



TOWN OF CALMAR LAND USE BYLAW

BYLAW #2017-07

April 2017

Consolidated to include Bylaws:

2021-04
2019-06
2018-20
2018-18
2018-17
2018-16
2018-12
2018-09
2017-12
2017-05



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GUIDE TO USING THE BYLAW

The Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used and buildings can be either constructed or moved in) in the Town of Calmar. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the Town, Province or Federal Government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. First, the Land Use Bylaw maps divide the Town into various Land Use Districts. Second, the text of the Land Use Bylaw details the uses that are allowed in each District. Third, the text provides additional regulations that apply to certain uses and/or within certain Districts. The following steps may assist the user:

Locate the subject property on the Land Use District maps. These maps divide the Town into various Land Use Districts. Each Land Use District has a designation such as “R1” for RESIDENTIAL (SINGLE DETACHED) or “P” for PARKS AND RECREATION. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations of the land Use Bylaw or impose additional regulations. PLEASE NOTE: Land Use Districts are often referred to as “Zones” or “Zoning.” In order to conform to the language of the Municipal Government Act, this document uses the terms “District” and “Districting.”

Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed in Section 9. In each Land Use District you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given Land Use District. There are definitions in Section 1.3 that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.

Review the table of contents to see if there are any general regulations that apply to the situation or use in question. For example, Section 5 describes enforcement procedures. Section 7.1 contains general regulations about accessory buildings and Section 8.13 contains special provisions concerning Home Occupations, just to name a few.

Discuss your proposal/concern with Planning and Development staff. Town staff are well trained and eager to assist you with your development/subdivision or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

NOTE: THIS PAGE IS INTENDED ONLY TO ASSIST USERS AND DOES NOT FORM PART OF THIS BYLAW.

1 GENERAL ADMINISTRATIVE PROCEDURES

1.1 TITLE

The title of this Bylaw shall be the Land Use Bylaw of the Town of Calmar.

1.2 PURPOSE

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

1. to divide the Town into districts;
2. to prescribe and regulate for each district the purposes for which land and buildings may be used;
3. to establish a method of making decisions on applications for Development Permits including the issuing of Development Permits;
4. to provide the manner in which notice of the issuance of a Development Permit is to be given; and
5. to establish the number of dwelling units permitted on a parcel of land.

1.3 INTERPRETATION

In this Bylaw:

1. “Abattoirs” means premises where livestock or game is slaughtered and the meat is cut, cured, smoked, aged, wrapped or frozen for distribution.
2. “Abut or abutting” means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it.
3. “Accessory building” means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and located on the same parcel of land. An accessory building does not include shipping containers or tented structures. However, shipping containers may be used as a building material in the construction of an accessory building if the end use of the proposed building meets Alberta Building and Safety Code requirements for an approved accessory building (*Amended by Bylaw 2018-12*);
4. “Accessory use” means a use customarily incidental and subordinate to the principal use or building and located in the same parcel of land with such principal use or building;
5. “Act” means the Municipal Government Act, R.S.A. 2000, c. M-26;
6. “Adjacent land” means land that is contiguous to a particular parcel of land and includes:
 - a. land that would be contiguous if not for a highway, road, river or stream, and

- b. any other land identified in this Bylaw as adjacent for the purpose of satisfying **Section 3.12** of this Bylaw;

7. "Adult entertainment" means an establishment which provides live entertainment for its patrons, which includes the display of nudity.
8. "Adult exclusive use" means any of the following: Adult Bookstore, Adult Motion Picture Theatre, Adult Paraphernalia Store, Adult Video Store, and Live Nudity Establishment or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition, an adult use is any use or combination of uses which either have greater

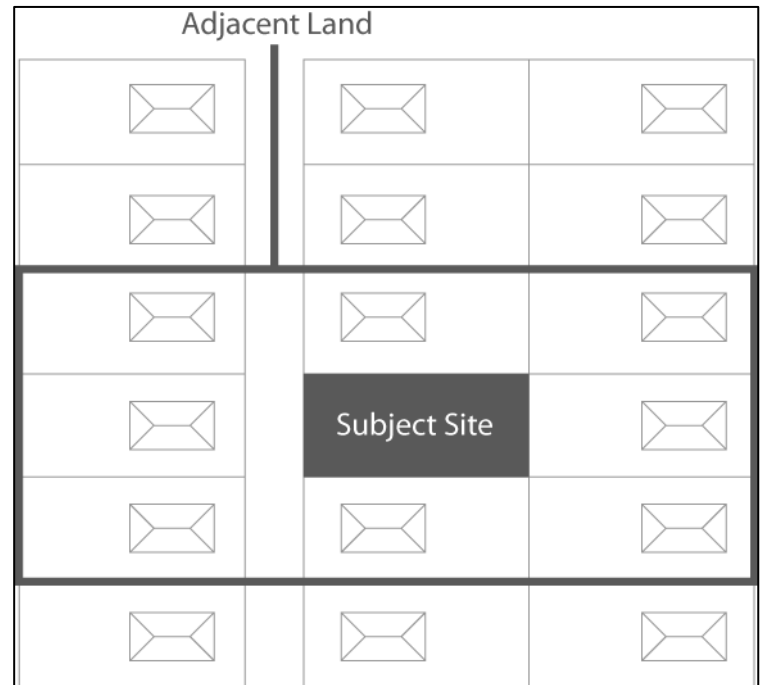


FIGURE 1: ADJACENT LAND

than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premises' gross floor area, or 18.6 m² (200 ft²), whichever is greater, devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement.

9. "Agricultural industry" means an industrial activity involving the processing, cleaning, packing or storage of the results from agricultural production. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include the manufacture of processed foods resulting from agricultural production or abattoirs.
10. "Agricultural operation" means an agricultural operation as defined in the Agricultural Operation Practices Act.
11. "Agricultural production" means the production of an agricultural operation. It shall also mean the agricultural product storage, service facilities and farmsteads which relate to the individual farm unit.
12. "Agriculture, extensive" means the use of land or buildings, including one dwelling, for an agricultural operation, but not including intensive agriculture or a confined feeding operation which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act.
13. "Agriculture, intensive" means an agricultural operation which operates on an intensive basis. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, hydroponic and aquaponics operations, but not confined feeding operations.
14. "Alcohol retail sales" means an establishment or that part of an establishment possessing a Class D liquor license which is used for the retail sales of any and all types of alcoholic beverages to the public for consumption off premises. This use may include as well as the sale of alcohol the retail sales of related products such as soft drinks and snack foods;
15. "Amateur radio communication" means the use of a communication tower/antenna by a licensed amateur radio operator for the purpose of reception and transmission of radio signals;

16. "Amenity area" means an area which is developed for the active or passive recreation and enjoyment of the occupants of a dwelling or dwellings. Such area may be for either private or communal use and may be under either individual or common ownership;
17. "Amenity area, communal" means an amenity area which shall be provided in accordance with the regulations in this Bylaw but which must be developed for the active or passive recreation and enjoyment of all occupants of a building. Such area must be for communal use and accessible by all occupants of a building it is intended to serve. Amenity areas may include: landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include any area occupied at grade by a building's service areas, parking lots, aisles or access driveways'
18. "Amenity area, private outdoor" means an amenity area which shall be provided in accordance with the regulations in this Bylaw but which must be developed for the active or passive recreation and enjoyment of the residents of a specific dwelling unit and which is immediately adjacent to and directly accessible from the dwelling unit it is intended to serv. Amenity areas may include: landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include any area occupied at grade by a building's service areas, parking lots, aisles or access driveways;
19. "Amusement establishment, indoor" means a development providing recreational facilities inside an enclosed building with table games and/or electronic games played by patrons for entertainment. Indoor amusement establishments include billiard parlours and electronic games arcades with tables and/or games and bowling alleys;
20. "Amusement establishment, outdoor" means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals or circuses;
21. "Amusement game machine" means an electronic or non-electronic device such as a pin-ball machine, an air hockey game, a foosball game, or a video game which is played by persons for recreation or for amusement, usually after depositing either currency or purchased tokens into the game machine. For the purposes of this Bylaw, amusement game machines also includes Provincially-licensed video-lottery terminals and slot machines, and similar devices, whether or not they are used as gambling devices;
22. "Animal breeding and/or boarding facility" means an establishment for the keeping, breeding, housing, exercising, training, and/or raising of three (3) or more animals over six months in age, that are not livestock for profit or gain. Animal breeding and/or boarding facilities shall include: kennels and animal shelters but shall not apply to the keeping of animals in a veterinary clinic (small or large) for the purpose of observation and/or recovery necessary to veterinary treatment (*Amended by Bylaw 2018-12*);
23. "Animal shelter" see "Animal breeding and/or boarding facility" (*Amended by Bylaw 2018-12*);
24. "Apiary" means a place where beehives are kept. For the purposes of this Bylaw the location of the apiary will be determined by the location of the beehives rather than the legal boundaries of the legal boundary of the parcel of land accommodating the hives;
25. "Area Structure Plan" means a plan adopted by Council as an Area Structure Plan pursuant to the Act;

26. "Assisted care housing" means a residential multi-unit building designed to provide long term housing wherein residents, who because of their circumstances, cannot or do not wish to maintain their own households, are provided with meal services and may also receive such services as housekeeping and personal care assistance. Typical uses include seniors' lodges and nursing homes;
27. "Auctioneering establishment" means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering establishments do not include flea markets;
28. "Automotive and equipment maintenance and repair shop, heavy" means a development where new or used automobiles, light trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented together with incidental maintenance services and sale of parts. Heavy automotive and recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and motorcycle dealerships, and dealerships for the sale of trucks with a gross vehicle weight rating equal to or greater than 4000.0 kg (8,818.5 lbs.). This use also includes the sale of recreational vehicles with either a gross vehicle weight rating equal to or greater than 6000.0 kg (13,227.7 lbs.) or a length equal to or greater than 6.7 m (22.0 ft.);
29. "Automotive and equipment maintenance and repair shop, light" means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Light automotive and equipment repair shops, upholstery shops, (but not body repair or paint shops) which provide services to vehicles and equipment with a gross vehicle weight rating less than 4000 kg (8,818.5 lbs.), or a length less than 6.7 m (22.0 ft.);
30. "Automotive and recreational vehicles sales/rental establishment, heavy" means a development where new or used automobiles, light trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented together with incidental maintenance services and sale of parts. Heavy automotive and recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and motorcycle dealerships, and dealerships for the sale of trucks with a gross vehicle weight rating equal to or greater than 4000.0 kg (8,818.5 lbs.). This use also includes the sale of recreational vehicles with either a gross vehicle weight rating equal to or greater than 6000.0 kg (13,227.7 lbs.) or a length equal to or greater than 6.7 m (22.0 ft.);
31. "Automotive and recreational vehicles sales/rental establishment, light" means a development where automobiles motorcycles, snowmobiles, and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Heavy automotive and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, upholstery shops and auto body repair or paint shops) which provide services to vehicles and equipment with a gross vehicle weight rating equal to or greater than 4000 kg (8,818.5 lbs.), or a length less than 6.7 m (22.0 ft.);
32. "Automotive wrecker" means a parcel used for storing, junking, dismantling or wrecking three or more motor vehicles and parts thereof and may include subsequent sales of such parts;
33. "Bareland condominium" see "condominium, bareland";

34. "Basement" means the portion of a building which is wholly or partially below the finished grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above;
35. "Bed and breakfast establishment" means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public. The four bedrooms are in addition to those available for use by members of the family;
36. "Berm" means a landscaped earthen mound that is utilized to attenuate the noise and visual effects of adjacent land uses and/or direct ground water flows as part of an engineered storm water management system;
37. "Business frontage" means:
- any side of a lot or building which abuts a road, or
 - in the case of individual business or tenants within a building, any business which has separate access to a road.
38. "Boarding/lodging house" means a development, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public;
39. "Buffer" means berms, fencing and/or planting for the purpose of screening noise, views, dust, sprays and uses between properties where off-site impacts may occur;
40. "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;
41. "Building area" means the greatest horizontal area of a building above grade within the glassline of exterior walls, or within the glassline of exterior walls and the centreline of fire walls;
42. "Building height" means the vertical distance measured from the established grade immediately adjacent to the subject building to the highest point of the building, exclusive of any accessory roof construction such as a mechanical housing, fire wall, parapet wall, chimney, steeple or antenna;

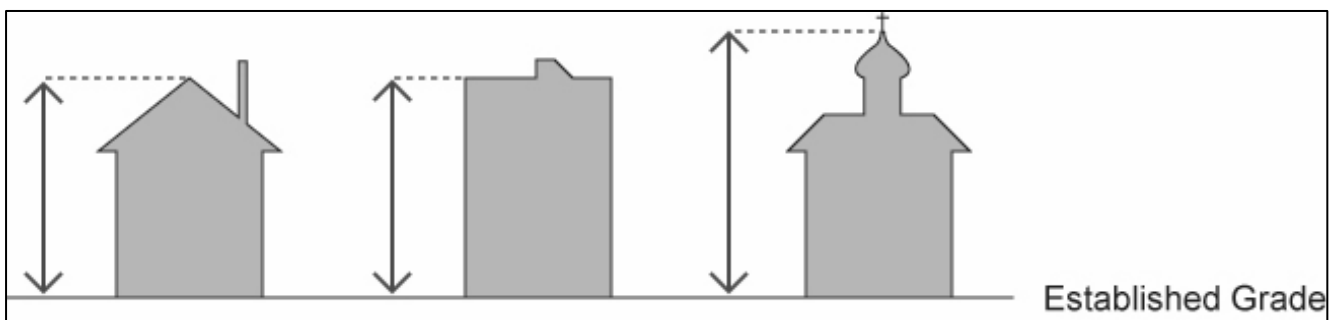


FIGURE 2: BUILDING HEIGHT

43. "Building permit" means a permit authorizing construction and issued under the Safety Codes Act;
44. "Building site certificate" mean as plan prepared and certified by an Alberta Land Surveyor, in good standing, which identifies the dimensions of the boundaries of a parcel and the improvements thereon;
45. "Bulk fuel storage and sales" means lands, buildings and structures for the storage and distribution of fuels and oils including retail sales and key lock operations;

46. "Bus depot" means a development where scheduled intermunicipal buses drop off or pick up either passengers or cargo but does not include staging areas;
47. "Business support services establishment" means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments;
48. "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 (*Amended by Bylaw 2018-17*);
49. "Cannabis Accessory" means cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended (*Amended by Bylaw 2018-17*);
50. "Cannabis Facility" means a development used principally for one or more of the following activities relating to medicinal or recreational 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 cannabis goods or products;
 - d. The storage or shipping of materials, goods, or products;
 - e. The distribution and sales of materials, goods, and products to Cannabis Store or to individual customers; or
 - f. where a licence for all activities has been issued by federal (Health Canada) and/or provincial regulators (Alberta Gaming and Liquor Commission).

This Use does not allow the on-site consumption of Cannabis and does not include a Cannabis Store as an Accessory Use. A Cannabis Facility does not apply to any other Use and shall not be an Accessory Use to any other Use. (*Amended by Bylaw 2018-17*)

51. Cannabis, Medical Clinic" means a business where counselling on cannabis is provided by person who are not medical professionals, where consumption of cannabis must not occur, where the sale of cannabis must not occur, and may include the ancillary retail sale or rental of merchandise (*Amended by Bylaw 2018-17*);
- "Cannabis Store" means a store licensed by the Alberta Gaming, Liquor and Cannabis Commission (AGLC), and all cannabis that is offered for sale or sold must be from a federally approved and licensed facility. This Use does not allow the on-site consumption of Cannabis. Cannabis Accessories may be sold or rented, and counselling services may be provided. This Use does not include Cannabis Facility. A Cannabis Store does not apply to any other Use and shall not be developed as an Accessory Use to any other use. (*Amended by Bylaw 2018-17*)
52. "Canopy" means a projection outward from the face of a building, primarily designed to provide protection from climatic elements;

53. "Campground, basic" means a development where tents are erected and/or recreational vehicles are parked for the purpose of overnight or short term accommodation. A campground includes any building, structure, tent, vehicle or enclosure accessory to the main use that is located on the land and used as an integral part of the campground such as washhouses, gazebos, picnic shelters, etc.;
54. "Campground, recreational vehicle" means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, for not normally more than twenty (20) days in a year, and may include sites for the erection of tents for similar time frames;
55. "Campground, recreational vehicle, seasonal" means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, normally for no longer than an entire season operating between April to October;
56. "Campground, recreational vehicle workcamp" means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, used to house camp workers by various contracting firms on a temporary basis. The units may be dismantled and removed from the site from time to time;
57. "Carport" means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty percent (40%) of its total perimeter open and unobstructed;
58. "Carrier" means a company or applicant that provides wireless commercial or essential institutional communications services.
59. "Car wash" means a facility used for the cleaning of motor vehicles, such as passenger cars, trucks, and motorcycles. A heavy vehicle wash is a separate use;
60. "Cemetery" means a development for the entombment of the deceased, which may include the following accessory developments: crematorium, columbarium, and mausoleums. Cemeteries may include memorial parks, burial grounds, chapels, and gardens of remembrance;
61. "Chattel" means a movable item of personal property;
62. "Co-location" means locating on a site and tower with other Wireless Communications Operators;
63. "Commercial business centre" means any group of commercial establishments planned, constructed and managed by a single or group of owners or tenants, either in a mall-type setting, where individual businesses front onto a pedestrian walkway within one building, or on a common site. Commercial business centres may have common site access/accesses and a common parking area(s) for customers and staff;
64. "Commercial entertainment facility" means a privately owned indoor facility or development operated for financial gain in which the public participates in and/or views an activity for entertainment/social purposes. Commercial entertainment facilities may offer food and beverages for sale to the patrons and may be licensed by the Province of Alberta for the on-site consumption of alcohol. Without limiting the generality of the foregoing, they may include facilities for display of motion pictures, live theatres, dinner theatres, dancing and cabaret entertainment, amusement arcades with mechanical and/or electronic games, billiard or pool halls. It does not include adult entertainment, drinking establishments or recreation indoor uses;
65. "Commercial school" means a development where training and instruction in a specific trade, skill or service is provided for the financial gain of the individual or company owning the school. Commercial schools does not include schools operated by a School Division, but includes, but is not limited to, secretarial, business, hairdressing, beauty culture, dancing, or music schools;

66. "Commercial storage" means a self-contained building or group of buildings containing units available for rent for the storage of goods and materials;
67. "Communication tower/antenna" means a structure designed for the purpose of receiving and transmitting communication signals;
68. "Commercial use" means a business through which products, services, or entertainment are available to consumers, whether the general public or other commercial establishments, and does not include the large-scale manufacturing of products for off-site distribution or sales. Commercial use shall include: animal clinics (large and small), general retail establishments, greenhouses, health services, hotels, and personal service shops (*Amended by Bylaw 2018-12*);
69. "Community garden" means a lot or part of a lot (publicly or privately held) that is cultivated by a group of people rather than a single detached or individual. Unlike public parks and other green spaces maintained by local governments, community gardens are generally managed and controlled by a group of unpaid individuals or volunteers – usually the gardeners themselves;
70. "Community recreation service" means a development without fixed seats and with an occupancy capacity of less than five hundred (500) persons, primarily intended for local community purposes, where recreational, social, or multi-purpose activities occur. Community recreation services include community halls, community centres, and community league buildings operated by a local residents' organization;
71. "Compliance certificate" means the endorsement by the Development Authority Officer of a Real Property Report indicating that the existing development on a given parcel of land is in compliance with this bylaw;
72. "Condominium" means housing units administered under the Condominium Property Act, which allows for the division of parcel into units and common elements, and the provision of an administrative framework through a condominium corporation which enables owners to manage the property;
73. "Condominium, bareland" means housing units administered under the Condominium Property Act which allows for the division of a parcel of land into lots and common property, and where "joint control" is applied to a parcel of land (as distinct from a building) in which there are a number of individually owned by those owning a "lot". Condominium title is conferred upon those owning individual lots with the Condominium Association being responsible for the common property;
74. "Confined feeding operation" means a confined feeding operation as defined in the Agricultural Operation Practices Act, RSA 2000, c. A-7, as amended;
75. "Contractor service, limited" means a development where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be stored and sold, where all materials are kept within an enclosed building, and where there are no accessory manufacturing activities or parking or storage of more than four (4) vehicles.
76. "Contractor service, General" means a development where building, concrete, landscaping, electrical, excavation, drilling, heating, plumbing, paving, road, oil field, pipeline, or similar services of a construction or services nature are provided, which have on-site storage of materials, construction equipment, or vehicles normally associated with the contractor service, and which is not a limited contractor service. Any sales, display, office or technical support service areas shall be accessory to the main use only.

77. "Convenience retail store" means a development where goods required by area residents or employees on a day to day basis are bought and sold. The gross leasable area of a convenience retail store shall not exceed 275 m² (2,960 ft²). Convenience retail stores include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and person care items, hardware, and/or printed matter;
78. "Corner site" means a site with boundary lines on two separate roads which intersect or a single road that curves at an angle of forty-five (45) degrees or more at the subject site. For the purposes of this definition;
79. "Council" means the Council of the Town of Calmar;
80. "Coverage" means the sum of the ground floor areas of all buildings on a lot divided by the area of the lot."
81. "Crematorium" means an establishment with one or more cremation chamber used only for the reduction of the human body to ashes by heat and where funeral services will not be permitted to be conducted;
82. "Curb cut" means the lowering of a curb, sidewalk and/or boulevard to provide vehicular access to a site;
83. "Dangerous or hazardous goods" means a product, substance, or organism listed in the Dangerous Goods Transportation and Handling Act, RSA 2000, c. D-4, as amended ;
84. "Date of issue" means the date on which the notice of a decision of the Development Authority is published, or five (5) working days after such a notice is mailed.
85. "Day care" means a provincially licensed child care facility operated from a building or a portion thereof used for the provision of care, maintenance and supervision of seven (7) or more children under the age of eleven (11) years, by persons unrelated to the children by blood or marriage, for periods not exceeding twenty-four (24) consecutive hours. For the purposes of this definition, a day care shall include all day-care centres, nurseries, and after school or baby-sitting programmes which satisfy this definition. However, this definition shall not include a day home, a family care facility, a group care facility, or a school operated by a School Division;
86. "Day home" means a provincially licensed child care facility operated from a residence supplying supervision of a maximum of six (6) children under the age of eleven (11) years including any resident children. A day home shall supply an outside play space that is both fenced and gated, and shall meet all fire regulations and health regulations;
87. "Deck" means any open structure attached to the main dwelling having a height greater than 0.6 m (2.0 ft.) above ground level, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have walls higher than 1.25 m (4.1 ft.) or a roof;
88. "Density" means a measure of the average number of persons or dwelling units per unit of area;

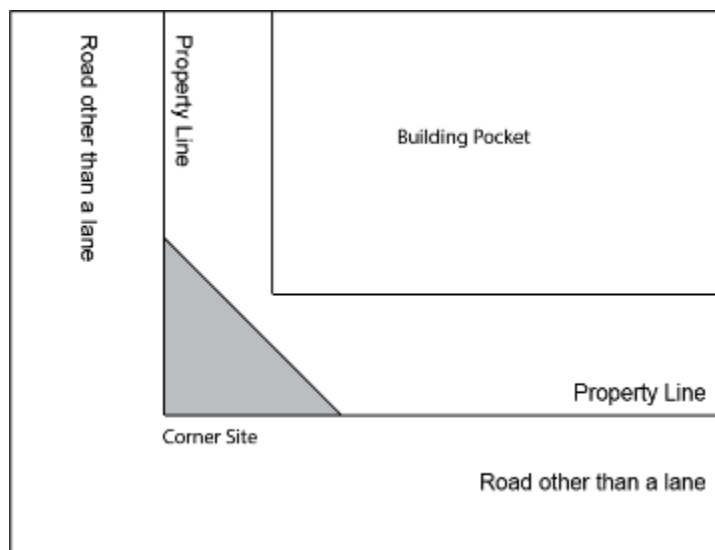


FIGURE 3: CORNER SITE

89. "Developer" means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;
90. "Development" means:
- a. an excavation or stockpile and the creation of either of them, or
 - b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - d. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; or
 - e. the demolition or removal of a building; or
 - f. the placement of an already constructed or a partially constructed building on a parcel of land; or
 - g. the placing of refuse or waste material on any land; or
 - h. the resumption of the use to which land or buildings have been previously put; or
 - i. the use of land for the storage or repair of motor vehicles, other machinery, or equipment; or
 - j. the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way.
91. "Development Authority" means the Development Authority established pursuant to the Act through the municipality's Development Authority Bylaw;
92. "Development Authority Officer" means the Development Authority Officer established and appointed pursuant to the Act through the municipality's Development Authority Bylaw;
93. "Development permit" means a document authorizing a development issued pursuant to this Bylaw;
94. "Discontinued" means the time at which, in the opinion of the Development Authority, substantial construction activity or use has ceased;
95. "Discretionary use" means the use of land or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made;
96. "District" means Land Use District as per Part 9 of this Bylaw;
97. "Domestic pets" means animals which are not livestock as defined in the Agricultural Operation Practices Act and which are often kept within a dwelling unit. Such animals include dogs, cats, and similar animals.
98. "Double fronting site" see "lot, double fronting"
99. "Drinking establishment" means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site occurs and where liquor is the primary source of business;
100. "Drive-in business" means a development which serves customers travelling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include service stations, drive-in restaurants, and car washes;
101. "Drive-in restaurant" means an eating and drinking establishment which is designed as a drive-in business. Drive-in restaurants may have one or more of the following features: car attendant services, drive through food

pickup services, or parking primarily intended to allow for the on-site consumption of food within a motor vehicle;

102. "Driveway" means a paved or hard surfaced access from a public roadway/lane leading to a dwelling, garage or parking stalls located on private property (*Amended by Bylaw 2018*);
103. "Duplex" see "dwelling, duplex"
104. "Dwelling" means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. Dwellings include single detached dwellings, semi-detached dwellings, duplexes, row housing, and apartments, but shall not include manufactured home units of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;
105. "Dwelling, apartment" means a development containing three (3) or more dwelling units with a common entrance from the exterior, but shall not mean ground-oriented multi-family dwellings and not include any other multiple dwelling unit building defined in this Bylaw (*Amended by Bylaw 2021-04*);
106. "Dwelling, duplex" means a dwelling containing two (2) dwelling units which are located either side by side or at least in part one above the other, and which may share a common wall;
107. "Dwelling, fourplex" means a single building consisting of four (4) dwelling units, other than row housing, that are side-by-side and back-to-back, intended to be occupied by separate households with separate exterior access to grade (*Amended by Bylaw 2021-04*);
108. "Dwelling, row housing" means a building consisting of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean apartment.
109. "Dwelling, single detached" means a building consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. However, a single detached dwelling may be constructed in pieces off-site, or even in one piece, with the piece(s) being transported to the site for assembly on-site, and thus may be a modular dwelling.



FIGURE 4: APARTMENT



FIGURE 5: ROW HOUSING



FIGURE 6: SINGLE DETACHED

110. "Dwelling unit" means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for one family, and which, except for an in-law suite, is not separated from direct access to the outside by another separate dwelling unit;
111. "Easement" means a right to use land, generally for access to other property, or as a right of way for public utility;
112. "Eating and drinking establishment" means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises or off the site. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants, but shall not include drive-in restaurants, which shall be considered to be drive-in businesses;
113. "End unit" means a dwelling unit which is connected to another dwelling unit on only one side;
114. "Encroachment agreement" means an agreement under which a municipality permits an intrusion onto public property that is under the direction, control, and management of the municipality or improvements made on land that is adjoining that public property;
115. "Entertainment establishment" means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit. An adult entertainment establishment is not considered an entertainment establishment for the purposes of this Bylaw;
116. "Equipment rental establishment" means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and/or serviced. Equipment rental establishments do not include developments where motor vehicles or industrial equipment are rented and/or serviced;



FIGURE 8: FOURPLEX

117. "Established grade" means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both case of any artificial embankment or entrenchment;

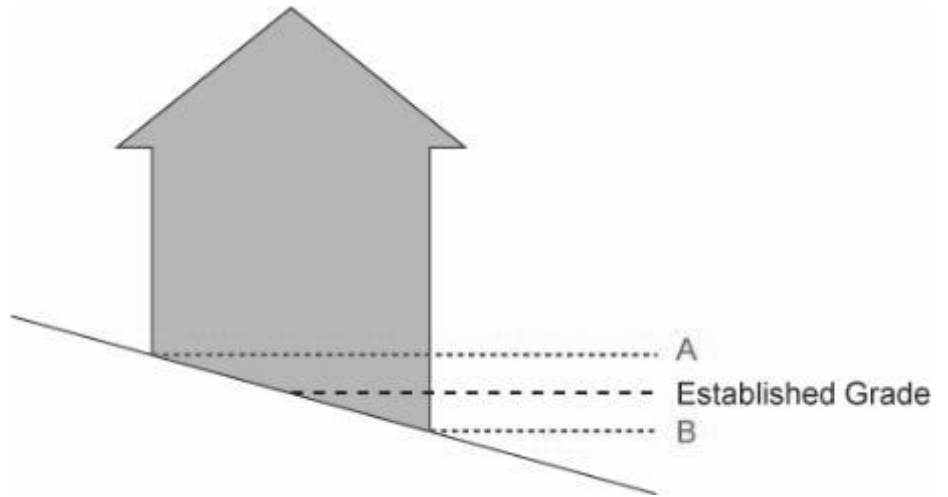


FIGURE 9: ESTABLISHED GRADE

118. "Excavation" means any breaking of ground, except common household gardening and ground care;
119. "Exhibition and convention facility" mean a development which provides permanent facilities for meetings, seminars, conventions, product and trade fairs, and carnivals and other exhibitions. Exhibition and convention facilities include exhibition grounds and convention centres;
120. "Extensive agriculture" means an agricultural operation which involves the raising of crops, but not livestock;
121. "Exterior wall" means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys and verandas, but not including roof overhangs less than 0.6 m (2.0 ft.);
122. "Family care facility" means a development which provides resident service in a dwelling to six (6) or fewer individuals. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. Family care facilities include foster or boarding homes for children, group homes and family homes;
123. "Fence" means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access;
124. "Floor area" means the total area of all storeys of all buildings including accessory buildings located on any site, excluding the area of basement floors, except that all dwelling units in apartment buildings shall be included in the calculation of gross floor area;
125. "Floor area ratio" means the ratio or decimal resulting from dividing the floor area of all buildings by the total area of the site on which the buildings are located;
126. "Foundation" means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfer the weight of and loads on a building to the ground;
127. "Fragmented parcel" means a parcel of land that is separated from the balance of the parcel of land by a natural barrier such as a river, a permanent naturally-occurring water body, a railroad, or a road, but not an undeveloped road on a Road Plan, or a barrier to crossing caused by substantial topography, such as a ravine, gully or small, possibly intermittent, watercourse. The determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the discretion of the Subdivision Authority;
128. "Front yard" see "yard, front"
129. "Frontage" means the length of all site lines adjacent to roads;

130. "Funeral service establishment" means a development where the dead are prepared for burial or cremation and where funeral services may be held. Funeral services include funeral homes and undertaking establishments;
131. "Garage" means an accessory building or that part of a principal building which is designed and/or used primarily for the storage of motor vehicles;
132. "Gas bar" means a development where gasoline, lubricating oils, and other automotive fluids are bought and sold. Gas bars do not include facilities for the servicing or repairing of motor vehicles;
133. "General advertising" means advertising which relates to goods or services other than those produced, offered for sale, or obtainable at the site on which the sign is displayed;
134. "General industrial use" means a development where goods and/or materials are stored, manufactured, distributed, processed, tested, serviced, repaired, or salvaged in such a manner that does not create an adverse environmental impact beyond the immediate site of the general industrial use, and which also does not produce significant toxic or noxious by-products. General industrial uses include motor vehicle body and paint shops;
135. "General retail establishment" see "retail, general";
136. "Golf course" means an outdoor establishment/development designed for the game of golf. Accessory uses include a clubhouse, pro-shop, driving range and/or other practise facility, restaurant, drinking facility, and other commercial uses typically associated with the golf clubhouse facility;
137. "Government services" means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include protective and emergency services, major and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices;
138. "Grade" see "established grade"
139. "Gross floor area" means the total floor area of all floors, excluding the basement, of a non-residential building or structure;
140. "Greenhouse and plant nursery" mean a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, and fertilizers and garden care products. This use does not include a Cannabis Store or a Cannabis Facility (*Amended by Bylaw 2018-17*);
141. "Gross leasable area" means the floor area of a building, plus the horizontal area contained within the exterior of the basement walls, excluding the floor areas of mechanical and utility rooms, public washrooms, stairwells, and elevators;
142. "Ground-oriented multi-family dwelling" see "dwelling, row housing";
143. "Group care facility" means a development which provides resident services to seven (7) or more individuals. These individuals may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. This category includes supervised uses such as group homes (all ages), halfway houses, resident schools, resident facilities and foster or boarding homes;
144. "Group home" means a building or portion of a building used for the care of rehabilitation of children, adolescents or adults;

145. "Hard surfaced" means the treatment of a roadway or trail with compaction and asphalt, gravel, or other hard surfacing material;
146. "Health services" means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Health services include medical, chiropractic, and dental offices, health clinics, medical cannabis clinics and counselling services;
147. "Highway" means a highway or proposed highway that is designated as a highway pursuant to the Public Highways Development Act, RSA 2000, c. P-38 as amended;
148. "Highway commercial use" means a commercial use serving the travelling public which relies on a highly visible location in proximity to a highway or an arterial road. Highway commercial uses may include eating and drinking establishments, , service stations, gas bars, convenience retail stores, hotels, motels, commercial with warehousing, drive-in businesses and personal service shops;
149. "Heavy industrial use" see "industrial use, heavy";
150. "Heavy vehicle wash" means a facility used for the cleaning of commercial motor vehicles, such as tractor and tractor-trailer units, large recreation vehicles, and motor homes;
151. "Home occupation" means any business, occupation, trade, profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small sign as provided for in Section 7.15 of this Bylaw. For the purposes of this Bylaw, home occupations are divided into two sub-classifications - major home occupations and minor home occupations - with specific regulations for each as indicated in this Bylaw:
- a. a minor home occupation does not include any business which would normally attract more than five (5) clients per week, or the employment at the dwelling or accessory buildings of any paid assistant, other than the occupants of the dwelling.
 - b. A major home occupation may include a business which would normally attract more than five (5) clients per week but does not include the employment at the dwelling or accessory building of more than two (2) paid employees, other than the occupant and the occupant's family.
 - c. A home occupation (major or minor) does not include outdoor storage of any goods or stock in trade. A home occupation does not include uses such as:
 - i. a bed and breakfast establishment;
 - ii. veterinary clinic, large animal and veterinary clinic, small animal;
 - iii. any automotive, industrial and/or recreation vehicle or equipment sales, rental, storage, service, or repairs;
 - iv. a cannabis store;
 - v. a cannabis facility;
 - vi. a cannabis, medical clinic;
 - vii. adult exclusive uses; or
 - viii. adult entertainment services. *(Amended by Bylaw 2018-17)*
152. "Home office" means a business office in a dwelling which:

- a. is accessory to the primary residential use of the dwelling;
- b. is located in a room or portioned area of the dwelling that does not exceed 14 m² (150.69 ft²);
- c. is not visited by any clients or off-site employees;
- d. does not have any internal or external storage of goods other than files and other papers necessary for the operation of the office;
- e. does not change the external appearance or residential character of the dwelling and is undetectable from the outside of the dwelling unit; and
- f. is carried on only by the resident(s) of that dwelling.

A home office does not include a home occupation;

- 153. "Hotel" means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include eating and drinking establishments, convenience retail stores, and a liquor store but shall not include an establishment where there is a dance floor larger than 5 m² (55 ft²) unless specifically approved by the Development Authority;
- 154. "Household repair service" means a development where goods, equipment and appliances normally found within the home may be repaired. Household repair services include radio, television and appliance repair shops, and furniture refinishing and upholstery shops, but not personal service shops. Household repair services do not have any outdoor storage;
- 155. "Indoor recreation facility" means a development for sports and active recreation within an enclosed building. Indoor recreation facilities include such facilities as ice arenas, gymnasiums, curling rinks, swimming pools, and similar, though smaller, facilities. As well, indoor recreation facilities may also include meeting rooms and eating and drinking establishments as accessory uses.
- 156. "Industrial use, heavy" means a development which would be considered to be a light industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the heavy industrial use; the potential for significant toxic or noxious by-products such as air or water-born emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants; natural resource or agricultural product processing plants or large-scale outdoor storage that is unsightly or visually offensive and cannabis production and distribution facilities (licensed and operating pursuant to applicable provincial and federal legislation). Heavy industrial uses do not include heavy petrochemical industrial uses.
(Amended by Bylaw 2018-17)
- 157. "Industrial use, heavy petrochemical" means a development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use;
- 158. "Industrial use, light" means a development which, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industrial uses are usually

less capital intensive than heavy industrial uses and may be more consumer-oriented than business-oriented. Light industrial uses often require only a small amount of raw materials, area and power. For further clarification, light industrial uses include developments where:

- a. raw materials are processed, and/or
 - b. semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or
 - c. materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or
 - d. goods and equipment associated with personal or household use are cleaned, serviced, and/or repaired, and/or
 - e. materials, goods and equipment are stored and/or transhipped, and/or
 - f. materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or
 - g. personnel are trained in all industrial operations, in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the interior of the buildings located on the site of the light industrial use, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting.
- Light industrial uses include motor vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the light industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of 33% of the total floor area of the building or buildings devoted to the light industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place outdoor.

Industrial use, light uses do not include heavy petrochemical industrial uses or a Cannabis Facility. *(Amended by Bylaw 2018-17)*

159. "Industrial use, medium" means development which involves the manufacturing, processing, fabrication, storage, transportation, distribution or wholesaling of goods and services, where no adverse environmental impact (noise, smoke, odour, dust or vibration) takes place beyond the boundaries of the lot on which the medium industry is located. For the purpose of this bylaw, dust refers to that which is produced as a result of the land use of the lot, rather than that which is produced as a result of travelling to and from the lot. This use does include Cannabis Production and Distribution Facilities (licensed and operating pursuant to applicable provincial and federal legislation).

