

**Town of Drayton Valley**

# **Land Use Bylaw**

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*Bylaw 2020/12/D*

*Adopted by Council January 2021*

*Last Revised August 16, 2023*



# Record of Text Amendments

The Town of Drayton Valley Land Use Bylaw was adopted by Town Council after Third Reading on January 20, 2021 (Resolution #005/21).

Following is a list of Bylaws enacted by Council subsequent to the January 20,2021 adoption which each amend various parts of the text of the Land Use Bylaw. The list is based on the adoption dates by Town Council. The list does not include Rezoning Bylaws which amend the Zoning Map of the Land Use Bylaw.

Adoption Date	Bylaw #	Content/Description
October 12 2022	2022-10-D	<b>Controlled Substance Separation Space Bylaw</b> Revisions to Sections 4.3 Cannabis Processing (Micro & Standard), 4.10 Retail (Cannabis), 4.11 Retail (Liquor), and Section 6 Glossary
October 12 2022	2022-08-D	<b>Manufactured Homes (MFHs) Bylaw</b> Revisions to Section 3.32 Manufacture Homes, Removal of Manufactured Homes as a use under R-GEN, R-MLT, & R-TRN zones
April 19 2023	2023-01-D	<b>Care Facility Clinic Bylaw</b> Revisions to Section 5.0 C-GEN and C-DWT
June 14 2023	2023-02-D	<b>Funeral Home and Crematorium Bylaw</b> Revisions to Section 5.0 C-GEN, C-HWY, I-LHT, S-COM, I-HVY Revisions to Section 6 Glossary
August 16, 2023	2023-03-D	<b>S-URB, Special, Urban Reserve District</b> Revisions to Section 5.0 S-URB
August 16, 2023	2023-04-D	<b>Amend the Purpose and Process Sections</b> Revisions to Sections 1.2, 1.4, 1.5a, 1.7,1.8. 1.9, 1.11, 1.12, 1.13, 2.6 2.10, 2.26 Addition of Sections 2.30, 2.31, 2.32, 2.33, 2.34, 2.35, 2.36
August 16, 2023	2023-05-D	<b>Amend DC-1 Direct Control 1 District and Redistricting Part NE <sup>1</sup>/<sub>4</sub> 8-49-7-W5M</b> Revisions to Sections 5.4, 5.5 Addition of Sections 5.6, 5.7

Adoption Date	Bylaw #	Content / Description
August 16, 2023	2023-06-D	<b>Land Use Bylaw Text Amendment- Community Standards</b> Delete and Revise Sections 1.21, 3.14, 3.15, 3.16
March 6, 2024	2023-09-D	<b>Land Use Bylaw Text Amendment – G-GEN (Commercial, General District)</b> Addition of Dwelling, Multi Unit (to Plan 5935HW, Block 11, Lot 2 only)

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# SECTION ONE

## Purpose

# 1

*This section introduces readers to the Land Use Bylaw, establishes jurisdiction, enforcement and amendment regulations, and introduces the people and groups with the authority to exercise development powers in Town.*

## Jurisdiction

### 1.1 TITLE

This Bylaw is entitled ‘Town of Drayton Valley Land Use Bylaw No. 2020/12/D’, hereinafter referred to as the “Bylaw”.

### 1.2 PURPOSE (amended by Bylaw 2023-04-D)

- a.) The purpose of this Bylaw is to provide direction for the orderly, economical, and beneficial development, use of land and patterns of human settlement for the residents of Drayton Valley, and regulate and control development or, where necessary, prohibit development without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.
- b.) This Bylaw:
  - i. Implements the policies of the Town’s Municipal Development Plan and other Statutory Plans,
  - ii. Divides the Town into land use districts,
  - iii. Outlines Permitted and Discretionary Uses for each land use district,
  - iv. Prescribes the subdivision and development regulations for each land use district, generally and specifically,
  - v. Outlines the number of dwelling units permitted on a parcel of land,
  - vi. Establishes criteria for the Development Authority to make decisions on applications for Development Permits, including the issuing of Development Permits,
  - vii. Establishes criteria for the Subdivision Authority to make decisions on applications for subdivision, including the issuing of subdivision approval,
  - viii. Sets out the method to appeal a decision made by the Development Authority and Subdivision Authority in regard to this Bylaw,
  - ix. identifies the manner that the notice of the issuance of a development permit is given and to whom, and,
  - x. Describes the procedure to make amendments to this Bylaw.

- c) This Bylaw must be consistent with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis licence and distances between those premises and other premises.
- d) This Bylaw does not have the authority to regulate residential tenancy that has the effect of distinguishing between any individuals based on whether they are related or unrelated to each other.
- e) This Bylaw shall be applied in a manner that is consistent with the Town’s adopted Statutory Plans, such as the Town’s Municipal Development Plan, the Subdivision and Development Regulation, and provincial land use policies.

### 1.3 CONSISTENCY

#### **Municipal Government Act**

- a) The Bylaw is consistent with the Municipal Government Act (MGA), as amended, and the MGA takes precedence in a case of dispute on the meanings of all words or clauses,

#### **Alberta Land Stewardship Act**

- b) The Bylaw is consistent with the Alberta Land Stewardship Act (ALSA), as amended,

#### **Alberta Interpretation Act**

- c) Timelines outlined within the Bylaw shall be complied with pursuant to the Alberta Interpretation Act, as amended,

#### **Alberta Building Code**

- d) In the case where this bylaw conflicts with the Alberta Building Code, the Alberta Building Code shall prevail,

#### **Alberta Land Titles**

- e) All measurements in this bylaw are metric, in accordance with Alberta Land Titles procedures, and where an imperial measurement is also given it is for convenience only and has no legal status, and

#### **Municipal Development Plan**

- f) The Bylaw is consistent with the ‘Town of Drayton Valley Municipal Development Plan (MDP) Bylaw No. 2012/27/D, as amended.

### 1.4 COMPLIANCE WITH OTHER LEGISLATION (amended by Bylaw 2023-04-D)

- a) A person applying for, or in possession of, a subdivision approval or development permit is not relieved from the responsibility of determining and complying with, or carrying out development in accordance with:
  - i. Statutory Plans,
  - ii. Other Municipal Bylaws,
  - iii. Municipal Government Act, RSA 2000 c. M-26,
  - iv. Alberta Safety Codes Act, RSA 2000, and related regulations,
  - v. Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12,
  - vi. Natural Resources and Conservation Board Act, RSA 2000, c. N-3,
  - vii. The Town’s Minimum Design Standards and Infrastructure Master Plans as they pertain to transportation, water, sanitary and stormwater management,
  - viii. Any other applicable federal, provincial, or other municipal legislation, and
  - ix. The conditions of any caveat, restrictive covenant, easement, or other instrument affecting a building or land.



- b) Nothing in this Bylaw affects the duty or obligation of a person:
  - i. To obtain any other permit, license or other authorization required by any act or regulation, or under any other Bylaw, or
  - ii. To comply with the conditions of any easement, covenant, or agreement affecting the building or land.

## **1.5 EFFECTIVE DATE & TRANSITION** (amended by Bylaw 2023-04-D)

- a) Land Use Bylaw 2007/24/D, Development Authority Bylaw 95-16, Subdivision Authority Bylaw 95-14, Municipal Planning Commission Bylaw 2006/14/D and all amendments thereto, are repealed upon this Bylaw passing and commencing into full force and effect,
- b) The 'Town of Drayton Valley Land Use Bylaw No. 2020/12/D', is passed and comes into full force and effect when it receives third reading and is signed pursuant to the MGA,
- c) All amendments to the Bylaw, any land use Redesignations, or Development Permit applications received on or after the effective date of the Bylaw shall be processed and considered upon the provisions outlined herein, and
- d) All applications received in a complete form prior to the effective date of this Bylaw shall be processed based on 'Land Use Bylaw No. 2007/24/D' unless the Applicant requests that the application be processed based on the regulations of this Bylaw.

## **1.6 FEES AND CHARGES**

All fees and charges under and pursuant to the Bylaw, are established within the "Fee Schedule", as amended.

## **1.7 INTERPRETATION** (amended by Bylaw 2023-04-D)

- a) Words used in the singular include the plural and words used in the present tense include the other tenses and derivative forms,
- b) Words, phrases and terms not defined in the Glossary may be given their definition in the MGA, as amended, or common dictionary definitions,
- c) Compliance with the policies in this Bylaw shall be interpreted and applied as follows:
  - i. "shall" means mandatory compliance except where a Variance has been granted pursuant to the MGA or the Bylaw,
  - ii. "should" means compliance in principle but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of relevant planning principles or circumstances unique to a specific application,
  - iii. "may" means discretionary compliance or a choice in applying policy,
- d) Where a regulation involves two (2) or more conditions or provisions connected by a conjunction:
  - i. "and" means all the connected items shall apply in combination,
  - ii. "or" indicates that the connected items may apply singly or in combination,
  - iii. "and/or" indicates the items shall apply singly or in combination, at the discretion of the Development Authority,
- e) In the case of any conflict between the text of the Bylaw and any maps or drawings used to illustrate any aspect of the Bylaw, the text shall govern.

- f) Words, phrases, and terms not defined in this Bylaw may be given their definition in the MGA, the Alberta Safety Codes Act, or the Interpretation Act. Other words shall be defined by their usual and customary meaning, or as outlined in Section 6 Glossary.
- g) Measurements listed shall adhere and comply to the stated metric measurements. Any measurement greater than the exact regulation prescribed in this Bylaw shall be considered more than the requirement and shall not be rounded down.
- h) The following notations may be used in place of whole words within this Bylaw:
  - i. “m” shall mean metre(s), and
  - ii. “m2 “shall mean square metre(s).
- i) Drawings and graphic illustrations used in this Bylaw are for context and to aid in interpreting and understanding the intent of regulations and provisions. If there is conflict or inconsistency between a drawing or graphic illustration and the text of this Bylaw, the text shall prevail.

### 1.8 BOUNDARIES (amended by Bylaw 2023-04-D)

- a) The boundaries of the Land Use District maps, shall be interpreted as follows:
  - i. When the boundary of a district follows a public roadway or a public right-of-way it follows the centre line, unless otherwise indicated,
  - ii. When the boundary of a district abuts a provincial or federal property, railway right-of-way, pipeline, or utility right-of-way it follows the boundary line,
  - iii. When the boundary of a district is shown as approximately following the Town boundary, it follows the municipal or Town boundary,
  - iv. When the boundary of a district is shown as approximately following the edge of any waterbody, including rivers, lakes, creek, streams, etc., it follows the edge or shoreline,
  - v. When a boundary of a district is shown as approximately following a lot or parcel line, it follows the lot or parcel line, and
  - vi. Where a land use district boundary is not located in conformity to the preceding provisions and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Land Use District Map or by measurements directly from that Map.
- b) If the application of the above interpretations does not result in the exact location of a district boundary, the Development Authority shall determine the exact location of the boundary in doubt or in dispute in a manner consistent with the regulations and provisions of this Bylaw, to the degree of detail that the circumstance requires.
- c) After the Development Authority has determined the exact location of a district boundary, that portion of the location of the boundary shall not be altered, except through an amendment to this Bylaw.

- d) The Development Authority shall maintain a record of all district boundary decisions.

### 1.9 APPLICATION AND SEVERABILITY OF THIS BYLAW (amended by Bylaw 2023-04-D)

- a) Except as permitted in this Bylaw, no person shall commence a development unless a Development Permit for that development has been issued and the appeal period has expired.
- b) Each provision of the Bylaw is independent of all other provisions, and if any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining provisions and portions of this Bylaw.

### 1.10 LAND USE DISTRICT GROUPS

- a) For the purposes of the Bylaw, Land Use Districts may be referred to collectively:
  - i. **‘Residential Districts’**, which include: R-ACG, R-GEN, R-SML, R-MLT, R-HID, R-MAN
  - ii. **‘Commercial Districts’**, which include: C-GEN, C-DWT, C-NHD, C-HWY
  - iii. **‘Industrial Districts’**, which include: I-LHT, I-HVY, and
  - iv. **‘Special Districts’**, which include: S-COM, S-PRK, S-NOS, S-URB,
- b) More information on Districts can be found in **Section 5 – Land Use Districts**.

## Bylaw Authorities

### 1.11 DEVELOPMENT AUTHORITY (amended by Bylaw 2023-04-D)

- a) The Development Authority is hereby established in accordance with Section 623 of the MGA.
- b) The Development Authority for Town of Drayton Valley is the Chief Administrative Officer, or their Designate Officer(s) as defined in Section 6 Glossary of this Bylaw and shall exercise the powers, duties, and functions of the Development Authority as specified in this Bylaw.
- c) Council for the Town of Drayton Valley shall act as the Development Authority for decisions regarding Direct Control (DC) Districts or on Discretionary Use Development Permit applications referred to it by the Development Authority.
- d) Council may by resolution of Council delegate Development Permit approving authority for Direct Control (DC) Districts to the Development Authority.

### 1.12 SUBDIVISION AUTHORITY (amended by Bylaw 2023-04-D)

- a) The Subdivision Authority is hereby established in accordance with Section 623 of the MGA.
- b) The Subdivision Authority for Town of Drayton Valley is the Chief Administrative Officer, or their Designate Officer(s) as defined in Section 6 Glossary of this Bylaw and shall exercise the powers, duties, and functions of the Subdivision Authority as specified in this Bylaw.

**1.13 DUTIES OF THE DEVELOPMENT AUTHORITY AND SUBDIVISION AUTHORITY** (amended by Bylaw 2023-04-D)

- a) The Development Authority shall:
- i. Assist and advise the Council and the public with respect to the requirements of this Bylaw and other pertinent legislation to the best of their ability,
  - ii. Receive and process all Development Permit applications,
  - iii. Keep and maintain for the inspection of the public during office hours and on the Town’s website a copy of this Bylaw and any adopted statutory plans and all subsequent amendments, and ensure that copies of the same are available to the public at a reasonable charge set by Council, amended from time to time,
  - iv. Keep on file in their office and make available for inspection by the public during office hours a register of all development permit applications, including the decisions made on those applications, according to the records retention requirements as established by Council and amended from time to time,
  - v. Issue decisions on all Development Permit applications and state terms and conditions, as authorized by the Bylaw or the MGA,
  - vi. Refer Development Permit applications in a Direct Control (DC) District to Council, excepting where Council has passed a resolution to permit the Development Authority to act on its behalf,
  - vii. Accept applications for amendment to this Bylaw and present same to Council for consideration with adequate supporting material and a staff recommendation within sixty (60) days of receipt of the application.
  - viii. The Development Authority may refer a Development Permit application, in whole or in part, to any outside agency or local authority they deem necessary for comment,
  - ix. Provide a written Time Extension Agreement, in alignment with this Bylaw,
  - x. Allow a Variance, provided it complies with the requirements of the Alberta Building Code, and the ‘Requirements of Other Authorities’,
  - xi. Refer a decision of a Development Permit to Council to act as the ‘Development Authority’,
  - xii. Refuse a Development Permit application and provide the Applicant with notice stating the decision of refusal and the reasoning for it,
  - xiii. Prior to considering an application to amend this Bylaw or approve a Development Permit, require an Outline Plan or Concept Plan to be prepared by the applicant that aligns with one of Town’s Area Structure Plans or Area Redevelopment Plans for an application in an existing developed area, and

- xiv. Issue letters certifying whether a current or proposed use of a building or property complies with this Bylaw.
- b) The Subdivision Authority shall:
  - i. Assist and advise the Council and the public with respect to the requirements of this Bylaw and other pertinent legislation to the best of their ability related to the subdivision process and requirements,
  - ii. Keep and maintain for the inspection of the public during office hours and on the Town's website a copy of this Bylaw and any registered subdivision plans and ensure that copies of the same are available to the public at a reasonable charge set by Council, amended from time to time,
  - iii. Keep on file in their office and make available for inspection by the public during office hours a register of all subdivision applications including the decisions on these applications, for a minimum period of ten years,
  - iv. Refer for comments any application which meet the requirements of this Bylaw to any agency or person when deemed appropriate or as required under the Subdivision and Development Regulation, and
  - v. Consider and decide upon all applications considered pursuant to the MGA and approve such applications with or without conditions.

#### **1.14 SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

- a) The Subdivision and Development Appeal Board (SDAB) is established pursuant to the 'SDAB Bylaw No. 2018/03/D and SDAB Amending Bylaw No. 2019/05/D', as amended,
- b) The SDAB shall perform such duties as specified in this Bylaw and the 'SDAB Bylaw No. 2018/03/D and SDAB Amending Bylaw No. 2019/05/D', as amended.

## **Bylaw Enforcement**

#### **1.15 CONTRAVENTION**

- a) Any person who contravenes, causes or permits a contravention of the Bylaw commits an offence,
- b) It is an offence for any person to commence or continue development when:
  - i. A Development Permit is required but has not been issued,
  - ii. A Development Permit has expired,
  - iii. A Development Permit has been revoked or suspended, or when
  - iv. A condition of a Development Permit has been contravened, and
- c) It is an offence for a person to prevent or obstruct a designated officer from carrying out any official duty under this Bylaw or the MGA.

#### **1.16 ENFORCING THE BYLAW**

- a) The Development Authority or a Designated Officer may enforce the provisions of the Bylaw, or the conditions of a Development Permit pursuant to the MGA and the *Provincial Offences Procedure Act* (POPA), as amended,
- b) Enforcement may be by violation ticket pursuant to POPA, notice of violation or any other authorized action to ensure compliance,
- c) The enforcement powers granted to the Development Authority under the Bylaw are in addition to any enforcement powers that the Town or any of its Designated Officers may have under POPA, and
- d) The Development Authority may exercise all such powers concurrently.

### **1.17 STOP ORDER**

- a) Pursuant to Section 645 of the MGA where an offense under the Bylaw occurs, the Development Authority may by written notice, order the owner or the person in possession of the land or buildings, or the person responsible for the contravention to:
  - i. Stop the development or use of the land or buildings in whole or in part as directed by the notice, or
  - ii. Demolish, remove or replace the development, or
  - iii. Carry out any other actions required by the notice so that the development or use complies with the Bylaw, and
- b) A person who receives a stop order may appeal to the Subdivision and Development Appeal Board (SDAB) in accordance with the MGA,
- c) If a Stop Order isn't complied with or appealed to the SDAB by the stated deadline, the Town may elect to take further action.

### **1.18 STOP ORDER CAVEATS**

- a) The Town may register a caveat under the *Land Titles Act* against the certificate of title for the land that is the subject to a stop order, and
- b) The Town must discharge the caveat when the stop order has been complied with.

### **1.19 ENTRY AND INSPECTION**

- a) Pursuant to Section 542 of the MGA, a Designated Officer may, after giving twenty-four (24) hours notice to the owner or occupier of land or the structure to be entered:
  - i. Enter on that land or structure at any reasonable time, and carry out any inspection, enforcement or action required to assess or enforce compliance with this Bylaw,
  - ii. Request anything to be produced to assist in the inspection, remedy, enforcement or action, and
  - iii. Make copies of anything related to the inspection, remedy, enforcement or action,
- b) The Development Authority shall be a Designated Officer for the purposes of Section 542 of the MGA.

