

SECTION FOUR

Specific Uses and Activities

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

4.1 SPECIFIC USE REQUIREMENTS

- a) The Development Permit requirements outlined for specific uses in this section are over and above the development permit application requirements stated within 'Development Permit Applications' (s.2.4), and
- b) The Development Authority shall have regard to these requirements in addition to the requirements of 'Development Permit Applications' (s.2.4).

4.2 BED & BREAKFAST

General Requirements

- a) A Bed & Breakfast shall not be permitted in a dwelling which has an existing 'Home Office' (s.4.7) or 'Home-Based Business' (s.4.8),
- b) The Bed & Breakfast shall be contained entirely within the principal building,
- c) The Bed & Breakfast shall be limited to a maximum of four (4) guest rooms,
- d) No cooking facilities are permitted in guest rooms,
- e) A maximum stay of ninety (90) days per person is permitted, and
- f) One (1) 'Freestanding Sign' (s.3.53) is permitted, at the discretion of the Development Authority,

Site Requirements

- g) Minimal exterior modifications of the structure or grounds may be made only if such changes are compatible with the character of the neighbourhood,
- h) One (1) off-street parking stall per guest room shall be required, and

Development Permit Requirements

- i) A Development Permit application will respond to the above noted Requirements.

4.3 CANNABIS PROCESSING (MICRO & STANDARD)

General Requirements

- a) Cannabis Processing (Micro) shall be restricted to the Non-Residential Districts,
- b) Cannabis Processing (Standard) shall be restricted to Industrial Districts only,

Site Requirements

- c) The property line of a parcel containing a Cannabis Processing use shall not be permitted within 150 m of a:
 - i. Residential District,
 - ii. School or School Reserve parcel,
 - iii. Care Facility (Child, Clinic or Medical),
 - iv. Park, or other use which may have an ancillary playground,
- d) Distances are measured from closest property lines,
- e) No outside storage of cannabis goods, materials, or supplies is permitted,
- f) The use must include an air filtration system to remove odours as an extra precaution to ensure the use does not create odour impacts for adjacent parcels, and

Development Permit Requirements

- g) A Development Permit application will respond to the above noted Requirements and any Federal regulations.

4.4 CAR WASH

General Requirements

- a) Car Washes shall not be located on parcels which, in the opinion of the Development Authority, negatively impact adjacent Parcels in terms of noise and traffic generation,

Site Requirements

- b) The parcel shall contain space for at least twelve (12) vehicles or a minimum of three (3) vehicles per Car Wash bay, whichever is greater, so that vehicles have space to line up in front of the bays,
- c) An oil/grit separator is required, in accordance with applicable Provincial regulations,
- d) On-site storage of sludge/waste is prohibited,

Development Permit Requirements

- e) A Development Permit application will respond to the above noted Requirements, and
- f) An applicant may be required to submit a Traffic Impact Assessment.

4.5 DRIVE-THROUGH

General Requirements

- a) The owner or operator of a drive-through shall at all times maintain the parcel, its buildings and structures in a clean, neat, tidy, and attractive condition, free from rubbish and debris,

Site Requirements

- b) The boundary between a parcel with a Drive-Through use and any adjacent Residential Districts shall be fenced, not less than 1.8 m in height,
- c) A minimum of one (1) garbage receptacle is required along the length of the Drive-Through,

Development Permit Requirements

- d) A Development Permit application will respond to the above noted Requirements,
- e) An applicant is required to submit a Site Plan illustrating how motor vehicles will enter and exit the Drive-Through and not obstruct adjacent sidewalks, streets or lanes, and
- f) An applicant may be required to submit a Traffic Impact Assessment.