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the medium industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of 33% of the total floor area of the building or buildings devoted to the medium industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place outdoor. *(Amended by Bylaw 2018-17)*

160. "Industrial vehicle and equipment sales/rental establishment" means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial vehicle and equipment sales/rental establishments do not include truck and recreational vehicle sales/rental establishments or automotive and minor recreational vehicles sales/rental establishments;
161. "Intensive agriculture" see "agriculture, intensive"
162. "In-law suite" see "suite, in-law" means a subordinate self-contained dwelling unit, separate from the dwelling unit in a single detached dwelling, having a common access with the primary dwelling unit;
163. "Institutional use" means a development of governmental, religious, social, health care, or cultural facilities servicing the municipality, area, or region;
164. "Interior site" see "lot, interior;
165. "Kennel" see "Animal breeding and/or boarding facility" (*Amended by Bylaw 2018-12*);
166. "Landscaping" means lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture;
167. "Landscaped area" means an area of land made attractive by the use of hard or soft landscaping materials; however, it shall not include areas occupied by garbage containers, storage, parking lots, or driveways;
168. "Landscaping, hard" means the use of non-vegetative material such as brick, stone, tile, paving stone, and gravel but excluding asphalt and monolithic concrete as part of a landscaped area;
169. landscaping, soft" means the use of vegetative material as part of the landscaped area;
170. "Land Titles Act" means the Land Titles Act, R.S.A. 2000, c. L-5, as amended;
171. "Land use district" means an area as shown in Part 9 of this Land Use Bylaw;
172. "Lane" means a road 7.6 m (24.9 ft.) or less in width;
173. "Lattice tower" means a non-solid structure made up of vertical, horizontal and diagonal members assembled in triangular or square faced sections that can be stacked to obtain height. The structure can stand by itself (self-supporting), on a foundation, or it may be of the type requiring supporting assistance of cables (guyed tower).
174. "Libraries and cultural exhibit" means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Libraries and cultural exhibits includes libraries, museums, and art galleries;
175. "Licensed medical marijuana production facility means the use of land, buildings, or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import marijuana for medical purposes, including related research, under the Marijuana for Medical Purposes Regulations (SOR/2013-119), under Subsection 55(1) of the Controlled Drugs and Substances Act, as amended, or any subsequent legislation that may be enacted in substitution;
176. "Licensed medical marijuana production facility premises" means a location registered under the Marihuana for Medical Purposes Regulations, SOR/2013-119 (Canada) or as amended, as a Licensed Medical Marijuana

Production Facility and includes all areas of the site that are used in the business operated at the site, including offices, kitchens, washrooms, storerooms, and including all public and private areas where individuals are permitted to be present. Premises also shall include the parking areas and the landscaped areas located outside of the building or buildings, which accommodate the primary activities of the Licensed Medical Marijuana Production Facility;

177. “Licensed industrial hemp production facility” means the use of land, buildings, or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import industrial hemp, including related research, under the Industrial Hemp Regulations (SOR/98-156), as amended, or any subsequent legislation that may be enacted in substitution;

178. “Licensed industrial hemp production facility premises” means a location registered under the Industrial Hemp Regulations (SOR/98-156) or as amended, as an Licensed Industrial Hemp Production Facility and includes all areas of the site that are used in the business operated at the site, including offices, kitchens, washrooms, storerooms, and including all public and private areas where individuals are permitted to be present. Premises also shall include the parking areas and the landscaped areas located outside of the building or buildings, which accommodate

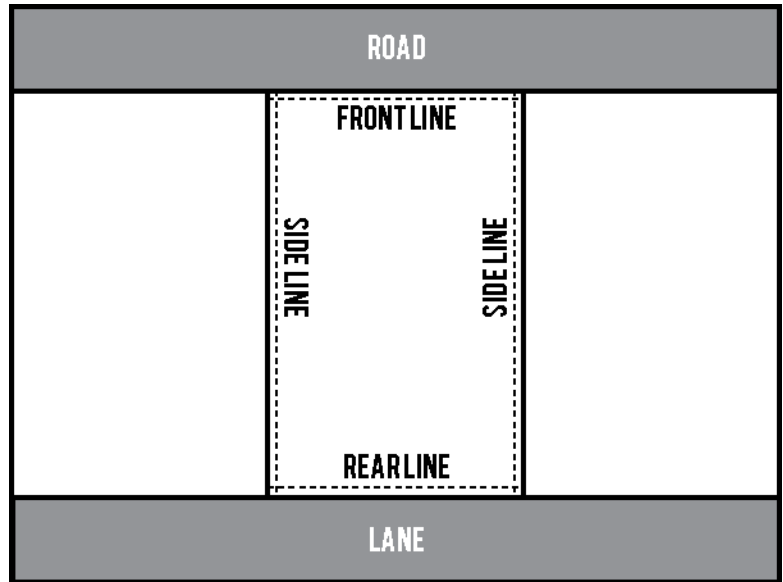


FIGURE 10: FRONT, SIDE, AND REAR LINES

the primary activities of the Licensed Industrial Hemp Production Facility;

179. “Line, front” means the boundary line of a site lying adjacent to a road. In the case of a corner site, the shorter of the two boundary lines adjacent to the road shall be considered the front line;

180. “Line, side” means the boundary line of a site lying between a front line and a rear line of a site. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered the side line;

181. “Liquor store” means a development where any and all types of alcoholic beverages are sold to the public for consumption off premises. Liquor stores may include the retail sales of related products such as soft drinks and snack foods;

182. “Livestock” means livestock as defined in the Agricultural Operation Practices Act, RSA 2000, c. A-7 as amended;

183. “livestock sales yard” means any enclosed area of land, with or without accessory buildings or structures, upon which livestock is collected for sale or for market distribution;

184. “Living quarters” means the developed area within a dwelling but does not include basement, garage, or carport, patio, or atrium;

185. “Loading space” means an off-street space for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded which is located on the same site as the building or group of buildings the loading space is intended to serve;

186. "Lot" means:
- a quarter section, or
 - a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
 - a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
187. "Lot coverage" means the percentage of a lot covered by all the buildings on the lot;
188. "Lot, corner" means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane (see Figure 8);
189. "Lot, double fronting" means a lot which abuts two roads (except alleys as defined in the Traffic Safety Act, R.S.A. 2000, as amended), which are parallel or nearly parallel where abutting the lot, but does not include a Corner Lot;
190. "Lot, interior" means a lot which abuts a road only on the front line;
191. "Lot width" means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard.
192. "Manufacturing/processing facility"
193. "Main building" means a building in which is conducted the main or principle use of the site on which it is erected;
194. "Main use" means the primary purpose or purposes for which a building or lot is used;
195. "Maintenance" means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building;
196. "Manufacturing/processing facility" means a facility in which the fabrication, processing, or assembly of goods and materials is conducted to produce items of enhanced value and may include other accessory uses related

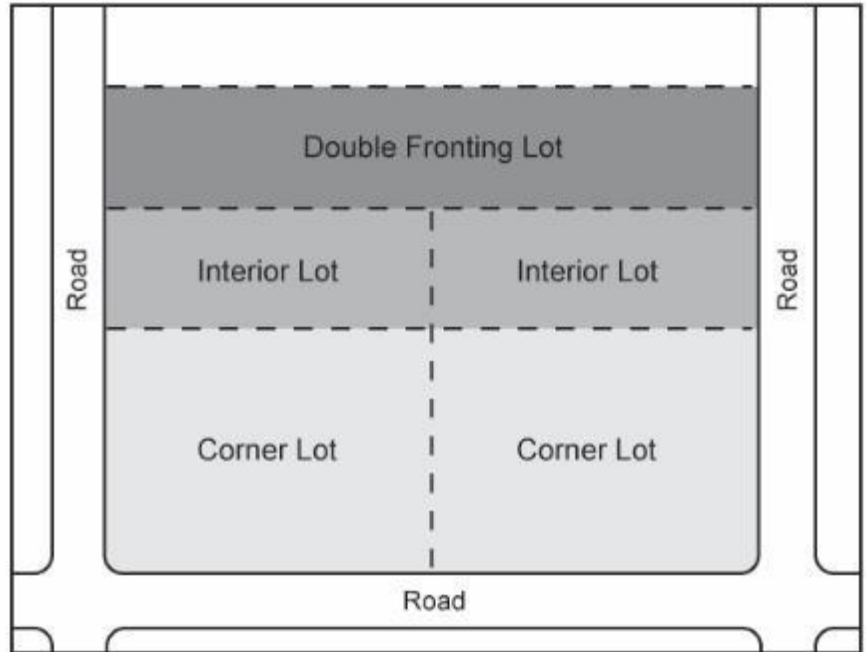


FIGURE 11: LOT DEFINITIONS

to, or supportive of, the manufacturing/processing operation such as offices, indoor and outdoor storage area, and display areas;

197. "Manufactured home" means a building designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as residential accommodation for a single detached. A manufactured home unit shall include a building that would otherwise be considered to be a single detached dwelling if the roof pitch were equal to or greater than 1:4, if the depth of eaves were greater than 45 cm (17.7 in.), if the ratio of depth vs. width (or width vs. depth) were less than 2.5:1 and if the building were located on a permanent basement. If the roof pitch is less than 1:4, if the eaves is less than 45 cm (17.7 in.), if the ratio noted above is more than 2.5:1, or if the building is not located on a permanent basement, the building shall be considered to be a manufactured home unit. Manufactured home units do not include modular homes;
198. "Manufactured home park" means any site on which two or more occupied manufactured home units are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park;
199. "Manufactured home park office" means a facility providing for the administration, management, or direction of the manufactured home park and may include supplementary retail convenience sales that specifically service the manufactured home park;
200. "Manufactured home subdivision" means the planned division of a parcel of land into one or more smaller parcels, each of which is individually registered with the Alberta Land Titles Office, for the sole purpose of placing a manufactured home and accessory structures on each separately registered parcel;
201. "May" is an operative word meaning a choice is available with no particular direction or guidance intended;
202. "Mixed use development" means a building designed for more than one land use, which are listed as uses within the same land use district, on the same site, such as residential and retail development, residential, office and retail development, and office warehouse development;
203. "Modular home" means a dwelling containing one (1) dwelling unit, and, if the provisions of this Bylaw allow, a secondary suite or an in-law suite, which is constructed in large sections, away from the site on which the modular home is to be placed, and under controlled conditions. Modular homes do not include manufactured homes;
204. "Mobile home" see "manufactured home";
205. "Modular home" means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions. It does not refer to a type of dwelling but rather to a method of construction, and includes manufactured homes, mobile homes and single detached dwellings.
206. "Motel" means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, and where access to each of the rentable units is individually available from grade, either at grade or via stairways. A motel may include eating and drinking establishments and convenience retail stores, but shall not include an establishment where there is a dance floor;
207. "Multi-family dwelling" see dwelling, row housing";

208. “Municipal Development Plan” means a plan adopted by the Council as a Municipal Development Plan pursuant to the Municipal Government Act;
209. “Municipal Planning Commission” means the Municipal Planning Commission established pursuant to the Act through the municipality’s Municipal Planning Commission Bylaw;
210. “Municipal service facility” means a building or parcel at which the municipality maintains and/or stores equipment used to provide services to the public and may contain offices to administer such services. It does not include Government Services;
211. “Municipality” means the Town of Calmar;
212. “Must” is an operative word, which means, similarly to the word shall, that an action is imperative or mandatory;
213. “Natural environment preserve” means an environmentally sensitive or locally significant natural area which is undeveloped except for trails and associated minor recreation facilities;
214. “Neighbourhood commercial development” means a development where goods and services required by area residents or employees on a day to day basis are provided, bought or sold. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 m² (2,960 ft²). Neighbourhood commercial developments include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, and/or printed matter as well as small personal service shops. This use does not include a Cannabis Store. *(Amended by Bylaw 2018-17)*
215. “Non-conforming building” means a building:
- a. that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
 - b. that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
216. “Non-conforming use” means a lawful specific use:
- a. being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
 - b. that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;
217. “Nuisance” means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;
218. “Obnoxious” means a development which by its nature, or from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, or glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building;
219. “Occupancy” means the use or intended use of a building or part thereof for the shelter or support of persons or property;

220. "Occupant" means any person occupying or having control over the condition of any property and the activities conducted on the property, and includes the owner, lessee, tenant or agent of the owner;
221. "Off-highway vehicles" means any motorised mode of transportation built for cross-country travel on land, water, snow, ice, marsh or swamp land or other natural terrain and, when designed for such travel and without limiting the generality of the foregoing includes:
- a. 4-wheel vehicles;
 - b. low pressure tire vehicles;
 - c. motorcycles and related 2-wheeled vehicles;
 - d. amphibious machines;
 - e. all-terrain vehicles;
 - f. miniature motor vehicles
 - g. snow vehicles;
 - h. mini-bikes; and
 - i. any other means of transportation that is propelled by any power other than muscular power or wind; but does not include: motor boats or any other vehicle exempt from being on off-highway vehicle by regulation;
222. "Off-street" means, when used as an adjective that the defined thing is not located on a road or highway, but rather a lot, and further, that it is not directly accessory to the particular use or development on a lot.
223. "Off-street parking lot" means a parking area which is located on a parcel of land;
224. "Offensive or objectionable" means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land or building;
225. "Office use" means a development where professional, management, administrative, consulting, health, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, health professionals, and realtors. Office uses also include insurance firms, clerical, secretarial, employment and telephone answering and similar office support services, banks, credit unions, loan offices and similar financial institutions, the offices of governmental and public agencies, printing establishments, film processing establishments, janitorial firms, and business equipment repair shops;
226. "Oilfield support" means a development that provides cleaning, repairing, servicing, or testing of goods, materials, and equipment normally associated with the oil and gas industry and may include the storage and transshipping of such materials, goods, and equipment, excluding petrochemical products and supplies. This definition applies to oil and gas support operations, including but not limited to seismic and surveying, well servicing, oilfield haulers, pipeline contractors, and welding operations;
227. "Open space" means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes;

historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;

228. “Outdoor storage facility” means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis;
229. “Owner” means the person shown as the owner of land on the assessment roll prepared under the Act;
230. “Parapet wall” means that part of an exterior wall, party wall, or fire wall extending above the roof line, or a wall which serves as a guard at the edge of a balcony or roof;
231. “Parcel of land” 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;
232. “Park model” means a type of recreational vehicle; however, for the purposes of this Bylaw, park models are not allowed in any District within this Land Use Bylaw unless either recreational vehicles or recreational vehicle parks are listed as a permitted or a discretionary use within the District, and, further, that a park model has been specifically identified and approved by the Development Authority within an approved development permit. As well, park models shall not be used as dwellings within the municipality. There are a number of types of park models. Currently, two types described below are recognized by the recreational vehicle industry.

Park Model Trailer 102 is a unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft.). These units are designed for infrequent towing, and are not normally fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it normally must be connected to the local utilities. This style is normally built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area normally does not exceed 37.2 m² (400 ft²). It conforms to the CSA Z-240 Standard for recreational vehicles.



FIGURE 12: PARK MODEL RECREATIONAL UNIT

Park Model Recreational Unit is a unit built on a single chassis mounted on wheels, which may be removed and returned to the factory. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use, and normally must be connected to those utilities necessary for the operation of installed fixtures and appliances. It normally has a floor area, including lofts, not exceeding 50 m² (540 ft²) in the set-up mode and has a width greater than 2.6 m (8.5 ft.) in the transit mode. Park Model



FIGURE 13: PARK MODEL TRAILER 102

recreational units almost always require a special tow vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft.). It conforms to the CSA Z-241 Standard for recreational vehicles.

- 233. "Parking area" means the area set aside for the storage and/or parking of vehicles. Components of parking areas include parking spaces, loading spaces, aisles, entrances and exits to the parking area, and traffic islands where they are part of the parking area;
- 234. "Parking space" means an area set aside for the parking of one (1) vehicle;
- 235. "Patio" means any developed surface adjacent to the principal dwelling on a site which is less than 0.6 m (2.0 ft.) above ground level;
- 236. "Permanent foundation" means any foundation that meets the requirements of the Alberta Building Code;
- 237. "permitted use" means the use of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made;
- 238. "Personal service shop" means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, and Laundromats, but not health services;
- 239. "Place of worship" means a development where worship and related religious, philanthropic, or social activities occurs. Accessory developments include rectories, manses, classrooms, and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;
- 240. "Principal building" means a building in which is conducted the main or principal use of the site on which it is erected;
- 241. "Principal use" means the primary purpose or purposes for which a building or site is used;
- 242. "Private camp" means social or recreational activities of members of a religious, philanthropic, athletic, business, or non-profit organization or their guests, with or without on-site campsites or dwelling units, but generally with an outdoor emphasis. Private camps may include facilities for eating, drinking, and assembly purposes associated with the camp;
- 243. "Private club or lodge" means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site dwellings or hotel or motel rentable units. Private clubs and lodges may include eating and drinking establishments and rooms for assembly;
- 244. "Professional, financial, office, and business support service" means development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the offices of lawyers, accountants, engineers, planners, doctors, and architects, as well as offices for real estate and insurance firms, clerical, secretarial, employment, telephone answering, and similar office support services. Additional uses also include banks, credit unions, loan offices, printing establishments, film processing establishments, janitorial firms, and business equipment repair shops;
- 245. "Protective and emergency services" means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services include police stations,

detention centres, fire stations, and ancillary training facilities and accommodation facilities associated therewith;

- 246. “Public education facility” means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public education facilities include the administration offices, storage, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or “charter schools”, and their administrative offices and maintenance facilities;
- 247. “Public park” means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are public operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields;
- 248. “Public or quasi-public building” means a building which is owned or leased by a department or agency of the federal or provincial government, or the Municipality for purposes of public administration and services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment, or for community activities;
- 249. “Public or quasi-public use” means a use by a department or agency of the federal or provincial government, or the Municipality, for public administration and services and shall also include uses for the purpose of assembly, instruction, culture or enlightenment, or for community related activities;
- 250. “Public utility” means a public utility, as defined in the Act;
- 251. “Public utility building” means a building in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in conjunction with the public utility;
- 252. “Real Property Report” means a plan prepared and certified by an Alberta Land Surveyor, in good standing, which establishes dimensions of the boundaries of a parcel and the location of the improvements thereon;
- 253. “Rear yard” see “yard, rear”;
- 254. “Recreation, indoor” means facilities within an enclosed building for sports, active recreation, and performing and cultural arts where patrons are predominantly participants;
- 255. “Recreation, outdoor” means lands used for recreational activities, for profit or not, which are predominantly conducted outdoors and which utilize tracts of land and may or may not require facilities or structures. Typical uses include cross-country ski trails, walking or cycling paths, ski hills, sports fields and playgrounds. A golf course is a separate use;
- 256. “Recreation, outdoor motorized vehicle” means a development or facility for primarily vehicular and/or motorized sports activities conducted outdoors on both land and water. Typical uses include sport recreational vehicle facilities such as motor bike, snowmobile, and/or motor vehicle race courses, boating facilities and may also include drive-in movie theatres and motor raceways;

257. "Recreational equipment" means any building or structure which is intended to be used for either active or passive recreation activities. Certain types of sidewalk furniture may be considered to be recreation equipment at the discretion of the Development Authority;
258. "Recreational use" means a recreational development conducted on a unified basis on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto. This includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, picnicking, and sports grounds, swimming pools, community halls, bowling alleys, skating and curling rinks, drop-in centres, and similar uses, and may include a refreshment stand incidental to the primary use;
259. "Recreational vehicle" means a vehicle or a trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel, vacation or recreational use and includes duly licensed trailers, motorized homes, slide in campers, chassis mounted campers, and tent trailers;
260. "Recreational vehicle campground" see "campground, recreational vehicle;"
261. "Recreational vehicle campground, seasonal" see "campground, recreational vehicle seasonal;"
262. "Recreational vehicle campground workcamp" see "campground, recreational vehicle workcamp;"
263. "Recreational vehicle storage facility" means a commercial development which provides fenced or indoor, secure, onsite storage of more than three (3) recreational vehicles, boats and all-terrain vehicles;
264. "Recycling depot" means a development where bottles, cans, newspapers, and similar household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed building;
265. "Recycling facility" means a 'facility used to recycle', as defined in the Environmental Protection and Enhancement Act, RSA 2000, c. E-12, as amended, and excludes the processing of hazardous recyclables as that term is defined in the Waste Control Regulation;
266. "Registered owner" means:
- a. in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
 - b. in the case of any other land:
 - c. the purchaser of the fee simple estate in the land under the agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
 - d. in the absence of a person described in paragraph (i), the person registered under the Land Titles Act as the owner of the fee simple estate in the land;
267. "Relocated building" means a building that was constructed off site in one piece or in pieces and relocated to another site but does not include manufactured homes or modular homes;
268. "Renovation" means an addition to, deletion from, or change to any building which does not require a permit pursuant to the Safety Codes Act other than a plumbing permit or an electrical permit;
269. "Rentable unit" means a separate unit of a hotel or motel used or intended to be used for the temporary accommodation of one or more persons;
270. "Residential use" includes the occupation and use of land and buildings by and as dwellings, whether on a seasonal or year-round basis;

271. "Restaurant" means an establishment for the preparation and sale of food for consumption on the premises and may include takeout food service and entertainment, excluding adult entertainment, and may or may not include the sale of alcoholic beverages when minors are present during hours of operation;
272. "Retail establishment, general" means the retail sale of groceries, baked goods, beverages, household goods, furniture, appliances, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, second hand stores, office equipment, stationary, video sales and rentals and similar goods within an enclosed building. Minor government services such as postal services are permitted within general retail stores. General retail establishments do not include developments where gasoline, new or used vehicles are sold and warehouses (*Amended by Bylaw 2018-12*);
273. "Road" means a road as defined in the Act and includes a highway;
274. "Roof" means the top of any enclosure, above or within the vertical walls of a building;
275. "Satellite dish" means a dish shaped apparatus used for the reception of satellite transmitted television or radio waves. If it is free standing, it is considered an accessory structure. If it is attached to a principal building, it is considered part of that structure;
276. "Screen or screening" means a fence, wall, berm, hedge, or other barrier providing visual and/or acoustic separation of sites;
277. "Sea can" see "shipping container";
278. "Secondary commercial use" means a development where goods are bought and sold which require a large amount of floor space or land area for the storage or display of its products or the carrying out of its operation. Goods may include, but are not restricted to, farm implements, recreational vehicles, automobiles, and lumber. Secondary commercial uses also include large-scale entertainment establishments;
279. "Second hand store" means a development where second hand or used household and personal goods are bought and sold, and may include the minor repair and preparation of such goods. Second hand stores do not include the sale of used vehicles, recreation craft, farm equipment, construction equipment, or industrial equipment. Second hand stores include antique furniture stores, thrift shops and pawnshops;

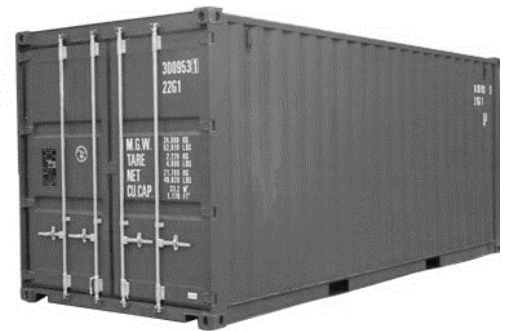


FIGURE 14: SEA CAN OR SHIPPING CONTAINER

280. "Secondary suite" see "suite, secondary";
281. "Self-service storage facility" means a development where varying sizes of individual, compartmentalized, and controlled access lockers are provided within a fenced compound or within a building for the storage of a customer's goods or wares. The maximum height of the lockers shall be 3.0 m (9.8 ft.). Self-service storage facilities do not include any outdoor storage;
282. "Semi-detached dwelling" see, "dwelling, duplex";
283. "Service station" means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for the servicing or repairing of motor vehicles, but not automotive and equipment maintenance and repair shops, or a towing service dispatch point. For the purposes of this Bylaw, gas bars are considered to be service stations;
284. "Setback" means, depending on the context of the term, the minimum horizontal distance between buildings and/or the distance between a lot boundary line and buildings or uses on a site;
285. "Shall" is an operative word which means the action is obligatory;
286. "Shed" means an accessory building to be used for storage;
287. "Shopping centre" means a development consisting of a building or a group of buildings, comprising general retail stores, personal service shops, and similar uses, with shared off-street parking facilities, and which may be managed as a single unit;
288. "Shipping container" means a pre-built metal container or structure originally designed and/or constructed for the purpose of cargo storage;
289. "Shop" means a building to be used for light industrial purposes or the storage of vehicles larger than that allowed in a garage;
290. "Should" is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances;

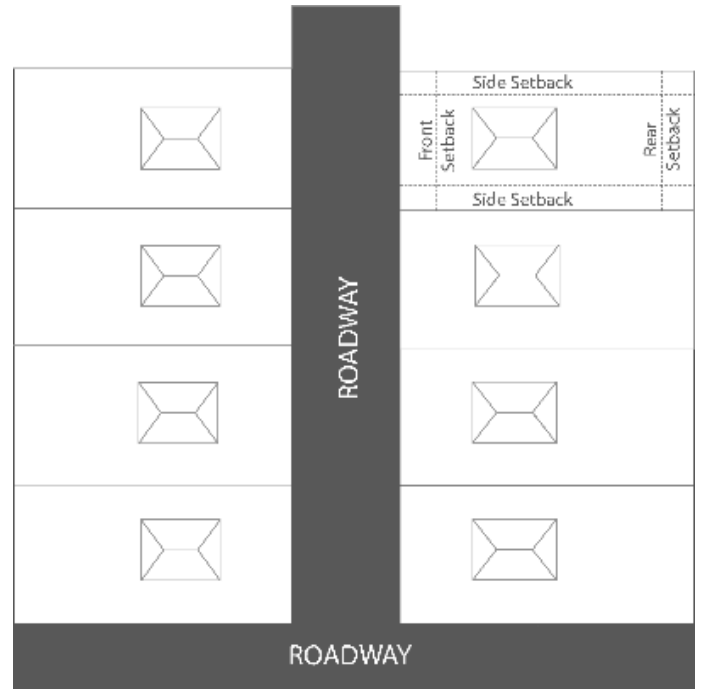


FIGURE 15: SETBACK EXAMPLE FOR REGULAR LOTS

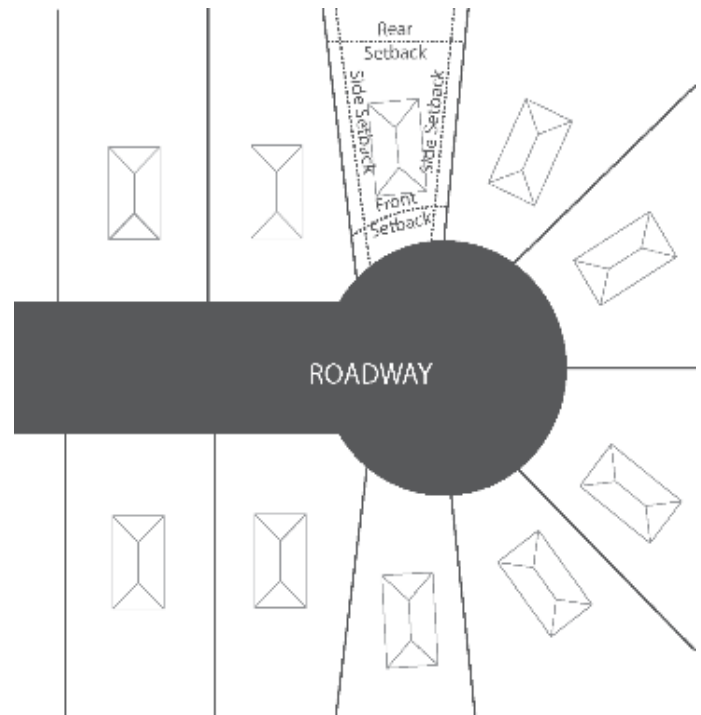


FIGURE 16: SETBACK EXAMPLE FOR IRREGULAR LOTS

291. "Show home" means a dwelling unit which is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of the District in which the show home is located. Show homes may contain offices for the sale of other lots or dwelling units in the municipality;
292. "Sidewalk café" means a temporary outdoor area located and maintained by an adjoining eating and drinking establishment for the sale and consumption of food or beverages;



FIGURE 17: SIDEWALK CAFE EXAMPLES

293. "Side yard" see "yard, side";
294. "Sign" means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any building or portion thereof which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without the generality of the foregoing, a sign includes posters, notices, panels, boardings, and banners;
295. "Sign area" means the total area within the outer periphery of a sign, and, in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of the area of a sign;
296. "Sign, a-frame" means a type of sign commonly referred to as "sandwich boards", composed of two hinged or otherwise joined boards which leans on the ground;
297. "Sign, billboard" means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;
298. "Sign, canopy" means a sign which is part of or attached to a canopy;
299. "Sign, free-standing" means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building;
300. "Sign, free-standing portable" means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually;
301. "Sign, inflatable" means a sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Commonly used as a temporary sign for special events or promotions;
302. "Sign, off-site" means a sign that advertises goods, products, services or facilities located on a site which is in a different location from where the sign is located or which directs persons to a different site;

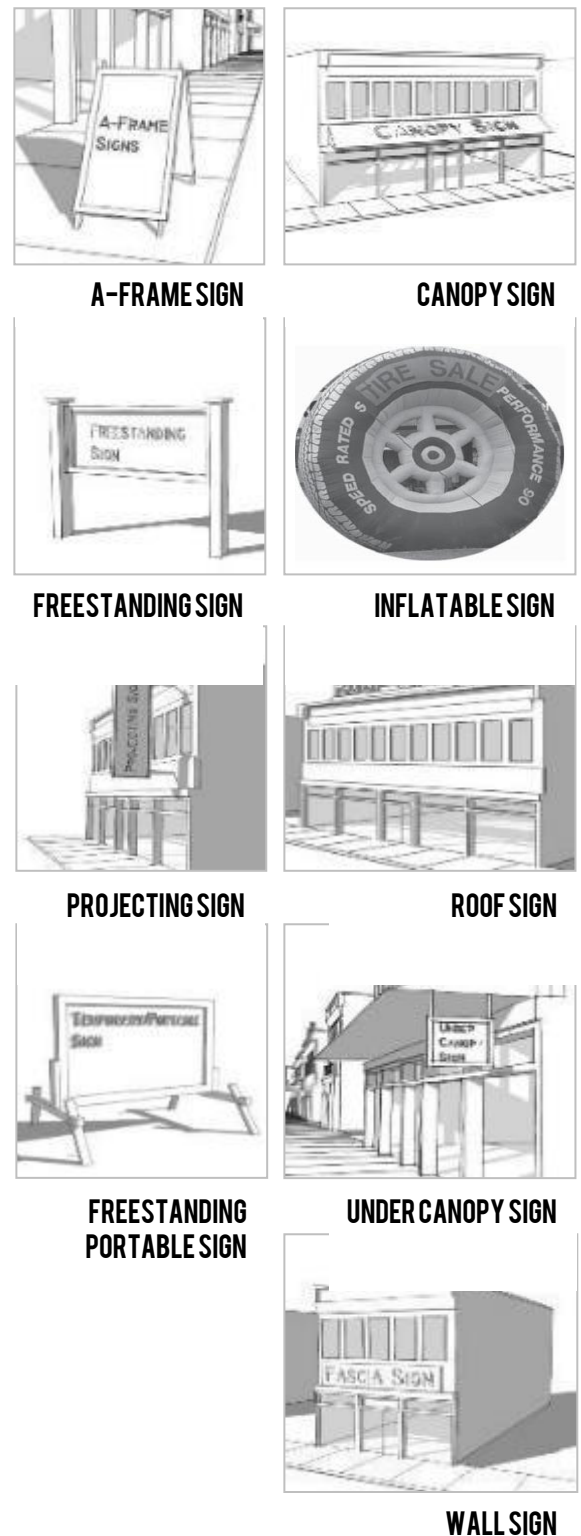


FIGURE 18: EXAMPLES OF SIGNS

- 303. "Sign, projecting" means a sign which is attached to a building so that part of the sign projects more than 0.3 m (1.0 ft.) from the face of the building;
- 304. "Sign, roof" means any sign placed on or over a roof;
- 305. "Sign, under-canopy" means a sign which is attached to the bottom surface or edge of a canopy;
- 306. "Significant" means a use which in the opinion of the Subdivision Authority or the Development Authority may impact regional or sub-regional servicing or infrastructure;
- 307. "Sign, wall" means a sign placed flat and parallel to the face of the building so that no part projects more than 0.3 m (1.0 ft.) from the building;
- 308. "Similar use" means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment;
- 309. "Single detached dwelling" see "dwelling, single detached";
- 310. "Solar array" means multiple solar panels used in conjunction to produce electricity;
- 311. "Solar energy conversion system" means the complete system required to convert solar rays into useable electricity for private use, including solar panels, mounting equipment and additional required conversion electronics;
- 312. "Solar panel, free standing" means a device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support;
- 313. "Site" means a lot, a part of a lot, or a number of lots located adjacent to one another which are considered for a single use or a mixture of uses, which is owned or managed as a single unit;
- 314. "Site area" means the total area of a site;
- 315. "Site boundaries" means the boundaries of a site;
- 316. "Site coverage" means the combined area of all buildings on a site, measured at the level of the lowest storey above grade, including all open or covered porches and verandas, but excluding open and enclosed terraces at grade, steps, cornices, eaves, and similar projections. Site coverage shall include air wells, and all other space within a building except inner or outer courts;
- 317. "Site depth" means the average horizontal distance between the front and rear lines measured either perpendicular to the front line, or perpendicular to the tangent on a curve from the midpoint of a curved front line;
- 318. "Site width" unless otherwise defined in this Bylaw, means the average horizontal distance between the side lines or, where the site width would be shorter, the distance between the side lines at the minimum front yard distance, measured parallel to the front line or at right angles to the tangent on a curve from the midpoint of a curved front line;

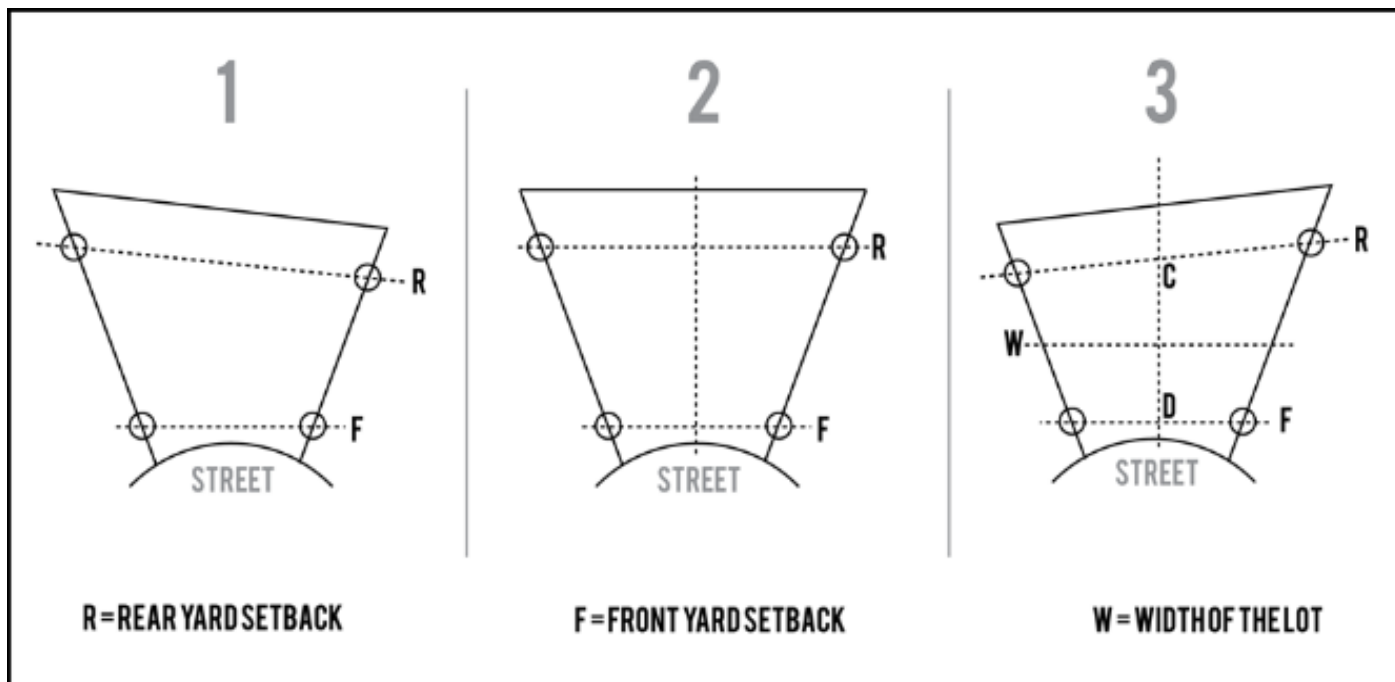


FIGURE 19: SITE WIDTH

319. "Small radio communications tower" means a development that is intended for transmitting or receiving radio communications signals from devices such as ham radios, fleet dispatch systems, or private communications systems. Typical small radio communications towers are short, usually no more than 3.0 m (9.8 ft.) taller than the adjacent buildings;
320. "Social care home, major" means the use of one dwelling unit as a care facility licensed by the Provincial authority to provide room and board for not more than six (6) residents with physical, mental, social, or behavioural problems that require professional care, counselling, guidance, and supervision. The character of the use is that the occupants live together as a single housekeeping unit and use a common kitchen. This use does not include assisted care housing;
321. "Staging area" means a location where people, vehicles, equipment or material are assembled for the purpose of transporting the assembled group, vehicles, or equipment to another location;
322. "Stall" means an area of land upon which a manufactured home unit is to be located, and which is reserved for the exclusive use of the residents of that particular manufactured home unit, located within a manufactured home park;
323. "Storey" means the space between one floor of a multi-storey building and the floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall not be considered a storey. A half storey shall be a storey which has a floor area seventy percent (70%) or less of the floor area of the storey closest to grade;
324. "Street-oriented townhouse" means a dwelling containing three (3) or more dwelling units, each unit having a separate direct entrance from the exterior and direct access to a road;
325. "Structural alterations" means the addition to, deletion from, or change to any building which requires a permit other than a plumbing permit or an electrical permit pursuant to the Safety Codes Act;

326. “Subdivision and Development Appeal Board” means the Subdivision and Development Appeal Board established pursuant to the Act through the municipality’s Subdivision and Development Appeal Board Bylaw;
327. “Subdivision and Development Regulation” means the Subdivision and Development Regulation (AR 43/202), as amended;
328. “Subdivision Authority” means the Subdivision Authority established pursuant to the Act through the municipality’s Subdivision Authority Bylaw;
329. “substandard lot” means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the Residential District in which the lot is located;
330. “Suite, garage” means a self-contained dwelling unit located above a detached garage which is located in a rear yard and which is accessory to a single detached dwelling. Garage suites have an entrance which is separated from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the building;
331. “Suite, garden” means a temporary, portable detached dwelling unit, that is subservient to an existing dwelling on the site, but does not include a park model. Guest houses can only be located on a lot containing an existing single detached dwelling or manufactured home;
332. “Suite, in-law” means an additional dwelling unit intended for the sole occupancy of one (1) or two (2) adult persons, which has access to the adjoining dwelling unit. The floor area of the in-law suite shall not exceed 30 percent of the existing living area of the primary dwelling unit or 80 m² (861.1 ft²) in floor area on a residential lot, whichever is the lesser;

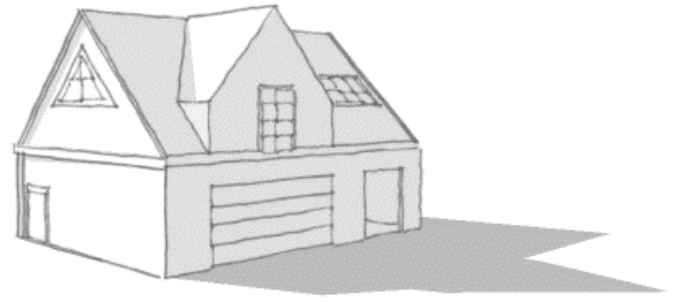


FIGURE 20: GARAGE SUITE

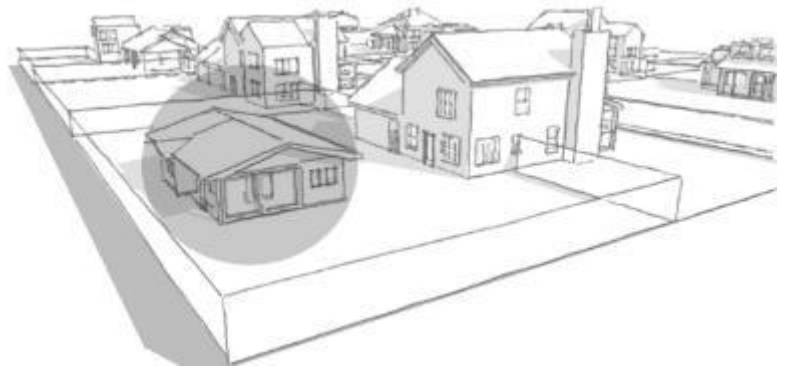


FIGURE 21: GARDEN SUITE



FIGURE 22: IN-LAW SUITE/SECONDARY SUITE

333. "Suite, secondary" means a self-contained dwelling unit, clearly secondary in size to the main dwelling unit within a dwelling, which may or may not share access to the outside and/or other facilities with the main dwelling unit;

334. "Suite, surveillance" means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and security of the development, and does not include a manufactured home;

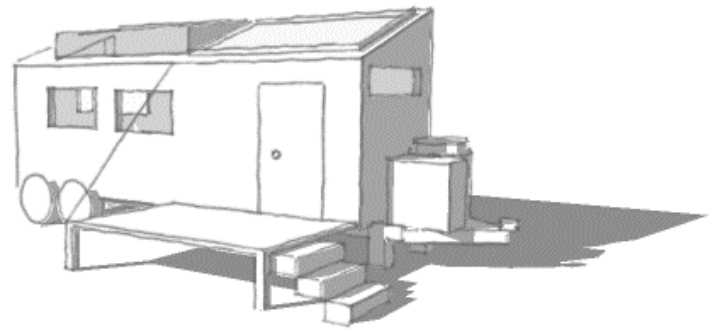


FIGURE 23: SURVEILLANCE SUITE

335. "Temporary building" means a building that

has been allowed to be located and/or used for a limited time only;

336. "Temporary development" means a development for which a development permit has been issued and which is to exist for a limited time only, as determined by the development authority and indicated in the conditions of the development permit;

337. "Tented structure" means an accessory structure consisting of canvas, tarp or other similar fabric and supported by a metal or wooden frame used for the storage of motor vehicles, recreational vehicles or other chattels;

338. "Trucking and cartage establishment" means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include dispatch offices or storage compounds for the temporary storage of goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3,000.0 kg (6,613.9 lbs.);

339. "Undeveloped lot" means a lot which does not contain a residence, building, or structure;

340. "Unsubdivided quarter section" means a quarter section, lake lot, river lot or settlement lot that has not been subdivided or had a parcel of land removed from it except for a public or a quasi-public use or solely for a purpose exempted from Part 17 of the Act;

341. "Use" means the purpose or activity for which a site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained;

342. "Veterinary clinic, large animal" means a facility for the medical care and treatment of large animals/livestock. Large animal veterinary clinics primarily involve outpatient care and minor medical procedures normally involving hospitalisation for fewer than four (4) days. Large animal veterinary clinics shall not include animal breeding and/or boarding facilities (*Amended by Bylaw 2018-12*);

343. "Veterinary clinic, small animal" means a development where small animals are cared for and treated. Small animal veterinary clinics primarily involve outpatient care and minor medical procedures normally involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Veterinary clinics include pet clinics, small animal veterinary clinics and veterinary offices, but not large animal veterinary clinics and/or animal breeding and/or boarding facilities (*Amended by Bylaw 2018-12*);

344. "Warehouse" means a facility where a range of goods are displayed and/or stored;
345. "Warehouse sales establishment" means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores, and building materials stores;
346. "Wind energy conversion system, large" means one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity equal to or greater than 300 Kw;
347. "Wind energy conversion system, micro" means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure;
348. "Wind energy conversion system, small" refers to a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale;
349. "Wind turbine tower" refers to the guyed or freestanding structure that supports a wind turbine generator;
350. "wireless communications facility" means a facility that provides communication service using RF technology to transmit and receive voice, picture, text and data, in either digital or analogue form, on a system of elevating support structures. These structures include monopoles, lattice towers (self-supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna de-icing equipment, antenna power dividers and matching equipment, combiners and utility power equipment, conditioners and backup power systems;
351. "Work camp" means a temporary residential complex used to house workers, usually but not necessarily for a contracting firm or project, on a temporary basis of more than twenty-eight (28) days and less than one (1) year. A work camp is usually made up of a number of buildings, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities;
352. "Work camp, project-oriented" means a temporary residential complex of no more than fifteen (15) units used to house workers, for a specific project, on a temporary basis of not more than twenty-eight (28) days. A project-oriented work camp is usually made up of a number of buildings, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities for short-term use related to specific projects.
353. "Yard" means a part of a parcel upon or over which no building is to be erected unless otherwise provided for in this Bylaw;
354. "Yard, front" means that portion of the site extending across the full width of the site from the front line of the parcel to the nearest exterior wall of the main building. The front yard must be landscaped however, in cases where there is no front garage a driveway shall be required. The maximum width of the driveway shall be 7.3 m (24.0 ft.) and the remainder of the front yard shall be landscaped (*Amended by Bylaw 2018-12*);
355. "Yard, rear" means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot, to the rear line of the lot;
356. "Yard, side" means a yard extending from the front yard of a lot to the rear yard of the lot and lying between the side line of the lot and the nearest wall of the main building;

and all other words and expressions have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law.

1.4 APPLICATION

1. This By-law shall apply to the whole of the Town of Calmar being all lands contained within its corporate limits.

1.5 COMPLIANCE WITH OTHER LEGISLATION

1. Compliance with the requirements of this bylaw does not exempt a person from:
 - a. The requirements of any federal, provincial, or municipal legislation; and
 - b. Complying with any easement, covenant, agreement, or contract affecting the development

1.6 METRIC AND IMPERIAL MEASUREMENT

1. Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures.

1.7 EQUIVALENT TERMINOLOGY

1. Where a word is used in the singular, such a word may also mean plural. Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective. Where a word is used in the present tense, such a word may also mean the future tense. The word “person” includes a corporation as well as an individual.

1.8 SEVERABILITY PROVISION

1. It is the intention of the Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of Council that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

2 AGENCIES

2.1 DEVELOPMENT AUTHORITY

1. For the purposes of this Bylaw, the Development Authority shall be:
 - a. the Development Authority Officer,
 - b. the Municipal Planning Commission, and
 - c. only within the a Direct Control District, the Council,with their duties and responsibilities as described in this Bylaw.
2. If the Development Authority Officer is to be making the decision on a development permit application, the term “Development Authority”, when used in this Bylaw, shall be the Development Authority Officer.
3. If the Municipal Planning Commission is to be making the decision on a development permit application, the term “Development Authority”, when used in this Bylaw, shall be the Municipal Planning Commission.
4. If the Council is to be making the decision on a development permit application, the term “Development Authority”, when used in this Bylaw, shall be the Council.

2.2 DEVELOPMENT AUTHORITY OFFICER

1. The Development Authority Officer shall perform such duties that are specified in this Bylaw.
2. The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by the Development Authority.
3. The Development Authority Officer shall:
 - a. keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto;
 - b. keep a register of all applications for development, including the decisions thereon;
 - c. refer for comment applications for development permits to those authorities and agencies prescribed within the Subdivision and Development Regulations and this Bylaw;
4. For the purposes of Section 542 of the Act, the Development Authority Officer is hereby declared to be a designated officer.
5. The Development Authority Officer is hereby granted the authority to approve applications for a variance of side yard setbacks to a maximum of 10% and rear yard setbacks to a maximum of 25%.

2.3 MUNICIPAL PLANNING COMMISSION

1. The Municipal Planning Commission shall perform such duties that are specified for it in this Bylaw.

2.4 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

1. The appeal board of the Town of Calmar shall be the appeal board as established by the Town of Calmar Subdivision and Appeal Board Bylaw.
2. The Subdivision and Development Appeal Board shall perform such duties as are specified in this Bylaw.