### **1.20 SPECIFIED PENALTIES**

- a) Contravention of this bylaw is an offence and is subject to a fine of not more than \$10,000,
- b) Pursuant to POPA the following fine amounts are established for use on notices of violation and violation tickets:

**Table 1 – Minimum Specified Penalties**

Offence	First Offence	Second Offence	Third Offence
Failure to obtain a Development Permit	Double Applicable Permit Fee(s)	Triple Applicable Permit Fee(s)	Quadruple Applicable Permit Fee(s)
Failure to comply with Development Permit Conditions	\$500	\$750	\$1,250
Failure to comply with District Regulations	\$1,000	\$1,500	\$2,000
Failure to comply with any other condition of the Bylaw	\$1,000	\$1,500	\$1,500

- c) Noted fines for additional offences are for when the offence has occurred within a twelve (12) month period of the previous offence,
- d) Payment of a fine does not release the offender from the requirement to comply with the requirements of this Bylaw.

**1.21 SIGN MAINTENANCE & REMOVAL** (amended by Bylaw 2023-06-D)

- a) Signs not maintained to the satisfaction of the Development Authority may be required to be renovated or removed, such as:
  - i. When a sign is physically damaged or illegible, or
  - ii. When a sign is no longer relevant to the Permitted Use of the Building or the Building is vacant,
- b) Non-compliance may result in the removal of a sign and any cost associated with its removal shall be charged to the owner of the sign, and
- c) Any sign removed shall be stored for thirty (30) days; if not claimed, the sign will be disposed of at the discretion of the Town.

## Bylaw Amendments

**1.22 AMENDMENT**

- a) Any person may apply to have the Bylaw amended,
- b) An application to change the district of any parcel may be initiated only by the owner of that parcel, tenant or agent (with the owner’s consent), or by the municipality,
- c) Council may, on its own initiative and in accordance with the MGA, initiate an amendment to the Bylaw, having referred the proposed Amending Bylaw to the Development Authority prior to first reading, and
- d) Any amendment to the Bylaw shall be made pursuant to the MGA.

**1.23 APPLICATION TO AMEND THE BYLAW**

A person making an application to amend the Bylaw shall do so using the appropriate application form available at the Town office and on the Town’s website and shall include the following:

- a) An application fee as set within the “Fee Schedule”, as amended,
- b) A certificate of title of the land affected or other documents satisfactory to the development authority, including the applicant’s interest in the said land,
- c) Any drawings specified by the development authority, such drawings to be on standard material and fully dimensioned, accurately figured, explicit, and complete, and

- d) Where required, a document authorizing the right of entry by a designated officer of Council to such lands or buildings as may be required for investigation of the proposed amendment.

#### **1.24 AMENDING DUTIES OF THE DEVELOPMENT AUTHORITY**

Upon receipt of a completed application requesting an amendment to the Bylaw, the Development Authority shall:

- a) Prepare an Amending Bylaw for Council,
- b) Prepare a background report, including plans and other relevant material, and submit same to Council for their review, and
- c) Provide a minimum of two (2) weeks' notice of any public hearing to all Adjacent Registered Owners.

#### **1.25 DECISIONS ON BYLAW AMENDMENTS**

Council may, in reviewing a proposed amendment to the Bylaw:

- a) Approve the proposed Amending Bylaw as it is, or
- b) Make any changes it considers necessary to the proposed Amending Bylaw and proceed to approve it without further advertisement or hearing, or
- c) Refer the proposed Amending Bylaw back to administration for more information or further review and changes, then reschedule the application for further consideration, or
- d) Refuse the proposed Bylaw Amendment as it is.

#### **1.26 RECONSIDERATION**

If a proposed Amending Bylaw has been refused by Council, the same application shall not be resubmitted for at least six (6) months after the date of refusal, unless, in the opinion of the Development Authority, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.



# SECTION TWO

## Development Process

# 2

*This section outlines requirements, procedures and responsibilities related to the Town's Development Permit Process.*

## Requirements

### 2.1 CONTROL OF DEVELOPMENT

- a) Except as provided in 'Development Not Requiring a Development Permit' (s.2.2), no person shall commence any development unless a Development Permit has been issued.
- b) All development shall proceed in accordance with the terms and conditions of the Development Permit.

### 2.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

A Development Permit is not required for the following development, provided it complies with all applicable provisions of the Bylaw, and does not require a Variance:

**Table 2 – Development Not Requiring a Development Permit**

Development	Permit Not Required
Accessory Building/Structure	The placement or construction of a single Accessory Building/Structure with a footprint less than 10.25 m <sup>2</sup> and a maximum height less than 3.05 m.
Uncovered Deck	Where the walking surface is less than 0.3 metres in height.
Decorations	Seasonal or holiday decorations.
Driveways	So long as it does not impact existing grades and does not exceed the width of a garage or carport at the end of the driveway.
Fences and Gates	Less than 2.0 metre in height in a rear or side yard and/or 1.0 metre in a front yard.
Poles	Less than 4.5 metres in height.
Government Services	The installation, maintenance of and repair of public works, roads, highways, facilities and/or utilities carried out by or on behalf of federal, provincial, or local authorities.
Home-Based Office	In compliance with Section 4.7.
Landscaping	Where the proposed grades will not adversely affect the subject or an adjacent parcel.

Development	Permit Not Required
Maintenance	Routine maintenance to any building or structure, provided that such work: <ul style="list-style-type: none"> <li>a) complies with the requirements of the Alberta Building Code,</li> <li>b) does not constitute structural alterations, and</li> <li>c) does not change the use or intensity of the use of the building or structure.</li> </ul>
Occupancy within a Shopping Centre	The occupancy of a Permitted Use of a vacant space within an existing and approved Shopping Centre.
Oil/Gas Development	Pursuant to Section 618 of the Act, the installation of a well or battery within the meaning of the <i>Oil and Gas Conservation Act</i> , a pipeline or installation of a structure incidental to the operation of a pipeline.
Outdoor Fire Pit	The construction or installation of a fire pit, that complies with 'Drayton Valley/Brazeau Fire Services Bylaw 2013/08/P', as amended.
Retaining walls	Less than 1.0 metres in height. If a fence is placed on top of a retaining wall, the height of the retaining wall factors into the total height of the fence.
Satellite Dishes	Less than 1.0 metres in diameter directly attached to a roof, side wall or Balcony.
Signs	As specified 'Signs Not Requiring a Development Permit' (s.3.49).
Solar Panels (Roof Top)	In compliance with the Alberta Building Code and Section 4.14.
Temporary Accommodation	The occupation of a motor home, travel trailer, or recreational vehicle on private property for a period of less than five days.
Temporary building	The sole purpose of which is incidental to the erection or alteration of a building, for which a Development Permit has been issued under this bylaw.

### 2.3 NON-CONFORMING BUILDINGS AND USES

- a) Development rendered legally non-conforming as a result of the passage of this Bylaw shall be permitted to remain in accordance with the provisions of the MGA,
- b) A non-conforming use of land or a non-conforming use of 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 shall conform with the provisions of the Land Use Bylaw then in effect,
- c) 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 shall not be repaired or rebuilt except in accordance with the Bylaw,
- d) The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy, or occupancy of the land or building,
- e) The Development Authority may issue a Variance permitting a non-conforming building to be enlarged, added-to or rebuilt where:
  - i. The proposed development is consistent with the purpose and intent of the applicable Land Use District,
  - ii. The proposed development will not result in any additional non-compliance with the requirements of this Bylaw, and
  - iii. There is, in the opinion of the Development Authority, no significant change to the land use or an increase in the intensity of use, and
- f) The Development Authority may consider a Variance under Section 2.3(e) in any District if the non-conforming use complies with the uses authorized in the applicable District and it complies with the Variance criteria for a permitted or discretionary use as set out in in this Bylaw.

## 2.4 DEVELOPMENT PERMIT APPLICATIONS

A Development Permit application shall be made using the appropriate application form available at the Town office and on the Town's website and shall include the following:

- a) An application fee as set within the "Fee Schedule, as amended,
- b) Current copy of the Certificate of Title (within 30 days of submission) for the affected lands,
- c) Current copies of any restrictive covenants or easements (within 30 days of submission),
- d) A copy of the Site Plan showing:
  - i. legal description of the site with north arrow and scale,
  - ii. site area and dimensions of the front, rear and side yards if any,
  - iii. site drainage including any watercourses, finished lot grades, road grades and slopes greater than 15%,
  - iv. locations and distances of on-site existing or proposed water and sewer connections, septic tanks (including drainage area), disposal fields, water wells, culverts and crossings,
  - v. existing and proposed access and egress to and from the site,
  - vi. where applicable, the identification of trees to be cut down or removed,
  - vii. the height, dimensions and setbacks of all existing and proposed buildings and structures,
  - viii. any rights-of-way and setbacks, and
- e) When required by the Development Authority:
  - i. building floor plans, elevation drawings and a description of exterior finishing materials,
  - ii. a Fire Safety Plan in accordance with the *Alberta Fire Code*,
  - iii. a real property report drawn by an Alberta Land Surveyor, if there is any doubt as to the boundaries of the parcel,
  - iv. engineering and other reports to prove the safety and suitability of the site for the purpose intended, including a declaration that the site is free from contamination,
  - v. a Traffic Impact Assessment, and
  - vi. Any supporting studies, plans or other information deemed necessary, and
- f) Any other additional information required for a Specific Use or Activity, as outlined in **Section 4 – Specific Uses and Activities**.

## Receive and Review

### 2.5 RECEIVED APPLICATIONS

A Development Permit application shall not be deemed to have been received by the Town until such time as the 'Development Permit Applications' (s.2.4) requirements have been met to the satisfaction of the Development Authority.

## 2.6 DETERMINATION OF COMPLETENESS (amended by Bylaw 2023-04-D)

- a) Complete Applications
  - i. The Development Authority shall receive all development permit applications and determine within twenty (20) days after the receipt of a development permit application whether it is complete in accordance with the information requirements of this Bylaw.
  - ii. The Development Authority shall inform the applicant by electronic or standard mail, with an “Acknowledgement of Completeness” within twenty (20) days after the receipt of a development permit application if the application is considered complete.
  - iii. If the Development Authority does not decide on completeness of the application within twenty (20) days, and a time extension has not been agreed to in writing between the applicant and the Development Authority, the development permit application will be deemed complete.
- b) Incomplete applications
  - i. A development permit application shall not be considered complete by the Town until the requirements in Section 2.4 have been met to the satisfaction of the Development Authority.
  - ii. If an application for a development permit does not contain all the necessary information or does not contain sufficient details to complete an evaluation of the application and to make a proper decision, the Development Authority shall find the application to be incomplete and inform the applicant with a “Notice of Incompleteness” by electronic or standard mail within twenty (20) days after the receipt of a development permit application that the application is considered incomplete. The Development Authority may require details or information not specifically referred to in Section 2.4 if in the Development Authority’s opinion, the details or information are necessary to evaluate the application and decide.
  - iii. When notifying an applicant that their development permit application is incomplete, the Development Authority shall inform the applicant what outstanding documents and information must be submitted by the date set out in the “Notice of Incompleteness” or a later date agreed on between the applicant and the Development Authority for the application to be considered complete.
  - iv. The Development Authority shall inform the applicant by electronic or standard mail within twenty (20) days after the receipt of the updated application, that the application is considered complete or incomplete.

## 2.7 REVIEW PERIOD

- a) The Development Authority must make a decision on a Development Permit Application within forty (40) days,
- b) The review period commences once the ‘Acknowledgement of Completeness’ is provided to the applicant, and
- c) Notwithstanding a), time to make a decision on a Development Permit Application may be extended within a written ‘Time Extension Agreement’ (s.2.8).

## 2.8 TIME EXTENSION AGREEMENT

- a) The Development Authority may request up to a three (3) month extension of the review period of a Development Permit application from the applicant,

- b) The Development Authority may grant up to a three (3) month extension of the review period of a Development Permit Application at the request of the applicant, and
- c) A 'Time Extension Agreements' shall be agreed to by both parties in writing.

## **2.9 REVIEWING DEVELOPMENT PERMIT APPLICATIONS**

- a) In reviewing a Development Permit Application the Development Authority shall have regard to:
  - i. The purpose and intent of the applicable District,
  - ii. The purpose and intent of any applicable Statutory Plan adopted by the Town,
  - iii. The purpose and intent of any other plan and pertinent policy adopted by the Town, and
  - iv. The circumstances and merits of the application, and
- b) Notwithstanding the provisions of the Bylaw, the Development Authority may impose more stringent development regulations or standards on a Development Permit for a Discretionary Use in order to ensure that the Development is compatible with and complementary to surrounding land use and other planning considerations.

## 2.10 PUBLIC CONSULTATION REQUIREMENTS (amended by Bylaw 2023-04-D)

- a) The Development Authority shall have regard for the Town’s Public Consultation and Communication Policy and follow the requirements in the Development Notices to the Public Policy when processing Development Permit applications.
- b) The Development Authority shall provide the following notice(s) of a Development Permit Application:

**Table 3 – Public Consultation Requirements**

Approval of a:	Type of Public Consultation Required				
	Notice sent to surrounding landowners prior to decision	Notice published on Town website prior to decision	Council meeting required	Notice sent to surrounding landowners after decision	Notice published on Town website after decision
Permitted Use	No	No	No	No	No
Variance greater than 10% for Permitted or Discretionary Use	Yes	Yes	No	Yes	Yes
Variance referred to Council for Permitted or Discretionary Use	Yes	Yes	Yes	Yes	Yes
Discretionary Use	Yes	Yes	No	Yes	Yes
Discretionary Use or applications in a Direct Control District referred to Council	Yes	Yes	Yes	Yes	Yes

## Decisions

### 2.11 DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

The Development Authority, in making a decision on a Development Permit Application for:

#### A Permitted Use

- i. Shall approve the application for a Permitted Use, with or without conditions, if the proposed development conforms with the Bylaw, or
- ii. May approve the application for a Permitted Use, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any required Variances,

#### Discretionary Use:

- iii. May approve the application for a Discretionary Use, with or without conditions, if the proposed development conforms with the Bylaw,
- iv. May approve the application for a Discretionary Use, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any required Variances, or
- v. May refuse the application for a Discretionary Use even though it meets the requirements of the Bylaw, and

#### A Discretionary Use in a Direct Control District:

- vi. May consider and approve the application for a discretionary use in a Direct Control District providing it meets the direction set out by Council, where Council has delegated the decision to the Development Authority.

## 2.12 NOTICE OF DECISION

### Notice to Applicant:

- a) All decisions on Development Permit applications shall be given in writing to the applicant the same day the decision is made,
- b) If the Development Permit application is refused, or conditionally approved, the 'Notice of Decision' shall contain the conditions imposed or the reasons for the refusal or as part of the approval,

### Public Notice:

- c) Approved Development Permit applications, except for permitted uses and permitted uses with a variance of less than 10%, shall be posted on the Town's website. This notice shall include:
  - i. The location and use of the Parcel,
  - ii. The date the Development Permit was issued, and
  - iii. Notice that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the SDAB within twenty-one (21) days of the date of the decision on the application or the date of the deemed refusal.

## 2.13 APPROVAL OF A SIMILAR USE

- a) The Development Authority may approve a Development Permit, with or without conditions, for a use that is neither Permitted nor Discretionary in the District in which the development is to be located, provided that:
  - i. The proposed use is a similar use,
  - ii. The proposed use is not defined elsewhere in this Bylaw, and
  - iii. All public notices of the Development Permit approval specifically reference that the use was approved as a similar use.

## 2.14 VARIANCES

- a) Unless a specific provision of this Bylaw provides otherwise, the Development Authority may issue a Variance as a condition of a Development Permit,
- b) Variances may be issued where:
  - i. The proposed development, with Variance, would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
  - ii. The need for the Variance is specific to the parcel, building or sign to which it applies, not shared by a significant number of other properties in Town, or
  - iii. The Variance is a result of an error that is minor in nature in the siting of a building or structure for which a Development Permit has been approved, and the rectifying of the error would create unnecessary hardship to the registered owner, or
  - iv. The Variance is deemed by the Development Authority to be preferable to complying with the Bylaw, and
- c) Applicants requesting a variance shall provide a supporting rationale in support of the variance,
- d) In the event that a Variance is granted, the Development Authority shall specify the nature of the approved Variance in the Development Permit approval.

## 2.15 DEEMED REFUSALS

An application for a Development Permit shall be deemed to be refused in the following circumstances:

- a) Outstanding information requested as part of the 'Determination of Completeness' (s.2.6) is not submitted by the Applicant within the time period identified by the Development Authority, or
- b) The Development Authority does not make a decision on a Development Permit within the 40 day 'Review Period' (s.2.7), or
- c) The Development Authority does not make a decision on a Development Permit within the alternative review period stated within a written 'Time Extension Agreement' (s.2.8).

## 2.16 EFFECTIVE DATE

- a) A Development Permit for a Permitted Use where no Variance has been approved comes into effect on the date the Permit was issued.
- b) Barring an appeal to the SDAB, a Development Permit for a Discretionary Use or where a Variance has been approved, does not come into effect until twenty-one (21) days from the date on which public notice was issued.

## 2.17 DEVELOPMENT PERMIT EXTENSIONS

- a) The Development Authority may grant one (1) twelve (12) month time extension on any approved Development Permit, and
- b) Time extensions are not permitted on approvals from the SDAB.

# Conditions

## 2.18 CONTINUATION OF CONTROLS

A condition attached to a development permit issued under a former Land Use Bylaw continues under this Bylaw.

## 2.19 CONDITIONS ATTACHED TO DEVELOPMENT PERMITS

- a) The Development Authority, in imposing conditions on a Development Permit may:
  - i. For a Permitted Use, impose conditions only to ensure compliance with this Bylaw, or
  - ii. For a Discretionary Use, impose conditions as deemed appropriate, so long as they serve a legitimate planning objective and do not sub-delegate the Development Authority's discretionary powers.
- b) Conditions may include that the applicant:
  - i. pay an off-site levy or redevelopment levy imposed by bylaw,
  - ii. register an Encroachment Agreement,
  - iii. enter into a Development Agreement,
  - iv. fence a site during construction,
  - v. repair municipal improvements that may be damaged as a result of the development,
  - vi. grade, landscape or pave a parcel,
  - vii. register a restrictive covenant concerning architectural controls and/or landscaping, and/or
  - viii. enter into an agreement to remediate the site when the use comes to an end.



- c) In addition to the foregoing, conditions may include but are not limited to any conditions that the Development Authority may deem appropriate to ensure compatibility with neighbouring development, including:
  - i. limiting hours of operation, and/or
  - ii. requiring the mitigation of noise or other nuisances.