4.6 GAS STATION

General Requirements

- a) Gas Stations shall not be located on Parcels which, in the opinion of the Development Authority, would be considered unsafe in terms of vehicle circulation, or access to/egress from the Parcel,
- b) A Development Permit application for a Gas Station shall be referred to the Fire Chief, and the Development Authority shall be guided by the Fire Chief's recommendations when making a decision on the permit,

Site Requirements

- c) A parcel on which a Gas Station is located shall have a road frontage of at least 30 m,
- d) No fuel pump or storage tank shall be located within 12.0 m from the front property line,
- e) No fuel pump or storage tank shall be located within 6.0 m from any side or rear property line,
- f) A minimum of ten percent (10%) of the parcel shall be landscaped to the satisfaction of the Development Authority, and

Development Permit Requirements

- g) A Development Permit application will respond to the above noted Requirements and any Provincial regulations.

4.7 HOME OFFICE

General Requirements

- a) Persons employed in the Home Office shall be residents of the principal building,
- b) The Home Office shall be contained entirely within the principal building,
- c) The Home Office may occupy up to thirty percent (30%) of the floor area of the principal building,
- d) The Home Office may generate up to one (1) business-related visit per week, defined as one (1) delivery visiting the office,
- e) The Home Office should not operate between the hours of 20:00 and 8:00 if noise is generated,
- f) The sale of goods is restricted, unless they are incidental to the service provided by the office,

Site Requirements

- g) The Home Office shall not alter the character or external appearance of the principal building,
- h) No outside storage of equipment, goods, materials, commodities, or finished products is permitted,
- i) No more than one (1) commercial vehicle shall be parked onsite,
- j) No form of advertising related to the Home Office is allowed onsite, apart from a small nameplate not exceeding 0.2 m²,
- k) At least one (1) off-street parking stall shall be required, and

Development Permit Requirements

- l) A Development Permit is not required for a Home Office so long as it complies with the above Requirements.

4.8 HOME-BASED BUSINESS

General Requirements

- a) Persons employed in the Home-Based Business shall be residents of the principal building,
- b) Notwithstanding a) there can be one (1) employee or partner working at the Home-Based Business who does not live on the property,
- c) The Home-Based Business shall be contained entirely within the principal building,
- d) The Home-Based Business may occupy up to thirty percent (30%) of the floor area of the principal building,
- e) The Home-Based Business may generate up to twelve (12) business-related visits per day, defined as twelve (12) vehicles visiting the business per day,
- f) The Home-Based Business should not operate between the hours of 20:00 and 8:00 if noise is generated,
- g) The sale of goods is restricted, unless they are incidental to the service provided by the Home-Based Business,

Site Requirements

- h) The Home-Based Business shall not alter the character or external appearance of the principal building,
- i) Outside storage, related to the Home-Based Business, may be permitted at the discretion of the Development Authority provided it:
 - i. Is screened from adjacent lands and roads,
 - ii. Meets minimum setback requirements, and
 - iii. Does not exceed 40.0 m²,
- j) No commercial vehicles are permitted onsite,
- k) One (1) non-illuminated Fascia Sign is permitted,
- l) At least two (2) off-street parking stalls shall be required,

Development Permit Requirements

- m) A Development Permit application will respond to the above noted Requirements,
- n) All permits issued for Home-Based Business shall be subject to the above conditions, and
- o) If in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighborhood, a stop order shall be issued.

4.9 RESIDENTIAL CONVERSION

General Requirements

- a) The Residential Conversion should not operate between the hours of 20:00 and 8:00 if noise is generated,
- b) The sale of goods is restricted, unless they are incidental to the service provided in the Residential Conversion,

Site Requirements

- c) The Residential Conversion shall not alter the character or external appearance of the principal building,
- d) Commercial land uses shall be sufficiently screened from Residential land uses by a solid fence 1.8 meters in height and be reasonably maintained to the satisfaction of the Development Authority,
- e) The subject parcel shall be landscaped and reasonably maintained to the satisfaction of the Development Authority,
- f) One (1) non-illuminated Fascia Sign is permitted, and

Development Permit Requirements

- g) A Development Permit application will respond to the above noted Requirements.