2.5 SUBDIVISION AUTHORITY

1. The Subdivision Authority of the Town of Calmar shall be as established by the municipality's Subdivision Authority Bylaw.
2. The Subdivision Authority shall be appointed by resolution of Council.
3. The Subdivision Authority shall perform such duties that are specified in this Bylaw and the Subdivision Authority Bylaw.

2.6 COUNCIL

1. The Council shall perform such duties that are specified for it in this Bylaw.

3 DEVELOPMENT PERMITS, RULES, AND PROCEDURES

3.1 CONTROL OF DEVELOPMENT

1. No development other than that designated in **Section 3.2** of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

1. The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation or otherwise change use type, density, parking requirements, or the exterior of commercial buildings or sites;
2. The completion of a building which was lawfully under construction at the date of approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of said approval;
3. The use of any such buildings as referred to in Subsection (2) for the purpose for which construction was commenced;
4. The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
5. The construction, completion, alteration, maintenance or repair of a road, lane or utility, undertaken upon a road right-of-way, utility easement or other lands or undertaken to connect the same with any lawful use of buildings or land;
6. A temporary building or sign, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw provided the temporary building or sign is removed within thirty (30) days of substantial completion or as determined by the Development Authority;
7. The erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
 - a. such signs are removed within one (1) day after the election date,
 - b. such signs do not obstruct or impair vision or traffic,
 - c. such signs are not attached to fences, trees, and
 - d. such signs indicate the name and address of the sponsor and the person responsible for removal;
8. The placement of one (1) sign on internal sites, or two (2) signs on corner lots and double fronting lots advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale, with removal to be within one (1) day after the sale or rental agreement

has been entered into, provided that such signs are a maximum of 0.6 m² (6.5 ft²) in size and are placed or erected no closer than 3.0 m (9.8 ft.) to a road right-of-way;

9. The placement of signs in commercial developments provided they are inside the window or inside the building;
10. The placement of a free-standing portable sign on a site provided that the requirements of this Bylaw are satisfied;
11. The erection, construction, or maintenance, improvement or alteration of gates, fences, walls or other means of enclosure, unless the gate, fence, wall, etc. exceeds the regulations indicated in **Section 7.12** hereof;
12. Hard-surfacing of any yard area in a Residential District for the purpose of providing vehicular access from a road to an on-site parking space, provided that such hard-surfacing does not exceed 8.0 m (26.2 ft.) in width;
13. An accessory building which is accessory to a dwelling and less than 15.0 m² (160.0 ft²) in size, except for a deck or patio, that meets the minimum distance requirements outlined in **Section 7.1** of this Bylaw, and provided further that it is the only accessory building on the lot on which it is located;
14. A deck or patio not greater than 0.6 m (2.0 ft.) in height above ground level in a Residential District that meets the minimum setback requirements outlined in **Section 7.1** of this Bylaw;
15. Development within a basement of a dwelling which does not change or add to the uses within the dwelling;
16. boarding and foster care, provided these facilities in the opinion of the Development Authority cannot be classified as a boarding house, a day home, a day care, a group home, a family care facility, or a group care facility as defined;
17. In an Urban Reserve (UR) District, extensive agriculture on lots 8 ha (20 acres) or more in area;
18. Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit; and
19. The demolition or removal of any building or structure for the erection of which a development permit would not be required pursuant to Subsections (4) through (17) above, both inclusive.

3.3 NON-CONFORMING BUILDINGS AND USES

1. A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
2. 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 thereto or therein.
3. A non-conforming use of part of a lot or site may not be transferred in whole or in part to any other part of the lot or site and no additional buildings may be constructed upon the lot or site while the non-conforming use continues.
4. A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - a. to make it a conforming building,
 - b. for the routine maintenance of the building, if the Development Authority considers it necessary, or
 - c. in accordance with the powers possessed by the Development Authority pursuant to the Act and **Section 3.4** of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.

5. If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
6. Except as noted in this bylaw, the land use or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

3.4 GENERAL DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. An application for a development permit shall be made to the Development Authority in writing, on the application form provided by the municipality and shall be accompanied by:
 - a. a site plan, to scale, showing the legal description; north arrow; municipal address; location and dimensions of property lines; existing utility rights-of-way and easements; fences; driveways; paved areas; proposed front, rear, and side yards, if any; any provisions for off-street loading and vehicle parking; access and egress points to the site; and any encumbrance such as rights-of-way;
 - b. existing and proposed building dimensions, to scale, including, but not limited to, the house, garage, decks and any covered structures such as car ports;
 - c. the type and location of water supply and sewage and waste water disposal facilities;
 - d. a statement of existing and proposed uses;
 - e. a statement of ownership of the land and the interest of the applicant therein;
 - f. the signatures of at least one of the registered landowners listed on the Certificate of Title;
 - g. the estimated commencement and completion dates;
 - h. the estimated cost of the project or contract price;
 - i. an application fee as established by resolution of Council;
 - j. written consent from the registered owner authorizing the right-of-entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed development;
 - k. information on abandoned oil and gas wells as required by the Subdivision and Development Regulation and ERCB Directive 079; and
 - l. any other information as required by the Development Authority.
2. The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:
 - a. floor plans;
 - b. elevations and sections of any proposed buildings;
 - c. a Real Property Report, or other documentation indicating the exact location of all structures on the property (prepared within the last five (5) years), in a form that is acceptable to the Development Authority;
 - d. drainage, grading and landscaping plans which provide pre- and post-construction site elevations;
 - e. a storm water management plan approved by Alberta Environment and Sustainable Resource Development (or other appropriate provincial authority);
 - f. a certified geotechnical report prepared, stamped and signed by a qualified professional registered in the Province of Alberta in potentially hazardous or unstable areas;

- g. a certified biophysical assessment prepared, stamped and signed by a professional registered in the Province of Alberta, on the impacts of the proposed development on wildlife habitat or natural environments;
 - h. a reclamation plan for aggregate extraction or site grading and excavation;
 - i. an environmental assessment to determine potential contamination and mitigation;
 - j. in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located;
 - k. a certified hydro-geological assessment prepared, stamped and signed by a registered professional engineer or hydro-geologist, registered in the Province of Alberta, of any potential flooding or subsidence that may, in the sole opinion of the Development Authority, affect the subject site;
 - l. a site plan detailing how vegetation, topography disturbance or erosion is to be minimized;
 - m. an environmental impact assessment describing a development's potential environmental effects;
 - n. a cumulative effects assessment prepared, stamped and signed by a registered professional, registered in the Province of Alberta, describing a development's potential cumulative effects;
 - o. the identification of all rights-of-way and easements within or abutting the subject property; and/or
 - p. any additional information as the Development Authority deems necessary.
3. Where, in the opinion of the Development Authority, a proposed development will have a significant impact on surrounding properties, the Development Authority may require the applicant hold a public open house to inform affected residents and landowners of the proposed development, and to provide a written summary of public open house materials and any comments received at the public open house, prepared to the Development Authority's satisfaction, prior to considering an application complete.
 4. When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. An incomplete application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.

3.5 CENTRAL COMMERCIAL DISTRICT DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. Within the Central Commercial (C1) District, if the development proposal includes any construction which is or may be visible from a road, the Development Authority shall require additional information respecting the relationship of the proposed development to the Town of Calmar Downtown Plan and to other developments in the Central Commercial (C1) District before consideration of the development permit application shall commence.

3.6 COMMERCIAL & RECREATION DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. In addition to the information requirements indicated in **Section 3.4**, each application for a commercial or recreation developments may be required, at the discretion of the Development Authority, to be accompanied by the following information:

- a. physical suitability of site with respect to soils, slopes and drainage;
- b. the size and number of parcels and proposed phasing (if any);
- c. servicing requirements and provisions for meeting them;
- d. estimated water demand and anticipated source;
- e. estimated gas demand and anticipated source;
- f. type of effluent and method of treatment;
- g. type of air emissions and method of abatement;
- h. estimated noise generated by the development and method of abatement;
- i. estimated light generated by the development and (if necessary) method of abatement;
- j. costs associated with providing new or upgraded municipal services associated with the development;
- k. the requirements and provisions for employee and customer parking and for site access;
- l. a landscaping plan;
- m. cross-sections and elevations for each building;
- n. a list of proposed uses;
- o. transportation routes and estimated traffic impact;
- p. and/or any other information as may be reasonably required by the Development Authority.

3.7 DEMOLITION PERMIT APPLICATION REQUIREMENTS

1. The demolition of any structure must be done in accordance with the Alberta Building Code and Canadian Standards Association Standard S350-M1980, “Code of Practice for Safety in Demolition of Structures” and/or any subsequent Alberta Building Code or Canadian Standards Association Standards.
2. In addition to the requirements of **Section 3.4** of this Bylaw, an application for a development permit for the demolition of a building shall include the following information:
 - a. the value of the building,
 - b. the alternatives to demolition if the building is of historic or architectural value,
 - c. the purpose of the building demolition and the type of structure to replace the demolished building, if applicable,
 - d. a work schedule of the demolition and site clean-up (the sequence of demolition must be such that at no time will a wall or a portion of a wall be left standing unsupported in an unstable condition or in danger of accidental collapse),
 - e. the destination of debris materials,
 - f. where redevelopment of the site is proposed, the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development (if materials are to be stored on site, a site plan will be required indicating the location of such materials in relation to property lines and other buildings),
 - g. a copy of the original development approval including building permits where applicable,
 - h. the form of demolition to be used (heavy equipment or by hand),
 - i. the method whereby public safety is to be protected (normally a fence that is at least 1.8 m (5.9 ft.) in height is required around the excavation or structure to be demolished),

- j. an indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority,
 - k. an indication that buildings on adjoining properties have been considered to ensure that damage will not occur to them or their foundations from the demolition,
 - l. where a fire safety plan is required, an indication that the local Fire Chief has been consulted for determining the fire safety plan required, and
 - m. an indication that any tanks containing flammable or combustible liquids will be removed before demolition begins and be purged of inert materials to the satisfaction of the Development Authority and any other applicable provincial agencies.
3. Before consideration of a development permit application for demolition, the Development Authority may also require the applicant to complete:
- a. a Hazardous Materials Assessment Report, and/or
 - b. any phase of an environmental site assessment in order to determine whether the site is contaminated and the mitigative measures necessary to eliminate such contamination.
4. As a condition of approving a development permit for the demolition of a building, the Development Authority may, in addition to other requirements, require that the applicant undertake any and all actions the Development Authority deems necessary to ensure the complete and safe demolition of the building, disposal of materials and debris, and site clean-up.

3.8 EXCAVATION AND STRIPPING OF LAND DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. In addition to the information requirements indicated in **Section 3.4**, the Development Authority shall require each application for the excavation, stripping or grading of land proposed without any other development on the same land, to be accompanied by the following information:
- a. location and area of the site where the excavation is to take place;
 - b. the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;
 - c. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
 - d. identification of potential for outdoor noise and the discharge of substances into the air;
 - e. drainage and grading plans which provide pre- and post-development site elevations;
 - f. a reclamation plan including information regarding the condition in which the site is to be left when the operation is complete, the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site; and
 - g. potential long-term costs of new or upgraded municipal services associated with the development.

3.9 INDUSTRIAL DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. In addition to the information requirements indicated in **Section 3.4**, each application for industrial development shall be accompanied by the following information:

- a. type of industry;
- b. estimated number of employees;
- c. estimated water demand and anticipated source;
- d. estimated power and gas demand and anticipated source;
- e. type of effluent and method of treatment;
- f. type of air emissions and method of abatement;
- g. estimated noise generated by the development and method of abatement;
- h. estimated light generated by the development and (if necessary) method of abatement;
- i. transportation routes to be used and estimated traffic impact,
- j. reason for specific location;
- k. means of solid waste disposal;
- l. any accessory works required (pipeline, railway spurs, power lines, etc.);
- m. anticipated residence location of employees;
- n. municipal servicing costs associated with the development;
- o. physical suitability of site with respect to soils, slopes and drainage;
- p. if a subdivision is involved, the size and number of parcels and proposed phasing (if any);
- q. servicing requirements and provisions for meeting them;
- r. costs associated with providing new or upgraded municipal services associated with the development, and/or any other information as may be reasonably required by the Development Authority.

3.10 TEMPORARY COMMERCIAL & RECREATIONAL DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. In addition to the information requirements indicated in **Section 3.4** and **Section 3.6**, the Development Authority shall require each application for a temporary commercial & recreational development permit application to be accompanied by the following information:
 - a. the type of temporary commercial and/or recreation development;
 - b. the estimated duration of the development and hours of operation for each day the development is to remain;
 - c. the anticipated number of participants, spectators and volunteers, as applicable;
 - d. proposed vehicle access to and parking within the site;
 - e. anticipated route(s) to the site from provincial highways;
 - f. internal vehicular traffic and pedestrian flow plan;
 - g. emergency management plan;
 - h. location of any temporary camp sites;
 - i. location of any temporary tents or other structures;
 - j. location of permanent and temporary potable water sources;
 - k. location of permanent and temporary sewage disposal facilities;
 - l. location and details of cooking facilities;
 - m. location and anticipated number of commercial vendors;

- n. copies of insurance for the development;
 - o. and/or any other information as may be reasonably required by the Development Authority.
- 2. Where a development permit application in any land use district is for a temporary development, the Development Authority:
 - a. may consider and decide upon a development for a specific period of time, not exceeding one year;
 - b. shall impose a condition on such a permit that the municipality is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit; and
 - c. may require the applicant to post acceptable security guaranteeing the cessation or removal of the development, to the satisfaction of the Development Authority.
- 3. The Development Authority may refer any application for a development permit for a temporary commercial and/or recreational development prior to making a decision on the application to Alberta Transportation, the local Royal Canadian Mounted Police detachment, Emergency Services, or any other person, agency, or organization as deemed necessary or suitable by the Development Authority.
- 4. Where, in the opinion of the Development Authority, a proposed temporary commercial and/or recreational development will have a significant impact on surrounding properties, the Development Authority may require the applicant hold a public open house to inform affected residents and landowners of the proposed development, and to provide a written summary of public open house materials and any comments received at the public open house, prepared to the Development Authority's satisfaction, prior to considering an application complete.

3.11 WIND ENERGY CONVERSION SYSTEM DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

- 1. In addition to the information requirements indicated in **Section 3.4**, the Development Authority shall require each application for a wind energy conversion system to be accompanied by the following information:
 - a. a fully dimensioned and scaled site plan showing and labelling information including the location of overhead utilities on or abutting the subject site, contours of the land and access roads;
 - b. a visual representation including scale elevations, photographs and/or digital information of the proposed wind energy conversion system showing total height, tower height, rotor diameter, colour and the landscape;
 - c. the manufacturer's specifications for the wind energy conversion system, including:
 - i. the system's rated output in kilowatts,
 - ii. safety features and sound characteristics, and
 - iii. type of material used in tower, place, and/or rotor construct;
 - d. an analysis of the potential for noise at:
 - i. the site of installation,
 - ii. the boundary of the lot containing the development, and
 - iii. any habitable dwelling within 2.0 km (1.2 miles) of the subject site;
 - e. a report regarding any public information meetings or other processes conducted by the developer;

- f. any impacts to the local road system including required approaches from public roads having regard to Town standards;
- g. a preliminary reclamation/decommissioning plan; and
- h. appropriate reports and/or approvals from:
 - i. Alberta Utilities Commission,
 - ii. Transport Canada,
 - iii. NavCanada,
 - iv. Alberta Energy, and
 - v. Alberta Environment and Parks

3.12 REFERRAL OF APPLICATIONS

1. Historical or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with Provincial legislation and regulations.
2. In addition to any sites identified in (1) above, an application for a development permit which may, in the opinion of the Development Authority, impact on any historical or archaeological site identified pursuant to (1) above within the Town will be submitted to Alberta Culture for comment.
3. Development permit applications within 800.0 m (2624.7 ft.) of the right-of-way of a highway may, at the discretion of the Development Authority, be referred to Alberta Transportation for comments prior to a development permit being issued.
4. Shall refer all applicable applications to the appropriate authorities according to the Act.
5. May refer any application for a development permit prior to making a decision on the application to any other person, agency, or organization as deemed necessary or suitable by the Development Authority.
6. For the purpose of this section, written notifications shall include the following:
 - a. Location and nature of the proposed development;
 - b. A copy of relevant drawings;
 - c. A location and date to submit comments; and
 - d. Any other relevant information as determined by the Development Authority.

3.13 NOTICE OF COMPLETE OR INCOMPLETE APPLICATION *(AMENDED BY BYLAW 2018-12)*

1. The Development Authority Officer shall, within twenty (20) days of the receipt of an application for a development permit, determine whether the application is complete.
2. The time period referred to in **SECTION 3.13(1)** may be extended by an agreement in writing between the applicant and the Development Authority Officer.
3. An application is complete if, in the opinion of the Development Authority Officer, the application contains the documents and other information necessary to review the application.
4. If a Development Authority Officer determines that the application is complete, the Development Authority Officer shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
5. If the Development Authority Officer determines that the application is incomplete, the Development Authority Officer shall issue, to the applicant a notice, in writing or electronically, that the application is incomplete. This

notice shall list any outstanding documents and information required to review the application, and provide a date by which the documents or information must be submitted in order for the application to be considered complete.

6. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in **SECTION 3.13(5)**, the Development Authority Officer must deem the application to be refused.
7. Despite that the Development Authority Officer has issued an acknowledgment under **SECTION 3.13(4)** or **SECTION 3.13(5)**, in the course of reviewing the application, the Development Authority Officer may request additional information or documentation from the applicant that the Development Authority Officer considers necessary to review the application.

3.14 DECISIONS OF DEVELOPMENT PERMIT APPLICATIONS

1. The Development Authority Officer shall:
 - a. receive and review all applications for a development permit;
 - b. refer, to the Council for its consideration and decision, all applications for a development permit in the Direct Control (DC) District, unless otherwise provided for in this Bylaw;
 - c. refer, with their recommendations, to the Municipal Planning Commission for its consideration and decision, any application for development in a Residential District unless that application is for a single detached dwelling, a semi-detached dwelling, or a duplex or an accessory building thereto;
 - d. refer, with their recommendations, to the Municipal Planning Commission for its consideration and decision, any application for development in a Manufactured Home Park Residential District unless that application is for a manufactured home unit or an accessory building thereto;
 - e. refer, with their recommendations, to the Municipal Planning Commission for its consideration and decision, any application for development in a Commercial or an Industrial District where the buildings on the site are to have a floor area exceeding 2000.0 m² (21,528.0 ft²), or where the amount of discretion on any regulation requested in the development permit application exceeds 25%, unless that development is to use only existing buildings;
 - f. refer, at their sole discretion, to the Municipal Planning Commission for its consideration and decision, any application which in his opinion should be decided by the Commission; and
 - g. consider and decide on all other applications for a development permit.
2. In making a decision, the Development Authority may:
 - a. approve the application unconditionally,
 - b. approve the application subject to those conditions considered appropriate,
 - c. approve the application permanently or for a limited period of time, or
 - d. refuse the application.
3. The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality:
 - a. to construct or pay for the construction of a road required to give access to the development;
 - b. to construct or pay for the construction of
 - i. a pedestrian walkway system to serve the development, or

- ii. pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development,
 - iii. or both;
 - c. to install or pay for the installation of public utilities or works, that are necessary to serve the development;
 - d. to construct or pay for the construction of
 - i. off-street or other parking facilities, and
 - ii. loading and unloading facilities;
 - e. to pay an off-site levy; and/or
 - f. to give security to ensure that the terms of the agreement are carried out.
- 4. In approving an application for a development permit, the Development Authority may impose the condition that the approved development be allowed to operate for a limited period of time, which shall be specified on the permit, and that upon the expiry of such time the use allowed shall be discontinued and any buildings that were erected as a result of the development permit shall be removed, and the site restored to its original condition prior to the issuance of the development permit.
- 5. The erection of a building on any site may be prohibited where it would otherwise be allowed under this Bylaw when, if in the opinion of the Development Authority, satisfactory arrangements have not been made by the developer for the supply of required improvements as specified under Subsection (3), including payment of the costs of installing or constructing any such facilities by the developer.
- 6. In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District.
- 7. 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 after receipt of the application by the Development Authority unless the applicant has entered into an agreement with the Development Authority to extend the forty (40) day period. The person claiming to be affected may appeal in writing as provided for in Part Four of this Bylaw as though he has received a refusal at the end of the forty (40) day period or any agreed-to extension thereof as specified in this Subsection.
- 8. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority may make a decision on a development permit application without all of the information required by Subsections (1), (3) and (4) hereof or where, in his sole opinion, the information supplied by the applicant is sufficient to properly evaluate the application.
- 9. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority refuse to accept an application for a development permit where, in his sole opinion, the information supplied by the applicant in accordance with Subsections (1), (3) and (4) hereof is insufficient to properly evaluate the application.
- 10. In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal pursuant to Part Four of this Bylaw, at his discretion, the Development Authority may or may not accept the submission of another application for a permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.

3.15 POWERS OF VARIANCE

1. In addition to the requirements of **Section 3.4**, when an application for a Development Permit application is submitted for a Permitted or Discretionary Use which does not comply with the provisions of the Bylaw, the Development Authority may request a statement from the applicant identifying the following:
 - a. that the applicant is aware that the proposed development requires a variance of this Land Use Bylaw; and
 - b. why the proposed development cannot satisfy the provisions of this Bylaw and therefore, requires the proposed variance.
2. The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
 - a. the proposed development would not:
 - i. unduly interfere with the amenities of the neighbourhood, or
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - b. the proposed development conforms with the use prescribed for that land or building in this Bylaw.

Note: Use provisions cannot be varied by the Development Authority. If a proposed development does not conform to the use requirements within the applicable district, then a Land Use Bylaw amendment will be required prior to development approval.

3.16 DEVELOPMENT PERMITS AND NOTICES

1. A permit granted pursuant to this Part does not come into effect until twenty two (22) days after the date a decision or development permit is publicized as described in Subsections (3) or (4) hereof. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant (*Amended by Bylaw 2018-12*).
2. Where an appeal is made pursuant to **Section 4** of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.
3. When a development permit has been issued for a permitted use and for a development which complies with all of the regulations of this Bylaw, the Development Authority shall immediately post a notice of the decision conspicuously in the Town municipal office for a period of twenty one (21) days (*Amended by Bylaw 2018-12*).
4. When a development permit has been issued for a discretionary use or for a permitted use which has been approved pursuant to **Section 3.4** of this Bylaw, the Development Authority shall immediately:
 - a. post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - b. mail a notice in writing to all owners of land within 60.0 m (196.9 ft.) of the subject site, and to those other owners of land who, in the sole opinion of the Development Authority, may be affected; and/or

- c. publish a notice of the decision in a newspaper circulating in the municipality.
- 5. The notice indicated in Subsections (3) and (4) shall state:
 - a. the legal description and the street address of the site of the proposed development,
 - b. the uses proposed for the subject development,
 - c. any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority Officer when the development permit was approved,
 - d. the date the development permit was issued, and
 - e. how an appeal might be made to the Subdivision and Development Appeal Board.
- 6. If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit, and carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period is 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.

3.17 COMMENCEMENT AND COMPLETION

- 9. When a development permit has been issued by the Development Authority, it shall not be valid until the conditions of the permit, save those of a continuing nature, have been fulfilled, and no notice of appeal has been served on the Subdivision and Development Appeal board within the appeal period. For the purposes of this section, the appeal period is 14 days after the notice of decision has been published in a newspaper or posted on the property, or 21 days if such notice is given by ordinary mail, whichever occurs last.
- 10. A development permit expires when development is not substantially commenced, in the opinion of the Development Authority, taking into account the circumstances of the development, within twelve (12) months from the date of its issuance or within such extended period that may be granted by the Development Authority.
- 11. Upon application before expiry, a Development Authority may grant only one extension of the effective period and the extension period shall not be longer than twelve (12) months.
- 12. When a permit expires, a new application is required. Such application shall be dealt with as a first application and there shall be no obligation to approve it on the basis that a previous permit had been issued.
- 13. If a use is intended to be discontinued for a continuous period of six (6) months, any subsequent use of the land or building shall comply with this Bylaw and shall require a new development permit.
- 14. A Development Authority may suspend or revoke a permit when:
 - a. The permit was issued on the basis of incorrect information or misrepresentation by the applicant;
 - b. The permit was issued in error;
 - c. Requested by the applicant; or
 - d. The development has not been completed within the required time period. All developments related to residential uses shall be completed within twenty-four (24) months of the issuance of a development permit unless otherwise prescribed on the development permit.

3.18 VALIDITY OF PERMITS

1. When a development permit has been granted by the Development Authority, it shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been fulfilled and no notice of appeal has been served on the Subdivision and Development Appeal Board within the appeal period.
2. When the Subdivision and Development Appeal Board has approved a development permit, the permit shall not be valid until the decision of the Board is issued in writing.
3. If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall suspend the development permit, except where approval has been granted for a permitted use or, where a license, permit, approval or other authorization is granted by the Natural Resource Conservation Board, Energy Resources Conservation Board or Alberta Utilities Commission to the extent that the application complies with the license, permit, approval or other authorization granted. The final determination of an appeal, except for those applications approved as a permitted use and/or, by the Natural Resource Conservation Board, Energy Resources Conservation Board or Alberta Utilities Commission, shall validate, amend or revoke, as the case may be, a suspended development permit.
4. Notwithstanding any other provisions of this Bylaw to the contrary, if the Development Authority discovers that a decision made by him on a development permit application was either:
 - a. incorrect, that is, not in compliance with the provisions and requirements of this Bylaw, or
 - b. based on information which was subsequently determined to be incorrect or misunderstood by the Development Authority,

the Development Authority may rescind the approval of the development permit. In such a circumstance, the appeal period provided for under Part Four of this Bylaw begins from the date the applicant is advised that the permit approval has been rescinded.

3.19 DEVELOPER'S RESPONSIBILITY

1. A person to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, sanitary and storm water disposal, water mains, electricity and all other permits required in connection with the proposed development.
2. The applicant shall be financially responsible during construction for any damage by the applicant, his/her servants, suppliers, agents or contractors to any public or private property.
3. The applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
4. No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority, has been undertaken.

3.20 ON-SITE AND OFF-SITE SERVICES AND IMPROVEMENTS

1. Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a developer shall not begin the work nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken according to the standards and specifications of the Town. In order to satisfy the Development Authority, the developer will be required to enter into a development agreement with the Town as a condition of development permit approval.
2. The Development Authority may refer plans for on-site services or improvements, or any off-site local improvements to public works, the Town's engineers or other qualified professional for review in order to determine that the proposed improvements will be undertaken according to the standards and specifications of the Town. Any costs associated with external review will be borne by the proponent of the development.
3. All future development areas must be serviced to the satisfaction of the Development Authority.
4. All infrastructure improvement costs associated with the development will be borne by the proponent of the development.

4 APPEALS

4.1 APPEAL PROCEDURE

1. Any person applying for a development permit or affected by an order may appeal, subject to the provisions of the Act and the Subdivisions and Development Appeal Board Bylaw, to the Subdivision and Development Appeal Board, when:
 - a. The Development Authority does not render a decision within forty (40) days of receipt of the completed application;
 - b. The Development Authority does not render a decision within the specified time granted by the applicant in writing past the forty (40) day limit;
 - c. The Development Authority issues a development permit subject to conditions; or
 - d. The Development Authority does not receive the outstanding information and documents on or before the date referred to in subsection 3.13(5) (*Amended by Bylaw 2018-12*).
2. The Development Authority issues a stop order under **Section 5.1** of this Bylaw.
3. The person applying for the permit or affected by the order, under Subsection (1), or any other person affected by an order, decision or development permit of a Development Authority may appeal to the Subdivision and Development Appeal Board.
4. Notwithstanding Subsection (1) above, if a development permit is issued directly by the Council, there shall be no appeal to the Subdivision and Development Appeal Board.
5. Notwithstanding Subsection (1) above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
6. An appeal shall be made by serving a written notice of appeal, together with the appeal fee as determined by Council and reasons for the appeal, to the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days after (*Amended by Bylaw 2018-12*):
 - a. the date a notice of the decision or permit issued by the Development Authority was given in accordance of this Bylaw; or
 - b. the date an order was given; or
 - c. the forty (40) day period or any extension has expired.

4.2 APPEAL HEARING

1. Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.
2. The Subdivision and Development Appeal Board shall give at least five (5) days' notice in writing of the appeal hearing to:
 - a. the appellant;
 - b. the Development Authority from whose order, decision or development permit the appeal is made;
 - c. those land owners who were notified and any other person that the Subdivision and Development Appeal Board considers to be affected by the order, decision or permit; and

- d. such other persons as the Subdivision and Development Appeal Board specifies.
- 3. The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - a. the application for the development permit, its refusal and the appeal therefrom; or
 - b. the order of the Development Authorityas the case may be.
- 4. At the appeal hearing referred to in Subsection (1), the Subdivision and Development Appeal Board shall hear:
 - a. the appellant or any other person acting on his behalf;
 - b. the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - c. any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
 - d. any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

4.3 DECISION

- 1. In determining an appeal, the Subdivision and Development Appeal Board:
 - a. shall have due regard for any applicable statutory plans and the Town's Land Use Bylaw;
 - b. shall comply with the Province's Land Use Policies and applicable regional plans;
 - c. may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
 - d. must have regard for, but is not bound by, the Subdivision and Development Regulation;
 - e. may make an order or decision or issue or confirm the issuance of a development permit notwithstanding that the proposed development does not comply with the Land Use Bylaw if, in the opinion of the Subdivision and Development Appeal Board, the proposed development would not:
 - i. unduly interfere with the amenities of the neighbourhood;
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - iii. the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- 2. The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- 3. A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - a. to a judge of the Court of Appeal; and
 - b. within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

5 ENFORCEMENT AND ADMINISTRATION

5.1 CONTRAVENTION

1. Where a Development Authority finds that a development or use of land or buildings is not in accordance with
 - a. the Act or the regulations made thereunder, or
 - b. a development permit or subdivision approval, or
 - c. this Bylaw,
2. the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:
 - a. stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - b. demolish, remove or replace the development, and/or
 - c. take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw,as the case may be.
3. Where a person fails or refuses to comply with an order directed to them under Subsection 5.1(1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
4. A person found guilty of an offence is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one (1) year, or to both fine and imprisonment, pursuant to Section 566 of the Act.
5. Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
6. In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.

5.2 VIOLATION TICKETS

1. The Development Authority or any other person identified as a designated officer by the Council for the purposes of this section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
2. The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the Town.
3. Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$100.00 for a first offence and \$200.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
4. The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.

5. If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
6. If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$250.00, plus court costs, for each offence.

6 AMENDMENT TO THE LAND USE BYLAW

6.1 APPLICATION FOR AMENDMENT

1. Subject to the provisions of the Municipal Government Act, any Section or Part of this Bylaw may be amended.
2. Council may at any time initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Authority Officer to prepare an amendment application, reports and recommendations.
3. Any person may apply to have this Bylaw amended by applying in writing, using the application form provided by Town of Calmar, and request that the Development Authority submit the application to Council.

6.2 FORM OF APPLICATION

1. An applicant proposing to amend this Bylaw for a purpose of clarification of an existing provision must provide the following information:
 - a. pay Town of Calmar an application and advertising fee as set by Council;
 - b. undertake in writing on a form provided by Town of Calmar to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the Town may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
 - c. reasons in support of the application;
 - d. drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;
 - e. the sequence of land servicing (may include, among other elements, site grading plan, infrastructure servicing concept, development concept, development phasing and landscaping), if applicable;
 - f. if applying for a map amendment for a parcel of land, a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable; and
 - g. where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application.
2. A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:
 - a. pay Town of Calmar an application and advertising fee as set by Council;
 - b. undertake in writing on a form provided by Town of Calmar to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the Town may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
 - c. reasons in support of the application;
 - d. drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;

- e. the program of land servicing, if applicable;
- f. information regarding any potential impact of the development that would be allowed by the proposed amendment on the existing natural or man-made environment;
- g. information respecting the suitability of the subject site for the development that would be allowed by the proposed amendment;
- h. a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable;
- i. sign a statement authorizing the right of entry by the Development Authority to such lands and/or buildings as may be required for investigation of the proposed amendment; and
- j. any other information deemed necessary by the Development Authority or Council.

6.3 AMENDMENT PROCESS

1. Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:
 - a. initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment; and
 - b. prepare a detailed report including all maps and relevant materials for Council to consider.
2. In order to carry out any necessary investigation or analysis of the problems involved in or related to the amendment, the Development Authority may refer the application to such agencies as they consider necessary for comment.
3. Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
 - a. he/she wishes to make revisions to their submission (if required by the Development Authority and/or Council) prior to proceeding to Council for first reading and public hearing;
 - b. he/she wishes the Council to proceed with the amendment as originally submitted by the person, or
 - c. he/she wishes to withdraw the application for an amendment.
4. As soon as reasonably convenient, the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.
5. During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
6. Council may request such information as it deems necessary to reach a decision on the proposed amendment.
7. If an amendment to the Bylaw is refused, a similar application may not be received for six (6) months following the final date of the decision.
8. Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding the enactment of Bylaws.
9. All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the Act regarding the notification and holding of a public hearing.

6.4 PUBLIC HEARING PROCESS

1. At the discretion of Council, first reading of a proposed amendment may be given before the Public Hearing process, and Council may require that the applicant pay a fee for advertising according to the governing Land Use Bylaw advertising fee schedule as amended from time to time by resolution of Town Council.
2. All amendments to this Bylaw shall be made by Council, by Bylaw, and in conformity with the requirements of the Act with regard to the holding of a Public Hearing.

7 GENERAL PROVISIONS

7.1 ACCESSORY BUILDINGS

1. All accessory buildings and uses shall comply with all relevant provisions of this Bylaw.
2. No person shall use, or permit an accessory building to be used as a dwelling unit, except as a surveillance suite or garage suite where allowed pursuant to this Bylaw.
3. Accessory buildings shall be constructed either simultaneously with, or after, the construction of the principal building on a site or the commencement of the principal use on a site, and not before the principal building is constructed or the principal use commences, except in the Urban Reserve District.
4. Where a building is attached to a principal building by a breezeway, a roofed passage or an open or enclosed structure above grade, it is to be considered a part of the principal building and not an accessory building, and all the minimum yard requirements of the principal building shall apply. For the purposes of determining the site

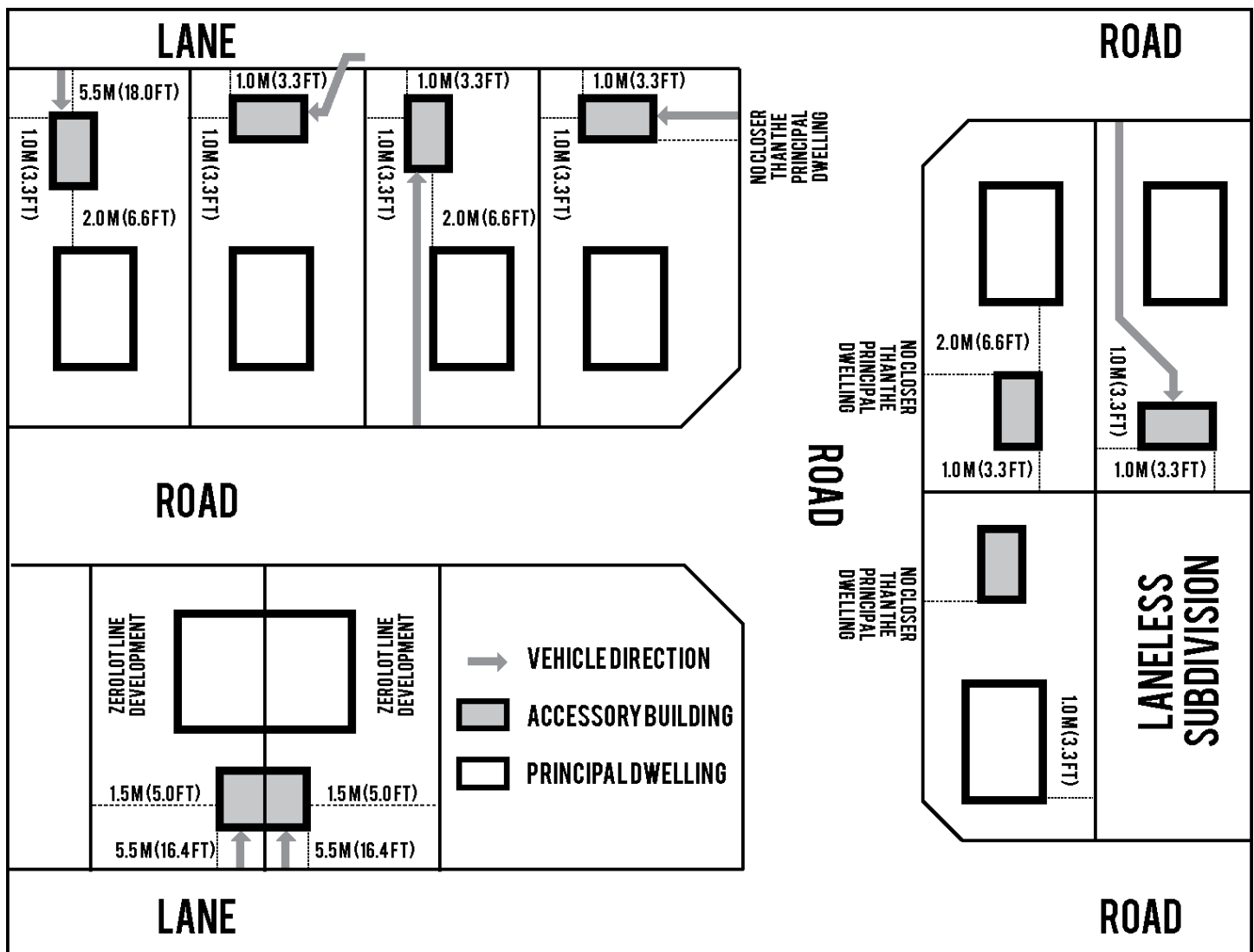


FIGURE 24: SITING OF ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

coverage percentage, buildings which are attached to a principal building will be considered part of the principal building.

5. No person shall construct or permit the construction of an accessory building, or group of accessory buildings, such that, individually or collectively, the gross floor area of the accessory building or buildings would:
 - a. along with the principal building, exceed the maximum site coverage allowed on the site,
 - b. exceed the floor area of the principal building on the site, or
 - c. exceed twelve percent (12%) of the site area unless otherwise indicated within the District Provisions.
6. Accessory buildings shall not be located in a front yard.
7. Accessory buildings shall not be located on an easement or a utility right-of-way.

7.2 ACCESSORY BUILDINGS IN DISTRICTS OTHER THAN RESIDENTIAL DISTRICTS

1. In addition to the regulations in **Section 7.1** the following provisions apply to accessory buildings in districts other than the residential districts.
2. In Districts other than Residential Districts, regulations governing the development of accessory buildings shall be at the discretion of the Development Authority, unless otherwise indicated in this Bylaw.
3. At the discretion of the Development Authority, a development permit may be issued for the temporary erection of a factory-manufactured building or tented structure for use as an accessory building provided that the following additional conditions are met:
 - a. the development permit approval shall not be for a period of more than one (1) year,
 - b. if an extension to the one (1) year period is desired by the applicant, the applicant must submit a written extension request to locate the building for a further six (6) months.

7.3 ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS – INCLUDING GARAGES, SHEDS, DETACHED DECKS, ETC.

1. In addition to the regulations in **Section 7.1** the following provisions apply to accessory buildings in the residential districts.
2. Unless otherwise provided, in Residential Districts:
 - a. An accessory building shall not exceed one (1) storey or 5.0 m (16.4 ft.) in height, whichever is the lesser; and
 - b. Notwithstanding Subsection (a) the height of an accessory building in the residential districts shall not normally exceed 5.0 m (16.4 ft.) or one (1) storey and shall not exceed the height of the main building. However, the maximum height for an accessory building may be exceeded, at the sole discretion of the Development Authority, for the height of a garage in order to facilitate the development of a garage suite on a parcel of land where it can reasonably be determined by the Development Authority that the additional height will not impact the quality of life or enjoyment of adjacent properties.
 - c. Where a carport is attached to a dwelling, the minimum required side yard may, at the discretion of the Development Authority, be reduced to 1.2 m (3.9 ft.).
3. Accessory buildings in Residential Districts shall be located:
 - a. a minimum of 2.0 m (6.6 ft.) from the dwelling;

- b. no closer to the front line than the front of the principal building except in the case of double fronting or corner sites, in which case the minimum required yard may be reduced to 4.5 m (14.8 ft.) from one front line, and the minimum required side yard adjacent to the side line may be reduced to 7.5 m (24.6 ft.) where, in the opinion of the Development Authority, any adjacent developments would not be adversely affected;
 - c. no closer than 1.0 m (3.3 ft.) to the rear line, providing there is no encroachment of any part of the building beyond the rear line, except that where the vehicle doors of a garage face a lane abutting the site, the garage shall be no closer than 5.5 m (16.4 ft.) from the rear line;
 - d. no closer than 1.0 m (3.3 ft.) from the side line, excepting where a fire wall is constructed along the boundary line between two garages located within one building, or where both garages have appropriate fire walls. In such cases, accessory buildings may be built within 1.0m (3.3 ft.) of the side line;
 - e. such that no roof overhang is located within 0.45 m (1.5 ft.) of a side or rear line.
4. All decks and verandas in Residential Districts may be located such that they do not project into minimum required yards as established in **Section 7.19** of this Bylaw.
 5. Notwithstanding Subsection (4) above, the development Authority may allow, at their sole discretion, a deck or veranda to project into a minimum required front yard in a Residential District under the following conditions:
 - a. The veranda may be roofed but shall not be enclosed.

7.4 AMENITY AREAS

1. Where required in any District, private outdoor and/or communal amenity areas shall be provided in accordance with the following:
2. Private outdoor amenity areas shall be designed for the occupants of an individual dwelling unit and shall:
 - a. be located immediately adjacent to land with direct access from the dwelling it is intended to serve;
 - b. be located in a yard other than a front yard;
 - c. be landscaped and surfaced for convenient use for outdoor activities;
 - d. be of a width and depth of at least 4.0 m (13.1 ft.); and
 - e. be developed as open space unencumbered by any accessory buildings or future additions.
3. Notwithstanding Subsection (2)d) above, balconies may be considered private outdoor amenity areas provided they are unenclosed and have a minimum depth of 2.0 m (6.6 ft.).
4. Communal amenity areas shall be designed for the recreational use of all residents of the development or for the use and enjoyment of the public in the case of a non-residential development. The area shall be indoor or outdoor space, or a combination thereof, including but not limited to landscaped courtyards, public seating areas, swimming pools, fitness rooms, party rooms, games rooms, and children's play areas complete with equipment.
5. In multi-family dwelling developments of fifteen (15) dwelling units or more, a minimum communal amenity area of 2.5 m² (26.9 ft²) per dwelling unit shall be provided and be developed as children's play space or other communal recreation space and be aggregated into areas of not less than 50.0 m² (528.2 ft²).
6. In multi-family dwelling developments, at least ten percent (10%) of the amenity area required on the site shall be provided for recreational purposes; and in multi-family dwelling developments of fifteen (15) units or more, recreational equipment shall be provided on this area to the satisfaction of the Development Authority. This

requirement may be relaxed at the discretion of the Development Authority where indoor recreational facilities are provided.