## **2.20 ENCROACHMENT AGREEMENTS**

If an applicant applies for a Development Permit for a building or structure that encroaches on property owned or controlled by the Town, the Development Authority may as a condition of approval require the applicant to enter into an Encroachment Agreement with the Town.

## **2.21 DEVELOPMENT AGREEMENTS**

As a condition of approval, the Development Authority may require the applicant to enter into a 'Development Agreement' with the Town, in accordance with the provisions of the MGA, and may require the applicant to:

- a) Construct, install or pay for any improvements and utilities that are needed to serve the development or provide access to it, or
- b) Pay a Security or Levy an Offsite Levy or redevelopment levy, or
- c) Repair or reinstate to original or improved condition any street furniture, curbing, sidewalk, boulevard landscaping or trees, which may be damaged, destroyed or otherwise harmed by development or building operations upon the site, and/or
- d) Attend to all other matters the Development Authority considers appropriate.

## **2.22 DEVELOPMENT AGREEMENT CAVEATS**

To ensure compliance with a Development Agreement, the Town may register a caveat in respect of the Development Agreement against the title to a property being developed which shall be discharged upon the terms of the Development Agreement being met. This requirement does not apply to development under any Federal, Provincial or local authority.

## **2.23 SECURITIES**

- a) To ensure compliance with a Development Agreement the Town may require the applicant to provide an Irrevocable Letter of Credit, or any other acceptable form of security, to the Town to guarantee performance of obligations imposed in the Development Agreement,
- b) The amount required as security shall be based on the estimated cost of construction of on-site and off-site infrastructure unless provided otherwise in the Development Agreement, and
- c) Cost estimates are subject to review and verification by the Development Authority, and quoted costs shall be valid for the required work.
- d) The Town is permitted to draw upon Securities in the event that the required works are not completed, in accordance with the conditions a Development Agreement.

# **Appeals**

## **2.24 APPEALING A DEVELOPMENT PERMIT DECISION**

Pursuant to the 'SDAB Bylaw 2018/03/D and SDAB Amending Bylaw 2019/05/D,' as amended, and the MGA, any person affected by an order, decision or Development Permit made or issued by a Development Authority, including the applicant, may appeal the decision to the SDAB.

## 2.25 APPEAL PROCESS

The Process followed by the SDAB is articulated within the 'SDAB Bylaw 2018/03/D and SDAB Amending Bylaw 2019/05/D, as amended, and the MGA.

## 2.26 SDAB DECISIONS (amended by Bylaw 2023-04-D)

- a) If the decision to approve a Development Permit application is reversed by the SDAB:
  - i. The Development Permit shall be null and void, and
  - ii. The Development Authority shall be directed to issue a 'Notice of Refusal' in accordance with the SDAB decision, and
- b) If the decision to approve a Development Permit application is varied by the SDAB, the Development Authority shall be directed to issue a Development Permit in accordance with the terms of the decision of the SDAB.
- c) In accordance with Section 688(1) of the MGA, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to a decision of the Appeal Authority.
- d) An application for permission to appeal in accordance with subsection 2.26 c) must be filed and served within 30 days after the issuance of the decision sought to be appealed, and notice of the application must be given to:
  - i. the Town,
  - ii. the Subdivision and Development Appeal Board, and
  - iii. any other person(s) that the judge directs.

# Completion and Cancellation

## 2.27 COMPLETION OF DEVELOPMENT

- a) A Development shall be completed to the satisfaction of the Development Authority within twelve (12) months of the Development Permit approval or as otherwise identified in the conditions of approval.
- b) A Development Permit shall lapse after twelve (12) months from the date of issuance unless development has commenced on the site, or as otherwise identified in the conditions of approval, and

## 2.28 SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT

- a) The Development Authority may cancel, suspend, or modify a Development Permit by written notice to the holder of the permit when, after a Development Permit has been issued, the Development Authority becomes aware of one the following circumstances:
  - i. The application contained a misrepresentation, or
  - ii. Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered, or
  - iii. Any condition under which the development permit was issued has been contravened, or
  - iv. The Development Permit was issued in error, or
  - v. Development has not commenced within 12 months of the effective date,
  - vi. The applicant has requested cancellation of the permit in writing, or

- vii. The approved use or development is discontinued or abandoned for two (2) or more consecutive years, and
- b) An applicant whose Development Permit is cancelled, suspended, or modified may appeal to the SDAB.

## 2.29 RE-APPLICATION INTERVAL

Pursuant to MGA, when an application for a development permit or change of land use designation has been refused, the Development Authority may refuse to accept another application on the same property and for the same or similar use of the land by the same or any other applicant for six months after the date of previous refusal, unless the circumstances have changed sufficiently to warrant otherwise.

## 2.30 SUBDIVISION APPLICATIONS PROCEDURE (amended by Bylaw 2023-04-D)

- a) Subdivision applications shall be completed and submitted to the Subdivision Authority in writing or electronically for any proposed subdivision, using the subdivision application form.
- b) All subdivision applications shall adhere to the minimum requirements outlined in the latest version of the Town’s Minimum Design Standards and Infrastructure Master Plans and will include the following mandatory subdivision application requirements:
  - i. A complete subdivision application form with the signature of the landowner(s) or an agent authorized by the landowner(s) to prepare and submit the application,
  - ii. Permission for reasonable right-of-entry by Town staff for site inspection,
  - iii. Current Certificate of Title dated within thirty (30) days prior to the application date,
  - iv. Location of existing and abandoned well and battery sites, or a declaration stating that there are not present,
  - v. A site plan, to scale and in metric, indicating the location, dimensions, and boundaries of the parcel to be subdivided,
  - vi. The proposed lot(s) to be registered in a Land Titles Office,
- c) A site plan indicating the location, dimensions, and boundaries of:
  - i. every new lot to be created,
  - ii. municipal and environmental reserves,
  - iii. easements and utility rights-of-way,
  - iv. internal roadways,
  - v. land uses,
  - vi. water and wastewater servicing,
  - vii. stormwater servicing,
  - viii. location of buildings and their support infrastructure (e.g., party areas, accessory buildings, etc.), if applicable, and
  - ix. All applicable fees as set within the “Fee Schedule”, as amended.
- d) The Subdivision Authority, at its discretion, may also request other information as identified in Section 4, subsection (3) and (4) of the Subdivision and Development Regulation.

## 2.31 DETERMINATION OF SUBDIVISION APPLICATION COMPLETENESS (amended by Bylaw 2023-04-D)

- a) Complete Subdivision Applications:
  - i. The Subdivision Authority shall receive all subdivision applications and determine within twenty (20) days after the receipt of the application whether it is complete in accordance with the information requirements of this Bylaw, in accordance with Section 653.1 of the MGA.
  - ii. The subdivision application is considered complete if it contains all the information listed in subsection 2.31 i).

- iii. If the Subdivision Authority does not make a decision within twenty (20) days, and a time extension has not been agreed between the applicant and the Subdivision Authority, the subdivision application shall be deemed complete.
  - iv. The Subdivision Authority shall inform the applicant with a “Acknowledgement of Completeness” by electronic, or standard mail, within twenty (20) days after the receipt of a subdivision application that the application is considered complete.
- b) Incomplete Subdivision Applications:
- i. If an application is found incomplete, the Subdivision Authority shall issue a “Notice of Incompleteness” to the applicant that lists the outstanding documents and information to be submitted within a specified timeframe to be considered a complete application.
  - ii. If the applicant refuses to submit all information within the specified timeframe in the “Notice of Incompleteness”, the application will be refused.
  - iii. After the outstanding documents and information are submitted and reviewed to determine if the application is complete, the Subdivision Authority shall send an “Acknowledgement of Completeness” in writing to the applicant to confirm the application is complete.
  - iv. In accordance with the MGA, additional information and/or documentation necessary to review a subdivision application may be required from the applicant during a file review.
  - v. If a subdivision application is deemed incomplete because the applicant/landowner fails to provide the information within the agreed timeframe, the application shall be refused with reasons by the Subdivision Authority unless the applicant/landowner had previously expressed, in writing, to have the subdivision application withdrawn or agree to an extension in writing.

### **2.32 SUBDIVISION APPLICATION REFERRALS** (amended by Bylaw 2023-04-D)

- a) The Subdivision Authority shall refer subdivision application in alignment with Town referral procedures and the Subdivision and Development Regulation.
- b) After twenty-one (21) days from the date of referral to authorities, agencies, or landowners, the Subdivision Authority may make a decision on the subdivision application, whether or not comments have been received.
- c) The Subdivision Authority is not required to refer a subdivision application to any agency outlined in Section 5 of the Subdivision and Development Regulation if the subdivision is within an approved area structure plan or redevelopment area structure plan that was referred to those agencies.

### **2.33 SUBDIVISION DECISION TIME PERIOD** (amended by Bylaw 2023-04-D)

- a) If the Subdivision Authority fails to make a decision on an application for subdivision within sixty (60) days of the date on which the application was accepted, the applicant may, within fourteen (14) days after the 60-day period has expired enter into an agreement with the Subdivision Authority to extend the period beyond sixty (60) days or treat the application as "deemed refused" and file an appeal.
- b) If the subdivision application is refused, the Subdivision Authority shall not accept an application for subdivision from the applicant in respect of the same lands for six (6) months following the decision.

### **2.34 SUBDIVISION APPLICATION DECISIONS** (amended by Bylaw 2023-04-D)

- a) The Subdivision Authority for the Town must receive, consider, and make decisions on all subdivision applications.
- b) The Subdivision Authority shall assess subdivision applications based on Section 653.1 MGA and the regulations in this Bylaw.

- c) In their decision, the Subdivision Authority may approve an application with conditions, refuse the application, or if the applicant fails to submit all the outstanding information and documents on, or before the date referred in notification to the applicant of an incomplete application, the application is deemed to be refused.
- d) If the Subdivision Authority refuses an application as outlined in subsection S.2.31b) iii), reasons for the Subdivision Authority's decision must be provided in writing.
- e) The Subdivision Authority may impose conditions considered appropriate for the development and as provided for in the MGA, the Regulation or in this Bylaw on a subdivision approval.
- f) A subdivision application that creates a new lot or boundary adjustment where an existing dwelling or other activity that requires on-site servicing shall not be approved unless the Subdivision Authority is satisfied that it can be demonstrated that sanitary servicing can be adequately provided on-site.
- g) A subdivision application that creates a new lot or boundary adjustment where an existing dwelling or other activity requires on site water supplies of sufficient quality and quantity are available to support the existing and proposed future development on the new lot, which may also include on-site water storage to meet the development's fire suppression requirements.
- h) A subdivision application shall not be approved unless the Subdivision Authority is satisfied with the management of stormwater and can meet the Town's Minimum Design Standards and Infrastructure Master Plans.
- i) New subdivision(s) shall not be permitted on land that is within the regulated setback areas for wastewater, sewage lagoon, or sour gas facilities where a dwelling, school, hospital, or food establishment could not be developed on the lot because of the setback regulation, unless a caveat is registered against the title prohibiting these uses.

**2.35 SUBDIVISION APPROVAL TIME EXTENSIONS** (amended by Bylaw 2023-04-D)

- a) The Subdivision Authority may extend the time period related to subdivision approvals as follows:
  - a) A subdivision approval for a use which remains compatible with adjacent land uses and which continues to conform to the Bylaw may be extended, in one-year increments, to a maximum of five years from the original approval date,
  - b) A subdivision approval extension may be granted one time without the review of conditions and there may be not more than four additional extensions that are subject to the applicant showing substantial completion of the majority of the conditions,
  - c) A subdivision approval where the use that would result from the subdivision coming into conflict with adjacent land uses or which no longer conforms to the Bylaw must not be extended, and
  - d) A subdivision approval granted five years from the date of the extended approvals may not be extended.

**2.36 APPROVED SUBDIVISION ENDORSEMENT TIME PERIOD** (amended by Bylaw 2023-04-D)

- a) The plan of subdivision or instrument must be submitted to the Subdivision Authority for endorsement within one year of the subdivision's approval date or by the time prescribed by Subdivision Authority beyond one year, otherwise, the subdivision approval has lapsed and no longer valid.
- b) The plan of subdivision or instrument must be submitted to the Land Titles office for registration within one year from the time of endorsement or by the time prescribed by Subdivision Authority beyond one year, otherwise, the subdivision approval of the plan or instrument and the endorsement is no longer valid.
- c) The Subdivision Approval Authority may grant not more than one (1) extension, to a maximum of five (5) years of the period referred to in subsection 2.36 b).

# SECTION THREE

## General Regulations

# 3

*This section outlines general regulations that apply to development within Town.*

### Setbacks

#### 3.1 DEVELOPMENT ON OR NEAR A BODY OF WATER

Parcels shall be located at least 6.0 m back from the high-water line of any body of water or an area subject to flooding as established by the province.

#### 3.2 DEVELOPMENT ON OR NEAR A SLOPE

Buildings and Structures shall be located at least 10.0 m back from a slope of 15% or greater.

#### 3.3 DOUBLE-FRONTING AND CORNER PARCELS

Where a Parcel abuts two (2) or more public roadways, the front yard setback shall be established on the street that is identified by a municipal address.

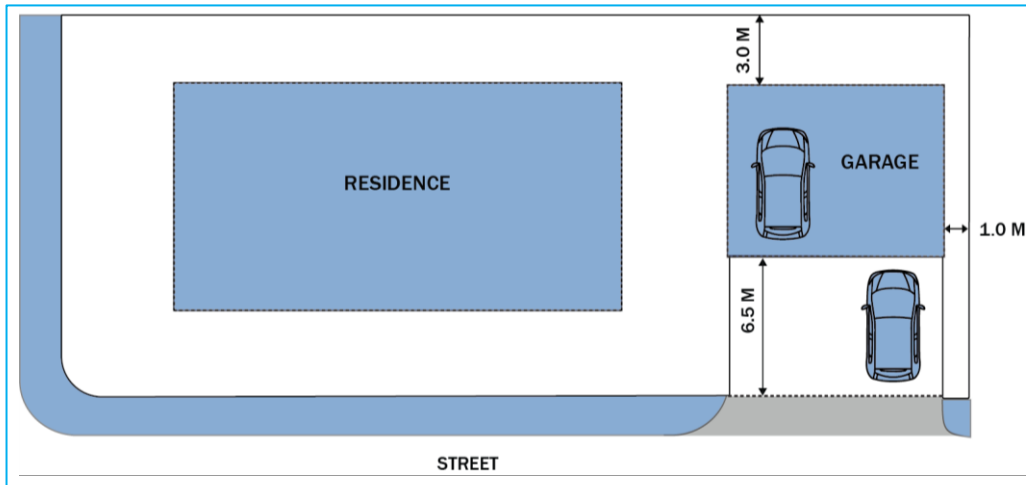
#### 3.4 PROJECTIONS

- a) The following Structures are allowed to project into required yard setbacks by up to 0.6 m:
  - i. Front and Rear Yards: awnings, cantilevered bays with a floor area not exceeding 2.3 m<sup>2</sup>, decks and eaves,
  - ii. Side Yards: awnings, chimneys, decks, eaves, landings, ramps and stairs, and
  - iii. Front Yards: stairs or a barrier free ramp attached to a landing,
- b) Door or gates of a building, fence, or enclosure shall not swing out over a property line.

#### 3.5 GARAGE LOCATION

In Residential Districts, garages shall be located so that there is a 6.5 m clear space between the garage door and any built or planned sidewalk, lane or curb so that vehicles can be parked in front of the garage doors without overhanging a pedestrian or vehicle travel surface, as illustrated in **Figure 1 – Corner Parcel Garage Setbacks**.

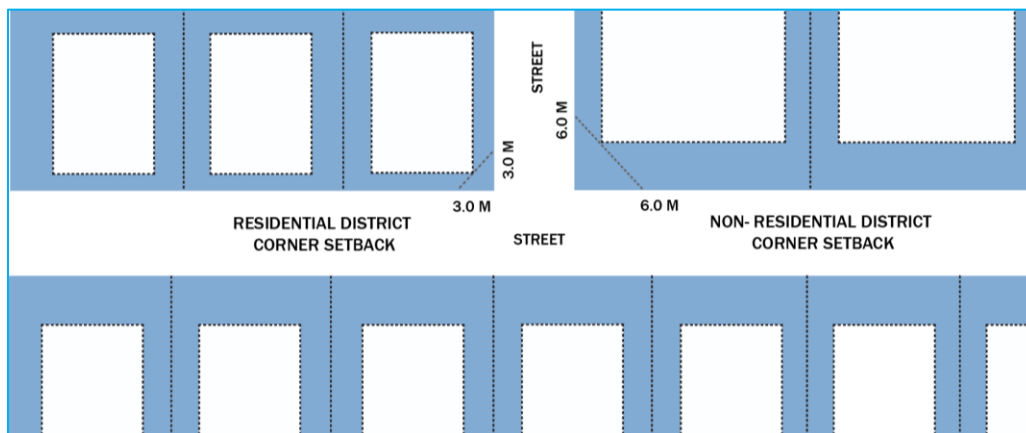
**Figure 1 – Corner Parcel Garage Setbacks**



**3.6 CORNER VISIBILITY**

- a) In a Residential District, buildings, structures, fences and landscaping shall be setback at least 3.0 m from the intersection of two roads, as measured from the curb intersect point or edge of pavement, to maintain corner visibility, as illustrated in **Figure 2 – Corner Visibility Triangle**, and
- b) In a Non-Residential District, buildings, structures, fences and landscaping shall be setback at least 6.0 m from the intersection of two roads, as measured from the curb intersect point or edge of pavement, to maintain corner visibility, as illustrated in **Figure 2 – Corner Visibility Triangle**.

**Figure 2 – Corner Visibility Triangle**



**3.7 EASEMENTS**

No permanent or temporary Buildings shall be placed on land which is subject to an easement without the written consent of the easement holder.

**3.8 EMERGENCY ACCESS**

Setbacks in any District may be increased at the discretion of the Development Authority in order to provide adequate emergency access.

# Parcels

## 3.9 GRADING & DRAINAGE

- a) Parcel drainage shall be directed to adjacent streets or lanes and not onto an adjacent parcels except, where permitted by the Development Authority,
- b) In a Residential District where there is no lane, a swale shall be constructed along the rear of all lots to carry water to a road or drainage course, and the swale shall be protected by an easement in favour of the Town,
- c) Where, during development, there are areas requiring leveling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and then replaced following completion of the work,
- d) All landscaped areas shall be designed to facilitate effective surface drainage, and
- e) Site grading shall be in accordance with the Town’s Minimum Engineering Design Standards.

## 3.10 SCREENING

- a) Visual screening to a minimum height of 2.0 m shall be provided by a fence or a combination of fence and soft landscaping where a Non-Residential District abuts a Residential District,
- b) All exterior work areas, storage areas and waste handling areas shall be screened and/or enclosed from view to the satisfaction of the Development Authority, and
- c) In those cases where wrecked or damaged vehicles are permitted to be stored or located on a parcel they shall be screened or enclosed to the satisfaction of the Development Authority.

