring payments to Town of Bentley of the specified penalty for the offence as provided in Schedule “A”
- 3) Where a Development Officer or Bylaw Officer reasonably believes that person has contravened any provisions of the Land Use Bylaw, the Officer may, in addition to other remedy at law, serve upon the person a violation ticket, in the form provided under the Provincial Offences Procedure Act, allowing payment of the specified penalty for the particular offence as provided in Schedule “A”, which may be amended from time to time by Council Resolution, and the recording of such payment by the Provincial Court of Alberta shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty.
- 4) Where a contravention of the Land Use Bylaw is a continuing contravention, a new violation ticket may be issue for each day that the contravention continues.
- 5) Where a person is convicted of a second, third or subsequent offence under a particular section of the Land Use Bylaw, and where that offence has occurred within 12 months after the date of the occurrence of the first offence under that section of this Bylaw, the specified penalties applicable upon conviction of such second, third or subsequent offence shall be the amount specified in Schedule “A”.
- 6) This section shall not prevent a Development Officer or Bylaw Enforcement Officer from issuing a violation ticket requiring a court appearance of the defendant pursuant

to the provisions of the Provincial Offenses Procedures Act, or from laying an information in lieu of issuing a violation ticket.

- 7) If the amount of fine or penalty levied in accordance with this section, remains unpaid, after 90 days, the Town of Bentley may transfer that amount to the tax roll in accordance with section 549 of the Municipal Government Act, RSA 2000, M-26 and amendments thereto.

CONTRAVENTION OF ANY PROVISION OF THE LAND USE BYLAW	
FINES AND PENALTIES	
First Offence	\$500.00
Second Offence	\$750.00
Third Offence	\$1,000.00
Development without an approved development permit	Double the Permit Fee