7.5 BUILDING EXTERIORS

1. The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs, and any reconstruction, shall be to the satisfaction of the Development Authority and all new and renovating commercial developments shall adhere to the 'Commercial Districts Site and Architectural Design Guidelines' in **Section 8.8**.
2. Unless forming part of a single project which has been approved under one development permit application, no single detached dwellings of identical or, in the opinion of the Development Authority, similar roof or front elevations and fronting on either side of a road shall be located within three (3) sites from each other.

7.6 CORNER AND DOUBLE FRONTING LOTS

1. In the case of double fronting lots, the front yard shall be that portion of the site abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard.

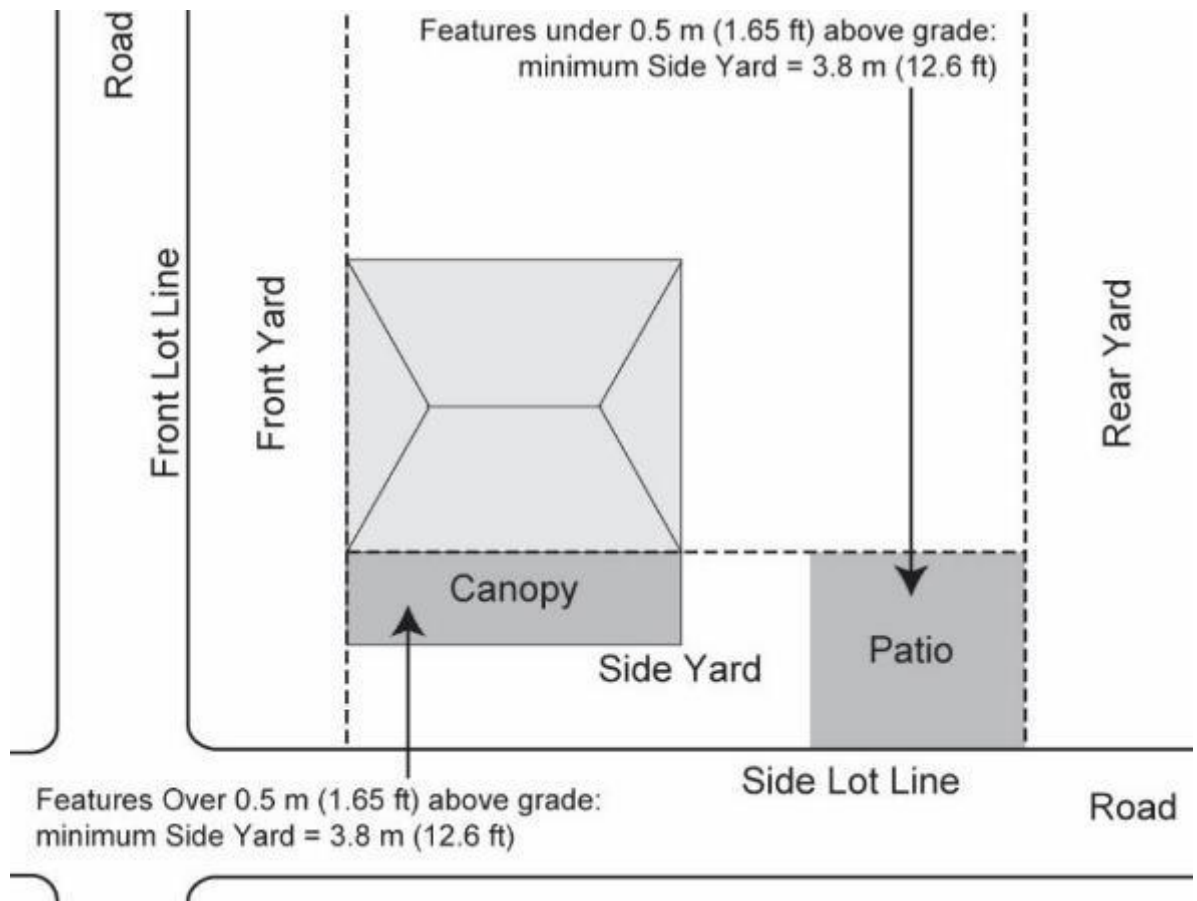


FIGURE 25: SIDE YARD SETBACKS AND HEIGHT RESTRICTIONS ON CORNER LOTS

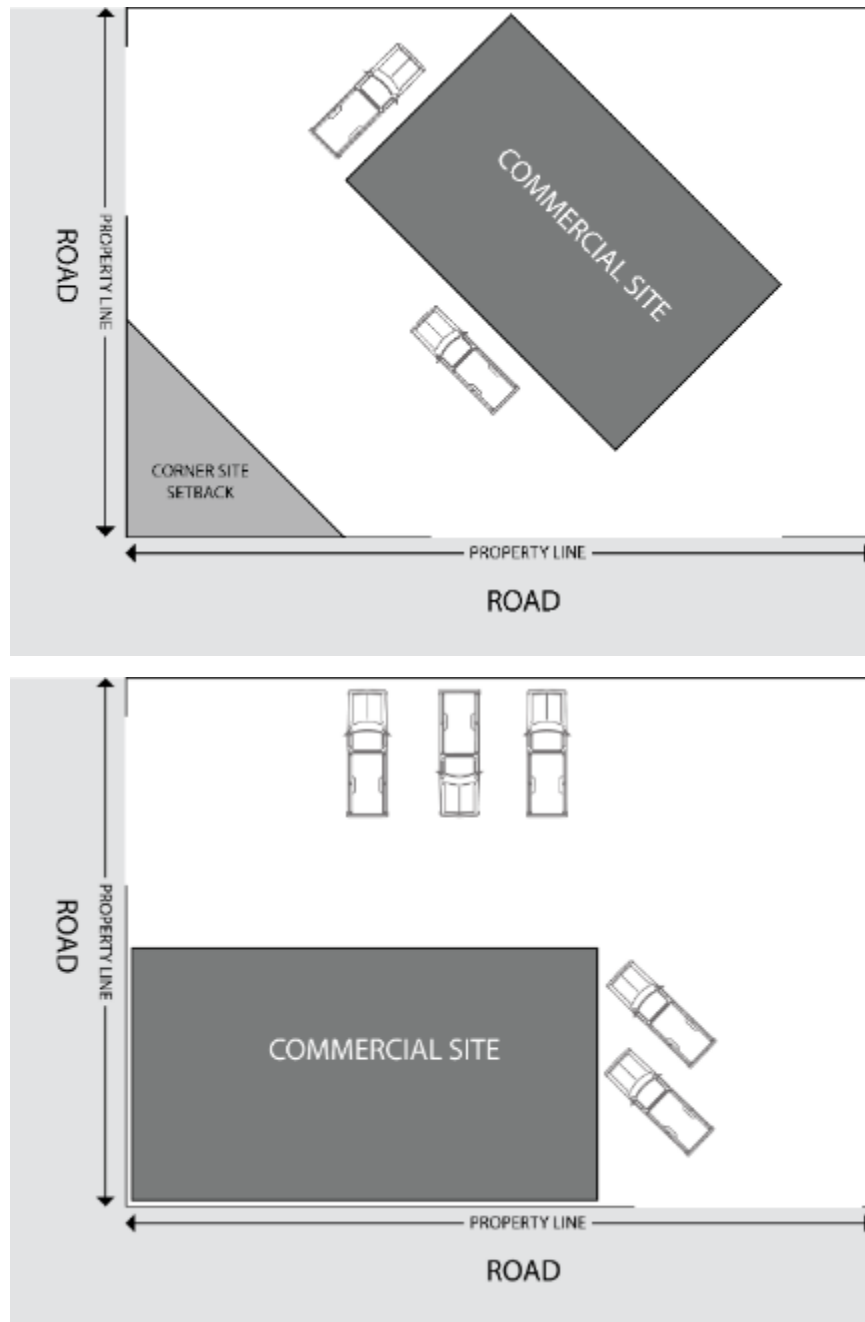


FIGURE 26: COMMERCIAL LOT WITH AND WITHOUT CORNER SITE SETBACKS

2. Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner site or on a double fronting site provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.
3. Notwithstanding any other provision of this Bylaw to the contrary, in residential areas, where a second minimum front yard is not required on a corner site, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.5 ft.).
4. Notwithstanding Subsection (3) above, in residential areas, features under 0.5 m (1.6 ft.) above grade may project to the side line where a second minimum front yard is not required on a corner site.

7.7 CORNER SITES AND SITE LINE PROTECTION

1. Notwithstanding any other provision of this bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub, or tree in or on that part of a corner site located within any district other than commercial, which lies within a triangle formed by a straight line drawn between two points on the closest curbs of the intersecting roads 6.0 m (19.7 ft.) from the point where the curbs would meet if extended or 3.0 m (9.8 ft.) from that point in the case of an intersecting lane and road.

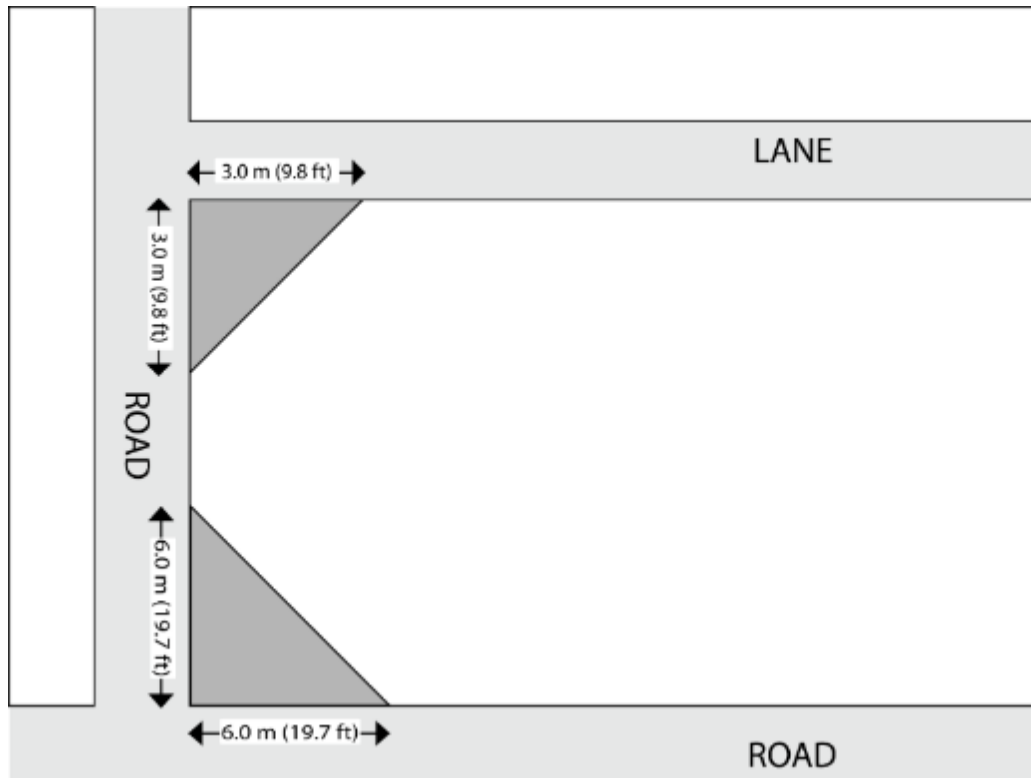


FIGURE 27: CORNER SITE SETBACK

2. At the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight line joining points on the road or lane right-of-way lines or the edge of the driveway 3.0 m (9.8 ft.) from their intersection.
3. Subsection (2) above does not apply in the C1 District.
4. Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the areas defined in Subsections (1) and (2) such that any part of the sign is between the heights of 1.0 m (3.3 ft.) and 4.0 m (13.1 ft.) above grade.

7.8 DEVELOPMENT OF A PROJECT

1. Prior to the granting of approval of a multi-lot subdivision application or a development permit for a large project, as the case may be, the developer shall provide the municipality with a proposed site development and

landscaping plan and enter into an agreement with the municipality specifying the respective obligations of the developer and the municipality

7.9 DWELLING UNITS ON A LOT

1. No permit shall be granted for the erection of more than one (1) dwelling unit on a single lot, unless approval has been granted for a suite, duplex, fourplex, row house, street-oriented town housing or apartment building *(Amended by Bylaw 2021-04)*.

7.10 ENVIRONMENTAL SCREENING

1. Where the potential for prior contamination of a site exists, the Development Authority may require that a Phase 1 Environmental Site Assessment be conducted according to applicable provincial requirements and/or guidelines prior to a development permit being issued. Should the Phase 1 Assessment indicate that a Phase 2 Assessment should be undertaken, the Development Authority may require that a Phase 2 Assessment be conducted and submitted prior to consideration of the development permit application. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of the development permit.

7.11 EXISTING SUBSTANDARD LOTS

1. With the approval of the Development Authority the minimum lot area may be less in the case of existing substandard lots.

7.12 FENCES WALLS AND HEDGES

1. Notwithstanding any regulation respecting required yard to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a site.
2. No fence, wall or hedge in any Residential District shall be:
 - a. higher than 1.8 m (5.9 ft.) above grade in side yards and rear yards; or
 - b. higher than 1.0 m (3.3 ft.) above grade in front yards, except in the case of a corner or double fronting site, the side yard adjacent to the road shall be deemed to be a front yard for the purpose of this section; or
 - c. higher than 1.0 m (3.3 ft.) above grade within 6.0 m (19.7 ft.) of the intersection of lanes, roads, or any combination of them.
3. Notwithstanding Subsection (2) above, the height of a fence in an Industrial District or in an Urban Reserve (UR) District shall be as determined by the Development Authority.
4. All commercial uses adjacent to any Residential District shall provide, to the satisfaction of the Development Authority, a wooden fence of not less than 1.0 m (3.3 ft.) and not more than 1.8 m (5.9 ft.) in height above grade for screening.
5. No fences with barbed wire shall be allowed, except in the Industrial (M1) District and in the Urban Reserve (UR) District. In these Districts, barbed wire may be allowed, but not below the elevation of 1.8 m (5.9 ft.) above grade.
6. No electrification of fences or razor wire shall be allowed.

7. Private fences shall not be located on public property, within utility rights-of-way, or within roadways unless permission is granted by Council and an encroachment agreement is approved.
7. No person shall construct or permit to be constructed retaining walls or fences that adversely or materially affect the grading or the drainage of the lot or of adjoining properties.
8. The Development Authority may require that a fence or other screen be provided to a height of at least 1.5 m (4.9 ft.) surrounding the following where they would be visible from a road or from an adjacent dwelling:
 - a. outdoor storage areas;
 - b. garbage collection areas; and
 - c. loading or vehicle service areas.
9. Further to Subsection (9), outside storage areas shall be screened from adjacent sites and roads to the satisfaction of the Development Authority. Such screening may include fences and/or landscaping or a combination thereof. All buffering shall be provided to the satisfaction of the development authority.
10. All garbage containers and outdoor storage areas shall be screened from adjacent sites and roads to the satisfaction of the Development Authority.

7.13 LANDSCAPING

1. When landscaping or planting is a condition of the approval of a development permit, all such landscaping and planting must be carried out, to the satisfaction of the Development Authority, within twelve (12) months of the occupancy or the commencement of operation of the proposed development.
2. Off-street parking lots in Commercial Districts shall be landscaped by the planting of trees in a manner and number satisfactory to the Development Authority.
3. All apartment, fourplexes, or row housing, or street-oriented town housing developments shall include a landscaped area to be developed to the satisfaction of the Development Authority (*Amended by Bylaw 2021-04*).
4. A minimum of ten percent (10%) of the site area of all commercial developments shall be landscaped, to the satisfaction of the Development Authority.
5. Landscaping shall be provided and maintained for all drive-in businesses to the satisfaction of the Development Authority.
 6. In the residential districts all front yards must be landscaped to the satisfaction of the Development Authority (*Amended by Bylaw 2018-12*).
 7. Where the site is developed and there is no front attached garage the maximum driveway width shall be 7.3 m (24.0 ft.) (*Amended by Bylaw 2018-12*).

7.14 LIGHTING

1. Any lighting proposed to illuminate off-street parking areas or any other developments shall be located and arranged so that all direct rays of light are directed down only, and not up, and upon the site only and not on any adjoining lots, all to the satisfaction of the Development Authority.

7.15 NOISE

1. No use or operation shall create noise levels which exceed those requirements and restrictions with the Town's community standards or noise bylaws.

7.16 NUISANCE

1. No activity may be undertaken which, in the opinion of the Development Authority, constitutes a nuisance on a private or public site by reason of the generation of vibration, heat, humidity, glare, smoke, dust, other particulate matter, or odour.
2. Sites and buildings in all Districts shall be maintained in a clean and tidy condition, free from all rubbish and debris.
3. Garbage shall be stored in weather-proof and animal-proof containers, shall be placed in a location or screened from adjacent sites and roads in a manner that is to the satisfaction of the Development Authority, and shall be in a location easily accessible for pick-up.
4. Further provisions relating to the control of nuisances may be found in the municipality's Community Standards Bylaw.

7.17 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

1. No person shall keep or permit in any part of any yard in any Residential District:
 - a. any dismantled or wrecked vehicle for more than fourteen (14) successive days;
 - b. any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district in which it is located;
 - c. any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
 - d. any vehicle, loaded or unloaded, of a gross vehicle weight in excess of 5000 kg (11,200 lbs.) for longer than is reasonably necessary to load or unload the vehicle; or
 - e. tented structures.
2. A vacant residential or commercial lot shall not be used for storage, including RV storage unless a development permit has been issued for a commercial storage facility.
3. No person shall keep or permit in any part of the landscaped portion of a front yard in any Residential District:
 - a. a motor vehicle, boat, utility trailer/cargo trailer, off highway vehicle, or recreational vehicle except as provided for in **Section 8.26**; and
 - b. any accessory use. (*Amended by Bylaw 2018-12*)

7.18 ON-SITE AND OFF-SITE IMPROVEMENTS

1. Where any on-site services or improvements or any off-site local improvements, are required to service a proposed development, a person shall not begin the excavation for the foundation or commence the

development until the Development Authority Officer is satisfied that such services or improvements will be undertaken.

2. All future development areas must be serviced to the satisfaction of the Development Authority and be consistent with the requirements of the municipality's public works department.

7.19 PARKING AND LOADING REGULATIONS

1. When required by the Development Authority, loading spaces shall:
 - a. have dimensions of not less than 4.0 m (13.1 ft.) in width, 8.0 m (26.2 ft.) in length, and 4.5 (14.8 ft.) in height above grade;
 - b. provide vehicular ingress to, and egress from, a road or lane such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in nearby roads or lanes;
 - c. be sited at an elevation or elevations convenient to a major floor level in building or to a utility elevator serving each major floor level;
 - d. be so graded and drained as to dispose of all storm water runoff. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority; and
 - e. be screened on each side adjoining any Residential District by a wall, fence, earth berm or hedge of not less than 1.5 m (4.9 ft.) and not more than 2.5 m (8.2 ft.) in height.
2. Number of Off-Street Loading Spaces
 - a. The number of loading spaces required to be provided in a development shall be as follows:
 - i. For a retail, industrial, warehouse, or similar development:
 1. one (1) space for a development of less than 2000 m² (21,528 ft²) of gross floor area, and
 2. one (1) additional space for each additional 2000 m² (21,528 ft²) of gross floor area or fraction thereof.
 - ii. For an office building, place of public assembly, public convalescent home, institution, club or lodge, school or any similar use, one (1) space for a development of less than 3000 m² (32,293 ft²) of gross floor area, and one (1) additional space for each additional 3000 m² (32,293 ft²) of gross floor area or fraction thereof.
 - iii. For apartment, fourplexes, row housing, or street-oriented town housing, one (1) space for each ten (10) dwelling units or fraction thereof (*Amended by Bylaw 2021-04*).
 - iv. For any other building or use – as required by the Development Authority.
 - v. Where a fractional number of loading spaces are required, the next highest number of spaces shall be provided.
3. Location of Site and Site Standards
 - a. All off-street parking areas and accessory off-street parking areas:
 - i. shall not be located within 0.9 m (3.0 ft.) feet of a lot line common to the lot and to a road,
 - ii. shall be constructed so that adequate access to, and exit from each parking space is provided at all times by means of manoeuvring aisles designed to the satisfaction of the Development Authority, and
 - iii. shall have necessary curb cuts located to the satisfaction of the Development Authority.

b. All parking spaces shall conform to the following requirements:

4. Required Number of Off-Street Parking Spaces

a. The minimum number of off-street parking spaces required for each development shall be calculated from the following table:

USE OF BUILDING OR DEVELOPMENT	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL USES – APARTMENT, FOURPLEXES, ROW HOUSING AND STREET-ORIENTED TOWN HOUSING (AMENDED BY BYLAW 2021-04)	
1 bedroom dwelling units	1.25 per dwelling unit
2 bedroom dwelling units	1.5 per dwelling unit
3+ bedroom dwelling units	2 per dwelling unit
RESIDENTIAL USES – OTHER	
Boarding houses	1.0 per sleeping unit
Senior citizen homes	2 per 3 dwelling units
In-law suites	1 per suite
All other dwellings	2 per dwelling unit
Manufactured home units	2 per dwelling unit
COMMERCIAL USES	
Office uses, other than those of health professionals	1 per 40 m ² (430 ft ²) of gross leasable floor area
Offices of health services	1 per 30 m ² (325 ft ²) of gross leasable floor area, or 3 spaces for each full-time or part-time professional, whichever is greater
Retail and personal service shops For the first 1,000 m ² (10,764 ft ²) of gross leasable floor area	1 space for each 30 m ² (325 ft ²) of gross leasable floor area)
Retail and personal service shops For the next 3,000 m ² (32,291 ft ²) of gross leasable floor area	1 space for each 20 m ² (215 ft ²) of gross leasable floor area)
Retail and personal service shops For the any additional gross leasable floor area beyond 4,000 m ² (43,055 ft ²)	1 space for each 17 m ² (183 ft ²) of gross leasable floor area)
Eating and drinking establishments	1 per 4 seating spaces or 1 per 3 employees, whichever is greater
Drive-in restaurants	1 per 3 m ² (32 ft ²) of gross leasable floor area or 1 per 5 seating spaces, whichever is greater. This figure may be reduced to 1 per 6 m ² (64 ft ²) of gross leasable floor area at the sole discretion of the Development Authority where it can be shown to the Development Authority's satisfaction that a high proportion of clients will regularly consume food purchased at an off-site location.
Eating and drinking establishments (all food taken off-site to be consumed)	1 per 13 m ² (140 ft ²) of gross leasable floor area plus 1 per 3 employees on maximum shift
Other drive-in businesses	8
Hotels and motels	1 per rentable unit plus 1 per 3 employees on maximum shift
Bed and breakfasts	1 per sleeping unit
Day homes	1
Day cares	1 per employee on maximum shift, plus 1 per 15 capacity of in the day care

USE OF BUILDING OR DEVELOPMENT	MINIMUM NUMBER OF PARKING SPACES
Home occupations	1 in addition to the requirements for the residential use
PLACES OF PUBLIC ASSEMBLY	
Auditoriums, churches, halls, clubs, theatres and other amusement or recreation places	1 per 7.5 seating spaces or 1 per 7 m ² (75 ft ²) used by patrons, whichever is greater
SCHOOLS	
Public, separate or private elementary and junior high schools	1 per employee, plus 5
Public, separate or private senior high schools	1 per employee, plus 1 for every 10 students Parking for auditoriums, gymnasiums, and swimming pools shall be provided in addition to the above.
INDUSTRIAL USES	
All industrial uses	1 per each employee on maximum shift, provided that this standard may be varied by the Development Authority to no fewer than 1 per 3 employees on maximum shift at the sole discretion of the Development Authority where it can be shown to the Development Authority's satisfaction that fewer parking spaces are required.
HOSPITALS AND SIMILAR USES	
Hospitals, sanatoriums, convalescent homes, senior citizen lodges, nursing homes, etc.	1 per 100 m ² (1076 ft ²) gross floor area or 1 per 4 beds, whichever is greater, plus 1 for every 2 employees on maximum shift

- b. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority.
- c. Where a development falls within more than one use as listed, the required number of spaces shall be the sum of the requirements for each of the uses listed.
- d. Where a fractional number of parking spaces are required, the next highest number of spaces shall be provided.
- e. The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown to the satisfaction of the Development Authority that the standard is not applicable to the project due to the provision of communally-used parking facilities, differing hours of demand for parking, or the scale or character of the development.
- f. In the Central Commercial (C1) District, where it is not possible to provide the required parking on the subject site due to the size of the site and the configuration of buildings either existing or proposed, the Development Authority may, at his sole discretion, waive or reduce the required number of parking spaces.
- g. If insufficient parking is provided by an approved development, the Development Authority may advise the land owner that he may be required to help pay for parking facilities in the future if required by Council in accordance with the Act or any other available legislation.

5. Combined or Shared Parking

- a. A maximum of 20% of the required parking may be combined or shared parking provided that a legal agreement is entered into between the users or land owners, and further that the parking arrangements are acceptable to the Development Authority. Any change of use will require a development permit and

may require a new agreement. The Development Authority has the authority to refuse an application not fully complying with parking requirements.

- b. Except as provided in Subsection 7.15(4)(f) developments to convert existing buildings to eating and drinking establishments shall comply with the parking requirements for eating and drinking establishments.

6. Money-in-lieu-of-Parking

- a. At the discretion of the Development Authority, a developer may pay money to the municipality in lieu of providing parking spaces. The amount of money will be determined by the Council and be based on the amount of money needed to acquire land and to develop the required number of parking spaces on adjacent lands.

7. Surfacing and Drainage (*Amended by Bylaw 2018-12*)

- a. All parking areas shall be clearly marked, hard surfaced, landscaped, adequately lit with lighting directed away from adjacent sites, adequately graded and drained to dispose of all storm water run-off, and contain the necessary curb cuts.
- b. Notwithstanding Subsection (a) above, where the access to or egress from a parking area is from a gravelled road, or where the development involves the expansion of an existing building on a site where the existing parking area is not hard surfaced, the parking area may, at the discretion of the Development Authority, be gravelled to the satisfaction of the Development Authority.

8. Parking Facility Dimensions

- a. All parking spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions and shall conform to the requirements shown in Figures 25 and 26 on the following pages.

PARKING ANGLE IN DEGREES	WIDTH OF SPACE	DEPTH OF SPACE	WIDTH OF SPACE	OVERALL SPACE DEPTH	WIDTH OF MANOEUVRING AISLE (ONE WAY)	WIDTH OF MANOEUVRING AISLE (TWO WAY)
A	B	C	D	E	F	G
0	3.0 m (9.8 ft.)	3.0 m (9.8 ft.)	7.0 m (23.0 ft.)	9.1 m (29.9 ft.)	3.6 m (11.8 ft.)	6.7 m (22.0 m)
30	3.0 m (9.8 ft.)	5.2 m (17.1 ft.)	5.5 m (18.0 ft.)	14.0 m (45.9 ft.)	3.6 m (11.8 ft.)	7.3 m (24.0 ft.)
45	3.0 m (9.8 ft.)	5.8 m (19.0 ft.)	4.0 m (13.1 ft.)	15.2 m (49.9 ft.)	3.6 m (11.8 ft.)	6.7 m (22.0 ft.)
60	3.0 m (9.8 ft.)	6.1 m (20.0 ft.)	3.1 m (10.2 ft.)	18.2 m (59.7 ft.)	6.0 m (19.7 ft.)	7.3 m (24.0 ft.)
90	3.0 m (9.8 ft.)	6.1 m (20.0 ft.)	3.0 m (9.8 ft.)	19.5 m (64.0 ft.)	7.3 m (24.0 ft.)	7.3 m (24.0 ft.)

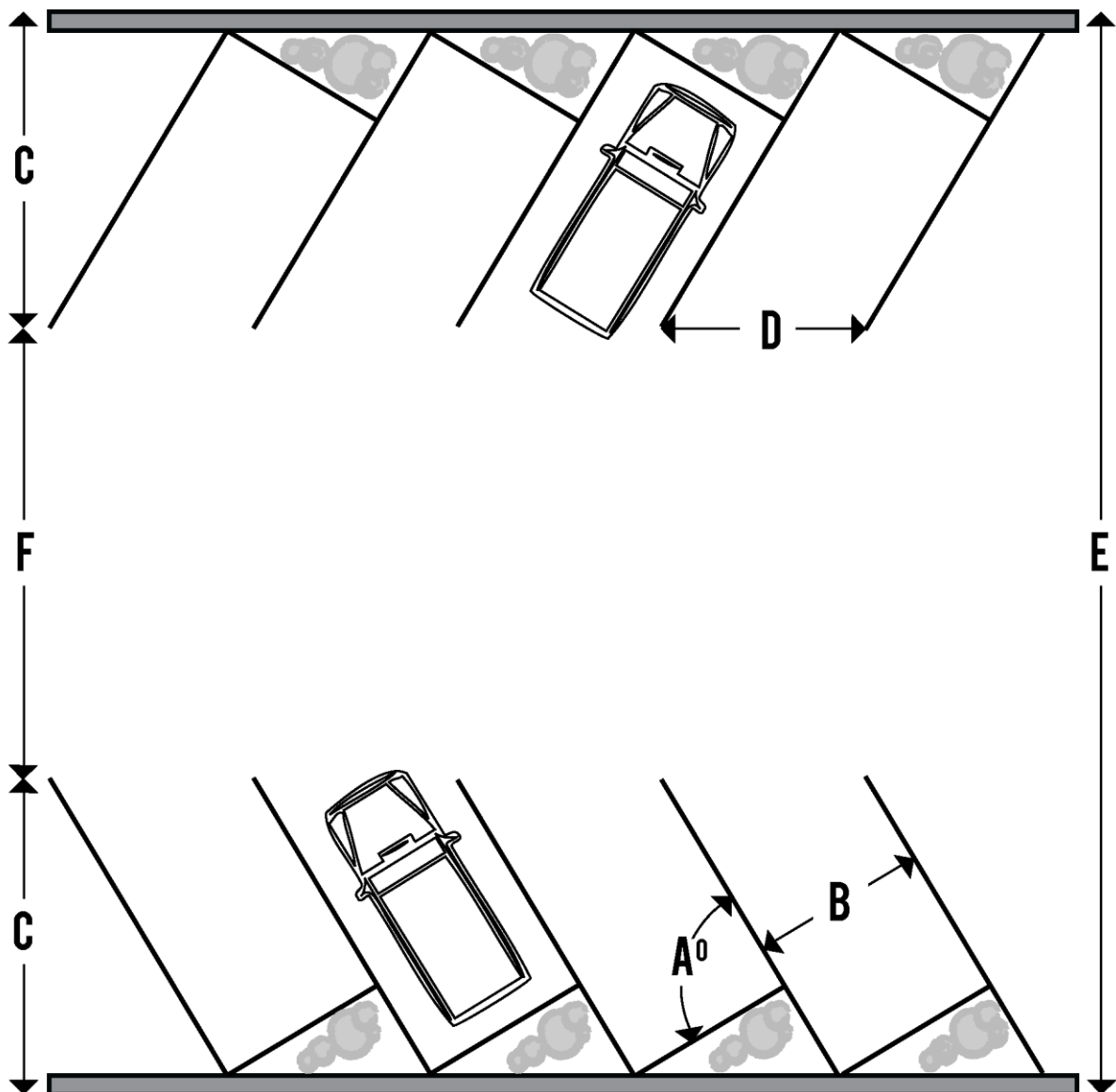
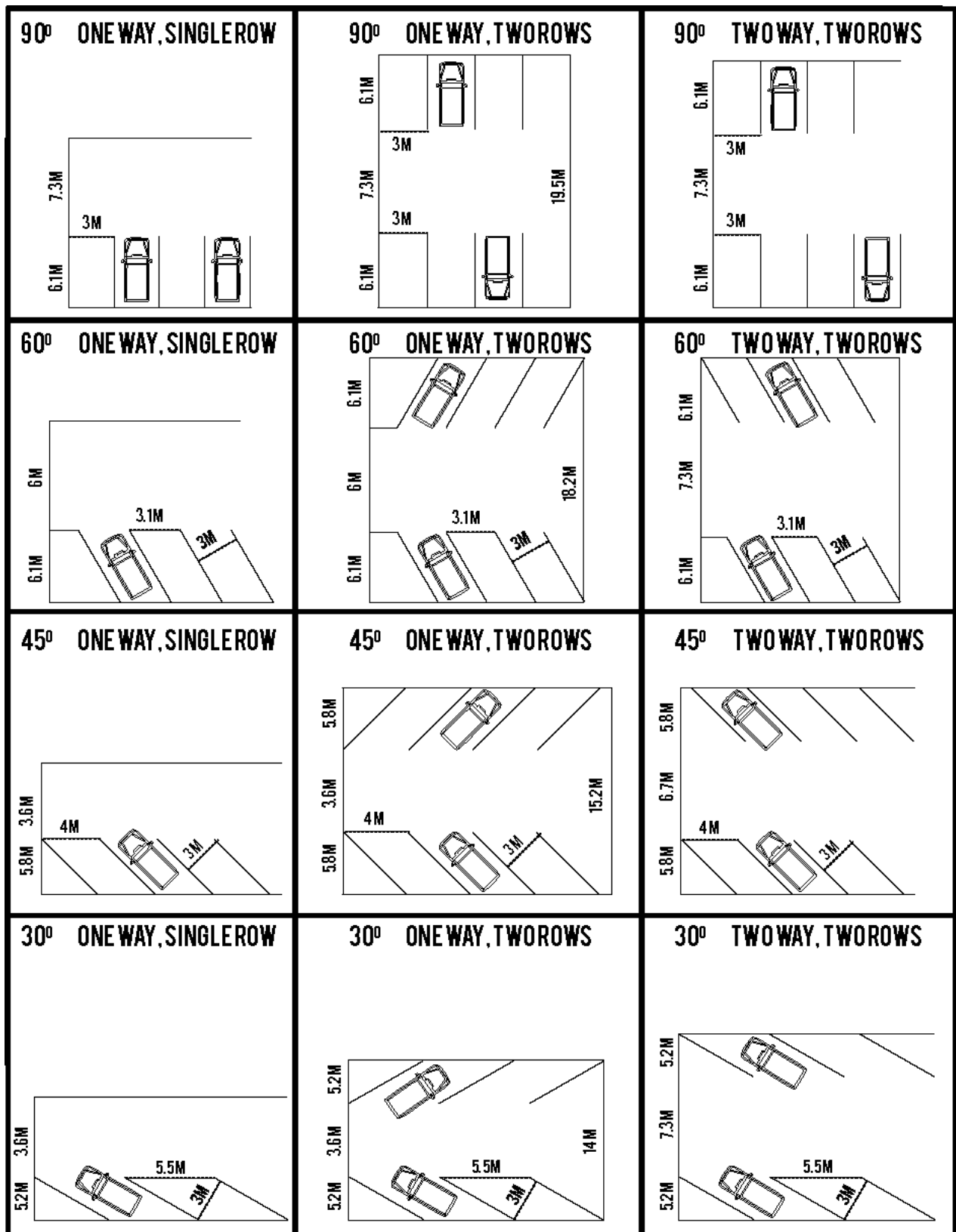


FIGURE 28: PARKING STALL AND AISLE DEFINITIONS



***PLEASE NOTE - FIGURES NOT TO SCALE**
FIGURE 29: OFF-STREET PARKING REQUIREMENTS

9. In addition to the parking requirements identified above, where required, disabled parking stalls shall be a minimum of 3.7 m (12.1 ft.) wide by 7.5 m (24.6 ft.) long.
10. Where the side of a parking stall is against any permanent structure greater than 0.2 m (7.9 inches) in height, at any point in the front 3.6 m (11.8 ft.) of the stall (measured in the centre perpendicular to the front of the stall) the minimum width of a stall shall be 0.3 m (1.0 ft.) wider than the normal width required.
11. Variance to Downtown Parking Requirements
 - a. Notwithstanding the regulations of this section, in the downtown area, the following provisions shall apply:
 - i. in the case of major renovations, site improvements, and architectural modifications to an existing building, no additional parking shall be required;
 - ii. in the case of major structural expansion of an existing building, additional parking shall be required for the expanded part only;
 - iii. in the case of a change in the use of an established building, additional parking shall not be required provided no alteration to the exterior dimensions of the building occurs;
 - b. in the case of any down town development or re-development, the Development Authority Officer shall review such development in respect of the variance powers granted in this Bylaw and may exercise such powers as deemed necessary.
12. Parking Facility Construction Requirements
 - a. Parking stalls and loading spaces shall be clearly marked in the parking facility. Such marking shall be regularly maintained to ensure legibility to users.
 - b. All off-street parking facilities shall be separated from streets by a landscaped area of at least 1.0 m (3.3 ft.) in width.
 - c. All off-street parking facilities shall be constructed that:
 - i. Necessary curb cuts are located and flared to the satisfaction of the Development Authority Officer;
 - ii. All parking facilities and lanes to be used for access to a proposed development shall be hard-surfaced to the satisfaction of the Development Authority Officer; where the access from a road or lane is paved, parking areas must be paved, or of a gravel mixture approved by the Development Authority Officer;
 - iii. Parking facilities containing four or more stalls shall be landscaped to the satisfaction of the Development Authority Officer on each side adjoining any property in a residential district and shall be screened by a wall, fence, earth berm, or hedge constructed or maintained at not less than 1.2 m (3.9 ft.) in height;
 - iv. Parking facilities used at night shall have adequate lighting for the entire parking facility, such lighting shall be directed away from adjacent residential properties and other properties where in the opinion of the Development Authority Officer, it would have adverse effects; and
 - v. Grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Development Authority Officer.

- vi. Parking for the physically handicapped shall be provided as provincial regulations require and shall be considered as part of the number of stalls required for the project.
- d. Curbs, medians, signage, and landscaping shall be provided to the satisfaction of the Development Authority Officer.
- e. Access to Curb Stops
 - i. No development shall be permitted that would obstruct normal operational access to curb stop.
 - ii. No paved driveway or other pavement shall be placed over or within 2.0 m (6.6 ft.) of a curb stop.
- f. Notwithstanding Subsection 12(c)(ii), where:
 - i. the access or egress to a site is from a gravelled public road; and/or
 - ii. the development involves the expansion of an existing building on a site where the existing parking area is not hard-surfaced;

the off-street parking facilities shall be gravelled to the satisfaction of the Development Authority Officer and may be hard-surfaced at the option of the applicant to the satisfaction of the Development Authority Officer.

13. Off-Street Loading

- a. Where a proposed development will, in the opinion of the Development Authority, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.
- b. When required by the Development Authority, loading spaces shall:
 - i. have dimensions of not less than:

MEASUREMENT AREA	DIMENSION
WIDTH	4.0 m (13.1 ft.)
LENGTH	8.0 m (26.2 ft.)
HEIGHT ABOVE GRADE	4.3 m (14.1 ft.)

- ii. have vehicular ingress to, and egress from a road or lane either directly or by a clearly defined traffic aisle;
- iii. be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level;
- iv. be so graded and drained as to dispose of all surface water. Surface drainage across sidewalks will not be allowed;
- v. be paved or hard-surfaced where an off-street parking facility is required to be paved or hard-surfaced;
- vi. have adequate lighting to the satisfaction of the Development Authority Officer; and,
- vii. be screened on each side adjoining any Residential District by a wall, fence, earth berm or hedge of not less than 1.5 m (4.9 ft.) and not more than 2.0 m (6.6 ft.) in height.

- c. The number of loading spaces required to be provided in a development shall be as per the following chart:

USE OF BUILDING OR SITE	MINIMUM NUMBER OF LOADING SPACES
NON-RESIDENTIAL USES	
Less than 1,000.0 m ² (10,764.0 ft ²) of gross leasable area	1 space
The next 1,000.0 m ² (10,764.0 ft ²) of gross leasable area or a fraction thereof in a development	1 space
Each additional 2,000.0 m ² (21,528.0 ft ²) of gross leasable area or a fraction thereof in a development.	1 space
MULTI-FAMILY DWELLINGS	
All multi-family Dwellings	1 per 3 dwelling units

- d. Where a fractional number of loading spaces are required, the next highest whole number of spaces shall be provided.
- e. Any other building or use shall have off-street loading as determined necessary by the Development Authority Officer.

7.20 PIPELINE & OTHER UTILITY CORRIDOR SETBACKS

- Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy Regulator (AER) and Alberta Utilities Commission.

7.21 PROJECTION INTO YARDS

- Except as provided in this section and **Section 7.1**, no portion of a building shall be located or project into a required yard.
- Required Front Yards

The following features may project into a required front yard:

- steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
- exterior balconies on apartments provided that:
 - they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - they do not project more than 2.0 m (6.6 ft.) into the front yard;
- satellite receiving dishes with a diameter of no more than 77.0 cm (30.3 inches); and
- any other features which, in the opinion of the Development Authority, are similar to the foregoing.

- Required Side Yards

The following features may project into a required side yard; except where a side yard of 3.0 m (9.8 ft.) is required for vehicular passage:

- a. steps, chimneys and decks, provided such projection does not exceed 50% of the width of the required side yard;
- b. patios, which can project to the side line;
- c. eaves, gutters and sills or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- d. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);
- e. exterior balconies on apartments provided that:
 - i. they are cantilevered and not enclosed, and designed as an integral part of the building, and
 - ii. they do not project more than 1.0 m (3.3 ft.) into a required side yard and in no case are closer than 2.0 m (6.6 ft.) to a side line;
- f. satellite receiving dishes with a diameter of no more than 77.0 cm (30.3 inches); and
- g. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

7.22 RELOCATION OF BUILDINGS

1. In making his decision on a development permit application to relocate an already constructed or partially constructed building, the Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be located, and may refuse a development permit if the building, in his sole opinion, is or will be incompatible with the neighbourhood.

7.23 SITE CIRCULATION

1. The space for the manoeuvring and circulation of vehicles on a parcel shall be sufficient to ensure that vehicles do not drive onto roads, other than lanes, or onto adjacent parcels when manoeuvring and circulating, except where an easement is registered for these purposes against the title to the adjacent parcels.

7.24 SITE CONDITIONS AND BUFFERING

1. The proponent for a development may be required to submit a site drainage plan and/or elevation plan to ensure that finished grades on the site shall prevent drainage from one site to adjacent sites except where drainage conforms to an acceptable local standard or a subdivision drainage plan.
2. The Development Authority may prescribe setback and/or buffering requirements for uses, which may be physically or visually incompatible with nearby land uses.
3. The Development Authority may require or approve screening for uses, which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar materials.
4. In considering the approval of an application, the Development Authority may require the retention of trees or additional planting of such type and extent as considered necessary for the purpose of ensuring buffering, erosion and/or dust control.
5. The Town will require Environmental Reserves, an Environmental Reserve Easement or a combination thereof adjacent to bodies of water and lands containing significant environmental features.