## 3.11 FENCING

- a) In a Residential District, barbed wire, chicken wire and/or rough-hewn wooden slab fences are not permitted fence materials,
- b) In a Non-Residential District, fences shall be constructed out of chain-link or an equivalent as approved by the Development Authority,
- c) Barbed wire may only be used in a Non-Residential District as the top strand of a fence that is greater than 2.0 m in height.
- d) Fences shall be restricted to the maximum heights listed below, including any variance granted by the Development Authority:

**Table 4 – Maximum Fence Height\***

	Residential District	Non-Residential District
Front Yard	1.0 m	2.5 m
Side Yard	1.8 m	2.5 m
Rear Yard	1.8 m	2.5 m

\*Maximum permitted heights shall include posts and trellises/lattice running adjacent to the top of the fence



### 3.12 RETAINING WALLS

- a) Any retaining wall over 1.0 m in height must be designed and inspected after construction by a professional engineer,
- b) The landowner shall provide to the Town the design and inspection report, both bearing the seal and signature of a professional engineer, within thirty (30) days of construction of the retaining wall,
- c) Creosote railway ties are not a permitted construction material for any retaining wall.

### 3.13 LIGHTING

- a) All outdoor lighting shall be located and arranged so that light is directed away from adjoining properties and local roads,
- b) The maximum mounting height for an outdoor light fixture shall be 8.0 m in any Residential District, and up to 12.0 m Non-Residential Districts,
- c) No outdoor light fixture may emit light above the horizontal plane at the bottom of the light fixture,
- d) Notwithstanding c), outdoor lighting used to illuminate architectural features, landscaping, monuments, signs, or trees may emit light above the horizontal plane so long as it is directed at such features,
- e) Full Cut-Off Fixtures shall be installed for all exterior lighting, and
- f) No flashing, strobe, or revolving lights are permitted in Town.

### 3.14 PROHIBITED OR RESTRICTED OBJECTS (amended by Bylaw 2023-06-D)

- a) No person shall keep in any part of the yard:
  - i. Any Livestock, except where approved in as a Discretionary Use in the R-ACG or S-URB Districts.

### 3.15 GARBAGE AREAS (amended by Bylaw 2023-06-D)

- a) In all Districts, garbage areas shall be wholly provided on the same site as the buildings to be served, unless otherwise approved by the Development Authority,
- b) Garbage shall be stored in weather-proof containers, screened from adjacent parcels and public thoroughfares, and in a location easily accessible for pickup.
- c) Any garbage storage or collection area co-existing with any parking or loading area shall be:
  - i. Clearly delineated as separate from the parking or loading stalls,
  - ii. Located to optimize collection vehicles access, and
  - iii. Screened by a fence or landscaping.

## Landscaping

### 3.16 LANDSCAPING OF NEW DEVELOPMENT (amended by Bylaw 2023-06-D)

- a) All portions of a Parcel not covered by a Building, Structure, parking stall or driveway shall be landscaped and maintained to the satisfaction of the Development Authority,
- b) In Non-Residential Districts and on parcels with Multi-Unit Dwellings of more than ten (10) units:
  - i. A minimum 1.8 m landscaped buffer is required along each public road, and

- ii. A minimum 6.0 m landscaped buffer is required along every boundary adjacent to a Residential District.
- c) In Residential Districts, landscaping shall be completed within eighteen (18) months of the date of occupancy or two growing seasons, whichever is less.

### 3.17 TREE PLANTING

- a) Trees planted as part of a new development/addition to existing development shall be of a native species to Central Alberta, as listed in **Schedule A – Recommended Tree Plantings**,
- b) If trees not listed in **Schedule A** are proposed as part of a development, the applicant shall provide written confirmation from a qualified landscape professional that the proposed trees are suitable,
- c) Trees planted to meet landscaping requirements shall be a minimum of 1.8 meters in height at the time of installation,
- d) Evergreens shall not be planted close to walkways, streets or buildings because of their broad base that will become an obstruction as the trees mature,
- e) The required number of trees per Land Use District Group are:

**Table 5 – Tree Planting Minimums**

District	Required Number of Trees
Residential	N/A
Commercial	1 per 400.0 m <sup>2</sup> gross parcel area
Industrial	1 per 800.0 m <sup>2</sup> gross parcel area
Special	1 per 400.0 m <sup>2</sup> gross parcel area
Direct Control	As stated within the DC District

### 3.18 RETAINING EXISTING TREES

- a) Existing trees should be retained as much as possible.
- b) Existing trees shall be counted towards meeting the minimum required number of trees
- c) Any proposed clearing is subject to the approval of the Development Authority.

### 3.19 LANDSCAPING PLANS

- a) In Non-Residential Districts and on parcels with Multi-Unit Dwellings of more than ten (10) units, a Landscaping Plan shall be required to the satisfaction of the Development Authority,
- b) The Landscaping Plan shall, to the satisfaction of the Development Authority, include the following:
  - i. name of the project and/or applicant,
  - ii. name and/or endorsement stamp of the landscape professional,
  - iii. north arrow, plan scale and legal and civic addresses,
  - iv. location of existing plant materials and indication as to whether they are to be removed or retained,
  - v. location of planting beds and identification of bedding material,
  - vi. location of trees shown as their typical mature size,
  - vii. total number and type of trees proposed to be provided,
  - viii. identification of proposed surfacing of parking and storage areas,

- ix. a list of any proposed Variances,
- x. all other physical features, existing or proposed, including berms, walls, fences, outdoor furniture and decorative paving, and
- xi. if landscaping is being proposed within a utility right-of-way the plan must be endorsed by all utility companies that have access to the right-of-way, indicating their approval of the proposed landscaping.

### 3.20 LANDSCAPING SECURITIES

- a) 'Landscaping Plans' (s3.21) shall be accompanied by a quote from a landscape professional indicating the cost to implement the Landscaping Plan,
- b) An irrevocable letter of credit or bank draft/certified cheque from a recognized Canadian financial institution having the value equivalent to 100% of the established costs to implement the Landscaping Plan will be provided to the Town within thirty (30) days of the Development Permit being issued and will be retained until all landscaping is completed,
- c) The amount of the landscaping securities shall include the cost of the following, where applicable:
  - i. Rough grading of landscaped area,
  - ii. Minimum of 150mm of topsoil and sod or seed,
  - iii. Trees in accordance with this Bylaw, and
  - iv. 150mm height concrete curb separating landscaped areas and parking areas.

### 3.21 INSPECTING NEW LANDSCAPING

- a) Upon receipt of a written request from an applicant, an inspection of finished landscaping may be scheduled by the Development Authority,
- b) Tags that identify the species of trees shall be left intact with the tree until the landscaping inspection is performed by the Development Authority,
- c) Landscaping inspections shall be:
  - i. Conducted only during the normal growing season, approximately May 15<sup>th</sup> through October 15<sup>th</sup>, and
  - ii. Performed within thirty (30) days of receipt of the inspection request subject to i) above,
- d) Fifty percent (50%) of the 'Landscaping Securities' (s.3.22) will be returned when satisfactory completion of the landscaping is confirmed with an inspection by the Development Authority.
- e) The remaining 'Landscaping Securities' (s.3.22), unless otherwise drawn upon, shall be fully released once it is confirmed with an inspection by the Development Authority that the landscaping has survived a minimum of two full growing seasons.
- f) The Town is permitted to draw upon 'Landscaping Securities' (s.3.22), in the event that the required works are not completed.

### 3.22 LANDSCAPING OF EXISTING DEVELOPMENT

- a) Every developed lot shall be landscaped and maintained to a standard which in the opinion of the Development Authority is reasonably compatible with neighbouring properties.
- b) Every undeveloped lot shall be maintained to a standard which in the opinion of the Development Authority is reasonably compatible with neighbouring properties.
- c) If a person alters the approved lot drainage on/from a site so that water drains onto adjacent parcels, that person shall be responsible for corrective action, including but not limited to constructing drainage structures to the satisfaction of the Development Authority, such as retaining walls, to divert water from neighbouring properties.

### 3.23 NON-PERMISSABLE MATERIALS

- a) Creosote railway ties are not permitted in any landscaping within Town, including the construction of retaining walls,
- b) Plants recognized as invasive species by the Province of Alberta are not permitted as planting materials for landscaping within Town.

## Buildings and Structures

### 3.24 ADDRESSING

The civic address assigned under 'Addressing and Naming Policy' PD-02-14 (Resolution #331/14), as amended shall be clearly displayed on all houses and business premises, and this requirement applies during construction as well as after completion.

### 3.25 BUILDING ORIENTATION

All Principal Buildings shall face the frontage street of a parcel, unless otherwise authorized by the Development Authority.

### 3.26 USES WITHIN A BUILDING

- a) A Building may be occupied by a combination of one or more uses listed in a District, and
- b) A Development Permit may include a number of uses and/or units within a Building.

### 3.27 INFILL DEVELOPMENT

Infill development shall be in keeping with the scale and character of the surrounding area, having regard to the provisions of the prescribed District.

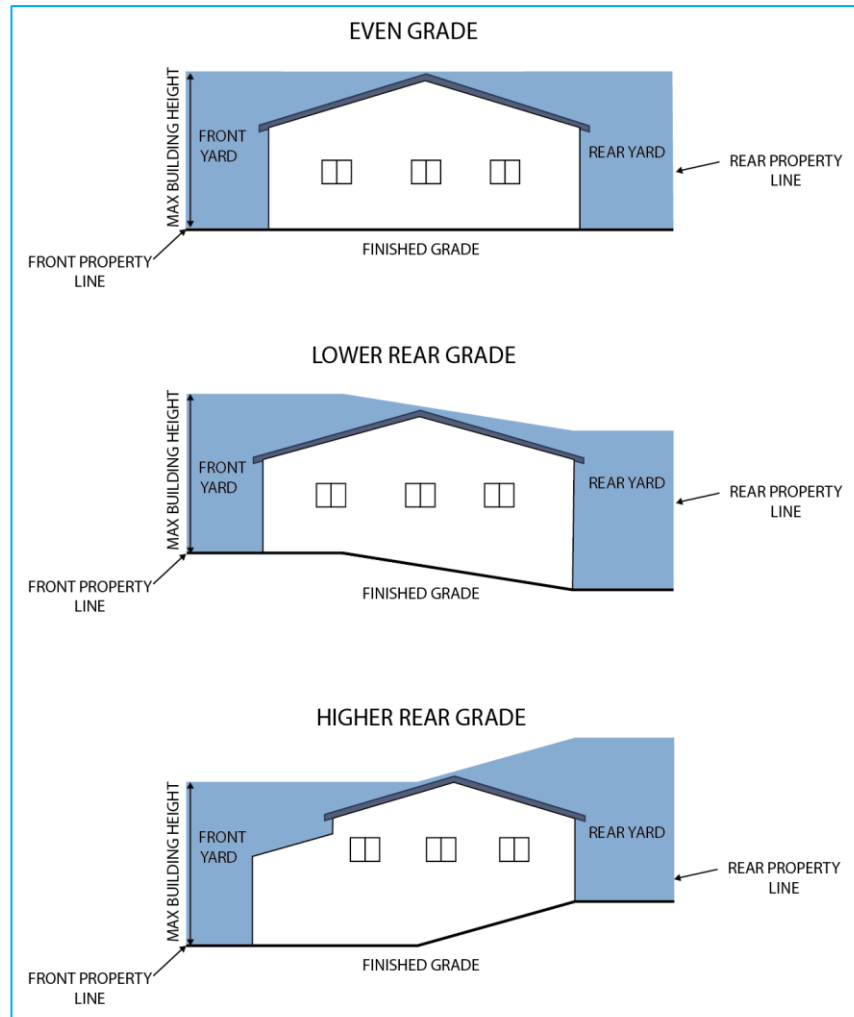
### 3.28 BUILDING DESIGN

- a) A Building's character and appearance may be considered in the review of proposed development, with respect to:
  - i. Consistency with the prescribed District,
  - ii. Compatibility with nearby Buildings, and
  - iii. Compliance to the provisions of any Statutory Plan, which sets out specific guidelines as to the design, character, appearance, or building materials used in a development,
- b) A Building's mechanical housing shall be screened, to the satisfaction of the Development Authority.

### 3.29 BUILDING HEIGHT

- a) The base from which to measure the height of a Building or Structure shall be from any point on the finished ground elevation which adjoins an exterior wall as illustrated in **Figure 3 – Determining Building Height**,
- b) In determining the highest point of a building, the following structures are not considered part of the building: elevator or mechanical housing, roof stairway entrance, ventilation fans, a skylight, a steeple, a smokestack, a parapet wall or a flagpole.

**Figure 3 – Determining Building Height**



**3.30 MANUFACTURED HOMES** (amended by Bylaw 2022-08-D)

- a) No Manufactured Home, or additions thereto, shall exceed 5.0 m in height,
- b) Manufactured Homes shall have CSA certification,
- c) Manufactured Homes must be placed on a foundation in accordance with provincial standards,
- d) The crawl space between a Manufactured Home and the ground shall be suitably enclosed from view by skirting, or another means satisfactory to the Development Authority, within thirty (30) days of siting, and
- e) Axles, wheels and trailer hitches shall be removed once a Manufactured Home is sited
- f) All newly moved-in Manufactured Homes are required to obtain approval by the Manufactured Home Park, and any required approvals for Development Permits, Building Inspections, and Building Permits, prior to purchasing and moving a Manufactured Home on site
- g) These permit requirements should also be considered prior to the purchase of a Manufactured Home
- h) The Manufactured Home Park Owner will be subject to a fine if a Manufactured Home is moved on-site prior to acquiring the necessary permits

### **Architectural Design Controls** (amended by Bylaw 2022-08-D)

- i) Massing – shall represent the form and configuration representative of Manufactured Homes and other residential forms
- j) Form – shall represent the single or double wide standard shape for Manufactured Homes
- k) Materials – shall be suitable for the purpose, durable, and compatible with existing Manufactured Home Parks and areas
- l) Color – shall be compatible and complementary with existing Manufactured Home Parks and adjacent neighbourhoods
- m) Landscaping – shall be landscaped in all yard areas to the satisfaction of the Development Authority
- n) Scale – shall be similar in width and height to standard Manufactured Homes
- o) Maintenance – shall maintain Manufactured Homes and the yard to the satisfaction of the Development Authority
- p) Safety – shall maintain private roadways to enable emergency response vehicles to access all developed areas of a property.

### **3.31 MIXED-USE BUILDINGS**

- a) A Building may be occupied by a combination of uses and each use shall be considered as a separate use, and each use shall obtain Development Permit approval,
- b) The minimum size of a Dwelling Unit in a Mixed-Use Building is 65.0 m<sup>2</sup>,
- c) Dwelling Units shall have at grade access that is separate from the access for commercial premises,
- d) Direct access from a residential dwelling unit to a commercial premise shall not be permitted, and
- e) The minimum amenity area shall be 4.00 m<sup>2</sup> per Dwelling Unit.

### **3.32 ACCESSORY BUILDINGS/STRUCTURES**

- a) An Accessory Building/Structure in a Residential District shall be similar to, and complement, the principal building in exterior material, colour and appearance,
- b) An Accessory Building/Structure shall not exceed a height of 3.6 m,
- c) Notwithstanding b). Secondary Suites (External) may be of equal height to the Principal Dwelling when located on top of an Accessory Building, at the discretion of the Development Authority,
- d) Where the Principal Building is a Manufactured Home, the height of an Accessory Building/Structure shall not exceed the height of the Manufactured Home,
- e) No Accessory Building/Structure shall be permitted in the front yard,
- f) No Accessory Building/Structure shall be permitted that will preclude access to a rear yard where a parcel has vehicular access from the front yard only, and
- g) Where the Accessory Building is a Shipping Container it:
  - i. Shall not be attached, in any way, to a Principal Building,
  - ii. Shall not be stacked in any Non-Industrial District, and
  - iii. Shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.

### 3.33 SWIMMING POOLS AND HOT TUBS

Every private swimming pool and hot tub shall be secured against unauthorized entry by a fenced yard.

### 3.34 COMMUNICATIONS TOWERS

- a) Communications Towers shall be setback from any property line at least the distance equal to the height of the tower plus the furthest extent of any attachment mounted on the tower, and
- b) Communications Towers regulated by Innovation, Science and Economic Development (ISED) Canada are not regulated by this Bylaw but are subject to Industry Canada requirements.

## Parking and Loading

### 3.35 GENERAL PROVISIONS

- a) Where any development is proposed, parking shall be provided and maintained by the owner in accordance with the requirements of this Bylaw,
- b) Parking stalls and loading spaces shall be clearly marked and maintained to ensure legibility, to the satisfaction of the Development Authority.
- c) Barrier-free parking stalls are intended for use by mobility-reduced persons and shall be included in the calculation of the applicable minimum parking requirement,
- d) Where the provision of off-street parking or loading space is required by this Bylaw, a plan of the proposed site layout shall be included with the Development Permit application, and
- e) Parking stalls shall have a minimum clearance of 2.0 m.

### 3.36 NUMBER OF STALLS

- a) The minimum number of parking stalls required for each Use is below,
- b) Where the Use is not listed, the number of spaces shall be determined by the Development Authority, having regard for similar uses and the estimated parking demand of the proposed use,
- c) Where a calculation does not yield a whole number, the required number of spaces shall be rounded down to the next whole number.