4.10 RETAIL (CANNABIS)

General Requirements

- a) Retail (Cannabis) must be a permanent freestanding building without another business, or in a building with other businesses if:
 - i. The store has its own entrance, receiving and storage,
 - ii. There is no access between the Retail (Cannabis) store and other businesses,
- b) Retail (Cannabis) must have signs prohibiting minors,
- c) Inflatable Signs and banners are prohibited,
- d) The maximum operating hours of a Retail (Cannabis) store shall be 10:00 to 22:00, seven (7) days per week, excluding those dates of closure mandated by the Province of Alberta,

Site Requirements

- e) Customer parking shall be restricted to the front of the Retail (Cannabis) store only,
- f) Customer access to the Retail (Cannabis) store from any lane is strictly prohibited,
- g) The property line of a parcel containing a Cannabis Store use shall not be permitted within 150 m of a:
 - i. School or School Reserve parcel,
 - ii. Care Facility (Child, Clinic or Medical),
 - iii. Recreational (Culture & Tourism or Public), or
 - iv. Park, or other use which may have an ancillary playground,
- h) The property line of a parcel containing a Cannabis Store use shall not be permitted within 200 m of a:
 - i. Site that contains any other Retail (Cannabis) store,
- i) Distances are measured from closest property lines,

Development Permit Requirements

- j) A Development Permit application will respond to the above noted Requirements and any Provincial regulations, and
- k) Only the MPC can provide a Variance for a Retail (Cannabis) use.

4.11 RETAIL (LIQUOR)

General Requirements

- a) None,

Site Requirements

- b) The property line of a parcel containing a Retail (Liquor) use shall not be permitted within 150 m of a:
 - i. School (or School Reserve parcel),
 - ii. Care Facility (Child, Clinic or Medical),
 - iii. Recreational (Culture & Tourism or Public),
 - iv. Religious Assembly, or
 - v. Park, or other use which may have an ancillary playground,

Development Permit Requirements

- c) A Development Permit application will respond to the above noted Requirements.

4.12 SECONDARY SUITES (EXTERNAL)

General Requirements

- a) All units shall be constructed on a permanent foundation,
- b) All units shall be considered part of the total building area of an accessory building,
- c) Units shall:
 - i. Comply with the regulations in the applicable District,
 - ii. Contain at least one (1) room and include sleeping, sanitary, and cooking facilities, and
 - iii. Provide a minimum of one (1) dedicated on-site parking stall,

Site Requirements

- d) Units shall:
 - i. Not exceed a floor area greater than fifty percent (50%) of the principal dwelling floor area,
 - ii. Provide a minimum of one (1) dedicated on-site parking stall, and
 - iii. Have a shared approach with the principal dwelling,

Development Permit Requirements

- e) A Development Permit application will respond to the above noted Requirements and provincial regulations and further provide:
 - i. A Floor Plan,
 - ii. Elevations for the Secondary Suite (front, side and rear),
 - iii. A Site Plan detailing amenity space for the unit, and any landscaping or screening, and
 - iv. Colour photographs of the existing site and surrounding area.

4.13 SECONDARY SUITES (INTERNAL)

General Requirements

- a) Units shall have a minimum floor area of 30.00 m² and maximum of 110.0 m², unless it is located in a basement of a principal dwelling unit in which case the maximum may be exceeded,
- b) The exterior of the principal dwelling shall continue to appear as a single dwelling,

Site Requirements

- c) Provide a minimum of one (1) dedicated on-site parking stall, and

Development Permit Requirements

- d) A Development Permit application will respond to the above noted Requirements and provincial regulations and further provide:
 - i. A Floor Plan

4.14 SOLAR PANELS (ROOF TOP)

General Requirements

- a) May project a maximum of 1.3 m from the surface of the roof and shall not exceed the maximum height requirements of the applicable District, and
- b) Shall not extend beyond the outermost edge of the roof,

Site Requirements

- c) None, and

Development Permit Requirements

- d) A Development Permit is not required for Solar Panels (Roof Top) so long as they comply with the above Requirements.