6. The amount of Reserves/Easement lands shall be at the discretion of the Town and the Subdivision Authority who will normally base environmental reserve and environmental reserve easement requirements on the following:
 - a. The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (see Appendix A); or
 - b. If this reserve/easement amount is disputed by the proponent of a development or subdivision then the developer may provide the Town and the Subdivision Authority with a biophysical, engineering and/or geotechnical study which indicates that an alternative reserve/easement amount is appropriate for the subject site. If the report from the engineer indicates that a lesser reserve/easement would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser reserve/easement area then the Approving Authority may, at their sole discretion, approve a subdivision with a lesser reserve/easement area.
7. Notwithstanding Subsection (6), additional reserves/easements may be required by the Town based on the recommendations of any engineering and/or geotechnical study provided for the subject site.
8. Normally, no buildings of any kind shall be allowed within required setback areas.
9. However, notwithstanding Subsection (6) the width of the required development setback shall be at the sole discretion of the Development Authority who will normally base setback requirements on the following:
 - a. The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (see Appendix A); or
 - b. If this setback amount is disputed by the proponent of a development then the developer may provide the approving Authority with a biophysical, engineering and/or geotechnical study which indicates that an alternative setback amount is appropriate for the subject site. If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser setback then the Approving Authority may, at their sole discretion, approve the development with a lesser reserve/easement area.
10. The Development Authority may require the applicant to submit as part of a development permit application an assessment by a registered professional engineer practicing in Alberta indicating the stability of the soils and slopes for the development proposed, and how sufficient stability for the development can be ensured in order to determine the appropriate setback distance and/or site specific building requirements.
11. If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser setback then the Development Authority may, at their sole discretion, approve a development with a lesser setback.
11. If the development is approved with the lesser setback, the Development Authority may require, as a condition of the approval of the permit, that the developer construct those works or abide by those conditions necessary to ensure the stability of the soils and slopes as determined in the assessment.
12. If any development is damaged or threatened with damage from flooding from a water body, a river, creek or watercourse, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.

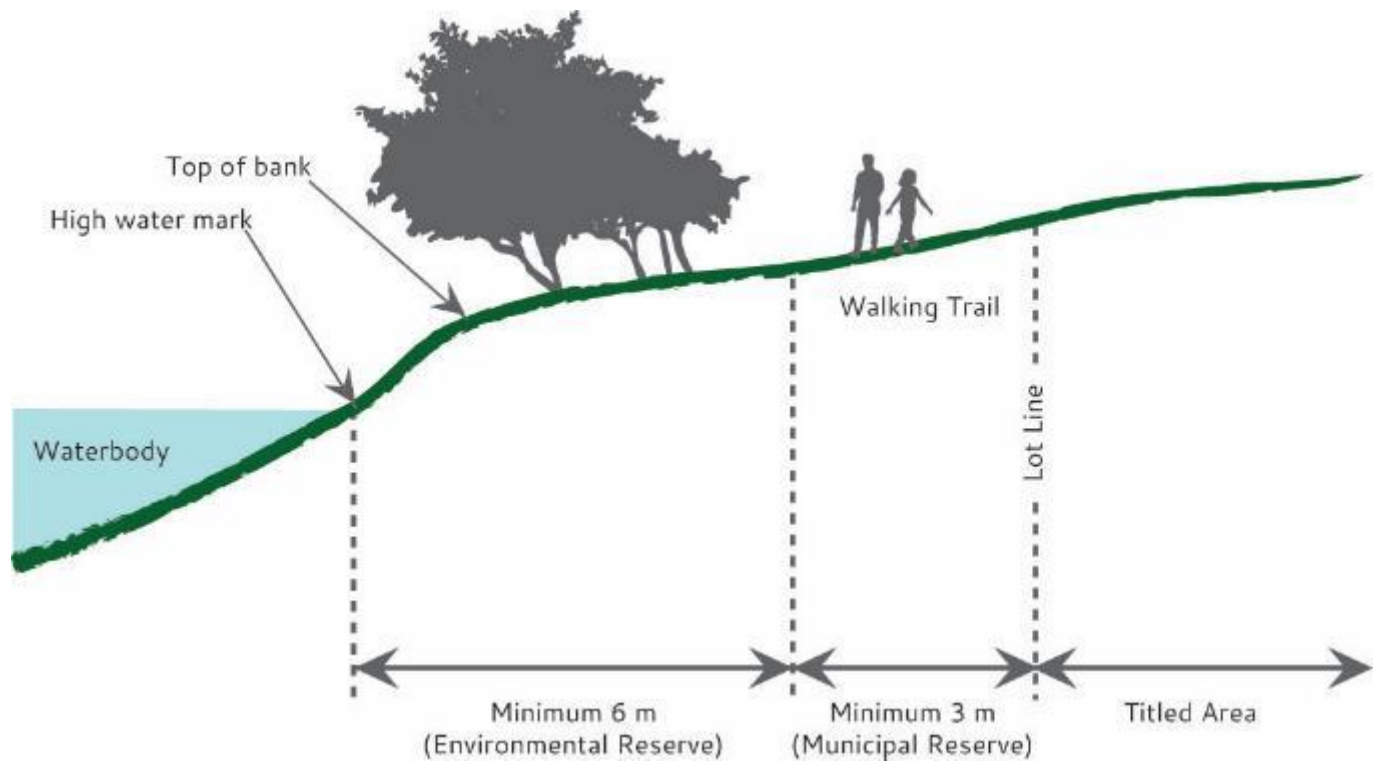


FIGURE 30: EXAMPLE OF SETBACKS FROM WATER COURSES AND WATER BODIES

13. If any development is damaged or threatened with damage from erosion or the effects of erosion, or from flooding or the effects of flooding, whether or not a development permit has been issued in respect of the development, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
14. The Development Authority will not approve a development permit application for the development or placement of permanent buildings within the 1:100 year flood way of any lake, river, creek, watercourse, or water body.
15. Development shall not be permitted on steep slopes (in excess of 15%), on unstable slopes or land characterized by soil instability, or on lands exhibiting evidence of poor drainage or flooding unless it can be demonstrated to the satisfaction of the Development Authority that unique site requirements warrant otherwise by providing a geotechnical report provided by a professional engineer registered in the Province of Alberta.

7.25 SITE GRADING AND DRAINAGE

1. In all cases, site grades shall be established to not allow one site to drain onto an adjacent site except where drainage conforms to an acceptable local or subdivision drainage plan. Further provisions relating to site grading and drainage may be found in the municipality's Community Standards Bylaw.

7.26 SITE PROTECTION FROM EXPOSURE HAZARDS

1. No anhydrous ammonia (AA) or liquefied petroleum gas tank or (LPG) storage tank with a fluid capacity exceeding 9080 L (2000 gal.) shall be allowed within the municipality.

7.27 SOUR GAS FACILITIES

1. No development shall be permitted within 100.0 m (328.1 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy and Utilities Board.
2. No development shall be permitted within 500.0 m (1640.4 ft.) of a Level 2 sour gas facility as determined by the Alberta Energy and Utilities Board.

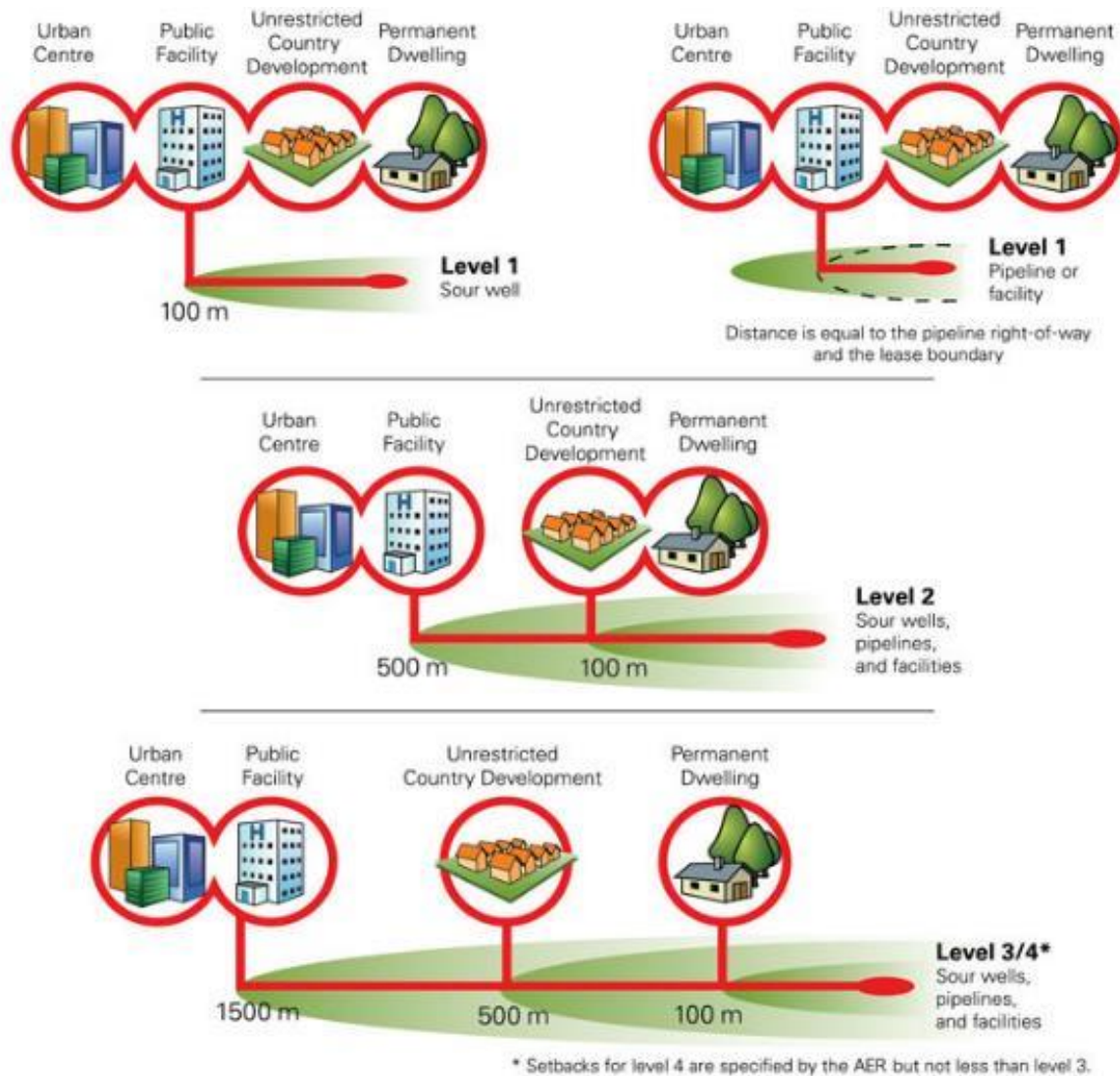


FIGURE 31: AER SOUR GAS SETBACK REQUIREMENTS

3. No development shall be permitted within 1500.0 m (4921.3 ft.) of a Level 3 or Level 4 sour gas facility as determined by the Alberta Energy and Utilities Board.

7.28 SUBDIVISION OF LAND

1. Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has been tentatively approved by the Subdivision Authority.

7.29 TOP SOIL EXCAVATION

1. No person shall commence or continue the removal of topsoil without first obtaining a development permit. There shall be provided upon the occupancy of a development, a minimum topsoil coverage of 15.0 cm (5.9 in.) and the affected area shall be landscaped to the satisfaction of the Development Authority.

7.30 WATER SUPPLY, SANITARY FACILITIES AND NATURAL GAS

1. All development within the Town shall be provided, at no cost to the Town, with sanitary facilities to the satisfaction of the Development Authority. Sanitary facilities must comply with the Plumbing and Drainage Regulations and any other Provincial legislation or regulations.
2. A development permit shall not be issued for residential, commercial, industrial or recreational uses unless the Development Authority is satisfied that water supplies of sufficient quality and quantity are or will be made available to support the proposed development.
3. A development permit shall not be issued for residential, commercial, industrial or recreational uses unless the Development Authority is satisfied that natural gas supplies of sufficient quality and quantity are or will be made available to support the proposed development.

8 SPECIAL PROVISIONS

8.1 AMUSEMENT GAME MACHINES AND ELECTRONIC GAME ARCADES

1. Any establishment containing amusement game machines as an accessory or principal use shall be located at least 150.0 m (592.1 ft.) from a principal school building. The minimum required distance from the principal school building to the location containing the amusement game machine(s) shall be calculated using the shortest walking distance using roads, lanes, or public walkways between the two points.
2. Adequate space shall be provided for each amusement game machine so as to allow its use without overcrowding. There shall be a maximum of one (1) machine per 2.3 m² (25 ft²) of net floor area (not including reception area, washrooms, and entrance and exit area).
3. A maximum of five (5) amusement game machines shall be considered as accessory to the following uses: convenience retail stores, shopping centres, hotels, and eating and drinking establishments. As accessory to these uses, amusement game machines may be allowed only if the floor area of such business is adequate, in the opinion of the Development Authority, to prevent overcrowding of patrons using the amusement game machines.
4. An amusement establishment in the form of an electronic games arcade may be allowed provided that:
 - a. traffic circulation and parking (vehicular and bicycle) can be adequately accommodated; and
 - b. the floor area of such businesses is adequate, in the opinion of the Development Authority, to prevent overcrowding of patrons using the amusement game machines.
5. Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.

8.2 ANIMAL CARE AND RELATED USES

For regulations pertaining to animal care and related uses refer to: **Section 8.22 - Pet Keeping and Animal Breeding and/or Boarding Facilities** and **Section 8.49 - Veterinary Clinics** (*Amended by Bylaw 2018-12*).

8.3 ANIMAL HOSPITALS

1. Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.
2. All development permit applications may be referred to the local Health Authority or animal control agency for comment.
3. No facility or exterior exercise runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line adjacent to a dwelling or residential property.
4. All exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Development Authority.
5. All dog facilities, including buildings and exterior exercise areas, may be required to be sited to the satisfaction of the Development Authority.
6. The Development Authority may regulate the hours that dogs are allowed outdoors.

7. Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
8. A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments

8.4 ANIMAL/BIRD REGULATIONS

1. The number of domestic pets and livestock allowed on a lot shall be determined by the Town's Animal Control Bylaw unless a permit has been issued for an animal breeding and/or boarding facility or similar use,

8.5 BED AND BREAKFAST ESTABLISHMENTS

1. A bed and breakfast establishment shall comply with the following regulations:
 - a. A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of four (4) sleeping bedrooms in addition to those available for use by members of the family.
 - b. Cooking facilities shall not be located within the sleeping units.
 - c. In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.
 - d. A bed and breakfast establishment shall comply with all of the requirements for a major home occupation described in Subsections (1) and (3) of **Section 8.13** hereof.

8.6 CAR WASHING ESTABLISHMENTS

1. Site Area
 - a. The minimum site area shall be 600 m² (6,458 ft²). The development shall contain space for eight (8) vehicles or three (3) vehicles per wash bay, whichever is greater, to wait or be parked prior to their entry into any part of the cleaning process for which they are bound, which space shall be paved or of a surface satisfactory to the Development Authority. In the case of service stations including car washes, minimum site area shall be 1114 m² (12,000 ft²).
2. Site and Building Requirements
 - a. All site and building requirements pertaining to drive-in businesses shall also apply to car washes.

8.7 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

1. During the review of a development permit application, the Development Authority may consider the following Crime Prevention Through Environmental Design (CPTED) principles, and make recommendations for the proposed development:
 - a. the reduction of concealment opportunities;
 - b. the provision of lighting to minimize unlit areas;
 - c. the placement of windows to maximize informal surveillance; and
 - d. easily identified street addresses.

8.8 COMMERCIAL DISTRICTS SITE AND ARCHITECTURAL GUIDELINES

1. Site Design Guidelines

Site design respects and enhances the surrounding natural and built environment. It integrates developments with neighbouring sites, promotes effective and safe pedestrian and vehicular circulation, and provides for needed site use requirements and storage.

2. Site Planning and Building Siting

- a. Building along 50 Avenue between 47 Street and 52 Street shall be predominantly aligned with the front property line; however, parts of buildings may be setback slightly for visual interest or to accommodate outdoor social activities (outdoor cafes, patios, displays, and street furniture).
- b. Corner sites shall be treated as community focal points and be of higher design quality.
- c. Large pad developments should locate buildings along the periphery of the block and place buildings so as to interrupt large parking areas.
- d. Buildings in large pad developments should be sited toward the front property line to best address the street and support a pedestrian environment where possible.
- e. Quality on-site landscaping using hearty live vegetation shall be provided, and all elements shall be defined in site plans and be maintained as approved.

3. Access, Circulation and Parking

- a. Vehicular access to parking areas should not be from 50 Avenue between 47 Street and 52 Street.

4. Parking areas should be located to the rear and side of buildings on 50 Avenue between 47 Street and 52 Street.

- b. Parking areas in front of buildings is highly discouraged, but where accepted parking abutting streets shall be screened by high quality landscaping buffer along the sidewalk edge (i.e. a low wall, fence, berm, landscaping, etc.).
- c. Large parking areas shall consider pedestrian safety and use interior landscaping islands to provide shade and to visually breakup large expanses of hard-surfacing.
- d. Vehicular entrances to sites shall be well defined, and the use of high quality landscaping and entry features is encouraged.
- e. Vehicular access to the site and parking shall be safe for the pedestrians using public sidewalks.

5. Service and Storage

- a. Service and access and loading for sites along 50 Avenue and between 47 Street and 52 Street shall be from a side street or back alley.
- b. Service, loading, and storage areas shall be effectively screened with quality elements where viewable from streets and public areas.
- c. Screening elements shall be maintained as approved.

6. Architectural Design Guidelines

- a. Architecture creates character by providing visual interest and human scale to the built environment.

7. Architectural Design Concept

- a. Buildings along 50 Avenue, and located between 47 Street and 52 Street, shall emphasize the character of the existing downtown core buildings such as false fronts (i.e. adding vertical height and interest to 1-storey buildings), parapet and/or cornice treatments, upper windows, and appropriate signage.

- b. In all areas, building design shall promote diversity in form through the use of variation in architectural styles and façade treatments while maintaining compatibility with the surrounding architecture.
- c. Upon submission of a Development Permit application for newly constructed or proposed renovations for existing buildings along 50 Avenue and/or along 50 Street construction drawings shall show that the building will be constructed and/or modified to have a parapet roofline matching the style that already exists on the above identified roadways (*Amended by Bylaw 2018-20*).

8. Form and Massing

- a. Building facades along 50 Avenue between 47 Street and 52 Street shall form a continuous edge along the sidewalk with no single façade treatment being longer than 15 metres. Longer façade lengths should be interrupted by variations in planes (recessing or extending of façade), or by changes in material, etc.
- b. Building facades shall be provided with openings that are proportionate and located and regular intervals to create harmony, rhythm, and balance in the overall design.
- c. Building facades shall be made interesting by using: architectural treatments on building elements; variation of wall planes; building proportion; size and number of openings; roof and canopy extension; and, other similar creative architectural design treatments.
- d. Building on corners or the site periphery may have multiple facades and these shall incorporate façade type treatments.
- e. Doors and windows shall be human scale to create visual interest and promote interactions between the indoor and outdoor realms.
- f. Building facades along 50 Avenue, and located between 47 Street and 52 Street, shall have well defined entryways and large welcoming display windows with the maximum height of window sill from the floor level shall not exceed 0.9 metres.
- g. Windows and entryways shall comprise at least 30% of the front street level façade. Glazed facades are acceptable.
- h. Canopies, where utilized, shall be not be longer than the width of an individual bay and be of different colours and forms between developments. High standards in materials and shapes and sizes suitable to building architecture shall be used.
- i. Canopies shall function for shade, shelter, and/or architectural treatment, and should not be used as signage.
- j. Signage shall complement the façade emphasizing being creative, easily readable, and suitable to the overall building façade design.
- k. There shall be consistency and compatibility in signage design for multiple stores located in the same building or complex.

9. Colour and Exterior Materials (*Amended by Bylaw 2018-12*)

- a. Building facades, or any part of the building, visible from along 50 Avenue shall be aesthetically pleasing, be consistent with the existing theme, and incorporate high standards in materials, quality workmanship, and architecture.
- b. Brick, stone, stucco, glass, and durable wood-textured siding are encouraged for façade finishing materials. Other contemporary quality materials may be permitted if they are compatible with

neighbouring buildings and would contribute positively to the character of 50 Avenue. Low quality facades material including vinyl siding, painted concrete, and metal cladding are not acceptable façade materials.

- c. Use of combinations of complimenting materials is desirable.
- d. Colours should be used to enhance the appearance and aesthetic value of all buildings.
- e. Contrasting colours should be used for the door and window trim, eaves, fascia, beams, and columns.

The colour and exterior materials of buildings must be to the satisfaction of the Development Authority.

8.9 CONVERSION OF SINGLE DETACHED DWELLINGS TO OTHER USES

1. In considering any application for the conversion of a single detached dwelling into a commercial and/or office use, the Development Authority shall ensure that the Development complies with the following requirements:
 - a. Parking shall be provided in accordance with **Section 7.19** of this Bylaw, except that on-street parking may be taken into account and a number of on-street parking stalls subtracted from the number of off-street parking stalls required.
 - b. Off-street parking shall be located at the rear of the principal building and accessible from the lane only, except in the case of a corner lot where parking may be allowed between the side of the principal building and the public roadway, if the parking is screened from adjacent public roadways to the satisfaction of the Development Authority.
 - c. Where the conversion involves exterior renovation, such renovation shall be of a nature which maintains a height, exterior finish, design and coverage to the satisfaction of the Development Authority.
 - d. Existing healthy vegetation should be retained whenever possible and to the satisfaction of the Development Authority.
 - e. All signs shall be in keeping with the Sign Regulations of this Bylaw.

8.10 DAY USE AND PICNIC AREAS

1. A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers shall be at the discretion of the Development Authority.
2. The facility shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.
3. Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.
4. Parking areas should be physically separated from the rest of the day use or picnic areas.

8.11 DRIVE-IN BUSINESSES

1. Access
 - a. Points of access and egress shall be located to the satisfaction of the Development Authority.
2. Site Area

- a. The minimum lot area shall be 600 m² (6,458 ft²), and shall contain space for at least eight (8) customer vehicles to wait or be parked on the lot.
3. Site and Building Requirements
 - a. All parts of the site to which vehicles may have access shall be hard-surfaced and drained to the satisfaction of the Development Authority.
 - b. The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.
 - c. Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.
 - d. The owner/operator of a drive-in shall be responsible for the safe and orderly operation of motor vehicles using the site.

8.12 GROUP HOMES, DAY HOMES, AND DAY CARE FACILITIES

1. All group homes, day homes, and day care facilities shall conform to regulations under the Safety Codes Act and any other relevant Provincial legislation and regulations.
2. In making a decision on a development permit for a group home, a day home, or a day care facility, the Development Authority shall consider, among other matters, if the development would be suitable for the location proposed, taking into account: potential traffic generation, proximity to park or other open or recreation areas, isolation of the proposed location from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.
3. In addition to all other regulations of this Bylaw, a group home development shall comply with the following regulations:
 - a. The maximum number of residents shall be established by the Development Authority who shall have regard for the nature of the group home and the density of the District in which it is located.
 - b. The group home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.
4. In addition to all other regulations of this Bylaw, a day care facility development and a day home development shall comply with the following regulations:
 - a. The maximum number of children for which care may be provided in a day care facility shall be established by the Development Authority who shall have regard for the nature of the facility, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.
 - b. The maximum number of children for which care may be provided in a day home shall be established by the Development Authority who shall have regard for the nature of the day home, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.
 - c. Notwithstanding Subsection (4)(b) above, the number of children within a day home established within a dwelling unit in any Residential District shall not exceed six (6).

- d. A day care facility shall not normally be the principal use of a building within any Residential District.
- e. A day care facility in any non-residential District shall be in a separate facility, either within the principal building on the lot or in an accessory building, with a separate access to ground level and an adjacent playground area.
- f. All day cares shall provide a fenced play area, with the location and size of the area and the composition and height of the fencing to be to the satisfaction of the Development Authority.

8.13 HOME OCCUPATIONS

- 1. All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- 2. A major home occupation shall comply with the following regulations:
 - a. There may be a limited volume of on-premises sales.
 - b. Pedestrian or vehicular traffic or parking, shall not, in the opinion of the Development Authority, be generated in excess of that which is characteristic of the District in which the major home occupation is located.
 - c. The number of non-resident employees or business partners working on-site shall not exceed two (2) at any time.
 - d. Storage related to the business activity and the business activity itself may be allowed in either the dwelling or accessory buildings.
 - e. The major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial or an Industrial District, having regard for the overall compatibility of the use with the residential character of the area.
- 3. A minor home occupation shall comply with the following regulations:
 - a. All sales relating to the home occupation shall occur off the premises.
 - b. No person shall be employed on-site other than a resident of the dwelling unit.
 - c. There shall be no more than five (5) client or customer visits to the home occupation per week.
 - d. Storage related to the business activity and the business activity itself shall only be allowed inside the dwelling and not in an accessory building. A minor home occupation does not involve the display of goods in the interior of the residence.
- 4. All home occupations shall comply with the following requirements:
 - a. No home occupation shall change the principal character or external appearance of the dwelling involved.
 - b. No more than 20% or 30 m² (323 ft²), whichever is less, of the dwelling unit shall be occupied by the home occupation.
 - c. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the home occupation allowed on the site.
 - d. The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.

- e. There shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings.
- f. In addition to a Development Permit Application, each application for a home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
- g. When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
- h. Home occupations shall not involve:
 - i. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
 - ii. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

8.14 INDUSTRIAL DEVELOPMENT

- 1. The Development Authority may request advisory comment from various departments within the Provincial and Federal Government and/or from the Health Authority, when considering an application for the establishment of an industrial use.
- 2. All site regulations and development requirements, including any requirement for buffers, shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority.
- 3. A development permit for an industrial use may only be issued if, in the opinion of the Development Authority, the applicant can satisfy the Development Authority with respect to any concerns about:
 - a. The type and level of exhaust that may be emitted into the atmosphere by the proposed development;
 - b. Servicing requirements and provisions for meeting them; and
 - c. Any costs associated with providing new or upgraded municipal services associated with the proposed development.
- 4. Industrial activities may be subject to a development agreement between the developer and the Town

8.15 LICENCED INDUSTRIAL HEMP PRODUCTION FACILITY AND/OR PREMISES

- 1. The desirable compatibility between Licensed Industrial Hemp Production Facilities, and mitigation of possible adverse land use impacts, with surrounding land uses shall be recognized using this section. However, facilities shall comply with all Land Use Bylaw and policies requirements and any applicable Federal and Provincial regulations.
 - a. All applications shall comply with development policies for the identified district in addition to the provisions established in this Bylaw.
 - b. The production of Industrial Hemp as defined in the Industrial Hemp Regulations (IHR), SOR/98-156 (Canada), as amended or any subsequent legislation that may be enacted in substitution.
 - c. Buildings and uses accessory to permitted uses.

2. Any Licensed Industrial Hemp Production Facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
 - a. In addition to the requirements of this section, a Licensed Industrial Hemp Production Facility must meet all applicable requirements of the identified district, which allows for the use.
 - b. Only facilities licensed by Health Canada under the IHR (SOR/98-156), or as amended, will be permitted.
 - c. A copy of the current license for the Licensed Industrial Hemp Production Facility as issued by Health Canada shall be provided to the Development Authority before a permit can be issued.
 - d. A Licensed Industrial Hemp Production Facility shall be the primary use of the lot(s) or parcel(s).
 - e. The Licensed Industrial Hemp Production Facility must not operate in conjunction with another use on the lot(s) or parcel(s).
 - f. Marijuana products must not be smoked, ingested, or otherwise consumed on the Premises of a Licensed Industrial Hemp Production Facility.
3. Permitting

The Development Authority may require an applicant for a Development Permit for a Licensed Industrial Hemp Production Facility to have any or all of the following information be prepared by a qualified professional and have it included with the application:

 - a. Waste Management Plan
 - b. Environmental Assessment
 - c. Traffic Impact Assessment
 - d. Water/Wastewater Report
 - e. Storm Water Management Plan
 - f. Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.
4. The development permit for a Licensed Industrial Hemp Production Facility shall be limited as follows:
 - a. The first Development Permit shall not exceed a 3-year term.
 - b. Any subsequent Development Permit shall not exceed a 5-year term.
5. The Licensed Industrial Hemp Facility must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations in **Section 7.19** of this Bylaw and meet all applicable development standards of the Town of Calmar.
6. The development shall meet all requirements for said facilities (such as, but not limited to security and premises) as listed under the IHR (SOR/98-156).
7. The development shall maintain the neighbourhood characteristics and appearance.
8. The development shall be designed and located to minimize any impacts on the natural environment.
9. The development shall minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
10. There shall be no outdoor storage of goods, material, or supplies.
11. Solid waste material must be disposed of in accordance with the Controlled Drugs and Substances Act (S.C. 1996, c. 19) and Industrial Hemp Regulations (SOR/98-156), as amended or any subsequent legislation that may be enacted in substitution.

12. All activities related to the Licensed Industrial Hemp Production Facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.
13. A Licensed Industrial Hemp Production Facility's Exterior Lighting and Noise levels should meeting the following:
 - a. The illumination of parking areas, walkways, signs, and other structures associated with Licensed Industrial Hemp Production Facilities shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and / or policy approved by the and any requirements under the IHR (SOR/98-156).
 - b. Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy approved and any requirements under the IHR (SOR/98-156).
14. When making an application for a development permit for a Licensed Industrial Hemp Production Facility, the developer shall; in addition to the above sections and the applicable district provide in the application and site drawings the following:
 - a. Waste Management Plan
 - b. Environmental Assessment
 - c. Traffic Impact Assessment
 - d. Water/Wastewater Report
 - e. Storm Water Management Plan
 - f. Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.
15. A Licensed Industrial Hemp Production Facility Site, for the purposes of this section, means the lot(s) or parcel(s) on which the Licensed Industrial Hemp Production Facility is located or is proposed to be located.
16. A School Site, for the purposes of this section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein "Institutional" is listed as a permitted use.
17. A Residential Parcel, for the purposes of this section, means any parcel wherein a "Dwelling" is listed as a permitted use excepting those wherein a "Dwelling Unit" is listed and described as accessory to a/the use or accessory to the principal use.
18. A Licensed Industrial Hemp Production Facility Site shall meet the minimum separation distance of 1600 m between an existing Dwelling, School Site, or Residential Parcel and the Licensed Industrial Hemp Production Facility Site
 - a. The minimum separation distance between an existing Dwelling and a Licensed Industrial Hemp Production Facility Site shall be established by measuring the shortest distance between the external wall of the nearest Dwelling and the boundary of the Licensed Industrial Hemp Production Facility Site.
 - b. The minimum separation distance between an existing Residential Parcel or School Site and a Licensed Industrial Hemp Production Facility Site shall be established by measuring the shortest distance between the boundary of a Residential Parcel or School Site and the boundary of the Licensed Industrial Hemp Production Facility Site.
19. A Dwelling, Residential Parcel, or School Site constructed or created after the approval of a Licensed Industrial Hemp Production Facility shall not be considered a Dwelling, Residential Parcel, or School Site for the purposes of interpreting this section.

20. Minimum lot size: shall be at the discretion of the Development Authority.
21. Minimum setback from any watercourse: 30 m.
22. Maximum lot coverage: 60%
23. Maximum height:
 - a. Principal Building: 10.0 m (32.8 ft.)
 - b. Accessory Building: Notwithstanding **Section 7.1** of this Bylaw. The minimum front setback: 45.0 m (147.6 ft.) from any property line next to a road right of way
24. A building or structure used for security purposes for a Licensed Industrial Hemp Production Facility may be located in the front yard and must comply with the required minimum setbacks:
 - a. Minimum side setback: 6.0 m (19.7 ft.) from lot line.
 - b. Minimum rear setback: 7.6 m (24.9 ft.) from lot line.
25. Minimum Planting Setback: As required by the established ROW, excluding provincial highways, which are subject to Alberta Transportation, regulations, measured from ROW centreline.
26. Buffers shall be required for all Licensed Industrial Hemp Production Facilities. Buffers can combine separation, vegetation, and fencing to mitigate the impacts on farming and adjacent activities.
27. Parking and loading requirements for a Licensed Industrial Hemp Production Facility shall be provided based on **Section 7.19** of this Bylaw and any applicable requirements and regulations under the Industrial Hemp Regulations (SOR/98-156), as amended.
28. No outdoor signage or advertising shall be permitted.
29. A site, building or structure established, operated, or maintained as a Licensed Industrial Hemp Production Facility shall comply with the provisions in this section in addition to any other applicable Federal, Provincial, and Municipal regulations as per this Bylaw. Noncompliance to the previous may be abated as provided for in this Bylaw.
30. These regulations are not exclusive and shall not prevent the Town from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

8.16 CANNABIS FACILITY *(AMENDED BY BYLAW 2018-17)*

1. Cannabis Facility developments shall comply with all Land Use Bylaw as well as all applicable Federal and Provincial regulations including the Access to Cannabis for Medical Purposes Regulations, as amended, or the Cannabis Act, or An Act to Control and Regulate Cannabis any subsequent legislation that may be enacted.
2. Where provisions in this section are in conflict with the regulations of any district or any section of this Bylaw, the provisions of this section shall take precedence and be applied in addition to the regulations of the district and other applicable sections of this Bylaw.
3. A Cannabis Facility must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:
 - a. Only a Cannabis Facility licensed by the Provincial and/or Federal governments will be considered for development.

- b. A copy of the current license(s) for the Cannabis Facility as issued by the Provincial and/or Federal governments shall be provided to the Development Authority before a permit can be issued.
 - c. A Cannabis Facility may not operate in conjunction with another approved use on the lot(s) or parcel(s).
 - d. Cannabis products must not be smoked, ingested, or otherwise consumed on the premises.
 - e. The Cannabis Facility must not permit any person who is not an adult to be present anywhere on the Cannabis Facility premises.
- 4. The Development Authority may require an applicant for a Development Permit for a Cannabis Facility to provide the following information, as prepared by a qualified professional:
 - a. Waste Management Plan
 - b. Environmental Assessment
 - c. Traffic Impact Assessment
 - d. Water/Wastewater Report
 - e. Storm Water Management Plan, and/or
 - f. Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.
- 5. The Development for a Cannabis Facility shall be limited as follows:
 - a. The first Development Permit shall not exceed a 3-year term.
 - b. Any subsequent Development Permit shall not exceed a 5-year term.
- 6. A Cannabis Facility must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw and meet all servicing standards of the municipality.
- 7. A Cannabis Facility shall meet security and premises requirements as required under federal and provincial legislation.
- 8. The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, or odour.
- 9. No outdoor storage of goods, material, or supplies shall be permitted.
- 10. Garbage containers and waste material shall be contained within an enclosed and locked building.
- 11. Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- 12. All activities related to the development shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of Cannabis and any other goods, materials, and supplies.
- 13. Hours of operation shall be restricted as a condition of the Development Permit issued by the Development Authority.
- 14. Exterior lighting and noise levels shall satisfy the following requirements:
 - a. The illumination of parking areas, walkways, signs, and other structures associated with the Cannabis Facility shall be arranged to meet the requirements under provincial and federal regulations.
 - b. Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and the requirements under provincial and federal regulations.
- 15. The Development Permit application shall, in addition to the above noted requirements, include the following information:

- a. The distance between the proposed Cannabis Facility and all school sites within the municipality. A school site, for the purposes of this section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein "institutional" is listed as a permitted use.
 - b. The distance between the proposed Cannabis Facility and the nearest residential development or lot. A residential lot, for the purposes of this section, means any lot wherein a "dwelling" is listed as a permitted use excepting those uses wherein a "dwelling unit" is listed and described as accessory to the use or accessory to the principal use.
16. A Cannabis Facility shall meet the minimum separation distance of 100 m (328.1 feet) between a Dwelling, School Site, or Residential Parcel and the Cannabis Facility, separation distance between an existing Residential lot or School Site and a Cannabis Facility shall be established by measuring the shortest distance between the boundary of a Residential Parcel or School Site and the boundary of the Cannabis Facility.
17. Minimum lot size shall be at the discretion of the Development Authority.
18. Minimum setback from any watercourse shall be 30 m (98 ft.).
19. Maximum lot coverage shall be 35%.
20. Maximum height shall be 5 m (16.5 ft).
21. A building or structure used for security purposes for a Cannabis Facility may be located in the front yard and must comply with the required minimum setbacks.
22. On site buffering measures shall be required. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots, and shall be provided to the satisfaction of the Development Authority.
23. No outdoor advertising shall be permitted.

8.17 MANUFACTURED HOME UNITS

1. Notwithstanding any other provision of this Bylaw to the contrary, no development permit shall be issued for the placement of a manufactured home unit which is more than five (5) years old within the RMHP District.
2. Notwithstanding any other provision of this Bylaw to the contrary, no development permit shall be issued for the placement of a manufactured home unit which is more than six (6) months old within the Town other than in the RMHP District.

8.18 MANUFACTURED HOME PARKS

1. The following regulations also apply to manufactured home parks:
 - a. manufactured home stalls shall be located at least 3.0 m (9.8 ft.) from a property line. This 3.0 m (9.8 ft.) wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority;
 - b. all roadways shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.1 m (29.9 ft.);
 - c. a safe, convenient, all season pedestrian walkway of at least 0.9 m (3.0 ft.) in width shall be provided for access between individual manufactured homes, the park roadways, and all community facilities provided for park residents;

- d. Visitor parking shall be provided as per **Section 7.19** of this Bylaw. The visitor parking shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.;
- e. the design of manufactured home parks shall be to the satisfaction of the Development Authority;
- f. all utilities shall be provided underground to stalls;
- g. a minimum of ten percent (10%) of the gross lot area shall be devoted to recreational use;
- h. all areas not occupied by manufactured homes and their additions, internal roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds;
- i. no part of the park shall be used for non-residential purposes except for home occupations and such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park;
- j. each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges;
- k. street lighting shall be to the same standard as that in a conventional residential neighbourhood;
- l. the maximum permissible density for a manufactured home park shall be fifteen (15) manufactured homes per net developable ha (6 per ac.) of the lot being developed at each stage of development; and
- m. the minimum area for a manufactured home stall shall be 371.6 m² (4000 ft²).

8.19 MOTELS AND HOTELS

- 1. Notwithstanding the provisions of the district in which it is located, a motel or hotel shall, in no case, have a minimum front yard of less than 6.0 m (19.7 ft.).
- 2. Notwithstanding any other provisions of this Bylaw to the contrary, a minimum of 10% of the site area of a motel or hotel development shall be landscaped in accordance with **Section 7.13** of this Bylaw and to the satisfaction of the Development Authority.

8.20 MULTIPLE DWELLING DEVELOPMENTS

- 1. Before any application for development of duplex, fourplex, row housing, street-oriented town housing or an apartment development can be considered, the applicant must submit to the Development Authority (*Amended by Bylaw 2021-04*):
 - a. design plans and working drawings, including elevations; and
 - b. site plans showing the proposed:
 - i. location and position of structures on the site, including any “For Rent” or identification signs,
 - ii. location and number of parking spaces, exits, entries, and drives from roads, lanes, or highways,
 - iii. location of an access to garbage storage areas, and the fencing and landscaping of these facilities, and
 - iv. landscape plan of the entire site which shall also show intended surfacing for drives and parking areas.

2. The aforementioned plans will append the application. If the development permit is approved, the plans shall be deemed conditions of approval. The Development Authority may require that security be provided to ensure that the conditions are satisfied.
3. The relationship of buildings to each other and to the landscape, in particular such matters as architectural appearance, the provision of light, air, privacy, and landscaping, shall be shown upon the site plans. All this information shall be provided to the satisfaction of the Development Authority.

8.21 NEIGHBOURHOOD COMMERCIAL DEVELOPMENTS

1. Neighbourhood commercial developments located entirely within a standalone building or located within a building that also contains residential use may be allowed to locate in the R1, R1A, R2, R3, C1, and C2 Districts provided the development meets all of the other regulations of this Bylaw and, further, that the development:
 - a. does not include as part of its operation a gas bar or vehicular servicing component, and/or
 - b. is situated on a corner lot with safe access to a collector road.



FIGURE 32: NEIGHBOURHOOD COMMERCIAL BUILDING

2. The façade of a building containing a neighbourhood commercial development that is located in a Residential District must be integrated with the surrounding residential area.
3. The height of a building containing a neighbourhood commercial development in a Residential District may not exceed twice the height and massing of adjacent buildings.

8.22 PET KEEPING AND ANIMAL BREEDING AND/OR BOARDING FACILITIES

1. A small animal breeding and boarding establishment or kennel which is to be located closer than 305.0 m (1,000.7 ft.) from a dwelling which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.
2. No small animal breeding or boarding establishment for dogs shall be permitted on a residential parcel less than 2.02 ha (5.0 ac.) in area.
3. Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.
4. All development permit applications may be referred to the appropriate Health Authority or animal control agency for comment prior to the Development Authority making a decision.
5. No building, use, or exterior exercise areas or runs that are used to accommodate the animals may be located within 6.1 m (19.7 ft.) of any property line adjacent to a dwelling or a residential parcel.
6. All exterior exercise areas or runs may be required to be enclosed with a fence acceptable to the Development Authority.

7. All dog facilities, including buildings and exterior exercise areas or runs, may be required to be sited to the satisfaction of the Development Authority.
8. The Development Authority may regulate the hours that dogs are allowed outdoors.
9. The Development Authority may regulate the number of animals based on size and type of animals, size of parcel and proximity to dwellings. Pups under six (6) months shall not be included in the number.
10. Developments which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
11. A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments.
12. All Animal Breeding and/or Boarding Facilities shall comply with the provisions in **Sections 7.15** and **Section 7.16** of this Bylaw. All Animal Breeding and/or Boarding Facilities shall be sited, designed and constructed to mitigate the potential for offsite noise and odour which may cause a nuisance to development on adjacent lots. *(Amended by Bylaw 2018-12)*

8.23 PLACE OF WORSHIP

1. The site on which a place of worship is situated shall have a frontage of not less than 30.0 m (98.4 ft.) and an area of not less than 929 m² (10,000 ft²) except in the case where a building for a clergyman's residence is to be erected on the same lot. The combined area of the lot in this case shall not be less than 1395 m² (15,000 ft²).
2. Minimum front, side and rear yards shall be those required within the District in which the place of worship is located.

8.24 PRIVATE SWIMMING POOLS

1. General Provision
 - a. No private swimming pool shall be developed except as an accessory development to a dwelling or a group of dwellings.
2. Entry Restrictions
 - a. Every private swimming pool shall be secured against entry by the public other than owners, tenants or their guests.
 - b. No privately owned outdoor swimming pool shall be constructed unless fenced; except that a wall of a building may be considered to provide adequate protection for its length where substituted for any portion of the fence.
 - c. Every fence enclosing an outdoor swimming pool shall be at least 1.8 m (5.9 ft.) in height above the level of the grade outside the enclosure and shall be of an approved design such that it will deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall provide protection equivalent to the fence and shall be equipped with a self-latching device and lock located on the inside of the gate.
 - d. No barbed wire or electrification of any part of a fence or gate enclosing a swimming pool shall be permitted.
3. Safety Requirements

- a. A private swimming pool shall be provided with at least one (1) exit ladder or stair from the deepest part of the pool where the greatest dimension of the pool does not exceed 9.0 m (29.5 ft.). An additional ladder or stair is to be provided at the opposite end of the pool where the pool exceeds 9.0 m (29.5 ft.).
4. Site Restrictions
 - a. Swimming pools shall not be located within any required front yard.