**Table 6 – Parking Minimums**

Use	Required Parking Stalls
Alcohol Production	1 per 100.0 m <sup>2</sup> gross floor area
Animal Services (Major/Minor)	1 per 100.0 m <sup>2</sup> gross floor area
Auction Market	5 per 100.0 m <sup>2</sup> gross floor area
Automotive Sales and Service	1 per 100.0 m <sup>2</sup> gross floor area
Bed and Breakfast	1 per Guest Room
Bulk Fuel Station	0.5 per 100.0 m <sup>2</sup> gross floor area (minimum of 2)
Car Wash	2 per 100.0 m <sup>2</sup> gross floor area (minimum of 2)
Care Facility (Child/Medical)	3 per 100.0 m <sup>2</sup> gross floor area
Care Facility (Clinic)	2 per 100.0 m <sup>2</sup> gross floor area
Care Facility (Small Group/Large Group)	1 per 100.0 m <sup>2</sup> gross floor area
Dwelling (Manufactured Home)	2 per unit
Dwelling (Multi-Unit)	1 per unit
Dwelling, (Duplex/Semi)	2 per unit
Dwelling (Single Detached)	2 per unit
Establishment (Eating & Drinking/Entertainment)	5 per 100.0 m <sup>2</sup> gross floor area
Establishment (Adult)	2 per 100.0 m <sup>2</sup> gross floor area
Financial Institution	2 per 100.0 m <sup>2</sup> gross floor area
Funeral Home	2 per 100.0 m <sup>2</sup> gross floor area
Gas Station	2 per 100.0 m <sup>2</sup> gross floor area (minimum of 2)
Government Services	N/A
Home Office	1 additional stall
Home Based Business	2 additional stalls
Hotel/Motel	1 per guest room plus 3 for staff
Industrial (Light)	1 per 100.0 m <sup>2</sup> gross floor area
Industrial (Medium/Heavy/Logistics)	0.5 per 100.0 m <sup>2</sup> gross floor area
Lodging House	1 per bed
Office	2 per 100.0 m <sup>2</sup> gross floor area
Park	N/A
Recreation (Culture & Tourism/Private/Public)	5 per 100.0 m <sup>2</sup> gross floor area
Recycling Facility	1 per 100.0 m <sup>2</sup> gross floor area
Religious Assembly	5 per 100.0 m <sup>2</sup> gross floor area
Residential Conversion	2 per 100.0 m <sup>2</sup> gross floor area
Retail (Cannabis/Liquor/Small/General)	2 per 100.0 m <sup>2</sup> gross floor area
Retail (Groceries/Large)	3 per 100.0 m <sup>2</sup> gross floor area
Retail (Shopping Centre)	2 per 100.0 m <sup>2</sup> gross floor area
Secondary Suite	1 additional stall
School	Elementary School (K-6): 1.5 per classroom Middle School (7-9): 1.5 per classroom High School (10-12): 5 per classroom
School (Trade)	2 per 100.0 m <sup>2</sup> gross floor area
Show Home	Same as Dwelling Type



### 3.37 SIZE OF PARKING STALLS

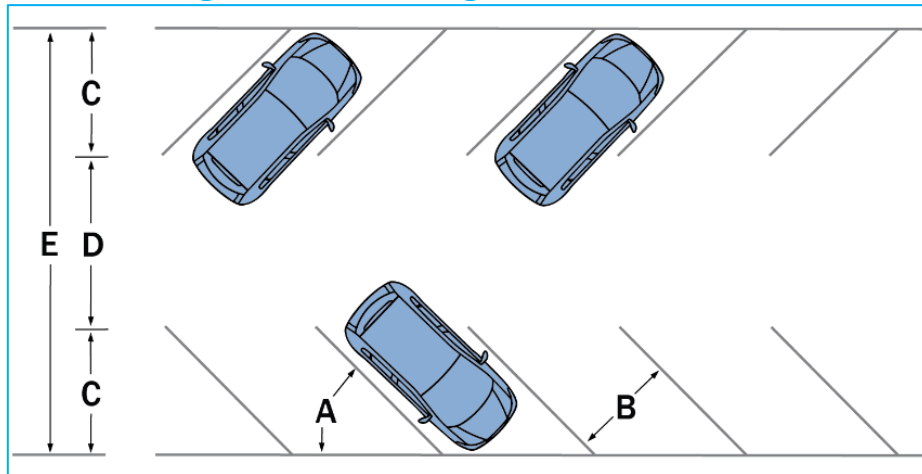
Minimum parking stall dimensions are specified below and illustrated in **Figure 4 – Parking Stall Dimensions**:

**Table 7 – Minimum Parking Stall Dimensions**

A	B	C	D	E
Angle of Parking	Stall Width	Stall Depth*	Aisle Width	Overall Depth
30°	3.0 m	5.0 m	3.6 m	13.6 m
45°	3.0 m	6.5 m	3.6 m	16.6 m
60°	3.0 m	6.5 m	5.5 m	18.5 m
90°	3.0 m	6.0 m	7.0 m	19.0 m

\*Perpendicular to Aisle

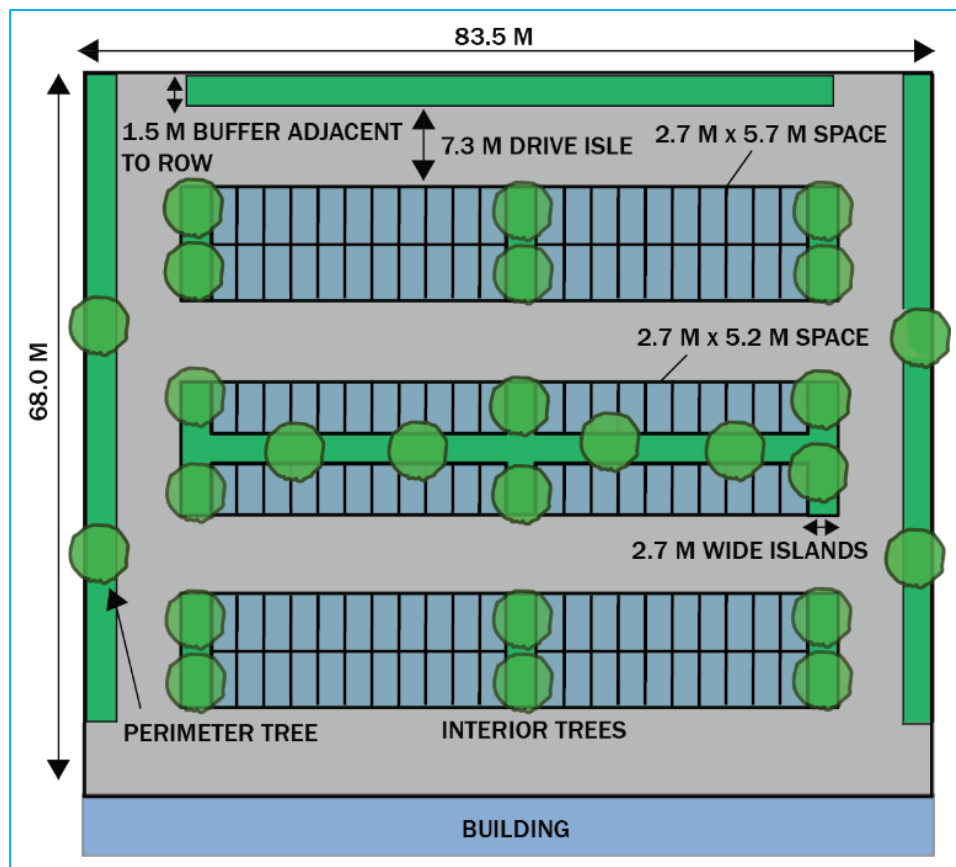
**Figure 4 – Parking Stall Dimensions**



### 3.38 PARKING LOT PLANS

- a) For parking areas larger than thirty (30) stalls in Commercial or Industrial Districts, a Parking Lot Plan that addresses parking requirements and landscaping design shall be completed as part of the Development Permit application to the satisfaction of the Development Authority.
- b) A Parking Lot Plan shall meet the following requirements, as generally illustrated in **Figure 5 – Landscaped Islands Within Parking Lots**:
  - i. The minimum total landscaped area in the parking lot shall equal to 1.5 m<sup>2</sup> for every parking stall,
  - ii. Landscaped areas within and abutting parking areas are to be contained by a 150 mm height concrete curb or approved alternative,
  - iii. For sunken landscaped areas, gaps in the concrete curb are required to allow for storm water drainage,
  - iv. Landscaped islands shall be dispersed across the parking lot to provide visual relief and break up large areas of parking into smaller cells,
  - v. The number of trees within required landscaped parking islands shall not be less than one tree per ten parking spaces,
  - vi. Landscape islands shall be a minimum of 2.7 m wide, and
  - vii. Landscaping shall not interfere with parking lot lighting, vehicle and pedestrian sight lines or increase the opportunity for criminal activity.

**Figure 5 – Landscaped Islands Within Parking Lots**



### 3.39 OFF-STREET PARKING STANDARDS

- a) Off-street parking areas shall be constructed in the manner shown on an approved Site Plan and the entire area is to be graded and hard-surfaced to ensure drainage,
- b) In Commercial and Industrial Districts and for Apartments, hard-surfacing shall be completed before occupancy of the building,
- c) Off-street parking areas shall have minimum 1.0 m buffer between the outside edge of the parking stall and a road, and
- d) Off-street parking areas shall be landscaped in a manner satisfactory to the Development Authority.

### 3.40 DEFICIENT PARKING OR LOADING SPACES

- a) In deciding on a proposed development that is deficient in parking or loading spaces, the Development Authority may at their discretion:
  - i. Vary the number of parking stalls required,
  - ii. Require the applicant to provide off-street parking on an alternate site, and
  - iii. Accept a cash payment in-lieu as set within the 'Fee Schedule', as amended,
- b) When a building is enlarged, or its use is changed or intensified, resulting in deficient parking or loading spaces the increased parking shall be limited to the requirements for the intensification.

### 3.41 COMMUNAL PARKING

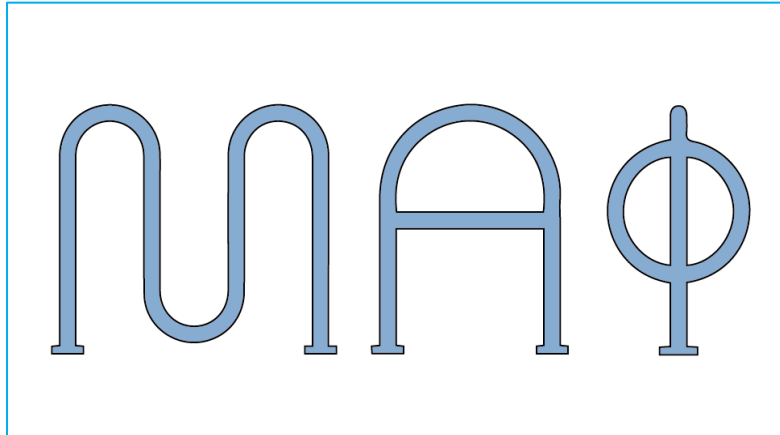
- a) In Non-Residential Districts, owner(s) may pool required off-street parking stalls within one (1) or more communal parking stalls on a parcel other than the parcel of the principal use, provided:
  - i. The communal parking provides the sum of the off-street parking requirements for each development served by the parking facility. A smaller number may be permitted if supported by a Parking Study acceptable to the Development Authority,
  - ii. Owners who have pooled their parking requirements enter into an agreement with the Town and consent to such an agreement being registered as an encumbrance against the titles of land involved,
  - iii. Owners that are involved in a communal parking arrangement pay the full costs of preparation and registration of the agreement.

### 3.42 BICYCLE PARKING

- a) Onsite bike racks shall be provided by the applicant of any Commercial Development,
- b) Bicycle racks shall be provided entirely on the same site as the development,
- c) Owners may not pool required bicycle stall requirements,
- d) Bicycle racks shall be separated from vehicle parking by a physical barrier or a minimum 1.5 m of open space,
- e) Bicycle racks capable of accommodating the number of bicycles that is equivalent to at least 5% of the minimum number of parking spaces (but in no case less than four bicycles) shall be provided and located to the satisfaction of the Development Authority,
- f) Bicycle racks shall be in proximity to main or side building entrances,
- g) Bicycle racks shall:
  - i. Be constructed of industrial-grade metals with a smooth painted surface to prevent rusting and, as much as reasonably possible, scratching of bicycle frames,
  - ii. Be securely affixed to the finished grade, and

- iii. Have two points of contact between the bicycle and the rack to allow a wheel and frame to be locked to the rack, similar to those shown in **Figure 6 – Permitted Bicycle Rack Designs**,
- h) Bicycle rack designs that include only one contact point between the bicycle and the rack, are prohibited in Town.

**Figure 6 – Permitted Bicycle Rack Designs**



**3.43 OFF-STREET LOADING**

- a) Off-street loading spaces shall be provided and maintained by the Owner in accordance with the requirements of the Bylaw,
- b) Off-street loading space shall be provided entirely within the property of the development being served,
- c) Off-Street Loading Spaces Shall:
  - i. Have minimum dimensions of 4.0 m in width and 8.0 m in length,
  - ii. Have overhead clearance of at least 5.0 m above grade,
  - iii. Have vehicular access from a street or lane either directly or by a clearly defined traffic aisle, and
  - iv. Be surfaced to the satisfaction of the Development Authority,
- d) The minimum number of loading spaces required for each type of development is specified below. Where the use is not listed, the number of spaces shall be determined by the Development Authority, having regard to similar uses:

**Table 8 – Minimum Loading Space Requirements**

Use of Building or Site	Minimum Number of Loading Spaces Required
All uses in Commercial Districts	1 space for each loading door with a minimum of 1 space to be provided
All uses in Industrial Districts	1 space for each loading door with a minimum of 1 space to be provided
All Institutional Uses	1 space for every 2,790 m <sup>2</sup> of gross floor area or fraction thereof
All other uses	As required by the Development Authority

# Signage

## 3.44 GENERAL PROVISIONS

- a) Signs shall be compatible with the general character of the prescribed District,
- b) No sign or any part of a sign shall be within 3.0 m of overhead power and service lines,
- c) A sign shall not be erected or affixed on a property unless permission is granted in writing from the owner,
- d) A sign shall be located entirely within the site unless prior written approval granting permission for the sign to overhang another property is submitted by the affected owner,
- e) With the exception of the special provisions relating to 'Billboard Signs' (s.3.51), all signs shall only contain advertising pertaining to the site on which they are displayed,
- f) No sign shall be permitted which is attached to a fence pole, tree, or any object in a public street or publicly owned place,
- g) No sign shall be erected so as to obstruct free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal, or device, and
- h) All signs must be maintained in a manner satisfactory to the Development Authority or notice will be served to perform the necessary repairs or remove the sign(s) within 30 days.

## 3.45 DIGITAL DISPLAY

- a) Digital Displays, or electronic changeable copy, is only permitted on 'Billboard Signs' (s. 3.51) and 'Freestanding Signs' (s.3.53),
- b) A signs' illumination shall not exceed 5,000 candelas per square metre.

## 3.46 DEVELOPMENT PERMIT FOR A SIGN

- a) No sign may be erected or affixed unless a Development Permit has been issued, excluding 'Signs Not Requiring a Development Permit' (s.3.49),
- b) Application for a development permit shall be made to the Development Authority and shall be supported by drawings that include:
  - i. a site plan showing the location of the sign,
  - ii. an elevation showing the overall dimensions of the sign,
  - iii. the size of the letters,
  - iv. the amount of projection from the face of the building,
  - v. the amount of projection over the property line,
  - vi. the height of the sign and its supporting structure above grade and clearance from grade of any horizontal building components,
  - vii. the manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction, and
  - viii. the least distance that the sign will be erected from an intersection of one street with another and the least distance from any device for the control of traffic at such an intersection.

### 3.47 SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

The following signs do not require a Development Permit, but shall otherwise comply with the Bylaw:

- a) Replacement of copy on a sign for which a Development Permit has been issued,
- b) Signs displayed by or on behalf of the federal, provincial, or local government,
- c) Banners and pennant flags that are not permanently installed and which are displayed for a period not exceeding thirty (30) days,
- d) Election Signs,
- e) Temporary signs of contractors relating to construction work in progress on the land on which the sign is erected, provided that the signs are:
  - i. Wholly situated upon the site of the structure or the land use to which it refers,
  - ii. Limited to a maximum of 3.0 m<sup>2</sup> in size,
  - iii. Limited to one (1) per contractor, and
  - iv. Removed within 30 days following occupancy of the building or completion of the works,
- f) Real Estate Signs, and
- g) Sandwich Boards.

### 3.48 AWNING/CANOPY SIGNS

Awning/Canopy Sign means a sign which either forms part of, or is attached to, a retractable or permanently affixed canopy and is permitted as follows:

<b>District</b>	Residential	Prohibited
	Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		N/A
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be constructed of durable, waterproof, colourfast material</li> <li>• Shall be attached to the building or structure to which it refers</li> <li>• Shall project from 0.6 m to 1.2 m from the building or structure</li> <li>• Shall have a minimum clearance of 2.5 m above grade</li> </ul>

### 3.49 BILLBOARD SIGNS

Billboard Sign means a sign which stands independently of a building for the purposes of advertising a product or service and is permitted as follows:

<b>District</b>	Residential	Prohibited
	Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• 3.0 m high by 6.0 m wide sign face</li> <li>• 12.0 m sign height</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be a minimum 150.0 m apart from any like sign</li> <li>• May be illuminated by a constant source of light</li> <li>• Shall not be lit by a flashing, animated or intermittent light source</li> </ul>

- Shall be setback at a minimum of 5.0 m from the Parcel line
- Shall have a minimum clearance of 3.0 m above grade
- Shall not have vertical posts supporting the structure that project above the upper edge of the sign
- the rear of any single faced billboard which is plainly visible from a public roadway shall be covered with wooden slats or trellis fixed against the rear edge of the vertical posts and painted

### 3.50 FASCIA SIGNS

Fascia Sign means a flat sign that is attached flush to a Building face or is painted on and is permitted as follows:

<b>District</b>	Residential	Prohibited
	Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• Shall not exceed 25% of the area of the wall on which they are placed</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be painted on or safely and securely attached to the building by means of metal anchors, bolts or expansion screws</li> <li>• Shall not project more than 0.4 m above the vertical face of the wall to which they are attached</li> </ul>

Banners displayed for a period of more than thirty (30) days are considered as Fascia Signs. Banner placement shall be limited to the side or rear of the building.

### 3.51 FREESTANDING SIGNS

Freestanding Sign means a sign, other than a billboard, that is self-supporting in a fixed location and not attached to a Building and is permitted as follows:

<b>District</b>	Residential	Discretionary
	Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• Residential, 7.5 m<sup>2</sup> sign area</li> <li>• Residential, 2.5 m sign height</li> <li>• Non-Residential, 7.0 m<sup>2</sup> sign area</li> <li>• Non-Residential, 9.0 m sign height</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Only one (1) sign shall be permitted per parcel, except where sites have 60.0 m or more of street frontage and signs are placed no closer than 30.0 m apart</li> <li>• In Commercial and Industrial Districts, the sign may be illuminated and may contain electronic message display and changeable copy</li> <li>• In Commercial and Industrial Districts, the sign shall have a minimum clearance of 2.5 m above grade</li> <li>• Shall not project beyond the property line</li> </ul>

### 3.52 INFLATABLE SIGNS

Inflatable Sign means a sign that is inflated and is permitted as follows:

<b>District</b>	Residential	Prohibited
	Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		N/A
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be at the discretion of the Development Authority</li> <li>• Shall be anchored against the wind</li> <li>• Shall be a minimum of 10.0 m from power and service lines and road rights-of-way</li> </ul>

### 3.53 PROJECTING SIGNS

Projecting Sign means a sign that is attached to a wall of a Building and horizontally extends more than 0.3 m from the face of that wall and is permitted as follows:

<b>District</b>	Residential	Prohibited
	Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• Commercial, 5.0 m<sup>2</sup> sign area</li> <li>• Industrial, 9.0 m<sup>2</sup> sign area</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Only one (1) sign shall be permitted per parcel, except where sites have 15.0 m or more of street frontage and signs are placed no closer than 15.0 m apart</li> <li>• Shall not project more than 2.0 m from a building</li> <li>• Shall have a minimum clearance of 3.0 m above grade</li> <li>• Shall not project above the roof or parapet of a Building</li> <li>• Shall not be located within 0.6 m from the back of the curb of a road right-of-way</li> </ul>

### 3.54 ROOF SIGNS

Roof Sign means any sign erected upon, against, or directly above a roof or on top of or is entirely above the parapet wall of a building and is permitted as follows:

<b>District</b>	Residential	Prohibited
	Commercial	Permitted
	Industrial	Permitted
	Special	Prohibited
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• 9.0 m<sup>2</sup> sign area</li> <li>• 5.0 m above the roof (not exceeding the height in the prescribed District)</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be erected so that the supporting structure is not visible</li> <li>• Shall refer to the principal use of the building on which it is erected</li> </ul>



# SECTION FOUR

## Specific Uses and Activities

# 4

*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) (amended by Bylaw 2022-10-D)

#### 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 closest edge of the building footprint of a proposed Cannabis Processing facility shall not be permitted within 200 m of the closest edge of the building footprint of a:
  - i. Residential District,
  - ii. School or School Reserve parcel,
  - iii. Care Facility (Child),
  - iv. Care Facility (Clinic),
  - v. Care Facility (Medical), or
  - vi. Park, or other use which may have an ancillary playground.