4.15 SOLAR PANELS (WALL MOUNTED)

General Requirements

- a) May project a maximum of 1.5 m from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable District,
- b) May project a maximum of 0.6 m from the surface of the wall when the wall faces the front, or side property line, subject to the setback requirements of the applicable District,

Site Requirements

- c) Shall be located such that it does not create undue glare on neighbouring parcels or roadways,
- d) Shall be located a minimum of 2.4 m above grade, and

Development Permit Requirements

- e) A Development Permit application will respond to the above noted Requirements.

4.16 SOLAR PANELS (FREE STANDING)

General Requirements

- a) Solar Panels (Free Standing) are restricted to R-ACG, I-HVY, S-COM, S-PRK, and S-URB Districts
- b) Solar Panels (Free Standing) are considered to be an Accessory Building/Structure,

Site Requirements

- c) Shall be located such that it does not create undue glare on neighbouring parcels or roadways,
- d) Shall not be located in the front yard or side yard of a parcel, and

Development Permit Requirements

- e) A Development Permit is not required for Solar Panels (Free Standing) so long as they comply with the above Requirements.

4.17 SURVEILLANCE SUITES

General Requirements

- a) A Surveillance Suite shall be clearly subordinate to and compatible with the principal use,
- b) No more than one (1) Surveillance Suite shall be located on a lot,
- c) A Surveillance Suite may be located in a Dwelling (Manufactured Home), but shall not be located in a Recreational Vehicle,

Site Requirements

- d) Provide a minimum of one (1) dedicated on-site parking stall,

Development Permit Requirements

- e) A Development Permit application will respond to the above noted Requirements and further set out:
 - i. The appearance of the Surveillance Suite

- ii. The screening, storage, collection and disposal of solid waste, and
- f) An applicant is required to submit the following in support of a Development Permit:
 - i. A Site Plan illustrating the location of the Surveillance Suite.

4.18 EXCAVATION, STRIPPING & GRADING

General Requirements

- a) Excavation, Stripping and Grading activities are considered a Discretionary Use in all Districts,
- b) A Development Permit is required for all Excavation, Stripping and Grading activity, with the exception of those lands governed by a valid Development Agreement,

Site Requirements

- c) None,

Development Permit Requirements

- d) A Development Permit application will respond to the above noted Requirements and further provide:
 - i. A description of the excavation, stripping or grading operation proposed,
 - ii. A plan showing the location of the area of the operation relative to site boundaries and depth of excavation or the quantity of topsoil to be removed,
 - iii. A detailed timing and phasing program covering the length of the proposed operation,
 - iv. A plan showing the final site conditions following completion of the operation and any land reclamation proposals where applicable,
 - v. A description of the measures to be taken for the prevention or lessening of dust and other nuisances during and after the operation, and
- e) The Development Authority may require an Irrevocable Letter of Credit or cash up to the value of the estimated cost of all or any proposed work/activities, including final grading and landscaping to ensure that same is carried out with reasonable diligence.

4.19 DEMOLITION OR REMOVAL OF BUILDINGS

General Requirements

- a) The demolition or removal of a Building is allowed in all Land Use Districts,

Site Requirements

- b) None,

Development Permit Requirements

- c) Prior to the Demolition or removal of a Building, a Development Permit must be approved by the Development Authority,
- d) Notwithstanding c), a Development Permit is not required where:
 - i. The demolition or removal of a Building is a result of a Development for which a Development Permit has already been approved and issued, and
 - ii. The building that is being demolished or removed does not require a Development Permit as noted in 'Development Not Requiring a Development Permit' (s.2.2), and
- e) A Building Permit shall be required, as per the *Safety Codes Act*, for the Demolition or removal of any Building.

4.20 MOVED-IN PRINCIPAL BUILDINGS

General Requirements

- a) A Development Permit is required to move an existing Principal Building onto a parcel,

Site Requirements

- b) The Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be set,

Development Permit Requirements

- c) A Development Permit application will respond to the above noted Requirements and further provide:
 - i. photographs showing all sides of the building,
 - ii. a statement of the type of construction, condition, and age of the building, and
 - iii. a statement of proposed improvements with an estimate of costs, and
- d) The Development Authority may require the applicant to provide evidence of a building inspection that demonstrates that the moved-in principal building is habitable.