8.25 RECREATIONAL USES

1. Recreational development shall be required to:
 - a. maintain an open space buffer of sufficient size and composition to act as a visual and noise barrier from adjacent uses which may be incompatible; and
 - b. install (when necessary) adequate on-site water supply and sewage disposal systems which have been approved by the authority having jurisdiction.

8.26 RECREATIONAL VEHICLES

1. No more than one (1) recreational vehicle may be stored or occupied on a lot less than or equal to 0.5 ac. in area without a development permit.
2. Notwithstanding Subsection (1) a development permit may be issued, for a maximum of one (1) additional recreational vehicle on a residential lot if the applicant can demonstrate that parking and lot coverage provisions can be satisfied.
3. Notwithstanding any other provision of this Bylaw to the contrary, no person may occupy a recreational vehicle for a period longer than 14 consecutive days in a calendar year on any lot unless a development permit has been issued for the placement and use of the recreational vehicle.
4. If the intention of the placement of a recreational vehicle on a parcel is to rent the recreational vehicle for any consideration (whether for money or for goods or service in kind), a development permit for a recreational vehicle campground must be approved. Such a permit may only be approved in Districts where recreational vehicle campgrounds are listed as a permitted or a discretionary use.
5. A maximum of one (1) recreational vehicle may be stored within a side, rear, or front yard on a residential lot under the following conditions. The recreational vehicle is:
 - a. entirely contained within the lot;
 - b. located on a hard surfaced or gravel pad;
 - c. located in the front yard exclusively during the regular summer season (between April 1 and October 1); and
 - d. removed from the front yard or relocated between October 2 and March 31 of each calendar year.
6. Notwithstanding Subsection 5(d), at the discretion of the Development Authority Officer one (1) recreational vehicle may be permitted year-round in a front yard on a hard surfaced or gravel pad if there is a minimum of 3.1 m (10.2 ft.) between the recreational vehicle when parked and the edge of sidewalk or, where there is no sidewalk, 3.1 m (10.2 ft.) from the back of curb adjacent to the lot. Where there is no curb or sidewalk, the required setback from a front lot line shall normally be 3.1 m (10.2 ft.). However, this distance may be reduced at the discretion of the Development Authority Officer.

In no instance will the placement of an RV in a front yard be allowed where the RV would impede or obstruct the safety of pedestrians or vehicle traffic on adjacent sidewalks or roadways.

7. If a development permit for the temporary placement of a recreational vehicle has been issued during the construction period then the recreational vehicle must be removed within three months of construction completion.

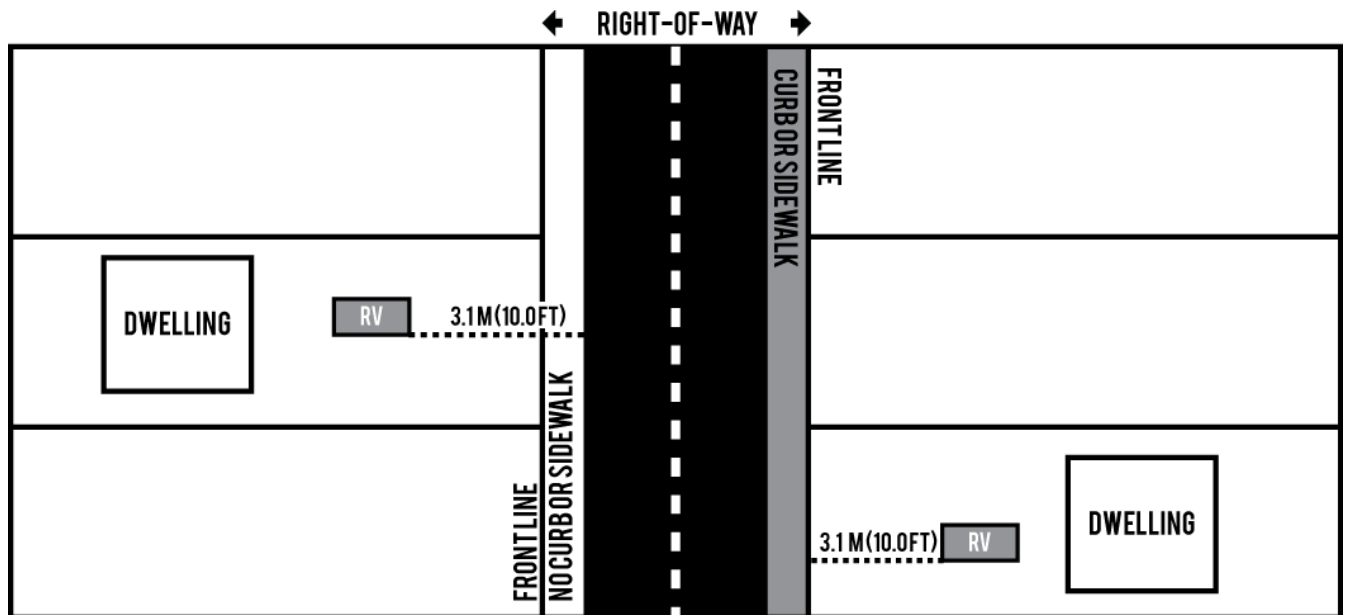


FIGURE 33: RECREATIONAL VEHICLE SETBACKS

8.27 RECREATIONAL VEHICLE CAMPGROUNDS

1. Provisions in this section apply to both recreational vehicle campgrounds and recreational vehicle campgrounds-seasonal.
2. Each recreational vehicle parking space shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m² (2,691.0 ft²).
3. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act that may be applicable.
4. As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
5. All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (19.7 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.7 m (12.1 ft.) usable top.
6. The developer shall provide on-site potable water supply which meets all applicable Provincial water requirements.
7. The developer shall provide sewage disposal facilities which all applicable Provincial regulations.
8. All spaces for recreational vehicles designated for year round use must have on-site connections to municipal sewer and water systems.

9. The developer shall provide one (1) table and one (1) garbage can (or equivalent central garbage disposal areas) for each campsite.
10. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
11. The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
12. The developer shall designate an area equivalent to ten percent (10%) of the total recreational vehicle campground area as a playground or recreational area. This area is to be clearly marked and free from all traffic hazards.
13. All spaces for recreational vehicles or tents shall maintain a minimum set back of 30.0 m (98.4 ft.) from the shoreline of any body of water.
14. The maximum number of recreational vehicles allowed per space shall be one (1).
15. A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.
16. Spaces for day use, picnicking and similar activities shall be suitably organized, clearly marked and constructed to the satisfaction of the Development Authority.
17. All other site requirements shall be as required by the Development Authority.
18. Minimum Yard Setbacks:
 - a. Front, side, corner and rear yard setbacks on the site shall be 7.6 m (24.9 ft.) or 10% of the lot width, whichever is lesser.
19. Developers will be encouraged to include on their site plan an overflow area which provides that may be used temporarily, on an overflow basis, for a maximum of four (4) consecutive nights to accommodate recreational events which may result in a need for temporary additional tenting or recreational vehicle spaces.

8.28 RECREATIONAL VEHICLE CAMPGROUNDS, WORKCAMPS

1. Provisions in this section apply to recreational vehicle campground, workcamps.
2. Each space for a recreational vehicle shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m² (2,691.0 ft²),
3. All spaces for recreational vehicles shall maintain a minimum setback of 30.0 m (98.4 ft.) from the shoreline of any body of water.
4. Minimum Yard Setbacks:
 - a. Front, side, corner and rear yard setbacks on the site shall be 7.6 m (24.9ft.).
8. The maximum number of recreational vehicles allowed per space shall be one (1).
9. All recreational vehicle campground, workcamps shall be considered temporary developments.
10. All recreational vehicle campground workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.

11. A development permit for a recreational vehicle campground workcamp may be issued for up to three (3) years. If all conditions have not been satisfied to the satisfaction of the Development Authority then the permit will no longer be considered valid. The permit must be renewed after the three (3) year period. An application may be made for a continuance of the use for one (1) additional year, after which a new development permit approval is required.
12. The Development Authority may establish whatever conditions for the approval of a recreational vehicle campground, workcamp that it, at its discretion, deems reasonable to ensure that the workcamp will be a temporary development.
13. If all of the conditions of the development permit have not been fulfilled to the satisfaction of the Development Authority then the permit will not be considered valid.
14. In addition to the requirements of **Section 3.4** of the Bylaw, an application for a development permit for a recreational vehicle campground workcamp must provide the following information:
 - a. the location, type and purpose of the camp,
 - b. adjacent land uses,
 - c. the method for connecting the proposed development to municipal water, sewage, waste disposal and storm water systems,
 - d. the number of persons proposed to live in the camp,
 - e. the start date for the development, date of occupancy by residents, and removal date for the camp, and
 - f. reclamation measures to be completed once the camp is no longer needed to the satisfaction of the Development Authority.
15. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act that may be applicable.
16. As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
17. All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (19.7 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.7 m (12.1 ft.) usable top.
18. The developer shall provide on-site potable water supply in accordance with the municipality's public works department requirements as well as all applicable Provincial regulations.
19. The developer shall provide sewage disposal facilities in accordance with the municipality's public works department requirements as well as all applicable Provincial regulations.
20. All stalls designated for year round use must have on-site connections to municipal sewer and water systems.
21. The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
22. A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.

23. All other site requirements shall be as required by the Development Authority.
24. All recreational vehicle campground, workcamps must:
 - a. ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - b. be designed so that all points of access and egress are located to the satisfaction of the Development Authority and when required, Alberta Transportation;
 - c. be able to accommodate a minimum of twenty (20) persons and a maximum of five hundred (500) persons;
 - d. be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
 - e. if required by the development authority, provide on-site security staff to the satisfaction of the Development Authority;
 - f. provide and develop all parking on the lot to the satisfaction of the Development Authority. Normally, on site parking for private vehicles will adhere to the same standard as parking for a hotel or motel;
 - g. post security with the municipality sufficient to ensure removal of the development and/or reclamation of the site if needed after the recreational vehicle campground, workcamp has been removed from the site; and
 - h. be separated from adjacent land uses.
25. Maximum site coverage shall be such that space is available for all the parking on the site, together with the applicable setbacks and required landscaping as determined by the Development Authority.
26. Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
27. The development must comply with current Building and Fire Code requirements as amended from time to time.
28. Because of the number of temporary workers and related traffic impacts the applicant will also be required to provide a report which details the following:
 - a. discussions with and impact on the local RCMP,
 - b. discussions with and impact on the local Emergency Medical Services,
 - c. discussions with and impact on the local Fire Department, and
 - d. discussions with and impact on the local road system including a Traffic Impact Assessment.
29. Any other conditions required to the satisfaction of the Development Authority.

8.29 RECREATIONAL VEHICLES LOCATED IN RECREATIONAL VEHICLE CAMPGROUNDS, RECREATIONAL VEHICLE CAMPGROUNDS – SEASONAL, AND RECREATIONAL VEHICLE CAMPGROUNDS – WORKCAMP

1. No recreational vehicle, whether located within a recreational vehicle campground or on a lot, may have associated with it any more than two (2) accessory structures or buildings, in addition to fences, benches, fire pits, and picnic tables. The two (2) accessory structures may include a small shed with a maximum size of 18.58 m² (200.0 ft²), and a screened or roofed patio around or beside the recreational vehicle.
2. No structure accessory to a recreational vehicle shall be used as sleeping quarters.

3. The total gross floor area or ground area covered by all accessory structures and buildings or recreational vehicles shall not exceed fifty percent (50%) of the size of the lot on which the recreational vehicle campground is located.

8.30 SATELLITE DISHES

1. Satellite television dishes over 0.6 m in diameter shall not be permitted within a yard abutting a public street in any residential district and shall meet the district regulations for accessory buildings in the district in which they are provided.
2. Satellite dishes over 0.6 m in diameter shall not be permitted on a street facing roof of a building in, or abutting, a residential district, nor shall they be visible from the road if placed on the roof of any building.
3. Satellite dishes shall be of a colour that, in the opinion of the Development Authority Officer, is compatible with the surrounding area.
4. No advertising shall be displayed on satellite dishes.

8.31 SHIPPING CONTAINERS

1. The placement of a shipping container on any lot in the municipality requires a development permit unless a permit has been issued affecting the subject site for a shipping container storage or sales facility.
2. No shipping container may be located on a lot in any residential district unless a development permit has been issued for the temporary placement of a single shipping container on a lot during construction for the purpose of storing construction materials.

An occupancy permit for the proposed development will not be issued for any development on the site until the shipping container is removed to the satisfaction of the Development Authority.

3. The maximum number of shipping containers that may be placed on a lot in the C1, C2 or M1 District is at the discretion of the Development Authority.
4. Notwithstanding any other provision in this Bylaw, in the Urban Reserve District a maximum of two (2) shipping containers may be placed on a lot without a development permit.
5. If a temporary development permit for a shipping container has been approved by the Development Authority, then the shipping container will be allowed to be placed on a site for a period of 6 months. After that period has expired the developer will be required to apply to the Town for an extension for the permit. Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.
6. Shipping containers may not be stacked. The maximum height for a shipping container allowed on a parcel is 3.0 m (9.8 ft.).
7. Shipping containers temporarily located in a Residential District may be a maximum of 6.0 m (19.7 ft.) in length.
8. The exterior finish of a shipping container located on a Commercial District must be consistent with the finish of the primary building on the lot unless the shipping containers are associated with an approved shipping container retail or rental establishment.
9. Shipping containers, in their original form, cannot be used as a dwelling, bunk house or a guest house within the municipality.
10. No human or animal habitation will be allowed within a shipping container, unless:

- a. the shipping container has been used as a building material; and modified to meet Alberta Building Code requirements for the end use; and
- b. a development permit has been issued for the end use.

8.32 SERVICE STATIONS & GAS STATIONS

1. Service stations shall be developed in such a manner that:
 - a. no entrance or exit thereto for motor vehicles shall be located within 60.0 m (196.9 ft.) of an entrance to or exit from a fire hall, public or private school, playground, library, place of worship, hospital, children's or senior citizen's home, or other similar public or quasi-public institutions;
 - b. no part of any building or any pump or other accessory building, structure, or use shall be located within 6.0 m (19.7 ft.) of a side or rear line;
 - c. there shall be a front yard of not less than 12.0 m (39.4 ft.), provided, however, that gasoline pumps may be located as little as 6.0 m (19.7 ft.) from the front line; and
 - d. all fuel storage tanks shall be set back from adjacent buildings in accordance with Regulations passed pursuant to the Safety Codes Act.
2. Site Area and Coverage
 - a. The minimum site area shall be 670.0 m² (7200 ft²) and the maximum building coverage shall be 25% of the site area. When a car wash is included, the minimum shall be 1114.0 m² (12,000 ft²).
 - b. In the case of a service station designed and built as part of a shopping centre, the ratio of building space to parking space shall be as determined by the Development Authority.
3. Use and Maintenance of Site and Building

The owner, tenant, operator or person in charge of a service station shall, at all times:

- a. not carry on the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available in any authorized service station for storage) or of any business or activity which is obnoxious or offensive, or which constitutes a nuisance or annoyance to residences or businesses in the immediate vicinity of the service station by reason of dust, noise, gases, odour smoke or vibration;
 - i. be responsible for the proper, safe and orderly operation thereof of motor vehicles using said service station, or being repaired or serviced thereat, and without restricting the generality of the foregoing shall see:
 - ii. that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service station, and
- b. that operators of motor vehicles enter and leave the service station only at the entrances and exits provided for such purposes and not elsewhere; and
- c. maintain on the boundaries of the site, where required by the Development Authority, an appropriate fence not less than 1.5 m (4.9 ft.) in height.

8.33 SHOPPING CENTRES

1. The maximum building height shall be 10.7 m (35.1 ft.) or two (2) storeys, whichever is greater.
2. The maximum floor area shall be equal to the site area; however, all other regulations of this Bylaw, such as required yards, parking and loading requirements, etc. shall be adhered to.
3. **Section 8.37** of this Bylaw contains additional provisions relating to shopping centre signs.
4. All shopping centres shall satisfy the Development Authority as to:
 - a. the orientation, exterior design, and architectural appearance of buildings,
 - b. the location of development in relation to adjacent land uses,
 - c. vehicular traffic flow patterns within and access to and from the site,
 - d. safe pedestrian access and egress within the site and from any pedestrian way, and
 - e. the location of exterior signs.
5. A shopping centre shall only contain those uses listed as permitted or discretionary uses within the District in which the shopping centre is located.
6. The Development Authority may require any other matters, regulations, or conditions relating to the development as, in his opinion, are necessary, having regard to the nature of the proposed shopping centre development and adjacent land uses.

8.34 SHOW HOMES

1. A development permit application for a show home shall be accompanied by information indicating:
 - a. the location and area intended as the site for the show home,
 - b. proposed parking, exterior lighting and signs.
2. Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.
3. The appearance of the building shall, in the opinion of the Development Authority, be compatible with the character of other buildings in the vicinity.

8.35 SIDEWALK CAFES

1. A sidewalk café permit is valid from the date of issuance for one (1) year and may be renewed annually. In order to renew the permit, the developer must provide the municipality with a request indicating that there will be no changes to the sidewalk café. If any changes are required, the developer must make application for a new permit.
2. If the applicant is not the owner of the property, authorization and written permission of the property owner is required and must accompany the application.
3. A development permit will authorize only the consumption of food within the sidewalk seating area and not liquor.
 - a. A permit holder who intends to serve alcohol inside any temporary sidewalk seating area requires a separate license from the Alberta Gaming and Liquor Commission. A copy of that license is to be provided to the municipality.
 - b. A copy of any approval from any involved Health Authority is to be provided to the municipality.

4. The area designated for the sidewalk café shall be considered an extension of the principal building and business; therefore, the location of the sidewalk café must be directly in front of the building.
5. The following information must be provided with the application:
 - a. details of the proposed furniture or manufacturers' brochures,
 - b. site plan showing all existing buildings, proposed café area and setbacks,
 - c. layout of the furniture including signage, tables, chairs, placement and number of planters and all other accessories,
 - d. location, structure and dimensions of any portable walls/barriers,
 - e. location of all doorways, windows and service openings,
 - f. length of restaurant/café frontage,
 - g. distance from property line to curb,
 - h. proposed width and length of sidewalk seating/café, and
 - i. proposed total area of sidewalk seating/café.
6. Furniture
 - a. Applicants are encouraged to select furniture that is compatible with the outdoor environment. The furniture should be strong, durable, waterproof and weather resistant, designed for commercial outdoor use.
 - b. The furniture must fold or stack for storage, and if located on public right-of-way, be readily removed and stored within the associated indoor premises during non-business hours.
 - c. The number of tables and chairs placed within a sidewalk area must allow unobstructed access and circulation for patrons and staff (See Figure 31).
 - d. The permit holder is responsible for ensuring that all furniture remains within the approved sidewalk seating area. No fixed tables or chairs may be used. Developers of sidewalk cafes shall be mindful of the rights of pedestrians travelling past their sidewalk café at all times during the operation of the sidewalk café. In order to ensure this, a sidewalk café is required to maintain a clear path of at least 1.5 m. (4.9 ft.) minimum at all times. In areas of higher pedestrian traffic or activity or in conditions that suggest the need for additional clearance, a clear pedestrian path greater than 1.5 m. (4.9 ft.) may be required by the Development Authority.
7. Use of Umbrellas
 - a. Umbrellas should be secured to ensure that they can withstand the effects of wind.
 - b. Umbrellas shall be removed or closed in extremely windy conditions and be removed when the outdoor seating area is not in use (off season).
 - c. Umbrellas shall not be attached to railings.
 - d. Umbrellas shall not encroach on, or interfere with pedestrian movement, and at least 2.0 m (6.6 ft.) in height.
 - e. Umbrellas shall be manufactured from fire retardant material.
 - f. Umbrellas shall be market style (not beach umbrellas),

8. Lighting
 - a. Lighting for sidewalk cafes may be utilized if approved by the Development Authority. Any such lighting shall compliment the exiting building and sidewalk café design and shall not cause a glare to passing pedestrians or vehicles.
9. Outdoor Heaters
 - a. Outdoor heaters may be utilized upon the approval of the Development Authority.
10. Limitations on use
 - a. No portion of a sidewalk seating/café area may be used for any purpose other than seating, dining or circulation.
 - b. No portion of a sidewalk seating/café area may be used for the storage of and sale of merchandise or objects other than those intended for seating, dining or circulation.
 - c. The permit holder will bear all financial responsibility for any and all improvements necessary to the public space, both within and surrounding the sidewalk seating area.
 - d. Smoking is prohibited at all sidewalk/café locations. The Tobacco Reduction Act, 2008 requires that managers or owners strictly enforce this requirement or be liable to fines.
11. Operations
 - a. Hours of operation of an outdoor sidewalk seating area/café are 8:00 a.m. to 10:00 p.m. or as stated in the approved Development Permit.
 - b. Sidewalk seating areas must conform to noise regulations of the current municipal Bylaw and shall be prohibited from playing amplified music, whether live or recorded.
12. Business Licensing
 - a. The principal establishment for each approved sidewalk seating area shall have a valid municipal Business License.
13. Waste Management
 - a. The permit holder will ensure sidewalk seating areas are maintained in a clean and hygienic state at all times and the following requirements will apply:
 - iii. Tables and chairs shall be kept clean and litter shall be removed from in and around the seating area and disposed of within the commercial garbage provisions on site.
 - iv. Furniture, barriers and/or planters shall be clean, in good order and well presented.
 - v. Sidewalk seating debris must not be swept or allowed to enter into gutters, parking or traffic lanes, storm-water, catch-basins or pedestrian walkways.
14. Reinstatement of a Public Place
 - a. Every sidewalk seating area shall be temporary in nature and designed so that the entire structure including chairs, tables, fencing, and planters can be easily removed during periods of non-use.

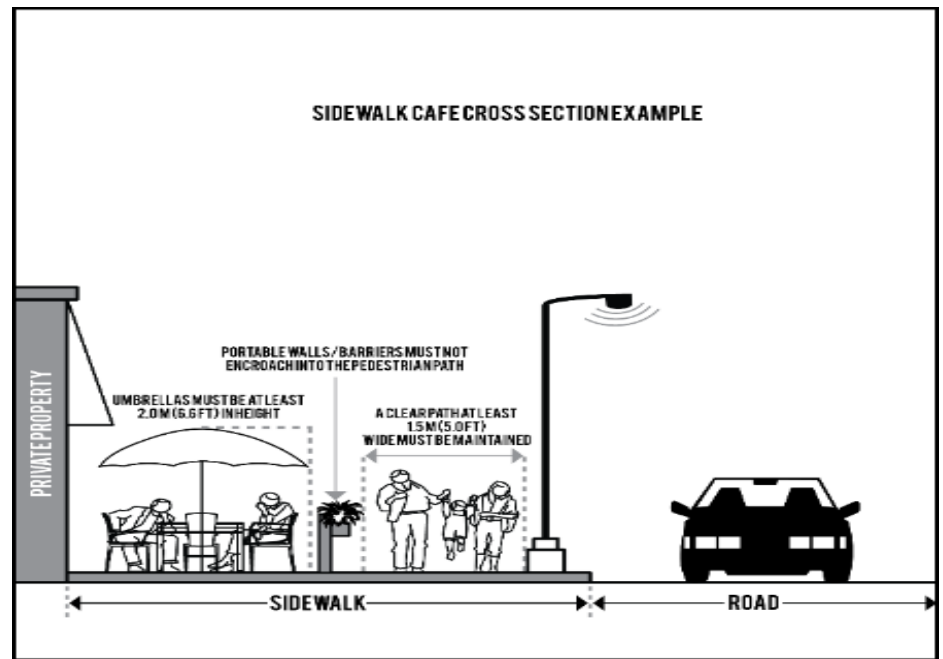


FIGURE 34: EXAMPLE SIDEWALK CAFE CROSS SECTION

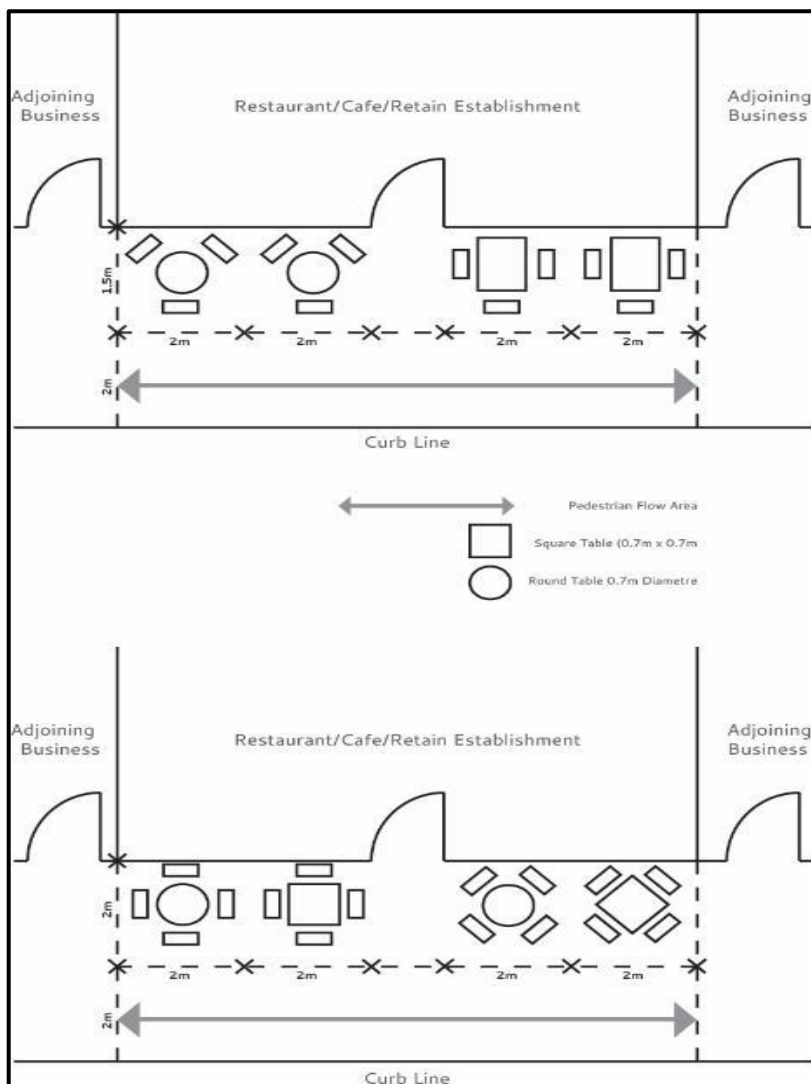


FIGURE 35: EXAMPLE SIDEWALK CAFE SEATING PLAN

Insurance Requirements

- a. The permit holder will be required to hold valid comprehensive general liability insurance to the satisfaction of the municipality but the limit shall not be less than \$1,000,000 per occurrence, \$1,000,000 in the aggregate combined single limit, for bodily injury, personal injury and property damage liability.
 - b. The municipality shall be named as an additional insured for any liability arising directly or indirectly from the operation of a sidewalk café located on a public right-of-way.
15. Renewals and Amendments
 - a. Development permits must be renewed annually. The permit holder shall submit their request for renewal in writing.
 - b. A permit holder will be required to submit an application in writing to the Development Authority for any amendment to their existing sidewalk seating plan.
16. Approval of a sidewalk café permit will require, as a conditional of approval, that the Development Authority and the Fire Chief conduct a site inspection of the approved sidewalk café and all elements placed therein after construction to ensure that the sidewalk café and all sidewalk café elements are in compliance with the approved permit and that the developer is in compliance with all other requirements of the permit before any use of the sidewalk café may commence.
17. The issuance of a sidewalk café permit is a privilege granted by the municipality. The municipality requires compliance with all rules and regulations as well as to have respect for the community in which the café is located. The Development Authority and Bylaw Enforcement Officer will monitor the operation of the sidewalk café and are empowered to issue citations for bylaw violations and may also result in the revocation of the development permit.

8.36 SIGN REGULATIONS (GENERAL)

1. Exemptions from sign regulations
 - a. In addition to the exceptions indicated in **Section 3.2** of this Bylaw, the following signs shall be exempted from the provisions of the regulations in this Part:
 - i. signs which are not visible to the public from the exterior of the building;
 - ii. signs displayed in or on an operated vehicle;
 - iii. signs displayed on door plates, door boards, or kick plates.
 - b. The following specified signs, provided that the development of the sign satisfies any requirements specified in this Bylaw for the particular sign:
 - i. statutory and official notices and functional advertisements of local authorities,
 - ii. traffic and directional signs authorized by Council,
 - iii. signs of identification in respect to the land or buildings on which they are displayed, or to the businesses or occupants of the land or buildings on which they are displayed, provided that;
 1. each notice or name plate does not exceed 0.2 m² (2 ft²) in area, and
 2. no more than one (1) notice is provided for each occupant or each firm or company represented within the building, at one (1) entrance on each different road or highway;

- c. notices on land or buildings used for religious, educational, cultural, recreational, hospital or similar public uses, provided that:
 - i. each notice does not exceed 1.1 m^2 (12 ft^2) in area, and
 - ii. no more than one (1) notice is provided for each side of the land or buildings on each different road;
- d. temporary signs referring to sales which are displayed upon the site at which such sales will be or are being conducted, provided that:
 - i. such signs are not illuminated and are displayed for a short period of time only, and
 - ii. such signs are not to be erected more than seven (7) days before the commencement of the sale to which they refer, and are removed within eight (8) days of the completion of the said sale;

8.37 SIGNS IN THE C1, C2, M1, & M2 DISTRICTS

1. General Provisions

- a. For each building which contains office uses, one identification sign only, not to exceed 3 m^2 (32 ft^2) in area, shall be allowed.
- b. No part of any sign shall be higher than 6.0 m (19.7 ft.) above grade.
- c. Where a sign is not detached, it shall be placed flat against the building or be designed as part of an architectural feature thereof, or be a canopy sign.
- d. Only one wall sign on a building shall be allowed to indicate each occupancy within that building. The sign shall not exceed a total area of 1 m^2 (10 ft^2) of copy for each lineal metre of building occupancy.
- e. If the occupancy is on a corner site, one wall sign shall be permitted for each face of the building.
- f. If the building includes a canopy, each tenant shall be permitted one under-canopy sign of no more than 0.5 m^2 (5 ft^2).
- g. No sign shall be erected which would be in view of the public from public or private property except where a permit specifying permitted locations has been granted, or where a permit for such a sign is not required pursuant to this Bylaw.
- h. Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
- i. Where, in the opinion of the Development Authority, a proposed sign might be objectionable to a resident in an adjacent Residential District, he may impose such other regulations as he feels would protect the interest of residents.

2. Size of Signs

- a. Except as otherwise specified in this bylaw, the maximum area of any sign shall be 20 m^2 (215 ft^2).

3. Sign Location

- a. Minimum yard requirements shall be observed for any sign located on a parcel and, at the discretion of the Development Authority, the sign shall not be further than 30.0 m (98.4 ft.) from the principal building.

4. Removal of Signs
 - a. The Development Authority may refer to Council for its consideration of a resolution on the removal, repair or renovation of any sign which, in his opinion, is or has become unsightly, or is in such a state of disrepair as to constitute a hazard.
5. Flashing Signs
 - a. Flashing, animated or interiorly illuminated signs shall not be allowed where, in the sole opinion of the Development Authority, they might:
 - i. affect residents in adjacent housing, or Residential Districts, or
 - ii. interfere with the interpretation of traffic signs or controls.
6. Freestanding Signs
 - a. One freestanding sign may be allowed per site exclusively for the business located onsite, except:
 - i. where a site has in excess of 90.0 m (295.3 ft.) business frontage, one additional freestanding sign may be erected for each additional 90.0 m (295.3 ft.) or portion thereof of business frontage abutting the developed portion of the said site, or
 - ii. where a site is considered to be double fronting by the Development Authority, each frontage may have a freestanding sign provided that the signs are no closer than 90.0 m (295.3 ft.) apart.
 - a. The total area of all freestanding signs on each site shall not exceed 0.3 m² (3 ft²) in area for each metre of business frontage of the developed site, to a maximum of 19 m² (204 ft²) for each sign.
7. Projecting Signs
 - a. No sign shall project across lot boundaries unless permission in writing has been granted as a condition of an approved development permit.
 - b. The absolute limits of projection shall be 1.0 m (3.3 ft.) from the property line and 0.6 m (2.0 ft.) back from the existing or proposed curb.
 - c. No projecting sign shall have less than 3.0 m (9.8 ft.) clearance between the bottom of the sign and the ground level immediately below it.
 - d. In no case shall projecting signs for the same development be located closer than 90 m to each other, except on corner sites where the signs are located around the corner from each other.
8. Roof Signs
 - a. Roof signs shall be developed so that they appear as an architectural feature of the building on which they are located.
 - b. No supporting structure shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
 - c. Roof signs shall be set back at least 1.0 m (3.3 ft.) from the edge of the building.
9. Wall Signs
 - a. Buildings fronting on more than one road right-of-way may not combine permissible signs for one frontage with another frontage for the purposes of placing the combined area or types of signs on one frontage.
 - b. Any identification wall signs with non-illuminated letters up to but not exceeding 7.5 cm (3.0 in.) in height or 0.4 m² (4 ft²) in area are not restricted and may be permitted in addition to regulated signs.

10. Off-Site Signs

- a. Notwithstanding other regulations in this Bylaw, at the sole discretion of the Development Authority, off-site signs may be developed subject to the following regulations:
 - i. On the same road and facing the same traffic flow, off-site signs shall not be placed closer together than 90.0 m (295.3 ft.). Double-face off-site signs shall be considered to face both directions of flow.
 - ii. The maximum size of the off-site sign face shall not exceed 28 m² (301 ft²).
 - iii. Where the back of the off-site sign is visible it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
 - iv. No part of an off-site sign shall be in a front yard, except where an off-site sign is located between two buildings that are each within 30.0 m (98.4 ft.) of the said sign, in which case no part shall be closer to any road right-of-way than a line drawn from the nearest front corner of the two buildings.
 - v. No part of any off-site sign within 200.0 m (656.2 ft.) of the edge of the pavement of a highway shall be more than 7.5 m (24.6 ft.) above the grade of the highway or 15.0 m (49.2 ft.) above the grade of the site of the sign, whichever is the highest.

8.38 SIGNS IN RESIDENTIAL DISTRICTS

1. Except as provided in Subsections (2) to (5) below, no sign shall be permitted in Residential Districts except for places of worship, schools or other public institutions, in which case Subsection (5) shall apply.
2. An approved home occupation may display a sign, not larger than 0.2 m² (2 ft²) on the dwelling. If outside, the sign shall be placed flat against the wall of the dwelling or may be displayed from the inside of a window of the dwelling.
3. Name or number signs shall have a surface area of no more than 0.3 m² (3 ft²).
4. For multiple family dwellings and boarding houses, one (1) identification sign not exceeding 1 m² (10 ft²) in area may be allowed on each site.
5. All exterior signs shall be placed flat against the building or designed as part of an architectural feature.

8.39 SIGNS RELATED TO INSTITUTIONAL USES

1. In any District where an institutional use is allowed, one sign of not more than 2 m² (21 ft²) in area shall be permitted to be erected on the site occupied by the institutional use.

8.40 SIGNS FOR ADULT EXCLUSIVE AND ADULT ENTERTAINMENT BUSINESSES

1. Notwithstanding any other provision of this Bylaw to the contrary, the construction or placement of any sign for any adult-exclusive business, that is, any business into which premises only adults may be allowed in accordance with Provincial or Federal legislation or regulation, shall require approval of a development permit by the Development Authority, and such approval shall be given only at the sole discretion of the Development Authority.

2. Application for such a permit shall include details as to the copy (that is, words or pictures) that may be on the sign and the lighting of the sign. In considering approval of the sign, the Development Authority shall give due consideration to all matters that he deems reasonable from the perspective of the municipality's amenities. If approved by the Development Authority, the copy and lighting of the sign may not vary beyond that which is approved by the Development Authority.

8.41 SIGNS (FREE STANDING PORTABLE) IN OTHER DISTRICTS

1. Number of Free-Standing Portable Signs on a lot
 - a. Not more than one free-standing portable sign shall be displayed on a lot.
 - b. Notwithstanding Subsection (1), one free-standing portable sign may, at the discretion of the development authority, be permitted for each business in a multiple occupancy development provided that no free-standing portable sign is located closer than 15.0 m (49.2 ft.) from another.
3. Location of Free-standing Portable Signs
 - a. Free-standing portable signs shall not be allowed in the UR District.
 - b. Free-standing portable signs shall not be placed on a site so as to conflict with parking, loading and walkways.
4. Prohibition on Public Lands
 - a. No free-standing portable signs shall be permitted within a road right-of-way.
 - b. No free-standing portable sign shall be permitted on land owned by the Crown or the municipality.

8.42 SMALL RADIO COMMUNICATIONS TOWERS

1. Small radio communication towers, where allowed as a discretionary use under this Bylaw, shall require an application for a Development Permit and may be approved provided that the structure and apparatus:
 - a. have Industry Canada approval;
 - b. are camouflaged and, as far as possible, have the appearance and aesthetic of other buildings allowed in the District;
 - c. meet the setback requirements of the District or meets setback requirements that are satisfactory to the Development Authority;
 - d. be limited to a maximum height of 18.0 m (59.1 ft.) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;
 - e. be a free-standing, ground-mounted unit;
 - f. notwithstanding Subsection (e) above, be a roof-mounted unit where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 18.0 m (59.1 ft.) from the typical ground surface to its highest point;
 - g. be located in a rear yard only;
 - h. not be illuminated, nor have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device;

- i. be landscaped to screen the base of the antenna and reduce negative visual impact on adjacent properties. The Development Authority Officer may require screening and landscaping around the lower portion of the support structure where, in the opinion of the Development Authority Officer, such measures would reduce potential negative visual impact of the structure on adjacent properties.
2. All small radio communications towers shall have landscaping that reflects the typical landscaping in the District.
3. The development of all small radio communications towers shall follow the regulations of Industry Canada including public consultation as required.

8.43 SOLAR ENERGY CONVERSIONS SYSTEMS

1. Ground mounted solar energy conversion systems shall be located in a side or rear yard only.
2. When a solar energy conversion system is installed on a lot, accessory structure or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:
 - a. is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the lot line; and
 - b. has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.
3. Subsection (2) above does not apply to structure or vegetation existing in an abutting lot at the time of installation of the solar energy conversion system, or the effective date of this Bylaw, whichever is later. Said subsection controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy conversion system.

8.44 SUITE, GARAGE

1. A garage suite shall only be allowed, where provided for in a Land Use District, on a lot occupied by a single detached dwelling.
 - a. A garage suite shall not be allowed on a lot with a duplex, fourplex, row house or apartment.
 - b. A maximum of one (1) garage suite is allowed on any lot on which a single detached dwelling is located.
 - c. If a garage suite is developed on a lot then no additional garden suite, in-law suite or secondary suite shall be allowed.
 - d. A garage suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m² (860.0 ft²) in floor area.
 - e. A garage suite shall remain accessory to and subordinate to the use of the garage.
 - f. The minimum floor area for a garage suite is 30.0 m² (322.9 ft²).
 - g. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.
 - h. A garage suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
 - i. A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.

- j. At grade garage suites shall have a maximum height of 4.5 m (14.8 ft.).
 - k. Above grade garage suites shall have a maximum height of 5.5 m (18.0 ft.) for suites with a flat roof, and 6.5 m (21.3 ft.) for suites with a sloped roof, provided that the maximum height of the accessory building in which the garage suite is located is not higher than the height of the principal dwelling.
 - l. Prior to development permit approval, the developer must submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
 - m. A minimum of two (2) on-site parking spaces for the dwelling and one (1) on-site parking spaces for the garage suite – is required. Tandem parking may be permitted at the discretion of the Development Authority.
 - n. Windows contained within a garage suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
 - i. off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a garage suite window on an abutting site;
 - ii. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
 - iii. replacing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.
2. A maximum of one (1) garage suite will be allowed on a site occupied by a single detached dwelling.

8.45 SUITE, GARDEN

- 1. A garden suite shall only be allowed, where provided for in a Land Use District, on a lot occupied by a single detached dwelling.
- 2. A garden suite shall not be allowed on a lot with a duplex, fourplex, row house or apartment.
- 3. A maximum of one garden suite is permitted per lot where allowed on parcels under 0.8 ha (2.0 ac) in area.
- 4. If a garden suite is developed on a lot then no additional garage suite, in-law suite or secondary suite shall be allowed.
- 5. Notwithstanding any other provisions in this Bylaw, a garden suite shall only be permitted to be constructed on a lot concurrently with the main use or after the main use on the lot has been built.
- 6. The exterior finish of a garden suite must be well maintained and consistent with the finish of the primary dwelling on the lot.
- 7. A garden suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220 volt wiring) and toilet with bathing facilities.
- 8. The minimum floor area for a garden suite shall be 30.0 m² (322.9 ft²).
- 9. A garden suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m² (860.0 ft²) in floor area.
- 10. Garden suites shall have a maximum height of 4.3 m (14.1 ft.).



FIGURE 36: GARDEN SUITE AT GRADE

11. A minimum of two (2) on-site parking spaces for the dwelling and one (1) on-site parking spaces for the garden suite – is required. Tandem parking may be permitted at the discretion of the Development Authority.
12. Windows contained within a garden suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
 - a. off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a Garden Suite window on an abutting site;
 - b. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
 - c. placing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.
13. A garden suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

8.46 SUITE, IN-LAW

1. An in-law suite shall only be allowed on a lot occupied by a single detached dwelling or a duplex dwelling.
2. An in-law suite is prohibited from being constructed within a fourplex, row house, street-oriented town house or an apartment (*Amended by Bylaw 2021-04*).
3. A maximum of one in-law suite is permitted on any single detached dwelling or duplex lot.
4. If an in-law suite is developed on a lot then no additional garden suite, secondary, suite or garage suite shall be allowed.
5. An in-law suite shall remain accessory to and subordinate to the principal dwelling. The maximum floor area of the in-law suite shall not exceed 30 percent of the existing floor area of the primary dwelling unit or 80.0 m² (860.0 ft²) whichever is the lesser.
6. The minimum floor area for an in-law suite is 30.0 m² (322.9 ft²).
7. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.
8. An in-law suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220 volt wiring) and toilet with bathing facilities.
9. An in-law suite does not have an entrance separate from the entrance to the main dwelling. Prior to development permit approval, the developer must submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
10. A minimum of three (3) on-site parking spaces – two (2) for the dwelling and one (1) for the in-law suite – are required. Tandem parking may be permitted at the discretion of the Development Authority.

8.47 SUITE, SECONDARY

1. A secondary suite shall be restricted to a site occupied by a single detached dwelling or a duplex.
2. A secondary suite is prohibited from being constructed within a multi-family dwelling.
3. A maximum of one secondary suite or in-law suite is permitted on a site occupied by any single detached dwelling or duplex.
4. A maximum of one secondary suite is permitted on a site occupied by any single detached dwelling lot.