Please refer to the Glossary for specifics on a particular use class

- d) Where the use constitutes a portion of, or a bay within, a larger building, the footprint of that portion of the building shall be used.
- e) On sites where no building is present, the closest property line for that site shall be used.
- f) No outside storage of cannabis goods, materials, or supplies is permitted,
- g) 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

- h) 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 m<sup>2</sup>,
- 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 m<sup>2</sup>,
- 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) (amended by Bylaw 2022-10-D)

### 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 closest edge of the building footprint of a proposed Retail (Cannabis) store shall not be permitted within 150 m of the closest edge of the building footprint of a:
  - i. School or School Reserve parcel,
  - ii. Care Facility (Child),
  - iii. Care Facility (Clinic),
  - iv. Care Facility (Medical),
  - v. Recreation (Culture & Tourism),
  - vi. Recreation (Public),
  - vii. Religious Assembly, or
  - viii. Park, or other use which may have an ancillary playground.

Please refer to the Glossary for specifics on a particular use class.

- h) The closest edge of the building footprint of a proposed Retail (Cannabis) store shall not be permitted within 200 m of the closest edge of the building footprint of another Retail (Cannabis) store.
- i) Where the use constitutes a portion of, or a bay within, a larger building, the footprint of that portion of the building shall be used.
- j) On sites where no building is present, the closest property line for that site shall be used.

**Development Permit Requirements**

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

**4.11 RETAIL (LIQUOR)** (amended by Bylaw 2022-10-D)

**General Requirements**

- a) None,

**Site Requirements**

- b) The closest edge of the building footprint of a proposed Retail (Liquor) store shall not be permitted within 150 m of the closest edge of the building footprint of a:
  - i. School or School Reserve parcel,
  - ii. Care Facility (Child),
  - iii. Care Facility (Clinic),
  - iv. Care Facility (Medical),
  - v. Recreation (Culture & Tourism),
  - vi. Recreation (Public),
  - vii. Religious Assembly, or
  - viii. Park, or other use which may have an ancillary playground.

Please refer to the Glossary for specifics on a particular use class

- c) Where the use constitutes a portion of, or a bay within, a larger building, the footprint of that portion of the building shall be used.
- d) On sites where no building is present, the closest property line for that site shall be used.

**Development Permit Requirements**

- e) 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 m<sup>2</sup> and maximum of 110.0 m<sup>2</sup>, 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.

# SECTION FIVE

## Land Use Districts

# 5

*This section outlines specific regulation that applies to the Town's Land Use Districts.*

### 5.1 LAND USE DISTRICT MAP

- a) Districts are described in the short form on the Land Use District Map, within “Schedule B” of this Bylaw,
- b) District boundaries are delineated on the Land Use District Map. Where the precise location of the boundary is uncertain, the following rules apply:
  - i. Where a boundary follows a street, lane, stream or canal it shall follow the centreline thereof,
  - ii. Where a boundary generally follows a parcel line, it shall follow the parcel line,
  - iii. Where specific dimensions are noted on the Land Use District Map, those dimensions shall be followed,
  - iv. Where there is doubt or dispute concerning the exact location of the boundary of a District, Council shall determine the location of the boundary according to the direction of this Bylaw,
- c) Boundaries shall not be altered except by an amendment to this Bylaw, and
- d) Council shall maintain a list of amendments to the boundaries on the Land Use District Map and update the local GIS database to reflect amendments.

### 5.2 PERMITTED USES FOR ALL LAND USE DISTRICTS

- a) Unless otherwise stated in the District the following uses shall be permitted in all Districts:
  - i. Home Office,
  - ii. Park,
  - iii. Solar Panels (Roof Top), and
  - iv. Utilities

### 5.3 LAND USE DISTRICT CONVERSION

Districts in the Bylaw have been updated as follows:

**Table 9 – Land Use District Conversions**

Land Use Bylaw No. 2007/24/D (as amended)		Land Use Bylaw No. 2020/12/D	
AG	Agricultural District	S-UBR	Special, Urban Reserve District
CR	Country Residential District	R-ACG	Residential, Acreage District
CRS	Country Residential Suburban Estates District	R-ACG	Residential, Acreage District
R1E	Estate Residential District	R-ACG	Residential, Acreage District
R1A	Low Density Residential District	R-GEN	Residential, General District
R1B	Standard Residential District	R-GEN	Residential, General District
R1N	Low Density Narrow Lot Residential District	R-SML	Residential, Small Parcel District
R1Z	Zero Lot line Residential District	R-SML	Residential, Small Parcel District
R2	General Residential District	R-SML	Residential, Small Parcel District
R3	Medium Density Residential District	R-MLT	Residential, Multiple Dwelling District
R4	High Density Residential District	R-HID	Residential, High Density District
---	NEW	R-TRN	Residential, Transition District
RMS	Manufactured Housing Subdivision District	R-SML	Residential, Small Parcel District
RMP	Manufactured Housing Park District	R-MAN	Residential, Manufactured Home District
C1	Central Commercial District	C-GEN	Commercial, General District
C2	General Commercial District	C-GEN	Commercial, General District
BE	Bar and Entertainment Zoning	C-GEN	Commercial, General District
---	NEW	C-HWY	Commercial, Highway District
---	NEW	C-NHD	Commercial, Neighbourhood District
M	Industrial District	I-LGT	Industrial, Light District
RI	Rural Industrial District	I-HVY	Industrial, Heavy District
IPU	Institutional and Public Uses	S-COM	Special, Community Services District
---	NEW	S-PRK	Special, Parks and Recreation District
---	NEW	S-NAT	Special, Natural Open Space District
WVP	West Valley Park Multi Use District	DC	Direct Control District
UX	Urban Expansion District	S-URB	Special, Urban Reserve District
DC	Direct Control District	DC	Direct Control District
DC2	Direct Control Two	DC	Direct Control District
DTDC	Downtown Revitalization Direct Control District	C-DWT	Commercial, Downtown District
AG-B	Agricultural District (Annexed Lands)	S-URB	Special, Urban Reserve District
CR	Country Residential (Annexed Lands)	R-ACG	Residential, Acreage District
CRS	Country Residential Suburban Estates (Annexed Lands)	R-ACG	Residential, Acreage District
C	Commercial (Annexed Lands)	I-LHT	Industrial, Light District
HWY-C	Highway Commercial (Annexed Lands)	I-LHT	Industrial, Light District
HI	Highway Industrial (Annexed Lands)	I-LHT	Industrial, Light District
I	Industrial (Annexed Lands)	I-LHT	Industrial, Light District
PI	Public Institutional (Annexed Lands)	S-COM	Special, Community Services District
RI	Rural Industrial (Annexed Lands)	I-HVY	Industrial, Heavy District

#### **5.4 DIRECT CONTROL – DC** (amended by Bylaw 2023-05-D)

The purpose and intent of the Direct Control District (DC) is to enable Council to exercise particular control over the use and development of land and buildings in any such manner as Council may consider necessary, in an area designated as a Direct Control District on the Land Use District Maps forming part of this Bylaw.

- a) In those areas shown as Direct Control on the Land Use District Map, Council may, subject to the Municipal Development Plan, regulate and control the use or development of land or buildings in any manner it considers necessary.
- b) The Direct Control Districts shall only be applied to an area or parcel to regulate a specific proposed development under the following circumstances:
  - i. The proposed development exceeds the development provisions of the closest equivalent conventional district;
  - ii. The proposed development requires specific comprehensive regulations to ensure land use conflicts with surrounding properties are minimized;
  - iii. The site for the proposed development has unique characteristics that require specific regulations; or
  - iv. The ongoing operation of the proposed development requires specific regulations.

#### **5.5 LAND USE AMENDMENT APPLICATIONS AND STANDARDS** (amended by Bylaw 2023-05-D)

- a) The applicant shall submit a site plan and a written description explaining why the Direct Control District is warranted. The site plan shall be appended to the Direct Control Bylaw, and development shall generally conform to the Plan.
- b) A public hearing on the application will be held in accordance with the MGA to receive input from the applicant and affected landowners. The public hearing shall be advertised at least two (2) weeks prior to the hearing date.
- c) All Land Use Bylaw Regulations of general application shall apply to the Direct Control District unless such Regulations are specifically excluded or modified by Council.

#### **5.6 ADDITIONAL REGULATIONS** (amended by Bylaw 2023-05-D)

- a) All Permitted and Discretionary Uses allowed shall be at the discretion of Council, unless otherwise delegated to the Development Authority.
- b) All development regulations shall be at the discretion of Council, unless otherwise delegated to the Development Authority.
- c) This District should not be used in substitution for any other District that could be used to achieve the same objective either with or without variances or relaxations of this Bylaw or to regulate matters typically addressed through Subdivision or Development Permit approval conditions.

## 5.7 DEVELOPMENT APPLICATION DECISIONS (amended by Bylaw 2023-05-D)

- a) All development applications within a Direct Control District shall be referred to Council for a decision unless otherwise delegated to the Development Authority for a decision. The Council may impose any conditions which may be deemed necessary in order to minimize conflicts with neighbouring properties.
- b) If the development application is minor in nature and does not change the intent of the original Land Use Amendment Application, Council may waive the public hearing requirement.
- c) The Development Authority shall issue a development permit in accordance with the Council decision as if it were a Permitted Use.
- d) There is no appeal of a development permit within a Direct Control District unless the permit was issued in error.

# DC - 1 Direct Control District

(amended by Bylaw 2023-05-D)

## GENERAL PURPOSE

The general purpose of the DC - 1 district is to achieve Council's strategic vision to facilitate mixed use development on the former Deby Lands. The future development may include a range of affordable and seniors-oriented housing in a range of housing forms to reflect a variety of community needs, and a mix of commercial and office uses to serve the residents in the DC and surrounding areas. Future development concepts should include open space and park areas to serve the development and provide connectivity to the larger Deby Park areas and connecting the development to the surrounding neighbourhood and downtown.

## AREA OF APPLICATION

This district shall apply to or a portion of NE 1/4 8-49-7-West of the 5 Meridian and districted as DC —1 Direct Control.

## DEVELOPMENT PERMITS

- a) The Council shall be the Development Authority and will consider and decide upon all development permit applications within this District.
- b) The Council may grant a variance for a development permit in accordance with Section 2.14 of the Land Use Bylaw.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building and Structure	Care Facility (Child, Medical, Clinic)
Recreation (Public/Private)	Dwelling Unit (accessory to a commercial use)
Dwelling Unit (Multi-Unit)	Establishment (Eating & Drinking/Entertainment)
Solar Panels (Wall Mounted, roof top)	Financial Institution
	Office
	Retail (General, Small, Liquor, Personal Service)
	Public Utility, Minor
	Solar Panels (Free Standing)
	Those uses which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses, and which conform to the general intent and purpose of the district.

## MINIMIUM PARCEL DIMENSIONS

- a) Parcel Size — The is no minimum parcel size.

### **MINIMIUM SETBACK REQUIREMENTS**

- a.) Front Yard Setback to a public road right-of-way — 1.2 m.
- b.) Rear Yard and Side Yard Setback — 1.2 m.
- c.) Side yard and rear yard setbacks immediately adjacent to a residential district shall be 6.0 metres or one-half the height of the building, whichever is greater.

### **MASSING AND SITE COVERAGE**

- a) Height — The maximum height is 40.5 m.
- b) Maximum Parcel Coverage — 90% if the off-street parking is provided below grade, and loading, storage, and waste disposal can be provided within the building envelope. The maximum site coverage when the off-street parking, loading, storage, and waste disposal are provided at grade will be to the satisfaction of Council.

### **SITE PLAN REQUIREMENTS**

- a) An approved site plan shall be required prior to the subdivision and/or development of land in this district, and all development shall conform to the site plan;
- b) The site plan shall include the all the requirements identified under Section 2.4 and as following:
  - i. Dimensions for the planning area and individual units;
  - ii. Minimum setback dimensions; and
  - iii. Number of dwelling units and commercial units proposed within the planning area.

### **LANDSCAPE REQUIREMENTS**

- a) The landscaping of new development requirements shall comply with Sections 3.18 — 3.25 inclusively.

### **PARKING AND LOADING REQUIREMENTS**

- a) The general parking and loading requirements shall comply with Sections 3.37 — 3.45 inclusively.

### **ADDITIONAL REQUIREMENTS**

- a) Council may at its discretion impose further regulations and requirements to minimize potential impacts to adjacent existing development.



# R-ACG Residential, Acreage District

**PURPOSE:** To provide for single family detached dwellings on acreage parcels

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Bed & Breakfast
Dwelling (Single Detached)	Care Facility (Child)
Care Facility (Small Group)	Dwelling (Manufactured Home)
Secondary Suite (Internal/External)	Home-Based Business
Solar Panels (Free Standing)	Livestock
Solar Panels (Wall Mounted)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL SIZE:**

Parcel Width	Parcel Depth
30.0 m at building line	50.0 m
15.0 m road frontage for irregular parcel	

**MAXIMUM PARCEL SIZE:** 1.6 ha.

**MAXIMUM DENSITY:** One (1) dwelling unit per parcel and one (1) Secondary Suite.

**MAXIMUM BUILDING HEIGHT:** 12.0 m

**MINIMUM SETBACKS:**

MAIN AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
8.0 m	6.0 m	10.0 m

**ADDITIONAL REQUIREMENTS:**

- a) Architectural controls may be registered on title at the time of subdivision,
- b) All parcels shall be connected to the municipal water system.,
- c) All other development standards shall be negotiated with the municipality and a development agreement shall be registered on title, and
- d) Livestock kept within Town limits is subject to the *Animal Control Bylaw*.

# R-GEN Residential, General District

(amended by Bylaw 2022-08-D)

**PURPOSE:** To provide for low density single family detached dwellings.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Bed & Breakfast
Dwelling (Single Detached)	Care Facility (Child/Large Group)
Care Facility (Small Group)	Government Services
Show Home	Home-Based Business
Secondary Suite (Internal)	Religious Assembly
Solar Panels (Wall Mounted)	Secondary Suite (External)

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL SIZE:**

Parcel Width	Parcel Depth
11.0 m	33.5 m
14.0 m corner parcel	
10.0 m road frontage for irregular parcel	

**MAXIMUM DENSITY:** One (1) dwelling unit per parcel and one Secondary Suite.

**MINIMUM SETBACKS:**

MAIN BUILDING		
Front Yard	Side Yard	Rear Yard
5.5 m	1.5 m	5.5 m with lane
	3.0 m corner parcel street side	7.5 without lane
	3.0 m one side if no rear access and no front garage	
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No Accessory Buildings permitted in the front yard	1.0 m	1.0 m Garages, see Section 3.5 (Garage Location)
	3.0 m corner parcel street side, Garages, see Section 3.5 (Garage Location)	
	No Accessory Buildings Permitted on street side	

**MAXIMUM SITE COVERAGE:** 50%

**ADDITIONAL REQUIREMENTS:**

- a) Where oversized lots are being re-subdivided, the required widths may be relaxed to accommodate existing buildings.

# R-SML Residential, Small Parcel District

**PURPOSE:** To provide for single family and two-family dwellings on smaller parcels, including manufactured homes where units are located on separately registered parcels.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Care Facility (Child)
Dwelling (Duplex/Semi)	Care Facility (Large Group)
Dwelling (Manufactured Home)	Home-Based Business
Dwelling (Single Detached)	Show Home
Care Facility (Small Group)	
Secondary Suite (Internal)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

## MINIMUM PARCEL SIZE:

Parcel Width	Parcel Depth
10.0 m	33.5 m with lane
13.0 m corner parcel	35.0 m without lane
7.5 m road frontage for irregular parcel	

**MAXIMUM DENSITY:** One (1) Principal Dwelling and one (1) Secondary Suite per parcel or one (1) Dwelling, Duplex per parcel.

**MAXIMUM BUILDING HEIGHT:** 12.0 m

## MINIMUM SETBACKS:

MAIN BUILDING		
Front Yard	Side Yard	Rear Yard
5.5 m	1.2 m	5.5 m with lane
	Dwelling (Duplex/Semi)- None on common lot line	
	3.0 m corner parcel street side 3.0 m one side if no rear access and no front garage	7.5 without lane
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No Accessory Buildings permitted in the front yard	1.0 m	1.0 m Garages, 2.0 m, see Section 3.5 (Garage Location)
	3.0 m corner parcel street side, Garages see Section 3.5 (Garage Location) and Section 3.6 (Corner Visibility Triangle)	
	No Accessory Buildings Permitted on street side	

**MAXIMUM SITE COVERAGE:** 65%

**ADDITIONAL REQUIREMENTS:**

- a) A dwelling without a front attached garage must have a garage or concrete parking pad in the rear yard constructed at the same time as the principal dwelling.

**EXCEPTIONS:**

- a) Lots less than 11.0m in width require lane access, and
- b) Parcel widths for Semi-Detached or Attached Dwellings shall be a minimum of 6.0 m per interior unit and 7.5m per end unit.

# R-MLT Residential, Multiple Dwelling District

(amended by Bylaw 2022-08-D)

**PURPOSE:** To provide for medium density development by allowing a wide variety of street-oriented multiple unit dwelling types.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Care Facility (Child)
Care Facility (Large Group)	Dwelling (Duplex/Semi)
Dwelling (Multi-Unit)	Dwelling (Single Detached)
	Government Services
	Home-Based Business
	Religious Assembly
	Show Home

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL SIZE:**

Parcel Width	Parcel Depth
10.0 m	33.5 m with lane
13.0 m corner parcel	35.0 m without lane
7.5 m road frontage for irregular parcel	

**MAXIMUM DENSITY:** 30 Dwelling Units/Hectare

**MAXIMUM BUILDING HEIGHT:** 12.0 m

**MINIMUM SETBACKS:**

MAIN BUILDING		
Front Yard	Side Yard	Rear Yard
5.5 m	1.5 m	5.5 m
	Dwelling (Multi-Unit)- None on common lot line	
	3.0 m, corner parcel street side	
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No Accessory Buildings permitted in Front Yard	3.0 m corner parcel street side, Garages see Section 3.5 (Garage Location)	1.0 m- Garages see Section 3.5 (Garage Location)
	No Accessory Buildings permitted on street side	1.0 m Garages 2.0 m and see Section 3.5 (Garage Location)

**MAXIMUM SITE COVERAGE:** 65%

**ADDITIONAL REQUIREMENTS:**

- a) Lots shall be served by a rear lane.

**EXCEPTIONS:**

- a) Attached housing may be built straddling the side property line.

# R-HID Residential, High Density District

**PURPOSE:** To provide for medium to high-density development by allowing comprehensive multiple unit dwelling developments and apartments.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Care Facility (Child/Large Group)
Dwelling (Multi-Unit)	Solar Panels (Wall Mounted)

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL SIZE:** 1000 m<sup>2</sup>

**MAXIMUM DENSITY:** 74 Dwelling Units/Hectare

**MAXIMUM BUILDING HEIGHT:** 30 m

**MINIMUM SETBACKS:**

MAIN BUILDING		
Front Yard	Side Yard	Rear Yard
5.5 m from travel surface	1.5 m	6.0 m
	Dwelling (Multi-Unit)- None on common lot line	
	3.0 m, corner parcel street side	
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No Accessory Buildings permitted in the front yard	1.0 m	1.0 m
	No Accessory Building permitted on street side	

**MAXIMUM SITE COVERAGE:** 65%

**ADDITIONAL REQUIREMENTS:**

- a) All internal roads shall have a right-of-way width of 7.0 m and be hard surfaced, well drained and maintained to the satisfaction of the Development Authority,
- b) For developments exceeding 10 dwelling units, a minimum of 5% of the gross site area shall be devoted to recreational space, and
- c) A Landscaping Plan (s.3.21) shall be required for the development project.

# R-TRN Residential, Transition District

(amended by Bylaw 2022-08-D)

**PURPOSE:** To allow for the redevelopment of older, low-density residential neighbourhoods that includes a mix of low-density residential uses and compatible low-impact professional and service type commercial uses that are compatible with the surrounding residential neighbourhood in both appearance and operation.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Bed and Breakfast
Dwelling (Duplex/Semi)	Care Facility (Child/Large Group)
Dwelling (Single Detached)	Home-Based Business
Care Facility (Small Group)	Secondary Suite (External)
Residential Conversion	Show Home
Secondary Suite (Internal)	Solar Panels (Wall Mounted)

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL SIZE:**

Parcel Width	Parcel Depth
10.0 m	33.5 m with lane
13.0 m corner parcel	35.0 m without lane
7.5 m road frontage for irregular parcel	

**MAXIMUM DENSITY:** One (1) Principal Dwelling and one (1) Secondary Suite per parcel or one (1) Dwelling, Duplex or one business as a Residential Conversion per parcel.

**MAXIMUM BUILDING HEIGHT:** 12.0 m

**MINIMUM SETBACKS:**

MAIN BUILDING		
Front Yard	Side Yard	Rear Yard
5.5 m	1.2m	5.5 m with lane
	Dwelling (Duplex/Semi) - None on common lot line	
	3.0 m corner parcel street side	7.5 without lane
	3.0 m one side if no rear access and no front garage	
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No Accessory Buildings permitted in the front yard	1.0 m	1.0 m Garages 2.0 m and see Section 3.5 (Garage Location)
	3.0 m corner parcel street side, Garages see Section 3.5 (Garage Location) and Section 3.6 (Corner Visibility Triangle)	
	No Accessory Buildings Permitted on street side	

**MAXIMUM SITE COVERAGE: 65%**

**ADDITIONAL REQUIREMENTS:**

- a) A dwelling without a front attached garage must have a garage or concrete parking pad in the rear yard constructed at the same time as the principal dwelling.

**EXCEPTIONS:**

- a) Lots less than 11.0m in width require lane access, and
- b) Parcel widths for Semi-Detached or Attached Dwellings shall be a minimum of 6.0 m per interior unit and 7.5m per end unit.



# R-MAN Residential, Manufactured Home Park District

**PURPOSE:** To permit and regulate Manufactured home parks where stalls are provided on a rental basis.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Home-Based Business
Dwelling (Manufactured)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL SIZE (per development):** 10 Hectares.

**MINIMUM PARCEL SIZE (per unit):**

Parcel Width	Parcel Depth
12.0 m	36.0 m
16.5 m, corner parcel	

**MAXIMUM DENSITY:** 3.2 units per hectare

**MAXIMUM BUILDING HEIGHT:** 5.0 m

**MINIMUM SETBACKS:**

MAIN BUILDING		
Front Yard	Side Yard	Rear Yard
3.0 m, from internal road	1.5 m	3.0 m
4.5 m, from public road	3.0 m, corner lot street side	
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No Accessory Buildings permitted in the front yard	1.0 m	1.0 m
	No Accessory Building permitted on street side	

**ADDITIONAL REQUIREMENTS:**

- a) All internal roads shall have a right-of-way width of 7.0 m and be hard surfaced, well drained and maintained,
- b) All internal pathways shall be 1.0 m in width, providing safe, convenient, all-season pedestrian access between units, parks, and community facilities,
- c) All areas occupied by dwelling units, internal roads or pathways shall be fully landscaped to the satisfaction of the Development Authority,
- d) A minimum of 5% of the gross site area shall be devoted to recreational space,
- e) Visitor parking shall be provided at a ratio of at least one space for every two manufactured home dwelling units, located at convenient locations throughout the park, and
- f) One (1) freestanding sign may be erected at the entrance to a manufactured home park.

# C-GEN Commercial, General District

(amended by Bylaw 2023-01-D, Bylaw 2023-02-D, Bylaw 2023-09-D)

**PURPOSE:** To provide for intensive commercial uses, offering a wide variety of goods and services with an attractive environment for pedestrians while accessible to motor vehicles.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Auction Market
Alcohol Production	Automotive Sales and Service
Animal Services (Minor)	Cannabis Processing (Micro)
Care Facility (Clinic)	Care Facility (Child/Large Group)
Establishment (Eating & Drinking/Entertainment)	Communications Tower
Financial Institution	Crematorium
Funeral Home	Establishment (Adult)
Government Services	Gas Station
Hotel/Motel	Industrial (Light)
Office	Recreation (Public)
Recreation (Culture & Tourism)	Recycling Facility
Recreation (Private)	Retail (Large/Shopping Centre)
Religious Assembly	School
Retail (Cannabis/Liquor/Small/General)	Drive-Through
School (Trade)	Solar Panels (Wall Mounted)
	Dwelling (Multi-Unit) <sup>1</sup>

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

<sup>1</sup>Applies only to Plan 5935HW Block 11 Lot 2

**MINIMUM PARCEL SIZE:** 0.3 hectares

Parcel Width	Parcel Depth
6.0 m	30.0 m

**MAXIMUM BUILDING HEIGHT:** 20.0 m

**MINIMUM SETBACKS:**

Front Yard	Side Yard	Rear Yard
8.0 m	3.0 m	5.0 m

**ADDITIONAL REQUIREMENTS:**

- Outdoor storage and display shall not be permitted except for sidewalk sales,
- Garbage storage shall be confined to a designated area and shall not have an adverse affect on the use or circulation on the parcel or adjacent lands, and
- No shipping containers are allowed.

**EXCEPTIONS:**

- Auction Markets exclude livestock sales.

# C-DWT Commercial, Downtown District

(amended by Bylaw 2023-01-D)

**PURPOSE:** To provide for pedestrian-oriented commercial uses and accessory residential uses to encourage redevelopment of the downtown core with more flexibility than other commercial districts.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Care Facility (Child)
Dwelling Unit (accessory to a commercial use)	Establishment (Adult)
Alcohol Production	Recreation (Public)
Animal Services (Minor)	Retail (Cannabis/General)
Care Facility (Clinic)	School (Trade)
Establishment (Eating & Drinking/Entertainment)	School
Government Services	Solar Panels (Wall Mounted)
Financial Institution	
Hotel/Motel	
Office	
Recreation (Culture & Tourism)	
Recreation (Private)	
Religious Assembly	
Retail (Liquor/Small)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MINIMUM PARCEL SIZE:** 0.3 hectares

Parcel Width	Parcel Depth
6.0 m	30.0 m

**MAXIMUM BUILDING HEIGHT:** 30.0 m

**MINIMUM SETBACKS, MAIN AND ACCESSORY BUILDINGS:** No setbacks required, except where space is needed at the rear for parking, loading or garbage containers

**ADDITIONAL REQUIREMENTS:**

- a) Outdoor storage and display shall not be permitted except for sidewalk sales,
- b) Garbage storage shall be confined to a designated area and shall not have an adverse affect on the use or circulation on the parcel or adjacent lands, and
- c) No shipping containers are allowed.

**EXCEPTIONS:**

- a) Dwelling units that are an accessory to a commercial use shall be attached to but located in a completely separate space from the commercial use and have direct access to the outside at ground level,
- b) No off-street parking is required for a parcel less than 600 m<sup>2</sup>, and
- c) No building setbacks are required except where space is required at the rear for parking, loading or garbage containers.

# C-NHD Commercial, Neighbourhood District

**PURPOSE:** To provide for local commercial uses which are compatible with surrounding residential uses.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Dwelling Unit (accessory to a commercial use)
Care Facility (Child/Clinic)	Establishment (Eating & Drinking)
Recreation (Private)	Gas Station
Retail (Small)	Office
	Recreation (Public)
	Solar Panels (Wall Mounted)

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MAXIMUM PARCEL SIZE:** 0.5 hectares

**MAXIMUM BUILDING HEIGHT:** 10.0 m

**MINIMUM SETBACKS:**

MAIN AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
5.5 m	3.0 m	5.5 m

**ADDITIONAL REQUIREMENTS:**

- a) Outdoor storage and display shall not be permitted,
- b) Garbage storage shall be confined to a designated area, and
- c) No shipping containers are allowed in this District.

**EXCEPTIONS:**

- a) Dwelling units that are an accessory to a commercial use shall be attached to but located in a completely separate space from the commercial use and have direct access to the outside at ground level.

# C-HWY Commercial, Highway District

(amended by Bylaw 2023-02-D)

**PURPOSE:** To provide for commercial uses adjacent to a major thoroughfare which require large areas for parking and display of merchandise and caters to the traveling public and large retailers.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Auction Market
Animal Services, Minor	Cannabis Processing (Micro)
Automotive Sales and Service	Car Wash
Drive-Through	Communications Tower
Establishment (Eating & Drinking/Entertainment)	Crematorium
Funeral Home	Industrial (Light/Logistics)
Gas Station	Recreation (Private)
Government Services	Retail (Cannabis/Liquor/Large/Shopping Centre)
Hotel/Motel	School (Trade)
Retail (General/Groceries)	
Solar Panels (Wall Mounted)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

## MINIMUM PARCEL SIZE:

Parcel Width adjacent to a service road	15.0 m
Parcel Width without a Service Road	46.0 m

**MAXIMUM BUILDING HEIGHT:** 15.0 m

## MINIMUM SETBACKS:

MAIN AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
9.0 m	3.0 m	3.0 m

## ADDITIONAL REQUIREMENTS:

- a) Building setbacks shall allow for the planned widening of streets and/or provision of service roads providing there is a road widening plan adopted by Council,
- b) All outdoor storage shall be screened, and
- c) No storage is permitted in the front yard.

## EXCEPTIONS:

- a) Auction Markets exclude livestock sales.

# I-LHT Industrial, Light District

(amended by Bylaw 2023-02-D)

**PURPOSE:** To provide for a variety of light industrial activities, including support services and storage, where nuisance factors are confined to the site area.

<b>PERMITTED USES:</b>	<b>DISCRETIONARY USES:</b>
Accessory Building/Structure	Animal Services (Major)
Animal Services (Minor)	Alcohol Production
Auction Market	Bulk Fuel Station
Automotive Sales and Service	Car Wash
Cannabis Processing (Micro)	Cannabis Processing (Standard)
Communications Tower	Crematorium
Funeral Home	Surveillance Suite
Gas Station	Establishment (Eating & Drinking/Adult)
Government Services	Industrial (Medium)
Retail (Agriculture/General)	Recreation (Private)
Industrial (Light/Logistics)	Retail (Cannabis/Liquor)
Office	School (Trade)
Recycling Facility	
Solar Panels (Wall Mounted)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MAXIMUM BUILDING HEIGHT:** 20.0 m

**MINIMUM SETBACKS:**

<b>MAIN AND ACCESSORY BUILDINGS</b>		
Front Yard	Side Yard	Rear Yard
6.0 m	3.0 m	6.0 m

**MAXIMUM SITE COVERAGE:** 60%

**ADDITIONAL REQUIREMENTS:**

- a) The Development Authority may require greater setbacks and landscaping requirements for an industrial development which may interfere with the amenity of adjacent sites,
- b) The Development Authority may require an Environmental Impact Assessment where there is uncertainty regarding the potential risk from the proposed development, and
- c) Storage shall be located to the rear and side of the Principal Building.

**EXCEPTIONS:**

- a) Auction Markets exclude livestock sales.

# I-HVY Industrial, Heavy District

(amended by Bylaw 2023-02-D)

**PURPOSE:** To provide for a variety of industrial activities, including support services and storage, that may have off-site nuisance impacts.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Animal Services (Major)
Alcohol Production	Crematorium
Animal Services (Minor)	Government Services
Auction Market	Industrial (Heavy)
Automotive Sales and Service	Office
Bulk Fuel Station	Recreation (Private)
Cannabis Processing (Micro & Standard)	Retail (Cannabis/Liquor)
Communications Tower	
Retail (Agriculture)	
Industrial (Light/Logistics/Medium)	
Solar Panels (Free Standing)	
Solar Panels (Wall Mounted)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**MAXIMUM BUILDING HEIGHT:** 30.0 m

**MINIMUM SETBACKS:**

MAIN AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
8.0m	3.0 m	9.0 m

**ADDITIONAL REQUIREMENTS:**

- a) The Development Authority may require greater setbacks and landscaping requirements for an industrial development to avoid interfering with the amenity of adjacent sites, and
- b) The Development Authority may require an Environmental Impact Assessment where there is uncertainty regarding the potential risk from the proposed development.

# S-COM Special, Community Services District

(amended by Bylaw 2023-02-D)

**PURPOSE:** To provide for either public or private development of community services or amenities.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Campground
Care Facility (Child/Large Group/Clinic/Medical)	Communications Tower
Establishment (Entertainment)	Surveillance Suite
Funeral Home	Office
Government Services	Recreation (Private)
Recreation (Culture & Tourism)	
Recreation (Outdoor)	
Recreation (Public)	
Religious Assembly	
School	
Solar Panels (Free Standing)	
Solar Panels (Wall Mounted)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**PARCEL SIZE:** At the discretion of the Development Authority

**MAXIMUM BUILDING HEIGHT:** At the discretion of the Development Authority

**MINIMUM SETBACKS, MAIN AND ACCESSORY BUILDINGS:** At the discretion of the Development Authority



# S-PRK Special, Parks and Recreation District

**PURPOSE:** To provide for the development of public areas to meet active or passive recreational and leisure pursuits.

<b>PERMITTED USES:</b>	<b>DISCRETIONARY USES:</b>
Accessory Building/Structure	Communications Tower
Recreation (Public/Private)	Government Services
School	
Solar Panels (Free Standing)	
Solar Panels (Wall Mounted)	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**PARCEL SIZE:** At the discretion of the Development Authority

**MAXIMUM BUILDING HEIGHT:** At the discretion of the Development Authority

**MINIMUM SETBACKS, MAIN AND ACCESSORY BUILDINGS:** At the discretion of the Development Authority

# S-NOS Special, Natural Open Space District

**PURPOSE:** To protect environmentally sensitive areas by restricting development to clearly compatible uses and to provide access to the public in a manner that preserves the area in accordance with the Act.

<b>PERMITTED USES:</b>	<b>DISCRETIONARY USES:</b>
Natural Conservation Lands	

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

**ADDITIONAL REQUIREMENTS:**

- a) All parcel and development regulations shall be at the discretion of the Development Authority and shall proceed in a manner to minimize impacts on the natural environment.

**EXCEPTIONS:**

- a) Parks exclude playgrounds, and
- b) Utilities are a Discretionary Use.

# S-URB Special, Urban Reserve District

(amended by Bylaw 2023-03-D)

**PURPOSE:** To protect lands for future orderly and economic development, provide for a limited range of temporary uses and allow existing agricultural operations to continue on lands annexed to the Town until such time as redevelopment occurs.

<b>PERMITTED USES:</b>	<b>DISCRETIONARY USES:</b>
Accessory Building/Structure (excepting thereout in the North East Quarter of Section 5, Township 49, Range 7, West of the 5th Meridian, where accessory buildings and structures for single detached dwellings are prohibited)	Animal Services (Major)
Agriculture (existing only)	Dwelling, Single Detached (excepting thereout in the North East Quarter of Section 5, Township 49, Range 7, West of the 5th Meridian, where Dwelling, Single Detached is prohibited)
Dwelling, Single Detached (prior to adoption of Bylaw 2023/03/D)	Government Services
Solar Panels (Free Standing)	Recreational (Public)
Solar Panels (Wall Mounted)	Livestock
	Any strictly temporary use, which in the opinion of the Development Authority, will not prejudice the orderly and economic development of the area in the future.

Those uses, not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the Permitted or Discretionary Uses and conform to the purpose of this District.

## FUNDAMENTAL USE CRITERIA:

The fundamental use criteria for the S-URB, Special, Urban Reserve District is to prohibit residential dwellings and associated accessory structures or buildings in the North East Quarter of Section 5, Township 49, Range 7, West of the 5th Meridian, and thereby, provide greater operational and investment certainty to industry, and reduce the potential for incompatible land uses on the said lands.

## ADDITIONAL REQUIREMENTS:

- a) All siting, Parcel coverage, densities, setbacks and heights of Buildings shall be at the discretion of the Development Authority,
- b) The Development Authority may specify the length of time a use is permitted, having regard to the future servicing and development of the subject land, and
- c) No land shall be reclassified from Urban Reserve district into other land use districts unless the development of the same land constitutes an orderly and economic development, having due regard for the provisions of Schools, Parks, roads, Utilities and services, and such development as in the opinion of the Council shall not detract or disrupt any other orderly and economic development already initiated in the Town.

# SECTION SIX

## Glossary

# 6

(amended by Bylaw 2022-10-D, Bylaw 2023-02-D)

*This section provides definitions for terms used within the Land Use Bylaw.*

Please note, definitions pertaining to specific uses are **HIGHLIGHTED** below:

**ABUTTING** – means immediately contiguous to or physically touching, and when used in respect of a lot, means that the two abutting lots share a property line.

**ACCESSORY BUILDING/STRUCTURE** – means any building or structure which is separate from the principal building on the parcel on which both are located, and the use of which is subordinate and incidental to that of the principal building. Typical accessory building/structures include, but are not limited to, sheds, flagpoles, hot tubs, satellite dishes, shipping containers, play structures, etc.