5. If a secondary suite is developed on a lot then no additional garden suite, in-law suite or garage suite shall be allowed.
6. A secondary suite shall remain accessory to and subordinate to the principal dwelling. The maximum floor area of the secondary suite shall not exceed 30 percent of the existing floor area of the primary dwelling unit or 80.0 m² (860.0 ft²) whichever is the lesser.
7. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
8. A secondary suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
9. A secondary suite has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the building.
10. A secondary suite may include the conversion of a portion of existing space in the principal dwelling, the addition of new floor space to an existing dwelling.
11. The minimum lot size for a secondary suite is 360.0 m² (3,875.0 ft²).
12. The minimum floor area for a secondary suite is 38.0 m² (400.0 ft²).
13. Prior to development permit approval, the developer must submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
14. A minimum of two (2) on-site parking spaces for the dwelling and one (1) on-site parking spaces for the secondary suite – is required. Tandem parking may be permitted at the discretion of the Development Authority.
15. One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the principal dwelling pursuant to **Section 7.19** of this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.

8.48 SUITE, SURVEILLANCE

1. The site on which a place of worship is situated shall have a frontage of not less than 30.0 m (98.4 ft.) and an area of not less than 929 m² (10,000 ft²) except in the case where a building for a clergyman's residence is to be erected on the same lot. The combined area of the lot in this case shall not be less than 1395 m² (15,000 ft²).
2. Minimum front, side and rear yards shall be those required within the District in which the place of worship is located.
3. Surveillance suites shall not be allowed on a site unless specifically listed as a permitted or as a discretionary use within the District in which the site is located.
4. Site Location
 - a. A surveillance suite which is not attached to or within the principal building shall be located:
 - i. a minimum of 2.0 m (6.6 ft.) from any buildings,
 - ii. a minimum of 3.0 m (9.8 ft.) from the rear and side lines, and
 - iii. no closer to the front line than the principal building.

5. Maximum Size

- a. A surveillance suite shall not be larger in area than the principal building and the maximum floor area of a surveillance suite shall be 32.6 m² (351.0 ft²).
- b. Building Requirements
 - i. A surveillance suite shall be placed on a permanent foundation to the satisfaction of the Development Authority Officer. Where a surveillance suite is a manufactured unit, the unit shall be secured to a foundation and properly skirted to the satisfaction of the Development Authority.
 - ii. The exterior treatment of a surveillance suite must be compatible with the design, character, and appearance of the principal building, and comply with any provisions required under **Section 7.5** of this Bylaw.

8.49 VETERINARY CLINICS

These regulations shall apply to all animal care and related uses, including: veterinary clinics, small animal and veterinary clinics, large animal (*Amended by Bylaw 2018-12*).

1. A large animal veterinary clinic which is to be located closer than 305.0 m (1000.7 ft.) from a dwelling which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.
2. These uses shall be adequately protected to suppress objectionable emissions. Pens, rooms, and runs shall be adequately sound-proofed to the satisfaction of the Development Authority.
3. All development permit applications may be referred to the appropriate Health Authority or animal control agency for comment prior to the Development Authority making a decision.
4. No building or exterior exercise areas or runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line if the clinic is to be sited adjacent to a dwelling or a residential parcel.
5. All exterior exercise areas or runs may be required to be enclosed with a fence acceptable to the Development Authority.
6. The Development Authority may regulate the hours that animals are allowed outdoors.
7. Facilities that houses animals over-night shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.
8. A separate air extractor system shall be provided in the animal holding area where heating and air conditioning are shared with other developments.
9. No kennels shall be permitted in a residential district or on any property or any district within 35.0 m (114.8 ft.) of a property in a residential district.

8.50 WIND ENERGY CONVERSION SYSTEMS, LARGE

1. Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:
 - a. any adjacent municipality should the proposed development be located within 2.0 km (1.2 mi.) of the municipality, and
 - b. landowners within 2.0 km (1.2 mi.) of the proposed development.

2. Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of **Section 5** of this Bylaw.
3. Property line setbacks
 - a. A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the District in which it is located.
 - b. Where, in the opinion of the Development Authority, the setbacks referred to in Subsection (a) above are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.
 - c. The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.
4. Minimum Vertical Blade Clearance
 - a. The minimum vertical blade clearance from grade shall be 7.4 m (24.3 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.
5. Public Safety Requirements
 - a. To ensure public safety, the Development Authority may require that:
 - i. a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a large wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;
 - ii. no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;
 - iii. a locked device be installed on the tower to preclude access to the top of the tower; and
 - iv. such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.
 - v. The use of tubular towers, with locked door access, may, at the discretion of the Development Authority, make the above requirements unnecessary.
 - vi. All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.
6. Appearance
 - a. Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the requirements of the Development Authority.
 - b. No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the discretion of the Development Authority.

7. The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:
 - a. information provided in the application,
 - b. the proximity of the proposed development to other land uses,
 - c. the cumulative effect of all wind energy conversion systems approved or proposed in the area,
 - d. underlying utilities, and
 - e. information received from the circulation of the application and from the public.
8. Compliance With Traffic Safety Regulations
 - a. Large wind energy conversion systems must comply with applicable air traffic safety regulations. A statement of compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Wind turbine towers shall not be artificially lit except as required by Navigation Canada.

8.51 WIND ENERGY CONVERSION SYSTEMS, MICRO

1. Notwithstanding any other provisions in this Bylaw, micro wind energy conversion systems, which are systems with a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.
2. Micro wind energy conversion systems shall be required to conform to set back requirements for accessory buildings.
3. Maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.
4. Number per lot.
5. One micro wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

8.52 WIND ENERGY CONVERSION SYSTEMS, SMALL

1. Wind Turbine Tower Height

For property sizes between 0.1 ha (0.25 acre) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 25.0 m (82.0 ft.). For property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on wind turbine tower height, subject to the setback requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.

2. Property Line Setbacks in the Urban Reserve District

The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (9.8 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.6 ft.) above the guy wire anchors. The Development Authority may waive setback

requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

3. Property Line Setbacks in the Commercial and Semi-Public Districts

- a. The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure may extend closer than 3.0 m (9.8 ft.) to the property boundaries of the installation site. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.
- b. Mounting using guy wires shall be allowed in:
 - i. the Industrial (M1) District, and
 - ii. the Urban Reserve (UR) District.
- c. The applicant will be required to provide the Development Authority with information regarding the proposed means of mounting the turbine prior to development approval.

4. Noise

The mean value of the sound pressure level from small wind energy conversion systems shall not exceed more than 6.0 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m/s (22.0 mph) and except during short-term events such as utility outages and/or severe wind storms.

5. Compliance with Building Code and Alberta Utility Commission

Development permit applications for small wind energy conversion systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, and anchoring method, all drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the Alberta Utility Commission and International Building Code requirements must be provided with the development permit application. All drawings must be certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.

6. Compliance with Air Traffic Safety Regulations

Small wind energy conversion systems must comply with applicable air traffic safety regulations. A statement of compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Wind turbine towers shall not be artificially lit except as required by Navigation Canada.

7. Compliance with Existing Electric Codes

Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.

8. Utility Notification

No small wind energy conversion system that is tied into a grid shall be installed until evidence has been given that the power utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's power utility is sufficient. No response or evidence of approval from the power utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

9. Number per Lot

One small wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

8.53 WIRELESS COMMUNICATIONS FACILITIES

The Town will encourage developers of wireless communications facilities to demonstrate good planning and design with foremost regard to safety of the general public; adherence to established construction standards in industry; minimizing impacts to the natural environment; minimizing the visual impacts on nearby residents; and ensuring public consultation in the early development stages. A letter of support will be provided to licensing and approving authorities for applications meeting these criteria. A letter of non-support will be provided to licensing and approving authorities for applications not meeting these criteria:

1. Developers of a wireless communications facility that plan for the facility and can accommodate other wireless operators on the site will be given priority status.
2. The application for development of a wireless communications facility is encouraged to engage existing owner/operators of these structures for co-location opportunities. Existing operators are encouraged to participate in the process by charging reasonable rates for this privilege.
3. For development of structures outside of the Alberta Building Code such as lattice towers shall include a document from authoritative sources demonstrating structural adequacy of the specified structure for the location and loading defined in the application. Such authorities include: the Canadian Standards Association and qualified structural engineers. Stamps and Seals of approval shall accompany the documentation.
4. The tower base shall be setback from abutting parcels and roadways by a distance of twenty percent (20%) of the tower height or the distance between the tower base and guy wire anchors, whichever is greater, unless it can be shown that all ice-fall or debris from tower failure can be contained substantially onsite. In all cases, base and anchor structures must be designed for the soil conditions present. A professionally engineered design with supporting soil profiles must accompany the application for development. Precise location (Latitude and Longitude) of the base and anchors must be revealed.
5. Self-supporting towers are to be located respecting Provincial and federal building and safety codes. In all cases the base structures must be designed for the soil conditions present. A professionally engineered design with supporting soil profiles must accompany the application for development.
6. Multiple tower structures will require individual development permit applications.

7. Applications for the development of wireless facilities must include in the development application letters from the following authorities:
 - a. Transport Canada, governing painting and lighting of the applicant's tower for aeronautical safety,
 - b. NavCanada, governing aircraft communication and instrumentation immunity from the applicant's tower transmissions, and
 - c. Industry Canada, governing the frequency of operations and public safety from non-ionized radiation in accordance with Safety Code 6. Licensed exempt operators must provide a stamped letter from a licensed professional radio frequency engineer guaranteeing these conditions will be met.
8. Appropriate fencing around the base, anchors and site limiting public access to the tower and exposure to high radio frequency energy fields must be provided with consideration of community aesthetics.
9. The application for development must include consideration to minimizing environmental damage through the following measures:
 - a. Consultation with Federal and Provincial environmental agencies to ensure the site selected and the resultant construction does not impact upon sensitive ecologies nor interfere with migrating birds or animals. Confirming letters from these agencies must accompany the application for development.
 - b. The application for development shall include a signed letter from the applicant detailing corrective action(s) to remediate any environmental damages.
10. As a condition of obtaining a development permit the applicant agrees to the following:
 - a. The site will be reclaimed within six (6) months of cessation of operation.
 - b. The site reclamation will comply with Provincial legislation, regulations, and policy.
11. Applicants for development of a wireless communications facility within 0.5 miles (0.8 km) of a residential area must demonstrate attention to community aesthetics in their choice of structure.
12. A public consultative process shall commence with an advertisement of the intent to establish a wireless communications facility in the local newspapers and a letter to the neighbouring property owners 120 days prior to the anticipated date of construction. The applicant will be required to submit a copy of their public consultation program for approval by the Development Authority.

8.54 WORK CAMPS

1. All workcamps shall be considered temporary developments.
2. At no time shall the total number of all workcamps within the municipality accommodate more than 500 persons.
3. All workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
4. A development permit for a workcamp may be issued for up to three (3) years. If all conditions have not been satisfied to the satisfaction of the Development Authority then the permit will no longer be considered valid. The permit must be renewed after the three (3) year period. An application may be made for a continuance of the use for one (1) additional year after the three (3) year period, after which a new development permit approval is required.
5. The Development Authority may establish whatever conditions for the approval of a workcamp that it, at its discretion, deems reasonable to ensure that the workcamp will be a temporary development.

6. If all of the conditions of the development permit have not been fulfilled to the satisfaction of the Development Authority, then the permit will not be considered valid.
7. In addition to the requirements of **Section 3.4** of this Bylaw, an application for a development permit for workcamp must provide the following information:
 - a. the location, type and purpose of the camp,
 - b. adjacent land uses,
 - c. the method for connecting the proposed development to municipal water, sewage, waste disposal and storm water systems,
 - d. the number of persons proposed to live in the camp,
 - e. the start date for the development, date of occupancy by residents, and removal date for the camp, and
 - f. reclamation measures to be completed once the camp is no longer needed to the satisfaction of the Development Authority.
8. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act that may be applicable.
9. As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
10. All internal roads shall be the responsibility of the Developer for both construction and future maintenance.
11. The developer shall provide on-site potable water supply in accordance with the municipality's public works department requirements as well as all applicable Provincial regulations.
12. The developer shall provide sewage disposal facilities in accordance with the municipality's public works department requirements as well as all applicable Provincial regulations.
13. The developer shall provide natural gas facilities in accordance with the municipality's requirements as well as all applicable Provincial regulations.
14. The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
15. All work camps must:
 - a. ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - b. be designed so that all points of access and egress are located to the satisfaction of the Development Authority and, when required, Alberta Transportation, and/or adjacent municipality;
 - c. be able to accommodate a minimum of fifty (50) persons;
 - d. be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
 - e. provide on-site security staff to the satisfaction of the Development Authority;

- f. all parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority. Normally, on-site parking for private vehicles will adhere to the same standard as parking for a hotel or motel;
 - g. post security with the municipality sufficient, to remove and/or reclaim the site if the workcamp remains on site after the project is either completed or if the work has stopped to the extent that the municipality no longer feels that the workcamp is necessary to the project, or to reclaim the site if needed after the workcamp has been removed from the site; and
 - h. be separated from adjacent land uses.
- 16. Maximum site coverage shall be such that space is available for all the parking on the lot, together with the applicable setbacks and required landscaping as determined by the Development Authority.
- 17. Adjacent buildings in workcamps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Safety Codes Act and by the Development Authority.
- 18. Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
- 19. The development must comply with current Building and Fire Code requirements as amended from time to time.
- 20. To ensure that risks associated with traffic, safety and security associated with the development, the applicant shall provide a report at time of application which details the following:
 - a. discussions with and impact on the local RCMP,
 - b. discussions with and impact on the local Emergency Medical Services,
 - c. discussions with and impact on the local Fire Department, and
 - d. discussions with and impact on the local road system including a Traffic Impact Assessment.
- 21. The development must comply with any other conditions required to the satisfaction of the Development Authority.

8.55 CANNABIS STORE *(AMENDED BY BYLAW 2018-18)*

- 1. Where provisions in this section are in conflict with the regulations of any District or any section of this Bylaw, the provisions of this section shall take precedence and be applied in addition to the regulations of the District and other applicable sections of this Bylaw.
- 2. An application for a Cannabis Store shall include:
 - a. copy of the applicant's current application for a license from the Alberta Gaming, Liquor and Cannabis Commission;
 - b. a landowner consent letter, if the applicant is leasing or renting the building/site;
 - c. an interior floor plan identifying access/egress and loading areas;
 - d. a site plan and land use map to demonstrate minimum separation distances have been met; and
 - e. an engagement reports. The applicant shall contact landowners and schools adjacent to the site, outline the details of the application and solicit their comments on the application, document any opinions or concerns and what modifications were made to address their concerns. The applicant shall then submit the documentation.
- 3. Cannabis Store use shall meet the following requirements:

- a. A Cannabis Store shall not be located within 100 m of a private or public school, provincial health care facility, parcel of land that is designated as school reserve or municipal and school reserve under the *Municipal Government Act*;
 - i. the term public or private schools is limited to elementary through to high school and does not include commercial schools. *(Amended by Bylaw 2019-06)*
- b. A Cannabis Store shall not be located within 25 m of a Day Care, Day Home, Arena/Curling Rink, Place of Worship, or Public Library *(Amended by Bylaw 2019-06)*;
- c. The separation distance between a Cannabis Store and other uses shall be measured from the exterior wall of the Cannabis Store to lot line;
- d. A Cannabis Store use shall not operate in conjunction with or accessory to any other use;
- e. Customer access to a Cannabis Store shall be visible from the street;
- f. All parking areas and shipping/receiving areas located on-site shall be well lit for pedestrians and vehicles during operating hours;
- g. Parking and loading requirements for a Cannabis Store shall be provided based on GENERAL PROVISIONS 7.19 of this Bylaw, the General Municipal Servicing Standards, and any applicable requirements to the satisfaction of the Development Authority;
- h. The owner shall obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or municipal legislation; and
- i. The Development Authority shall impose a condition on any Development Permit issued for Cannabis Store requiring that the development shall not commence selling Cannabis until authorized by and compliant with superior legislation.

9 LAND USE DISTRICT PROVISIONS

9.1 ESTABLISHMENT OF DISTRICTS

1. For the purpose of this Bylaw, the Town of Calmar is divided into the following Districts:

R1	Residential (Single Detached) District
RCE	Residential (Country Estate) District
R1A	Residential (Special Single Detached) District
R1B	Residential (Small Lot, Single Detached) District
R1C	Residential (Single Detached with Attached Garages) District
R2	Residential (General) District
R3	Residential (Medium Density) District
R4	Residential (Higher Density) District
RMHP	Residential (Manufactured Home Park) District
C1	Commercial (Central) District
C2	Commercial (Highway) District
M1	Light Industrial District
M2	Medium Industrial District
P	Parks and Recreation District
US	Urban Services District
DC	Direct Control District
UR	Urban Reserve District

2. For the purposes of this Bylaw, the R1, RCE, R1A, R1B, R2, R3, R4, and RMHP Districts shall be considered to be Residential Districts, the C1, C2, and DC Districts shall be considered to be Commercial Districts, the M1 and M2 Districts will be considered the Industrial Districts and the P and US Districts shall be considered to be institutional Districts.
3. The boundaries of the Districts listed in Subsection (1) are as delineated on the Land Use District Map, being **Section 10** hereto.
4. Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:

RULE1 Where a boundary is shown as following a road, lane, or water course, it shall be deemed to follow the centre line thereof.

RULE2 Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

RULE3 In circumstances not covered by Rule 1 or 2, the location of the boundary shall be determined:

- where dimensions are set out on the Land Use District Map, by the dimensions so set, or

- where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
5. Where the application of the above rules does not determine the exact location of the boundary of a District, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
 6. After the Council has fixed a District boundary pursuant to the provisions of Subsection (5), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
 7. The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.

9.2 R1 – RESIDENTIAL (SINGLE DETACHED) DISTRICT

1. Permitted & Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Day homes b. Dwellings, single detached c. Home occupations - Minor d. Public parks e. Shipping containers (temporary only) f. Solar energy conversion systems g. Wind energy conversion systems, micro h. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Bed and breakfast establishments b. Day cares c. Family care facilities d. Group care facilities e. Home occupations – Major f. Neighbourhood commercial developments g. Places of worship h. Public or quasi-public use i. Public utilities j. Show homes k. Relocated buildings l. Small radio communications towers m. Suites, garage n. Suites, garden o. Suites, in-law (<i>Amended by Bylaw 2018-12</i>) p. Suites, secondary (<i>Amended by Bylaw 2018-12</i>) q. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses r. Buildings and uses accessory to discretionary uses

2. Regulations

a. Maximum Site Coverage

- i. Maximum site coverage shall not exceed forty- five percent (45%) of the site. The principal building shall cover no more than forty percent (40%) of the site.

b. Minimum Floor Area of Single detached Dwellings (Not including attached garage):

TYPE OF DEVELOPMENT	MINIMUM FLOOR AREA
1 Storey	111 m ² (1,200 ft ²)
1.5 Storey (Upper Floor)	37 m ² (400 ft ²)
1.5 Storey (Lower Floors)	70 m ² (750 ft ²)
Split Level (All Floors)	120 m ² (1,300 ft ²)
2 Storey (Upper Floor)	60 m ² (650 ft ²)
2 Storey (Lower Floor)	60 m ² (650 ft ²)
Bi-Level (Per Floor)	79 m ² (850 ft ²)

c. Minimum Site Depth: 34.0 m (111.5 ft.)

d. Minimum Site Width

- i. For the purpose of determining the site width provided and compliance with this Subsection, site width shall be measured at the front or rear wall of the building.
- ii. Minimum site width in the case of Roadway and Lane Systems

1. For corner sites: 17.0 m (55.8 ft.)
 2. For all other sites: 15.0 m (49.2 ft.)
- iii. Minimum site width in the case of Laneless Systems: 17.0 m (55.8 ft.)
- iv. Minimum site width of pie-shaped lots shall be 8.0 m (26.2 ft.)
- e. Minimum Site Area
 - i. The minimum site area is the product of the minimum site depth and the minimum site width.
- f. Maximum Height
 - i. The height of dwellings shall not exceed 10.0 m (32.8 ft.) nor 2½ storeys.
- g. Minimum Required Front Yard: 6.0 m (19.7 ft.)
- h. Minimum Required Side Yard: 1.5 m (4.9 ft.)
 - i. Notwithstanding the above, where a site has vehicular access from the front only and where no attached garage is provided, one (1) side yard shall be a minimum of 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage to the rear of the site.
 - ii. Where a corner site is considered by the Development Authority Officer to not be double fronting, the minimum required side yard adjacent to the road shall be 4.0 m (13.1 ft.).
- i. Minimum Required Rear Yard
 - i. A rear yard shall be provided of not less than 8.0 m (26.2 ft.) provided that in the case of a corner site, the required yard next to a lane shall not be less than 5.0 m (16.4 ft.).
- j. Parking and Loading
 - i. Notwithstanding the provisions of **Section 7.19**, parking spaces required for single detached dwellings and modular units shall be to function as efficient loading and unloading spaces.
 - ii. A front side or rear drive garage (either attached or detached) shall be provided for each dwelling.
- k. Garages and Accessory Buildings
 - i. Garages and accessory buildings shall be as regulated under **Section 7.1** of this Bylaw.
- l. In-law Suites
 - i. In-law suites shall not be larger than the principal dwelling on a site and shall be contained in the same building as the principal dwelling.
- m. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. There are no requirements in the R1 District for the provision of amenity area.
- n. Architectural Controls
 - i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.

- ii. The exterior design of dwellings shall insure individuality and variety within a unified project and this shall require consideration of setbacks, unit entrances and orientation, massing, roof lines and elevational treatment of wall openings and finishing materials.

9.3 RCE – RESIDENTIAL (COUNTRY ESTATE) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Day homes b. Dwellings, single detached c. Home occupations – minor d. Public parks e. Shipping containers (temporary only) f. Solar energy conversion system g. Wind energy conversion systems, micro h. Buildings and uses to permitted uses 	<ul style="list-style-type: none"> a. Bed and breakfast establishments b. Day cares c. Family care facilities d. Group care facilities e. Home occupations – Major f. Public utilities that have no office or workshop as a part of the development g. Show homes h. Suites, garage i. Suites, garden j. Suites, in-law (<i>Amended by Bylaw 2018-12</i>) k. Suites, secondary (<i>Amended by Bylaw 2018-12</i>) l. Shipping containers (temporary only) m. Small radio communications towers n. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses o. Building and uses accessory to discretionary uses

2. Regulations

a. Maximum Site Coverage

Maximum site coverage shall not exceed forty percent (40%) of the site. The principal building shall cover no more than forty percent (40%) of the site.

b. Minimum Floor Area of Single detached Dwellings (not including attached garage):

TYPE OF DEVELOPMENT	MINIMUM FLOOR AREA
1 Storey	148 m ² (1600 ft ²)
1.5 Storey (Upper Floor)	56 m ² (600 ft ²)
1.5 Storey (Lower Floors)	111 m ² (1200 ft ²)
Split Level (All Floors)	167 m ² (1800 ft ²)
2 Storey (Upper Floor)	93 m ² (1000 ft ²)
2 Storey (Lower Floor)	93 m ² (1000 ft ²)
Bi-Level (Per Floor)	139 m ² (1500 ft ²)

c. Minimum Site Depth: 34.0 m (111.5 ft.)

d. Minimum Site Width

i. For the purpose of determining the site width provided and compliance with this Subsection, site width shall be measured at the front or rear wall of the building.

ii. Minimum site width: 20.0 m (65.6 ft.)

e. Minimum Site Area: 680 m² (7,347.2 ft²)

f. Maximum Height: The height of dwellings shall not exceed 10.5 m (34.4 ft.) nor 2 ½ storeys.

- g. Minimum Required Front Yard: 6.0 m (19.7 ft.)
- h. Minimum Required Side Yard: 3.0 m (9.8 ft.)
 - i. Where a corner site is considered by the Development Authority Officer to not be double fronting, the minimum required side yard adjacent to the road shall be 6.0 m (19.7 ft.).
- i. Minimum Required Rear Yard: 10.0 m (32.8 ft.)
- j. Parking and Loading
 - i. Notwithstanding the provisions of **Section 7.19**, parking spaces required for single detached dwellings and modular units shall be to function as efficient loading and unloading spaces.
 - ii. A front side or rear drive garage (either attached or detached) shall be provided for each dwelling.
- k. Garages and Accessory Buildings
 - i. Except as noted in Subsection (1) above, garages and accessory buildings shall be as regulated under **Section 7.1** of this Bylaw.
- l. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
- m. Architectural Controls
 - i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.
 - ii. The exterior design of dwellings shall insure individuality and variety within a unified project and this shall require consideration of setbacks, unit entrances and orientation, massing, roof lines and elevational treatment of wall openings and finishing materials.

9.4 R1A – RESIDENTIAL (SPECIAL SINGLE DETACHED) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Day homes b. Dwellings, single detached c. Home occupations - Minor d. Public parks e. Shipping containers (temporary only) f. Solar energy conversion systems g. Wind energy conversion systems, micro h. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Bed and breakfasts b. Family care facilities c. Group care facilities d. Home occupations – Major e. Neighbourhood commercial developments f. Places of worship g. Relocated buildings h. Public utilities that have no office or workshop as a part of the development i. Show homes j. Small radio communications towers k. Suites, garage l. Suites, garden (<i>Amended by Bylaw 2018-12</i>) m. Suites, in-law (<i>Amended by Bylaw 2018-12</i>) n. Suites, secondary o. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses p. Buildings and uses accessory to discretionary uses

2. Regulations

a. Maximum Site Coverage

Maximum site coverage shall not exceed forty-five percent (45%). The principal building shall cover no more than forty percent (40%) of the site. (*Amended by Bylaw 2018-12*)

b. Minimum Floor Area of Single detached Dwellings (Not including attached garage):

TYPE OF DEVELOPMENT	MINIMUM FLOOR AREA
1 Storey	167 m ² (1,800 ft ²)
1.5 Storey (Upper Floor)	56 m ² (600 ft ²)
1.5 Storey (Lower Floors)	111 m ² (1,200 ft ²)
Split Level (All Floors)	167 m ² (1,800 ft ²)
2 Storey (Upper Floor)	93 m ² (1,000 ft ²)
2 Storey (Lower Floor)	93 m ² (1,000 ft ²)
Bi-Level (Per Floor)	139 q. m (1,500 ft ²)

c. Minimum Site Depth: 34.0 m (111.5 ft.)

d. Minimum Site Width

i. For the purpose of determining the site width provided and compliance with this Subsection, site width shall be measured at the front or rear wall of the building.

ii. Minimum site width in the case of Roadway and Lane Systems

1. For corner sites: 17.0 m (55.8 ft.)

- 2. For all other sites: 15.0 m (49.2 ft.)
 - iii. Minimum site width in the case of Laneless Systems: 17.0 m (55.8 ft.)
 - iv. Minimum site width of pie-shaped lots: 8.0 m (26.2 ft.)
- e. Minimum Site Area
 - i. The minimum site area is the product of the minimum site depth and the minimum site width.
- f. Maximum Height
 - i. The height of dwellings shall not exceed 10.0 m (32.8 ft.) nor 2½ storeys.
- g. Minimum Required Front Yard: 6.0 m (19.7 ft.)
- h. Minimum Required Side Yard: 1.5 m (4.9 ft.)
 - i. Notwithstanding the above, where a site has vehicular access from the front only and where no attached garage is provided, one (1) side yard shall be a minimum of 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage to the rear of the site.
 - ii. Where a corner site is considered by the Development Authority Officer to not be double fronting, the minimum required side yard adjacent to the road shall be 4.0 m (13 ft.).
- i. Minimum Required Rear Yard
 - i. A rear yard shall be provided of not less than 8.0 m (26.2 ft.) provided that in the case of a corner site, the required yard next to a lane shall not be less than 5.0 m (16.4 ft.) (*Amended by Bylaw 2018-12*).
- j. Parking and Loading
 - i. Notwithstanding the provisions of **Section 7.19**, parking spaces required for single detached dwellings and modular units shall be to function as efficient loading and unloading spaces.
 - ii. A front side or rear drive garage (either attached or detached) shall be provided for each dwelling.
- k. Garages and Accessory Buildings
 - i. Garages and accessory buildings shall be as regulated under **Section 7.1** of this Bylaw (*Amended by Bylaw 2018-12*).
- l. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. There are no requirements in the R1A District for the provision of amenity area.
- m. Architectural Controls
 - i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.
 - ii. The exterior design of dwellings shall insure individuality and variety within a unified project and this shall require consideration of setbacks, unit entrances and orientation, massing, roof lines and elevational treatment of wall openings and finishing materials.
- n. Basements

- i. All dwellings shall be constructed on a full-height basement which shall be, at a minimum, the same area as the first floor of the dwelling.

9.5 R1B – RESIDENTIAL (SMALL LOT, SINGLE DETACHED) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Day homes b. Dwellings, single detached c. Home occupations - Minor d. Public parks e. Solar energy conversion systems f. Wind energy conversion systems, micro g. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Family care facilities b. Home occupations – Major c. Neighbourhood commercial developments d. Places of worship e. Relocated buildings f. Public utilities that have no office or workshop as a part of the development g. Shipping containers (temporary only) h. Show homes i. Small radio communications towers j. Suites, garage (<i>Amended by Bylaw 2018-12</i>) k. Suites, in-law (<i>Amended by Bylaw 2018-12</i>) l. Suites, secondary m. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses n. Buildings and uses accessory to discretionary uses

2. Regulations

a. Maximum Site Coverage

- i. Maximum site coverage shall not exceed forty-five percent (45%) of the site. The principal building, not including any decks, porches, verandas, or similar projections, shall cover no more than forty percent (40%) of the site.

b. Minimum Floor Area of Single detached Dwellings (Not including attached garage):

TYPE OF DEVELOPMENT	MINIMUM FLOOR AREA
1 Storey	78 m ² (840 ft ²)
1.5 Storey	78 m ² (840 ft ²)
Split Level (All Floors)	167 m ² (1,800 ft ²)
2 Storey	97 m ² (1,044 ft ²)
Bi-Level	78 m ² (840 ft ²)

c. Minimum Site Depth: 34.0 m (111.5 ft.)

d. Minimum Site Width

- i. For the purpose of determining the site width provided and compliance with this Subsection, site width shall be measured at the front or rear wall of the building.
- ii. Minimum site width in the case of Roadway and Lane Systems
 - 1. For corner sites – 11.3 m (37.1 ft.)
 - 2. For all other sites – 9.1 m (29.9 ft.)
- iii. Minimum site width in the case of Laneless Systems
 - 1. For corner sites - 14.5 m (47.6 ft.) (*Amended by Bylaw 2018-12*)

2. For all other sites – 13.7 m (44.9 ft.)

e. Minimum Site Area

i. The minimum site area is the product of the minimum site depth and the minimum site width.

f. Maximum Height

i. The height of dwellings shall not exceed 10.5 m (34.4 ft.) nor 2½ storeys.

g. Minimum Required Front Yard: 4.5 m (14.8 ft.)

h. Minimum Required Side Yard: 1.2 m (3.9 ft.)

i. Where a corner site is considered by the Development Authority Officer to not be double fronting, the minimum required side yard adjacent to the road shall be 4.5 m (14.8 ft.).

i. Minimum Required Rear Yard

i. A rear yard shall be provided of not less than 7.0 m (23.0 ft.) provided that in the case of a corner site, the required yard next to a lane shall not be less than 4.5 m (14.8 ft.).

j. Parking and Loading

i. Notwithstanding the provisions of **Section 7.19** of this Bylaw, parking spaces required for single detached dwellings shall function as efficient loading and unloading spaces.

ii. Where there is no lane adjacent to the rear line of a lot, an attached garage with access from the front line must be provided with development of a single detached dwelling.

iii. Where there is a lane adjacent to the rear line of a lot, no garage or parking space with access from the front line is allowed.

iv. Each single detached dwelling's parking requirement, as determined pursuant to this Bylaw, shall be located within a garage, and/or be paved with concrete or asphalt or a similar surface in a manner acceptable to the Development Authority within one (1) year of the completion of construction of the dwelling.

k. Garages and Accessory Buildings

i. Except as noted in Subsection (1) above, garages and accessory buildings shall be as regulated under **Section 7.1** of this Bylaw.

l. Landscaping and Amenity Areas

i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.

ii. There are no requirements in the R1B District for the provision of amenity area.

m. Architectural Controls

i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.

ii. The exterior design of dwellings shall insure individuality and variety within a unified project and this shall require consideration of setbacks, unit entrances and orientation, massing, roof lines and elevational treatment of wall openings and finishing materials.

9.6 R1C – RESIDENTIAL (SINGLE DETACHED WITH ATTACHED GARAGES) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Day homes b. Dwellings, single detached with attached garage c. Home occupations – Minor d. Public parks e. Shipping containers (temporary only) f. Solar energy conversion systems g. Wind energy conversion systems, micro h. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Family care facilities b. Home occupations – Major c. Neighbourhood commercial development d. Public utilities that have no office or workshop as part of the development e. Show homes f. Small radio communications towers g. Suites, in-law (<i>Amended by Bylaw 2018-12</i>) h. Suites, secondary (<i>Amended by Bylaw 2018-12</i>) i. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses j. Buildings and uses accessory to discretionary uses

2. Regulations

a. Maximum Site Coverage

- i. Maximum site coverage shall not exceed forty-five percent (45%) of the site.

b. Minimum Floor Area of Single detached Dwellings (not including attached garage):

TYPE OF DEVELOPMENT	MINIMUM FLOOR AREA
1 Storey	102 m ² (1,100 ft ²)
1.5 Storey (Upper Floor)	28 m ² (300 ft ²)
1.5 Storey (Lower Floor)	70 m ² (750 ft ²)
Split Level (All Floors)	111 m ² (1,200 ft ²)
2 Storey (Upper Floor)	60 m ² (650 ft ²)
2 Storey (Lower Floor)	60 m ² (650 ft ²)
Bi-Level	79 m ² (850 ft ²)

c. Minimum Site Depth: 34.0 m (111.5 ft.)

d. Minimum Site Width

- i. For the purpose of determining the site width provided and compliance with this Subsection, site width shall be measured at the front or rear wall of the building.

ii. Minimum site width in the case of Roadway and Lane Systems:

- 1. For corner sites – 12.0 m (39.4 ft.)
- 2. For all other sites – 10.3 m (33.8 ft.)

- iii. Notwithstanding Subsections (i) and (ii) above, where the front line and the rear line are different lengths, and that difference is more than 2.0 m (6.6 ft.), the minimum site width measured at either the front wall and the rear wall of the building shall be 8.0 m (26.2 ft.), and the minimum site width at the other wall (of the front wall and the rear wall) of the building shall be 16.4 m (53.8 ft.) for corner sites and 13.1 m (43.0 ft.) for all other sites (*Amended by Bylaw 2018-12*).

- e. Minimum Site Area
 - i. The minimum site area is the product of the minimum site depth and the minimum site width.
- f. Maximum Height
 - i. The height of dwellings shall not exceed 10.0 m (32.8 ft.) nor 2 ½ storeys.
- g. Minimum Required Front Yard
 - i. 5.0 m (16.4 ft.); however, when the garage doors face the front line, the minimum required distance between the front line and the garage doors shall be 5.5 m (18.0 ft.).
- h. Minimum Required Side Yard: 1.2 m (3.9 ft.)
 - i. Where a corner site is considered by the Development Authority Officer to not be double fronting, the minimum required side yard adjacent to the road shall be 4.0 m (13.1 ft.); however, when garage doors face the side line, the minimum required distance between the side line and the garage doors shall be 5.5 m (18.0 ft.).
- j. Minimum Required Rear Yard
 - i. A rear yard shall be provided of not less than 8.0 m (26.2 ft.) provided that in the case of a corner site, the required yard next to a lane shall not be less than 5.0 m (16.4 ft.).
- k. Parking and Loading
 - i. Notwithstanding the provisions of **Section 7.19** of this Bylaw, parking spaces required for single detached dwellings shall be to function as efficient loading and unloading spaces.
 - ii. A front, side, or rear drive garage (attached) shall be provided for each dwelling.
- l. Garages and Accessory Buildings
 - i. All single detached dwellings in this district must include attached garages.
 - ii. Detached garages and other accessory buildings shall be as regulated under **Section 7.1** of this Bylaw.
- m. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
- n. Architectural Controls
 - i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.

9.7 R2 – RESIDENTIAL (GENERAL) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
a. Day homes	a. Bed and breakfast establishments

<ul style="list-style-type: none"> b. Dwellings, duplex c. Dwellings, single detached d. Home occupations - Major e. Home occupations - Minor f. Public parks g. Shipping containers (temporary only) h. Solar energy conversion systems i. Wind energy conversion systems, micro j. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> b. Day cares c. Family care facilities d. Group care facilities e. Manufactured home units on lots where manufactured home units lawfully exist as of the date of the approval of this Bylaw f. Neighbourhood commercial developments g. Places of worship h. Relocated buildings i. Public utilities that have no office or workshop as a part of the development j. Show homes k. Small radio communications towers l. Suites, garden (<i>Amended by Bylaw 2018-12</i>) m. Suites, in-law (<i>Amended by Bylaw 2018-12</i>) n. Suites, secondary o. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses p. Buildings and uses accessory to discretionary uses
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2. Regulations

Regulations for Single Detached Dwellings (*Amended by Bylaw 2018-12*)

- a. Notwithstanding any other provisions of this section, the regulations for single detached dwellings in this District shall be the same as for single detached dwellings in the R1 District.

Regulations for Duplex Dwellings

- b. Maximum Site Coverage
 - i. Maximum site coverage shall not exceed forty-five percent (45%) of the site. The principal building shall cover no more than forty percent (40%) of the site.
- c. Minimum Floor Area
 - i. Dwellings (Not including attached garage): 92.9 m² (1000.0 ft²) (*Amended by Bylaw 2018-12*)
- d. Minimum Site Depth: 34.0 m (111.5 ft.)
- e. Minimum Site Width
 - i. For the purpose of determining the site width provided and compliance with this Subsection, site width shall be measured at the front or rear wall of the building.
 - ii. Minimum site width in the case of Roadway and Lane Systems
 - 1. For corner sites: 14.0 m (45.9 ft.)
 - 2. For all other sites: 11.0 m (36.1 ft.)
 - iii. Minimum site width in the case of Laneless Systems
 - 1. For corner sites: 14.6 m (47.9 ft.) (*Amended by Bylaw 2018-12*)
 - 2. For all other sites: 13.7 m (44.9 ft.)
- f. Maximum Height

- i. The height of dwelling shall not exceed 10.2 m (33.5 ft.) nor 2½ storeys (*Amended by Bylaw 2018-12*).
- g. Minimum Required Front Yard: 6.0 m (19.7 ft.)
- h. Minimum Required Side Yard
 - i. 1.5 m (4.9 ft.) on one side, nil on the other
 - ii. Notwithstanding the above, where a site has vehicular access from the front only and where no attached garage or carport is provided, one (1) side yard shall be a minimum of 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage to the rear of the site in a roadway and lane system, and a minimum of 4.0 m (13.1 ft.) in a laneless system.
 - iii. Where a corner site is considered by the Development Authority Officer to not be double fronting, the minimum required side yard adjacent to the road shall be 5.0 m (16.4 ft.).
- i. Minimum Required Rear Yard
 - i. A rear yard shall be provided of not less than 8.0 m (26.2 ft.) (*Amended by Bylaw 2018-12*).

General Regulations

- j. Parking and Loading
 - i. Notwithstanding the provisions of **Section 7.19** of this Bylaw, parking spaces required for dwellings shall be to function as efficient loading and unloading spaces.
 - ii. Parking areas shall be provided for each dwelling unit such that a garage (either attached or detached) may be built in the future which will comply with all the requirements of this Bylaw.
- k. Garages and Accessory Buildings
 - i. Garages and accessory buildings shall be as regulated under **Section 7.1** of this Bylaw.
 - ii. Where an open carport is attached to the dwelling, the minimum side yard shall not be less than 1.5 m (4.9 ft.).
- l. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. There are no requirements in the R2 District for the provision of amenity area.
- m. Architectural Controls
 - i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.
 - ii. The exterior design of dwellings shall insure individuality and variety within a unified project and this shall require consideration of setbacks, unit entrances and orientation, massing, rooflines and elevational treatment of wall openings and finishing materials.

9.8 R3 – RESIDENTIAL (MEDIUM DENSITY) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Day homes b. Dwelling, duplexes c. Dwelling, fourplex (<i>Amended by Bylaw 2021-04</i>) d. Dwelling, row housing e. Home occupations – Minor f. Public parks g. Shipping containers (temporary) h. Solar energy conversion systems i. Street-oriented town housing (<i>Amended by Bylaw 2021-04</i>) j. Wind energy conversion systems, micro k. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Day cares b. Family care facilities c. Group care facilities d. Home occupations - Major e. Public utilities that have no office or workshop as a part of the development f. Show homes g. Small radio communications towers h. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses i. Buildings and uses accessory to discretionary uses

2. Regulations

- a. Maximum Site Coverage
 - i. Maximum site coverage shall not exceed forty percent (40%) of the site.
- b. Maximum Density of Dwelling Units
 - ii. The maximum density of dwelling units shall be 30 units per ha (12 units per ac.) of that portion of the site upon which the development is proposed. This maximum may be increased up to 35 units per ha (14 units per ac.) at the sole discretion of the Development Authority if, in his sole opinion, the proposed project and the site warrant such an increase.
- c. Minimum Floor Area of Dwellings (Not including attached garage)
 - i. For duplex dwelling units: 93 m² (1,000 ft²)
 - ii. For all other developments: 70 m² (735.5 ft²)
- d. Minimum Site Depth: 34.0 m (111.5 ft.)
- e. Minimum Site Width (*Amended by Bylaw 2018-12*)
 - i. For duplex dwelling units:
 - 1. For corner site – 9.1 m (29.9 ft.)
 - 2. For all other sites – 8.0 m (26.2 ft.)
 - ii. For Street-oriented townhouse dwelling units:
 - 1. For corner site – 9.1 m (29.9 ft.)
 - 2. For end site – 8.0 m (26.2 ft.)
 - 3. For internal site – 6.0 m (19.7 ft.)
 - iii. For all other developments
 - 1. For corner site – 27.0 m (88.6 ft.)
 - 2. For all other sites – 24.0 m (78.7 ft.)

- f. Maximum Height
 - i. The height dwellings shall not exceed 11.0 m (36.1 ft.) nor 3 storeys.
- g. Minimum Required Front Yard
 - i. For duplex dwelling unit – 5.0 m (16.4 ft.)
 - ii. For street-oriented townhouse dwelling unit – 4.0 m (13.1 ft.)
 - iii. For one storey – 6.0 m (19.7 ft.)
 - iv. For all other developments – 8.0 m (26.2 ft.)
- h. Minimum Required Side Yard
 - i. For duplex dwelling unit
 - 1. For corner site – 3.0 m (9.8 ft.)
 - 2. For all other sites – 1.2 m (3.9 ft.) (*Amended by Bylaw 2018-12*)
 - ii. For street-oriented townhouse dwelling unit – 4.0 m (13.1 ft.)
 - 1. For corner unit – 3.0 m (9.8 ft.)
 - 2. For inside unit – 0 m (0 ft.)
 - 3. For outside unit – 1.2 m (3.9 ft.) (*Amended by Bylaw 2018-12*)
 - iii. For all other developments
 - 1. 3.0 m (9.8 ft.) or one half the height of the building, whichever is greater (*Amended by Bylaw 2018-12*).
- i. Minimum Required Rear Yard
 - i. 8.0 m (26.2 ft.) or one-half the height of the building, whichever is the greater (*Amended by 2018-12*).

General Regulations

- j. Parking and Loading
 - i. Parking and loading spaces shall be provided in accordance with the provisions of **Section 7.19** of this Bylaw.
- k. Garages and Accessory Buildings
 - i. Garages and accessory buildings shall be as regulated under **Section 7.1** of this Bylaw.
- l. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. In multi-family developments, a minimum of 40 m² (431 ft²) of amenity area must be provided for each dwelling unit up to ten (10) units, with an additional 3 m² (32 ft²) for each unit above ten (10) units, which shall be aggregated into areas of not less than 50 m² (538 ft²). This area shall be used as children's play space or other passive or active recreational space, and recreation equipment shall be provided on this area to the satisfaction of the Development Authority.
 - iii. In ground-oriented multi-family dwelling developments, a fenced private outdoor amenity area of at least 21 m² (226 ft²) must be provided for each dwelling unit.

- iv. A screen fence shall be required along the side property line between any multi-family development and an abutting single detached dwelling or District. The height of the screen fence shall be at the discretion of the Development Authority, but shall not be less than 1.0 m (3.0 ft.).
- m. Architectural Controls
 - i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.
 - ii. The exterior design of dwellings shall insure individuality and variety within a unified project and this shall require consideration of setbacks, unit entrances and orientation, massing, roof lines and elevational treatment of wall openings and finishing materials.

9.9 R4 – RESIDENTIAL (HIGHER DENSITY) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Dwelling, apartments b. Dwelling, fourplex (<i>Amended by Bylaw 2021-04</i>) c. Dwelling, row housing (<i>Amended by Bylaw 2018-12</i>) d. Day homes e. Home occupations – Minor f. Public parks g. Solar energy conversion systems h. Street-oriented town housing (<i>Amended by Bylaw 2021-04</i>) a. Wind energy conversion systems, micro b. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Assisted care housing b. Boarding/lodging houses c. Day cares d. Family care facilities e. Group care facilities f. Home occupations – Major g. Neighbourhood commercial developments h. Places of worship i. Public utilities that have no office or workshop as a part of the development j. Shipping containers (temporary only) k. Show homes l. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses m. Buildings and uses accessory to discretionary uses

2. Regulations

a. Maximum Site Coverage

- i. Maximum site coverage shall not exceed thirty-five percent (35%) of the site. Dwellings shall cover no more than twenty-five percent (25%) of the site. Landscaping shall cover a minimum of thirty-five percent (35%) of the site.

Regulations for Apartments (*Amended by Bylaw 2018-12*)

b. Maximum Density of Dwelling Units

- i. The maximum density of dwelling units shall be 90 units per ha (36.4 units per ac.) of that portion of the site upon which the development is proposed. This maximum may be increased up to 120 units per ha (48.6 units per ac.) at the sole discretion of the Development Authority if, in his sole opinion, the proposed project and the site warrant such an increase.

Regulations for Fourplexes, Row Housing and Street-oriented town housing

- c. Notwithstanding any other provisions in this section, regulations for Fourplexes, Row housing and Street-oriented town housing shall be the same as for Fourplexes, Row housing and Street-oriented town housing in the R3 District (*Amended by Bylaw 2018-12 and Bylaw 2021-04*).
- d. Minimum Floor Area of Dwellings
 - i. Dwelling unit in senior citizens' housing: 42 m² (450 ft²)
 - ii. All other dwelling units: 51 m² (550 ft²)
- e. Minimum Site Depth: 34.0 m (111.5 ft.)
- f. Minimum Site Width

- i. For corner sites – 27.0 m (88.6 ft.)
 - ii. For all other sites – 24.0 m (78.7 ft.)
- g. Minimum Site Area
 - i. The minimum site area for an apartment shall be sufficient to allow for on-site parking at the side or rear of the principal building, all required yards, unobstructed emergency vehicular access to the building, and space for such other activities or things as required by the Development Authority, but in no instance shall be less than 816 m² (8784 ft²).
- h. Maximum Height
 - i. The height of buildings shall not exceed 11.0 m (36.1 ft.) nor 3 storeys.
- i. Minimum Required Front Yard: 8.0 m (26.2 ft.)
- j. Minimum Required Side Yard
 - i. 3.0 m (9.8 ft.) or one half the height of the building, whichever is the greater.
 - ii. Notwithstanding the above, the required side yard may be reduced at the sole discretion of the Development Authority for senior citizens' housing if, in his sole opinion, such reduction will not adversely affect the amenities of the proposed development or of surrounding developments.
- k. Minimum Required Rear Yard
 - i. 8.0 m (26.2 ft.) or one-half the height of the building, whichever is the greater (*Amended by Bylaw 2018-12*).
- l. Parking and Loading
 - i. Parking and loading spaces shall be provided in accordance with the provisions of **Section 7.19** of this Bylaw.
- m. Garages and Accessory Buildings
 - i. Garages and accessory buildings shall be as regulated under **Section 7.1** of this Bylaw.
- n. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. In apartment developments, a minimum of 40 m² (431 ft²) of amenity area must be provided for each dwelling unit up to ten (10) units, with an additional 3 m² (32 ft²) for each unit above ten (10) units, which shall be aggregated into areas of not less than 50 m² (538 ft²). This area shall be used as children's play space or other passive or active recreational space, and recreation equipment shall be provided on this area to the satisfaction of the Development Authority.
 - iii. A screen fence shall be required along the side property line between any apartment development and an abutting single detached dwelling or District. The height of the screen fence shall be at the discretion of the Development Authority, but shall not be less than 1.0 m (3.3 ft.).
- o. Architectural Controls

- i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.
- ii. The exterior design of dwellings shall insure individuality and variety within a unified project and this shall require consideration of setbacks, unit entrances and orientation, massing, roof lines and elevational treatment of wall openings and finishing materials.

9.10 RMHP – RESIDENTIAL (MANUFACTURED HOME PARK) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">a. Day homesb. Home occupations - Minorc. Manufactured homed. Public parkse. Solar energy conversion systemsf. Wind energy conversion systems, microg. Buildings and uses accessory to permitted uses	<ul style="list-style-type: none">a. Home occupations - Majorb. Manufactured home parksc. Places of worshipd. Public education facilitye. Public utilities that have no office or workshop as a part of the developmentf. Show homesg. Dwelling, single detached; for the owner-operator of each mobile home parkh. Small radio communications towersi. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary usesj. Buildings and uses accessory to discretionary uses

2. Regulations for Single Detached Dwellings and Modular Units

- a. Notwithstanding any other provisions of this section, the regulations for single detached dwellings and modular units in this District shall be the same as for single detached dwellings in the R1 District.
- b. Development Requirements
 - i. Prior to the granting of a development permit for a manufactured home park, the developer shall enter into an agreement with the municipality specifying the respective obligations to be assumed by the developer and the municipality regarding:
 - 1. the establishment, operation and maintenance of service during the life of the manufactured home park for:
 - 2. storm sewers and drainage ditches
 - 3. sanitary sewers
 - 4. water, power, gas
 - 5. roadways, sidewalks, walkways, curbs
 - 6. snow clearance
 - 7. garbage collection
 - 8. fire fighting equipment
 - 9. parks, playgrounds and buffers, and
 - 10. any other service deemed necessary by the Municipality.
 - 11. the standards of construction for all the services,
 - 12. the manner in which costs of providing the services are to be met,
 - 13. the periods of time for the completion of construction or installation of the services, and such other matters as may be deemed necessary by the Council.

3. General Regulations

- a. Manufactured home units shall have Canadian Standard Association Certification and be suitable for residential dwellings under the Safety Codes Act.
- b. All accessory structures, such as patios, porches, additions and skirtings, shall be:
 - i. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units
 - ii. considered as part of the main building, and
 - iii. erected only after obtaining a development permit.
- c. A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home unit.
- d. The maximum permitted floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit, and this relationship shall be determined by the Development Authority.
- e. No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit.
- f. Any furniture, domestic equipment, or seasonally used equipment shall be stored in adequate covered storage or screened area, either individually on the site or communally, which shall conform to Provincial regulations.
- g. The following regulations apply to manufactured home units located in all subdivisions:
 - i. The hitch and wheels are to be removed from the manufactured home unit.
 - ii. All manufactured home units shall be placed on a foundation or base. The manufactured home unit is to be attached by means of bolting or otherwise to the foundation or base.
 - iii. The site is to be fully landscaped within one (1) year from the date of issuance of the development permit.
 - iv. Minimum lot area and width may be less in the case of existing registered sub-standard lots, with the approval of the Development Authority.
- h. The following regulations also apply to manufactured home parks:
 - i. The stalls shall be located at least 3.0 m (9.8 ft.) from a property boundary line. This 3.0 m (9.8 ft.) wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
 - ii. All roadways shall be built and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.0 m (29.5 ft.).
 - iii. A safe, convenient, all season pedestrian walkway of at least 1.0 m (3.3 ft.) in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
 - iv. Visitor parking spaces shall be provided at a ratio of at least one (1) space for every two (2) manufactured home units. The visitor parking shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
 - v. The design of manufactured home parks shall be to the satisfaction of the Development Authority.

- vi. All municipal utilities shall be provided underground to stalls.
- vii. A minimum of five percent (5%) of the gross site area shall be devoted to recreational use
- viii. All areas not occupied by manufactured home units and their additions, internal roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
- ix. No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park.
- x. Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- xi. Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- xii. Only one main, free-standing, identification sign of residential character and appearance may be erected at the entrance to a manufactured home park, unless the Development Authority is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.
- xiii. Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- xiv. Manufactured home units shall be separated from each other by at least 3.0 m (9.8 ft.) in all directions, and by at least 4.5 m (14.8 ft.) in all directions when either unit has a window on the subject side. Any porch or addition to the manufactured home unit shall be regarded as part of the manufactured home unit for the purpose of this separation.
- i. Maximum Site Coverage
 - i. Maximum site coverage of a manufactured home unit shall not exceed thirty-five percent (35%) of the stall on which it is located. All development shall cover no more than forty percent (40%) of any stall.
- j. Maximum Density of Manufactured Home Units
 - i. The maximum density of dwelling units shall be 20 units per ha (8 units per ac.).
 - ii. Minimum Floor Area of Manufactured Home Units
 - 1. Single wide units – 74 m² (800 ft²)
 - 2. Double wide units – 111 m² (1,200 ft²)
- k. Minimum Site Area
 - i. For manufactured home park – 2 ha (5 ac.)
 - ii. For manufactured home stalls – 375 m² (4036 ft²)
- l. Minimum Required Yards
 - i. From roads – 8.0 m (26.2 ft.)

- i. From all other property lines – 4.5 m (14.8 ft.)
- m. Minimum Required Setbacks within Stalls
 - i. From internal roadways or parking areas – 3.0 m (9.8 ft.)
 - ii. From all other stall boundaries – 1.2 m (3.9 ft.)
- n. Minimum Required Distance between Manufactured Home Units: 4.5 m (14.8 ft.)
- o. Parking and Loading
 - i. Parking spaces shall be provided in accordance with the provisions of **Section 7.19** of this Bylaw.
 - ii. In addition to the requirements of **Section 7.19**, at least three (3) parking spaces for each two (2) manufactured home units, which are identified as being for visitors' parking, shall be provided at locations within the manufactured home park that are satisfactory to the Development Authority.
 - iii. Adequate loading spaces shall be provided in numbers and locations to the satisfaction of the Development Authority.
- p. Landscaping and Amenity Areas
 - i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. All areas of a manufactured home park not occupied by manufactured homes, buildings, roadways, or pedestrian pathways shall be landscaped to the satisfaction of the Development Authority.
 - iii. A screen fence shall be provided along any property line between a manufactured home park and an abutting Residential. The height of the screen fence shall be at the discretion of the Development Authority, but shall not be less than 1.0 m (3.3 ft.), nor exceed 2.0 m (6.6 ft.).

RMHP 1 – THOMAS CREEK RESIDENTIAL (MANUFACTURED HOME PARK 1) DISTRICT

(AMENDED BY BYLAW 2017-12)

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Day homes b. Home occupations – Minor c. Manufactured homes d. Manufactured home parks e. Public parks f. Solar energy conversion systems g. Wind energy conversion systems h. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Dwelling, single detached; for the owner-operator of each mobile home park b. Home occupations - Major c. Places of worship d. Public education facility e. Public utilities that have no office or workshop as a part of the development f. Show homes g. Small radio communications towers h. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses i. Buildings and uses accessory to discretionary uses

2. Regulations

a. Development Agreement

- i. Prior to granting of a development permit for a manufactured home park, the developer shall enter into an agreement with the municipality specifying the respective obligations to be assumed by the developer and the municipality regarding:

- 1. the establishment, operation and maintenance of service during the life of the manufactured home park for:
- 2. storm sewers and drainage ditches;
- 3. sanitary sewers;
- 4. water, power, gas;
- 5. roadways, sidewalks, walkways, curbs;
- 6. snow clearance;
- 7. garbage collection;
- 8. fire fighting equipment;
- 9. parks, playgrounds and buffers;
- 10. any other service deemed necessary by the Municipality;
- 11. the standards of construction for all the services;
- 12. the manner in which costs of providing the services are to be met; and
- 13. the periods of time for the completion of construction or installation of the services, and such other matters as may be deemed necessary by the Council.

- b. Manufactured home units shall have current Canadian Standard Association Certification and be suitable for residential dwellings under the Alberta Safety Codes Act.

- c. All accessory structures, such as patios, porches, additions and skirtings, shall be:

- i. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units
 - ii. considered as part of the main building, and
 - iii. erected only after obtaining a development permit.
- d. A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home unit.
- e. The maximum permitted floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit, and this relationship shall be determined by the Development Authority.
- f. No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit.
- g. Any furniture, domestic equipment, or seasonally used equipment shall be stored in adequate covered storage or screened area, either individually on the site or communally, which shall conform to Provincial regulations.
- h. The following regulations apply to manufactured home units located in all manufactured home park stalls:
 - i. The hitch and wheels are to be removed from the manufactured home unit.
 - ii. All manufactured home units shall be placed on a foundation or base. The manufactured home unit is to be attached by means of bolting or otherwise to the foundation or base.
 - iii. The site is to be fully landscaped within one (1) year from the date of issuance of the development permit.
- i. The following regulations also apply to manufactured home parks:
 - i. The stalls shall be located at least 3.0 m (10.0 ft) from a property boundary line. This 3.0 m (10.0 ft) wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
 - ii. All roadways shall be built and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.0 m (30.0 ft).
 - iii. A safe, convenient, all season pedestrian walkway of at least 1.0 m (3.0 ft) in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
 - iv. The design of manufactured home parks shall be to the satisfaction of the Development Authority.
 - v. All municipal utilities shall be provided underground to stalls.
 - vi. A minimum of five percent (5%) of the gross site area shall be devoted to recreational use.
 - vii. All areas not occupied by manufactured home units and their additions, internal roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
 - viii. No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and wellbeing of the park residents and for the management and maintenance of the park.

- ix. Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
 - x. Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
 - xi. Only one main, free-standing, identification sign of residential character and appearance may be erected at the entrance to a manufactured home park, unless the Development Authority is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.
 - xii. Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
 - xiii. Manufactured home units shall be separated from each other by at least 3.0 m (10.0 ft) in all directions, and by at least 4.5 m (15.0 ft) in all directions when either unit has a window on the subject side. The 4.5 m separation shall be reduced to 3.2 m if the unit complies with the Alberta Building Code. Any covered porch or addition to the manufactured home unit shall be regarded as part of the manufactured home unit for the purpose of this separation.
- j. Maximum Site Coverage
- i. Maximum site coverage of a manufactured home unit shall not exceed thirty-five percent (35%) of the stall on which it is located. All development shall cover no more than forty five percent (45%) of any stall.
- k. Maximum Density of Manufactured Home Units
- i. The maximum density of dwelling units shall be 20 units per ha (8 units per ac.).
 - ii. Minimum Floor Area of Manufactured Home Units
 - 1. Single wide units – 74.0 m² (800.0 ft²)
 - 2. Double wide units – 111.0 m² (1,200.0 ft²)
- l. Minimum Site Area
- i. For manufactured home park – 2 ha (5 ac.). However, at the discretion of the Development Authority, the minimum lot area may be less in the case of existing registered sub-standard lots.
 - ii. For manufactured home stalls – 325.0 m² (3498.0 ft²)
- m. Minimum Required Setbacks within Stalls
- i. From internal roadways or parking areas – 3.0 m (10.0 ft)
 - ii. From all other stall boundaries – 1.2 m (4.0 ft)
- n. Parking and Loading
- i. Parking spaces shall be provided in accordance with the provisions of **Section 7.19** of this Bylaw.
 - ii. Adequate loading spaces shall be provided in numbers and locations to the satisfaction of the Development Authority.
- o. Landscaping and Amenity Areas
- i. Notwithstanding any other provision of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the

satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.

- ii. All areas of a manufactured home park not occupied by manufactured homes, buildings, roadways, or pedestrian pathways shall be landscaped to the satisfaction of the Development Authority.
- iii. A screen fence shall be provided along any property line between a manufactured home park and an abutting Residential. The height of the screen fence shall be at the discretion of the Development Authority, but shall not be less than 1.0 m (3.0 ft), nor exceed 2.0 m (6.0 ft).

9.12 C1 – COMMERCIAL (CENTRAL) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Business support services establishments b. Eating and drinking establishments c. Government services d. Health services e. Hotels f. Household repair services g. Libraries and cultural exhibits h. Neighbourhood commercial developments i. Office uses j. Off-street parking lots k. Parking areas l. Personal service shops m. Public parks n. Public or quasi-public use o. Public utilities (<i>Amended by Bylaw 2018-12</i>) p. Retail establishment, general (<i>Amended by Bylaw 2018-12</i>) q. Solar energy conversion systems r. Wind energy conversion systems, micro s. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Amusement establishments, indoor b. Auctioneering establishments c. Automotive and equipment maintenance and repair shop, light d. Automotive and recreational vehicle sales/rental establishments, light e. Bed and breakfast establishments f. Cannabis Store (<i>Amended by Bylaw 2018-18</i>) g. Commercial entertainment facility h. Commercial schools i. Contractor services, limited j. Day cares k. Day homes l. Drinking establishments m. Drive-in business n. Dwellings existing as of July 1, 2002 o. Equipment rental establishment p. Funeral service establishment q. Institutional uses r. Liquor stores s. Motels t. Mixed use developments u. Private clubs or lodges v. Recreational uses w. Second hand stores x. Secondary commercial uses y. Service stations z. Shopping centres aa. Sidewalk cafes bb. Suites, surveillance cc. Signs which are not accessory to a permitted or a secondary use dd. Dwelling units in a building in which any of the above mentioned permitted or discretionary uses (other than dwellings existing as of July 1, 2002) are located. <p>If the floor space area used is not greater than 372 m² (4000 ft²), the manufacture or treatment of products essential to the retail business conducted on the premises, for example:</p> <ul style="list-style-type: none"> i. a bakery ii. a dyeing or cleaning plant or establishment iii. the manufacture of candy, confectionary, ice cream or jam iv. ceramics manufacture

	ee. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses ff. Buildings and uses accessory to discretionary uses
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2. Regulations

- a. Maximum Site Coverage
 - i. One hundred percent (100%) of site coverage shall be allowed, provided that adequate provision is made for parking spaces, loading spaces, and garbage collection facilities.
- b. Minimum Lot Area
 - i. No new lot shall be created by subdivision with an area of less than 150 m² (1614 ft²), a width of less than 6.0 m (19.7 ft.), or a depth of less than 30.0 m (98.4 ft.).
- c. Maximum Height
 - i. The height of buildings shall not exceed 12.0 m (39.4 ft.), nor 2 storeys, nor the maximum height in an adjoining District, whichever is less.
- d. Minimum Required Front Yard: None
- e. Minimum Required Side Yard: None
 - i. Notwithstanding Subsection (a), the minimum required side yard adjacent to a Residential District shall be 8.0 m (26.2 ft.) (*Amended by Bylaw 2018-12*).
- f. Minimum Required Rear Yard: None, provided that adequate provision is made for parking spaces, loading spaces, and garbage collection facilities.
- g. Parking and Loading
 - i. Parking spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
 - ii. Each site shall have access to a lane at the side or rear of the site.
 - iii. Loading spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
- h. Outdoor Storage
 - i. No outdoor storage of goods, materials, machinery or supplies shall be allowed in this District.
- i. Regulations for Dwellings Existing as of July 1, 2002
 - i. The Regulations for single detached dwellings in the R2 District shall apply to development related to dwellings existing as of July 1, 2002.
- j. Landscaping and Amenity Areas
 - i. Notwithstanding any provisions of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. There are no requirements in the C1 District for the provision of amenity area.
 - iii. When a development in the C1 District is proposed adjacent to a R1 District, a buffer shall be provided and maintained to the satisfaction of the Development Authority. The buffer may be comprised of any or all of the following:
 - 1. landscaped greenspace,

2. closed or open fencing,
3. trees, and
4. earth berming.

k. Signs

- i. Signs shall be developed in accordance with **Sections 8.37 - 8.41** of this Bylaw (*Amended by Bylaw 2018-12*).

l. Dwelling Units in a Building Where Commercial Uses are Located

- i. The following regulations shall apply to dwelling units:
 1. Dwelling units shall be allowed only in buildings where the first storey or part of the first storey is used for commercial purposes;
 2. Dwelling units shall have access at grade which is separate from the access for a commercial use;
 3. Dwelling units shall be developed in accordance with the regulations of the R4 District, excepting minimum required yard and site coverage regulations which shall be at the discretion of the Development Authority.

9.13 C2 – COMMERCIAL (HIGHWAY) DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Animal breeding/boarding facility b. Automotive and equipment repair shops, light c. Automotive and recreational vehicle sales/rental establishments, light d. Commercial schools e. Drive-in businesses f. Drive-in restaurants g. Eating and drinking establishments h. Exhibition and convention facility i. Health services j. Hotels k. Household repair services l. Motels m. Office uses n. Parking areas o. Personal service shops p. Private clubs and lodges q. Public or quasi-public use or building (<i>Amended by Bylaw 2018-12</i>) r. Public utilities and buildings (<i>Amended by Bylaw 2018-12</i>) s. Retail establishment, general (<i>Amended by Bylaw 2018-12</i>) t. Secondary commercial uses u. Service stations v. Solar energy conversion systems w. Wind energy conversion systems, micro x. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Amusement establishments, indoor b. Amusement establishments, outdoor c. Auctioneering establishments d. Automotive and equipment maintenance and repair shop, heavy e. Automotive and recreational vehicle sales/rental establishments, heavy f. Bus depots g. Cannabis Store (<i>Amended by Bylaw 2018-18</i>) h. Contractor services, general i. Contractor services, limited j. Day cares k. Dwellings existing as of July 1, 2002 l. Entertainment establishments m. Equipment rental establishment (<i>Amended by Bylaw 2018-12</i>) n. Funeral services establishment o. Institutional uses p. Liquor stores q. Places of worship r. Recreational uses s. Recreational vehicle campgrounds t. Recreational vehicle campgrounds, seasonal u. Recreational vehicle storage facilities v. Recycling depots w. Shipping containers x. Second hand stores y. Signs which are not accessory to a permitted or a discretionary use z. Small radio communications towers aa. Suites, surveillance bb. Truck and recreational vehicle sales/rental establishments cc. Veterinary clinic, small animal (<i>Amended by Bylaw 2018-12</i>) dd. Wind energy conversion systems, small ee. Wireless communications facilities ff. Retail, general; if the floor space area used is not greater than 372 m² (4000 ft²), the manufacture or treatment of products essential to the retail business conducted on the premises, for example: <ul style="list-style-type: none"> i. a bakery ii. a dyeing or cleaning plant or establishment iii. the manufacture of candy, confectionary, ice cream or jam iv. ceramics manufacture

	<p>gg. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses</p> <p>hh. Buildings and uses accessory to discretionary uses</p>
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2. Regulations

a. Maximum Site Coverage

- i. Maximum site coverage shall not exceed eighty percent (80%) of the site, provided that adequate provision is made for parking spaces, loading spaces, and garbage collection facilities.

b. Minimum Lot Area

- i. No new lot shall be created by subdivision with an area of less than 185 m² (2,000 ft²), a width of less than 6.0 m (19.7 ft.), or a depth of less than 30.0 m (98.4 ft.).

c. Maximum Height

- i. The height of buildings shall not exceed 12.0 m (39.4 ft.) nor 2 storeys.

d. Minimum Required Front Yard: 8.0 m (26.2 ft.) (*Amended by Bylaw 2018-12*)

- i. A buffer of a minimum of 6.0 m (19.7 ft.) shall be required adjacent to a highway right-of-way within which no facilities or development, including parking spaces and signs, may be erected.

e. Minimum Required Side Yard

- i. The minimum required side yard shall be 10 percent of the width of the site or 4.5 m (14.8 ft.), whichever is the lesser.

f. Notwithstanding Subsection (a), the minimum required side yard may be reduced to as little as 1.5 m (4.9 ft.) at the sole discretion of the Development Authority if, in his opinion, the location of buildings and appearance of the site would be improved.

g. Minimum Required Rear Yard

- i. The minimum rear yard shall be 6.0 m (19.7 ft.) for the first storey and 8.0 m (26.2 ft.) for storeys above the first (*Amended by Bylaw 2018-12*).
- ii. Notwithstanding Subsection (a), the minimum required rear yard may be reduced to as little as 1.5 m (4.9 ft.) at the sole discretion of the Development Authority if, in his opinion, the location of buildings and the appearance of the site would be improved.
- iii. Notwithstanding Subsections (i) and (ii), upper storeys of the building may extend to the rear property line
- iv. Notwithstanding Subsections (i), (ii) and (iii), the minimum required rear yard adjacent to a Residential District shall be 8.0 m (26.2 ft.) at all storeys.

h. Parking and Loading

- i. Parking spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
- ii. Loading spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
- iii. The number and design of any accesses provided to a highway from a development or service road shall be to the satisfaction of the Development Authority and Alberta Transportation.

i. Regulations for Dwellings Existing as of July 1, 2002

- i. The Regulations for single detached dwellings in the R2 District shall apply to development related to dwellings existing as of July 1, 2002.
- j. Landscaping and Amenity Areas
 - i. Notwithstanding any provisions of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - ii. There are no requirements in the C2 district for the provision of amenity area.
 - iii. When a development in the C2 District is proposed adjacent to a R1 District, a buffer shall be provided and maintained to the satisfaction of the Development Authority. The buffer may be comprised of any or all of the following:
 - 1. landscaped greenspace,
 - 2. closed or open fencing,
 - 3. trees, and
 - 4. earth berming.
- k. Signs
 - i. Signs shall be developed in accordance with **Sections 8.37 – 8.41** of this Bylaw (*Amended by Bylaw 2018-12*).
- l. Surveillance Suites
 - ii. Surveillance suites shall be developed in accordance with the regulations for dwelling units in the C1 District.

9.14 M1 – INDUSTRIAL DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Agriculture, extensive b. Auctioneering establishments c. Automotive and equipment maintenance and repair shop, heavy d. Automotive and equipment maintenance and repair shop, light e. Automotive and recreational vehicle sales/rental establishments, heavy f. Automotive and recreational vehicle sales/rental establishments, light g. Business support services establishments h. Contractor services, general i. Contractor services, limited j. Equipment rental establishment k. General industrial uses l. Industrial vehicle and equipment sales/rental establishments m. Industrial uses, light n. Office uses o. Public or quasi-public use p. Public utilities q. Recycling depots r. Shipping containers s. Self-servicing storage facilities t. Secondary commercial uses u. Service stations v. Solar energy conversion systems w. Trucking and cartage establishments x. Truck and recreation vehicle sales/rental establishments y. Veterinary clinic, large animal (<i>Amended by Bylaw 2018-12</i>) z. Veterinary clinic, small animal (<i>Amended by Bylaw 2018-12</i>) aa. Wind energy conversion systems, micro bb. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Agricultural industry b. Amusement establishments, outdoor c. Animal breeding and/or boarding facility (<i>Amended by Bylaw 2018-12</i>) d. Cannabis Facility (<i>Amended by Bylaw 2018-18</i>) e. Convenience retail stores f. Drive-in businesses g. Eating and drinking establishments h. Grain elevators i. Greenhouses and plant nurseries j. Industrial uses, medium k. Institutional uses l. Outdoor storage facilities m. Places of worship n. Recreational uses o. Recreational vehicle campgrounds, seasonal p. Recreational vehicle campgrounds, workcamp q. Recreational vehicle storage r. Recycling depots s. Retail stores as an accessory to a manufacturing or fabrication use t. Small radio communications towers u. Suites, surveillance v. Staging area w. Wind energy conversion systems, large x. Wind energy conversion systems, small y. Wireless communications facilities z. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses aa. Buildings and uses accessory to discretionary uses

2. Regulations

- a. No development shall be allowed in the M1 District that, in the sole opinion of the Development Authority, is likely to be offensive or objectionable, or to create a nuisance.
- b. Maximum Site Coverage

- i. Maximum site coverage shall not exceed fifty percent (50%) of the site area unless the site is served or intended to be served by a sewage collection system, a water distribution system and a storm drainage system, in which case the maximum site coverage shall be sixty percent (60%) of the site area.
- c. Minimum Site Area
 - i. Minimum site area shall be based on the merits and needs of a proposed development but shall not be less than 0.6 hectares (1.5 acre) unless the development is intended to be served by a sewage collection system, a water distribution system and a storm drainage system; in which case the minimum site area shall be at the sole discretion of the Development Authority, who shall assess the minimum site area in relation to the actual development proposed.
- d. Maximum Building Height
 - i. The height of buildings shall not exceed 12.0 m (39.4 ft.), excluding grain elevators.
- e. Minimum Required Front Yard: 8.0 m (26.2 ft.)
 - i. Notwithstanding Subsection (a), no loading space, parking space, or outdoor storage area, or any other like facility, shall be permitted within 6.0 m (19.7 ft.) of the front yard. However, the front yard may be used for such facilities as walkways or driveways.
- f. Minimum Required Side Yard
 - ii. All buildings shall provide one (1) side yard of not less than 6.0 m (19.7 ft.).
 - iii. Buildings need not provide a second side yard; however, where a second side yard is provided, it shall not be less than 3.0 m (9.8 ft.).
- g. Minimum Required Rear Yard
 - i. At the discretion of the Development Authority, but in no case shall a rear yard be less than 5.0 m (16.4 ft.) where abutting a railway line.
- h. Parking and Loading
 - i. Parking spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
 - ii. Each site shall have access to a lane at the side or rear of the site.
 - iii. Loading spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
 - iv. Each development shall have not more than two (2) approaches to any road and shall be laid out having regard to continuity of traffic flow, safety of vehicles and avoidance of dangerous intersections to the satisfaction of the Development Authority.
- i. Outdoor Storage
 - i. Outdoor storage shall be allowed only when accessory to a principal use or when it is deemed by the Development Authority to be a temporary development.
 - ii. An outdoor storage area shall be screened to the height considered necessary by the Development Authority to screen the storage of materials.
- j. Landscaping and Amenity Areas
 - i. All yards shall be landscaped with trees, shrubs and planted groundcover in accordance with plans approved by the Development Authority. The entire site and all buildings shall be

maintained in a neat, tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

- ii. Notwithstanding any provisions of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
- iii. There are no requirements in the M1 district for the provision of amenity area.
- iv. When a development in the M1 District is proposed adjacent to a Residential District, a public park or a recreational use, a buffer shall be provided and maintained to the satisfaction of the Development Authority. The buffer may be comprised of any or all of the following:
 - 1. landscaped greenspace,
 - 2. closed or open fencing,
 - 3. trees, and
 - 4. earth berming.

k. Architectural Controls

- i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.

l. Signs

- i. Signs shall be developed in accordance with **Sections 8.37 – 8.41** of this Bylaw (*Amended by Bylaw 2018-12*).

m. Surveillance Suites

- i. Surveillance suites shall be developed in accordance with the regulations for dwelling units in the C1 District.

9.15 M2- MEDIUM INDUSTRIAL DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Auctioneering establishments b. Automotive and equipment maintenance and repair shop, heavy c. Automotive and equipment maintenance and repair shop, light d. Automotive and recreational vehicle sales/rental establishments, heavy e. Automotive and recreational vehicle sales/rental establishments, light f. Business support services establishments g. Contractor services, general h. Contractor services, limited i. Equipment rental establishments j. Industrial vehicle and equipment sales/rental establishments k. Industrial uses, light l. Industrial uses, medium m. Office uses n. Outdoor storage facilities o. Public or quasi-public use p. Public utilities q. Recycling depots r. Shipping containers s. Self-service storage facilities t. Secondary commercial uses u. Service stations v. Solar energy conversion systems w. Trucking and cartage establishments x. Veterinary clinic, large animal (<i>Amended by Bylaw 2018-12</i>) y. Veterinary clinic, small animal (<i>Amended by Bylaw 2018-12</i>) z. Wind energy conversion systems, micro aa. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Agricultural industry b. Animal breeding and/or boarding facility (<i>Amended by Bylaw 2018-12</i>) c. Cannabis Facility (<i>Amended by Bylaw 2018-18</i>) d. Convenience retail stores e. Drive-in businesses f. Eating and drinking establishments g. Greenhouses and plant nurseries h. Industrial uses, heavy i. Institutional uses j. Places of worship k. Recreational uses l. Recreational vehicle campgrounds, seasonal m. Recreational vehicle campgrounds, workcamp n. Recreational vehicle storage o. Retail stores as an accessory to a manufacturing or fabrication use p. Small radio communications towers q. Surveillance suites r. Staging area s. Wind energy conversion systems, large t. Wind energy conversion systems, small u. Wireless communications facilities v. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses w. Buildings and uses accessory to discretionary uses

2. Regulations

- a. No development shall be allowed in the M1 District that, in the sole opinion of the Development Authority, is likely to be offensive or objectionable, or to create a nuisance.
- b. Maximum Site Coverage
 - i. Maximum site coverage shall not exceed fifty percent (50%) of the site area unless the site is served or intended to be served by a sewage collection system, a water distribution system and

a storm drainage system, in which case the maximum site coverage shall be sixty percent (60%) of the site area.

c. Minimum Site Area

- i. Minimum site area shall be based on the merits and needs of a proposed development but shall not be less than 0.6 hectares (1.5 acre) unless the development is intended to be served by a sewage collection system, a water distribution system and a storm drainage system; in which case the minimum site area shall be at the sole discretion of the Development Authority, who shall assess the minimum site area in relation to the actual development proposed.

d. Maximum Building Height

- i. The height of buildings shall not exceed 12.0 m (39.4 ft.), excluding grain elevators.

e. Minimum Required Front Yard: 8.0 m (26.2 ft.) (*Amended by Bylaw 2018-12*)

- i. Notwithstanding Subsection (a), no loading space, parking space, or outdoor storage area, or any other like facility, shall be permitted within 6.0 m (19.7 ft.) of the front yard. However, the front yard may be used for such facilities as walkways or driveways.

f. Minimum Required Side Yard

- i. All buildings shall provide one (1) side yard of not less than 6.0 m (19.7 ft.).
- ii. Buildings need not provide a second side yard; however, where a second side yard is provided, it shall not be less than 3.0 m (9.8 ft.).

g. Minimum Required Rear Yard

- i. At the discretion of the Development Authority, but in no case shall a rear yard be less than 5.0 m (16.4 ft.) where abutting a railway line.

h. Parking and Loading

- i. Parking spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
- ii. Each site shall have access to a lane at the side or rear of the site.
- iii. Loading spaces shall be provided in accordance with **Section 7.19** of this Bylaw.
- iv. Each development shall have not more than two (2) approaches to any road and shall be laid out having regard to continuity of traffic flow, safety of vehicles and avoidance of dangerous intersections to the satisfaction of the Development Authority.

i. Outdoor Storage

- i. Outdoor storage shall be allowed only when accessory to a principal use or when it is deemed by the Development Authority to be a temporary development.
- ii. An outdoor storage area shall be screened to the height considered necessary by the Development Authority to screen the storage of materials.

j. Landscaping and Amenity Areas

- i. All yards shall be landscaped with trees, shrubs and planted groundcover in accordance with plans approved by the Development Authority. The entire site and all buildings shall be maintained in a neat, tidy manner including the trimming and upkeep of landscaped areas and the removal of debris and unsightly objects.

- ii. Notwithstanding any provisions of this Bylaw to the contrary, as a condition of the approval of a development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority and within twelve months of occupancy or commencement of operation of the development.
 - iii. There are no requirements in the M1 district for the provision of amenity area.
 - iv. When a development in the M2 District is proposed adjacent to a Residential District, a public park or a recreational use, a buffer shall be provided and maintained to the satisfaction of the Development Authority. The buffer may be comprised of any or all of the following:
 - 1. landscaped greenspace,
 - 2. closed or open fencing,
 - 3. trees, and
 - 4. earth berming.
- k. Architectural Controls
 - i. Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority shall consider any architectural controls affecting the development prior to making a decision on an application for a development permit.
- l. Signs
 - i. Signs shall be developed in accordance with **Sections 8.37 – 8.41** of this Bylaw (*Amended by Bylaw 2018-12*).
- m. Surveillance Suites
 - i. Surveillance suites shall be developed in accordance with the regulations for dwelling units in the C1 District.

9.16 P – PARKS AND RECREATION DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">a. Public parksb. Recreational usesc. Buildings and uses accessory to permitted uses	<ul style="list-style-type: none">a. Cemeteriesb. Eating and drinking establishments which are accessory to permitted or discretionary usesc. Public or quasi-public buildingsd. Public or quasi-public usese. Public utilitiesf. Public utility buildingsg. Public education facility, not including commercial schoolsh. Shipping containersi. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary usesj. Buildings and uses accessory to discretionary uses

2. Regulations

a. General Regulations

- i. All regulations shall be as required by the Development Authority
- ii. The design, siting, landscaping, screening and buffering of development in the P District shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Districts.

b. Parking and Loading

- i. Parking spaces and loading spaces shall be provided in accordance with **Section 7.19** of this Bylaw.

9.17 US – URBAN SERVICES DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none"> a. Assisted care housing b. Indoor recreation facility c. Institutional uses d. Extensive recreation e. Government services f. Libraries and cultural exhibits g. Natural environment preserve h. Office uses i. Places of worship j. Protective and emergency services k. Public parks l. Public or quasi-public buildings m. Public or quasi-public uses n. Public utilities o. Public utility buildings p. Recreational uses q. Public education facility, not including commercial schools r. Buildings and uses accessory to permitted uses 	<ul style="list-style-type: none"> a. Uses which are listed as permitted or discretionary uses in the P District which are not listed as permitted uses in this District b. Amusement establishments, indoor c. Amusement establishments, outdoor d. Cemeteries e. Community recreation services f. Day cares g. Family care facilities h. Group care facilities i. Health services (<i>Amended by Bylaw 2018-12</i>) j. Hospitals k. Private clubs and lodges l. Shipping containers m. Senior citizens apartments and lodges n. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses o. Buildings and uses accessory to discretionary uses

2. Regulations

a. General Regulations

- i. All regulations shall be as required by the Development Authority
- ii. The design, siting, landscaping, screening and buffering of development in the US District shall minimize and compensate for any objectionable aspects or potential incompatibility with development in abutting Districts.

b. Parking and Loading

- i. Parking spaces and loading spaces shall be provided in accordance with **Section 7.19** of this Bylaw.

9.18 DC – DIRECT CONTROL DISTRICT

1. General Purpose of District
 - a. This district is intended to provide Council with direct control over the use and design of development in areas of unique character or special environmental concern. To assist Council in its decisions, an Area Redevelopment Plan or an Area Structure Plan for the subject area may be required by Council.
2. Discretionary Uses
 - a. Council may permit any use in this District which is consistent with stated policies and statutory plans affecting the area.
3. Development Regulations
 - a. A development may be evaluated by Council with respect to its compliance with:
 - i. the objectives and policies of an applicable Statutory Plan;
 - ii. the regulations of this Bylaw; and
 - iii. the regulations of adjacent Districts.

9.19 UR – URBAN RESERVE DISTRICT

1. Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">a. Agriculture, extensiveb. Public parksc. Public or quasi-public buildingsd. Public or quasi-public usese. Public utilitiesf. Solar energy conversion systemsg. Wind energy conversion systems, microh. Buildings and uses accessory to permitted uses	<ul style="list-style-type: none">a. Any strictly temporary use or building which, in the sole opinion of the Development Authority, will not prejudice the possibility of conveniently and economically subdividing or developing the area in the futureb. Greenhouses and plant nurseriesc. Recreational used. Recreational vehicle campgroundse. Recreational vehicle campgrounds, seasonalf. Small radio communications towersg. Single detached dwellings, whether or not they are accessory to cultivationh. Wind energy conversion systems, smalli. Wireless communications facilitiesj. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary usesk. Buildings and uses accessory to discretionary uses

2. Regulations

a. Development Regulations for Permitted and Discretionary Uses

- i. The maximum building height shall be 10.0 m (32.8 ft.) except in the case of buildings accessory to cultivation other than dwellings.
- ii. The minimum side yard, rear yard, and front yard shall be at the discretion of the Development Authority.
- iii. Water supply and sewage disposal shall be provided in accordance with regulations under the Safety Codes Act.
- iv. The Development Authority may specify the length of time a development is approved in this District having regard to the servicing and future development of the subject land.
- v. A development may be permitted in the UR District, which does not conform to the minimum requirements of this Bylaw, provided that the lot is considered to be a remnant parcel by the Development Authority.

b. Subdivision Regulations

- i. One of the following three subdivision options may be allowed in this district:
 - 1. The subdivision of an unsubdivided quarter section of land into two lots of 32 hectares (80 acres), more or less, or
 - 2. The subdivision of one residential lot from an unsubdivided quarter section of land to accommodate a single detached dwelling and accessory uses, of an area not exceeding 1 hectare (2.5 acres); or

3. The subdivision of an existing dwelling from the remnant part of a quarter section of land where part of the quarter section has been previously subdivided for urban uses, urban service or public utility uses. The maximum lot area shall be 2 ha (5 ac.) unless in the opinion of the Subdivision Authority a greater area is necessary to accommodate an existing dwelling and other related improvements.
- c. For the purposes of this Subsection, “existing dwelling” means a single detached dwelling which is fully constructed and habitable prior to a decision on the application for subdivision being rendered by the subdivision authority.
- d. For the purposes of this Subsection, “farmstead” means an existing single detached dwelling and any accessory buildings and/or improvements which are required for the agricultural production of the quarter section of land.
 - i. Notwithstanding Subsection (a) above, the following additional subdivisions may be allowed in this District:
 1. The subdivision of one or more lots to accommodate an essential public use or public utility use; and
 2. The subdivision of one or more lots to accommodate an extensive agricultural use whereby the lots are physically severed from the balance of the titled area by a permanent man-made or natural feature. The presence of an underground pipeline does not constitute a physical severance for the purpose of this Subsection.

10 LAND USE DISTRICT MAP