**ACCESSORY USE** – means a use customarily incidental and subordinate to the main use.

**ADDITION** – means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure and no removal of the exterior walls other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

**ADJACENT** – means contiguous or would be contiguous if not for an easement, right-of-way, street or natural feature.

**AGRICULTURE** – means a use where agricultural activities occur such as cultivating soil, producing crops and raising livestock or poultry, and in varying degrees the preparation and marketing of the resulting products. Not including Cannabis Processing.

**ALCOHOL PRODUCTION** – means a use where beer, spirits and/or other alcoholic beverages are manufactured that may include the retail sale of products. Typical development includes breweries, distilleries and meaderies. This use may be combined with another use such as an Establishment (Eating & Drinking).

**ANIMAL SERVICES (MAJOR)** – means a use for livestock outpatient care and treatment, boarding, training, or grooming of large animals and includes retail sales of associated products. This includes such uses as animal hospitals, boarding/breeding kennels for both livestock and domestic pets, impounding and quarantining facilities.

**ANIMAL SERVICES (MINOR)** – means a use for domestic pet outpatient care and treatment, pet training not exceeding ten animals on the premises at any one time, treatment or grooming of animals and includes retail sales of associated products. Temporary boarding of small animals is permitted when associated with a veterinary clinic. Typical Uses include pet grooming salons, animal daycares and domestic pet veterinary clinics. This use does not include Animal Services (Major).

**APPLICANT** – means the registered owner of the land or the representative or agent certified or authorized as such to act on their behalf.

**APPLICATION FORM** – means a form provided to an Applicant pursuant to the Bylaw, including Text Amendment Application Forms, Land Use Redesignation Application Forms and Development Permit Application Forms etc.

**AUCTION MARKET** – means a use where goods and equipment are auctioned, including the temporary storage of such goods and equipment.

**AUTOMOTIVE SALES AND SERVICE** – means a use where motor vehicles are sold, rented out and/or serviced, including automobiles, recreational vehicles, and farm equipment and parts.

**BED & BREAKFAST** – means a use where temporary sleeping accommodation is provided within a Dwelling.

**BOULEVARD** – means the portion of the street right-of-way that lies between the curb or edge of road surface and the adjacent property line.

**BUILDING** – means any structure used or intended for supporting or sheltering any use or occupancy.

#### **BUILDING – COMMON TERMS**

**ATTACHED GARAGE** – means a building or portion of a building that can be used for motor vehicle storage that is attached to the principal building by sharing a common wall which usually has an interconnecting door. For the purpose of calculating yard setbacks and site coverage requirements, an attached garage is deemed to be part of the principal building.

**AWNING** – means a cloth like or lightweight shelter projecting from a building.

**BALCONY** – means a projecting elevated platform on a building, which is enclosed by a railing or parapet and is greater than 0.6 m above grade and width. Access is from the building only.

**BASEMENT** – means that portion of a building located below the uppermost floor level that does not exceed 2.0 m above grade.

**BAY** – means a self-contained unit of part of a building or of the whole building which can be sold or leased for individual occupancy.

**CANOPY** – means a non-retractable solid projection extending from the wall of the building intended to be used as a protection against weather, other than normal architectural features such as lintels, sills, moldings, architraves and pediments, but includes the structure known as the theatre marquee.

**CANTILEVER** – means a long projecting beam or girder fixed at only one end.

**DECK** – means an open-sided roofless platform adjoining a building up to a height of 0.61 m from grade.

**DRIVEWAY** – means a hard-surfaced area used for parking vehicles on private property, often connecting a house or garage with a public road. Driveways must be constructed of asphalt, or concrete. Driveways that are not connected to a garage or carport are limited to 5.0 m in width.

**FOUNDATION** – means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfers the weight of and loads on a building to the ground.

**PATIO** – means an uncovered open platform or area situated directly on the ground.

**PORCH** – means a roofed structure having direct access to and projecting from the principal building with walls that are unenclosed and open to the extent of at least 50% and may be glazed or screened.

**BUILDING PERMIT** – means a permit issued in writing by a designated Safety Codes Officer authorizing the commencement of a use, occupancy, relocation, construction, or demolition of any building.

**BULK FUEL STATION** – means development for handling petroleum products in bulk quantities and includes supplementary tanker vehicle storage. Key-lock pumps and retail fuel sales may be incorporated as an accessory use.

**BUSINESS** – means:

- a) a commercial, merchandising or industrial activity or undertaking, or
- b) a profession, trade, occupation, calling or employment, or
- c) an activity providing goods and services, whether or not for profit and however organized or formed, including a co-operative or association of persons.

**CAMPGROUND** – means a use where temporary overnight lodging in tents, travel trailers, or recreational vehicles occurs.

**CANNABIS PROCESSING (MICRO)** – means a use, as licenced by Health Canada where:

- a) Cannabis is grown or harvested, and the surface of the plant canopy does not exceed 200 square meters, but does not include Cannabis (Retail), or
- b) A maximum of 600 kilograms of dried cannabis product per year is processed, manufactured, packaged, and labelled or stored on-site, but does not include Cannabis (Retail)

**CANNABIS PROCESSING (STANDARD)** – means a use, as licensed by Health Canada, where cannabis is grown, harvested, processed, tested, destroyed and/or stored on site, but does not include Retail (Cannabis).

**CAR WASH** – means a development where motor vehicles are washed on a commercial basis.

**CARE FACILITY (CHILD)** – means a use where care, instruction, maintenance or supervision is provided for seven or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours. Typical development includes day-care centres, early childhood services, nurseries and after-school or baby-sitting programs.

**AFTER-SCHOOL PROGRAM** – means a business where structured activities for children are provided and convene regularly in the hours before or after typical school hours

**BABY-SITTING PROGRAM** – means a business where children are supervised for brief absences of the parent

**DAYCARE** – means a business that provides a child care program for seven (7) or more children which may include infants, preschool children, kindergarten children, and school aged children. This definition does not include day home operations

**EARLY CHILDHOOD SERVICE** – means a business that provides programs or services for children six (6) years old or younger addressing language development, literacy development, or other form of cognitive training

**NURSERY** – means a business tailored to infants or preschool children where supervision and care is administered by parties separate from the parents

**CARE FACILITY (CLINIC)** – means a use where medical and health care services are provided on an outpatient basis only. Typical development includes medical and dental offices, health care clinics, pre-natal clinics and counseling services.

**COUNSELING SERVICES** – means an office or centre where a professional counselor provides support for wellness, personal growth, trauma, or issue of pathological concern

**DENTAL OFFICE** - means an office of a licensed dental practitioner who provides oral or oral-related care and may involve examination and/or consultation with patients

**HEALTH CARE CLINIC** – means a centre where medical care is administered with a focus on outpatient services

**MEDICAL OFFICE** – means an office of a licensed physician who provides medical care and may involve examination and/or consultation with patients

**PRE-NATAL CLINIC** - means a centre where medical care is administered with a focus on pregnant persons

**CARE FACILITY (LARGE GROUP)** – means a use that is recognized, authorized, licenced or certified by a public authority intended to provide room and board for more than six residents, exclusive of staff, and family members residing onsite where individuals who are in need of supervision reside on a temporary or long-term basis in a group setting where twenty-four (24) hour personal care or support may be provided. Typical development includes senior homes, large boarding homes, large group homes, large family homes and large long-term special needs care facilities.

**CARE FACILITY (SMALL GROUP)** – means a residential care facility which is recognized, authorized, licensed or certified by a public authority such as a social care facility intended to provide room and board for six residents or less, exclusive of staff or family members residing in the home, where residents are in need of supervision reside on a temporary or long-term basis in a group setting and 24-hour personal care or support may be provided. The residential character of the Dwelling shall be primary; with the occupants living together as a single housekeeping unit and using shared cooking facilities. Typical uses include small boarding homes, small group homes and small long-term special needs facilities.

**CARE FACILITY (MEDICAL)** – means a use that is authorized by the applicable Provincial authority where medical treatment for the sick, injured or infirm occurs, including out-patient services and accessory staff dwellings. Typical development includes hospitals, sanitariums, nursing homes, hospices, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

**DETOXIFICATION CENTRE** – means a centre where medical services are provided to assist patients managing substance abuse and the related effects

**HOSPICE** - means a home providing care for persons with serious illnesses and/or terminal conditions

**HOSPITAL** – means an institutional medical and/or surgical treatment facility with capacity for patient intake

**HOSPITAL (AUXILIARY)** - means an extension of a hospital (whether on the same site or separate) specifically catered to a provision of services for patients with long term or chronic conditions requiring regular care

**HOSPITAL (PSYCHIATRIC)** – means an institutional treatment facility with a specialized focus on mental conditions

**NURSING HOME** – means a facility intended for the residential care of elderly or disabled persons

**SANITARIUM** – means a hospital or care facility with a specialized focus on particular disease(s), ailment(s), condition(s) or convalescence

**COMMUNICATIONS TOWER** – means a building or structure for the transmission of wireless communication signals. Typical facilities include telecommunication towers, antennae, and the buildings that house their supporting equipment.

**CORNER VISIBILITY TRIANGLE** – means the triangular area formed on a corner parcel by the two (2) curb lines and a straight line, which intersects them 3.0 meters from where they meet in Residential districts and 6.0m from where they meet in all other districts.

**COMPATIBLE** – means the characteristics of different uses or activities or designs which allow them to be located near or Adjacent to each other in harmony. Compatibility does not mean “same as”. Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing developments.

**CONSTRUCT** – means to build, rebuild, or relocate and without limiting the generality of the word, also includes: any preliminary operation such as excavation, filling or draining; altering an existing building or structure by addition, enlargement, extension, or other structural change; and any work which requires a Building Permit.

**CONVENTION CENTRE** – means a use that provides permanent facilities for meetings, seminars, conventions, weddings or other special events and that may include areas for food preparation.

**COUNCIL** – means the Council of the Town of Drayton Valley

**CREMATORIUM** – means a building fitted with the proper appliances for the purpose of the cremation of human or animal remains and includes everything incidental or ancillary thereto.

**CURB CUT** – means a place where vehicles cross a curb, even if there is no built curb.

**DEMOLITION** – means the pulling down or destruction or removal of a structure.

**DENSITY** – means the number of dwelling units on a site expressed in units per hectare (uph).

**DESIGNATED OFFICER(S)** – means those persons designated by bylaw under the MGA and for purposes of the Bylaw are the Development Officer, Community Peace Officer, Bylaw Enforcement Officer, and Town’s CAO or their Designate.

**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, 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 land or building, or
- d) A change in the intensity of use of land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

**DEVELOPMENT AGREEMENT** – means an agreement which is a contract between an applicant and the Town regarding the apportionment of costs arising from the construction or servicing of a development.

**DEVELOPMENT AUTHORITY** – means a Development Authority established pursuant to the MGA to exercise development powers and duties on behalf of the Town.

**DEVELOPMENT COMMENCEMENT** – means the moment construction is started on site (i.e. excavation) or the land use has begun for the purposes of the Development Permit application.

**DEVELOPMENT COMPLETION** – means the moment the required Building/Development Permit conditions and requirements have been met for the purposes of the Development Permit application and/or the final inspection reports have been received, except for ongoing conditions.

**DEVELOPMENT PERMIT** – means a document or permit, which may include attachments, issued pursuant to this Bylaw authorizing a development.

**DIRECT CONTROL DISTRICT** – means a district in the Land Use Bylaw which details guidelines established by Council for control over the use and development of an area pursuant to the provisions of the MGA.



**DISTRICT** – means a Land Use District.

**DRIVE THROUGH** – means a use where services are provided to patrons who are in a motor vehicle. This use will always be approved with another use such as Establishments (Eating or Drinking) or financial institution.

**DWELLING OR DWELLING UNIT** – a building or portion of a building consisting of one or more rooms operated or intended to be operated as a permanent residence for a household, containing cooking, sleeping and sanitary facilities only for that unit.

**DWELLING (MANUFACTURED HOME)** – means a dwelling that is manufactured to be moved from one point to another that is located on a permanent foundation and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association.

**DWELLING (MULTI-UNIT)** – means a dwelling with three (3) or more dwelling units. Typical multi-unit dwellings include Apartments, Row Houses, Town Houses, Stacked-Townhouses, Tri or Four-plexes and Seniors Manors. Secondary Suites are not permitted in Dwelling (Multi-Unit).

**DWELLING (DUPLEX/SEMI)** – means a dwelling containing two (2) dwelling units having the dwelling area of one located above the dwelling area of the other each with a private entry or a dwelling containing not more than two (2) side-by-side dwelling units sharing a common wall, which may be subdivided along the common wall.

**DWELLING (SINGLE DETACHED)** – means a dwelling (constructed on site or modular construction) that is supported on a permanent foundation or basement but does not include Dwelling (Manufactured Home).

**EASEMENT** – means a right to use land generally for access to other property or as a right-of-way for a public utility.

**ESTABLISHMENT (EATING & DRINKING)** – means use where food is prepared and alcoholic beverages may be offered for sale to the public for consumption. Typical development includes restaurants, diners, fast food restaurants, takeout only restaurants, bars and pubs.

**ESTABLISHMENT (ENTERTAINMENT)** – means a use where live performances or motion pictures are shown. Typical development includes auditoria, bingo halls, casinos, cinemas and theatres but does not include Establishment (Adult).

**ESTABLISHMENT (ADULT)** – means a premise or parts thereof in which products or services are provided which are of a sexual intent and shows or displays nudity with an erotic or sexually explicit intent. Typical uses would include but are not limited to adult mini-theatres, strip clubs or shows, sex shops and adult video stores.

**EXCAVATION** – means any breaking of ground except for gardening and ground care.

**FENCE** – means a vertical physical barrier constructed to prevent visual intrusions, unauthorized access, or provide sound abatement.

**FARMER'S MARKET** – means a use where individual vendors provide goods for sale directly to the public. Vendors may change on a frequent or seasonal basis and goods may be sold both inside and outside of the building. Goods being sold are primarily fresh food products, finished consumer goods, produce, handcrafted articles, antiques or second-hand goods.

**FLOOR AREA** – means the area of all floors in a building, measured within the exterior walls of a building, not including basements, decks, patios, driveways, sidewalks, or porches.

**FINANCIAL INSTITUTION** – means a use where banks, credit unions, trust companies, treasury branches, pawn shops or payday loan services are located.

**FUNERAL HOME** – means a use where the deceased are prepared for burial or cremation, and/or funeral services are held. Funeral home use does not include crematoriums.

**FULL CUT-OFF FIXTURES** – means lighting fixtures that direct light directly down towards the ground (the luminous intensity at or above an angle of 90° above nadir is zero).

**GAS STATION** – means a use where gasoline and related fuels are sold, typically including a small retail component. This use does not include a Bulk Fuel Facility.

**GOVERNMENT SERVICES** – means a use where municipal, provincial or federal government services/programs are provided. Typical development includes cemeteries, police stations, fire stations, courthouses, post offices, municipal offices or social service offices.

**GRADING** – means the alteration of the grade of a site.

**GREEN SPACE** – means an area of grass, trees, or other vegetation set apart for aesthetic purposes in an otherwise urban environment.

**GROSS FLOOR AREA (GFA)** – means the total floor area of a building within the exterior and basement walls, excluding areas used exclusively for parking, mechanical/electrical equipment, common laundry and storage lockers, and common areas such as stairways, halls and corridors.

**HOME OFFICE** – means any occupation, trade, profession, or craft carried on as a secondary use of a dwelling unit which does not involve any employees or customers coming to the dwelling unit (other than deliveries in accordance with Section 4.7.d), on-site storage or display of materials, or the creation of any nuisance whatsoever.

**HOME-BASED BUSINESS** – means a use where business is conducted in a Principal Building or Accessory Building with moderate weekly visits and with one employee who does not live on the property. Uses are secondary to the residential use of the parcel and do not change the residential appearance of the land and buildings. Typical development includes day homes.

**HOTEL/MOTEL** – means a use where sleeping accommodation and ancillary services are provided in rooms or suites which may contain facilities for food preparation. This use may be combined with another use such as an Establishment (Eating & Drinking), Retail (Small) Convention Centre.

**INDUSTRIAL (LIGHT)** – means a use where activities are primarily carried on within an enclosed building and no significant nuisance factor is created or apparent outside an enclosed building. Any development, even though fully enclosed, where, in the opinion of a Development Authority, there is significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes, shall not be considered Industrial (Light). Typical development includes laboratories, general contractors and landscaping services, equipment rentals, warehouses and warehouse sales of furniture, floor coverings etc.

**INDUSTRIAL (MEDIUM)** – means a use where all or a portion of the activities and uses are carried on outdoors, without any significant nuisance such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites, because of the nature of the site, materials or processes, cannot be successfully mitigated shall be considered Industrial (Heavy). Typical development includes storage yards, grain storage, construction, maintenance, equipment rental or sales, and manufacturing or processing facilities that do not pose a Nuisance.

**INDUSTRIAL (HEAVY)** – means a use that may have an effect on the safety, use, amenity, or enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods, but does not include Industrial (Cannabis Processing). Typical development includes abattoirs, concrete plants, wreckage and salvage yards, and manufacturing and processing facilities that create a Nuisance.

**INDUSTRIAL (LOGISTICS)** – means a use where storage and inter-modal (highway) distribution of goods occurs, resulting in larger traffic volume. Typical development includes shipping/receiving facilities, transshipment and distribution centres.

**LANDSCAPING** – means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials.

**LANE** – means a public thoroughfare, which provides a secondary means of access to a parcel.

**LIVESTOCK** – means all domesticated animals kept for use on a farm or raised for sale or profit and includes horses, cattle, sheep, swine, poultry or other animals as determined by the Town.

**MAINTENANCE** – means the upkeep of a building or property that does not involve structural change, the change of use, or the change of intensity of use.

**MANUFACTURED HOME PARK** – means a parcel of land under one title, which provides spaces for the long-term parking and occupancy of a Dwelling (Manufactured Home).

**MIXED-USE BUILDING** – means a building used partly for residential use and partly for commercial use.

**MIXED-USE DEVELOPMENT** – means a parcel of land or a building or structures developed for two or more different uses such as residential, office, manufacturing, retail, public, or entertainment.

**MUNICIPAL GOVERNMENT ACT (MGA)** – means the *Municipal Government Act* of Alberta, as amended.

**NATURAL CONSERVATION LANDS** – means areas set aside for conservation of natural features or areas of cultural or scenic value. Such lands are intended to be kept in a natural state with limited development

**NON-CONFORMING BUILDING** – means a building:

- a) That is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- b) That on the date this Land Use Bylaw becomes effective does not, or when constructed will not, comply with this Land Use Bylaw.

**NON-CONFORMING USE** – means a lawful specific use:

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

**NUISANCE** – means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

**OFF STREET PARKING** – means parking constructed entirely off any road or lane.

**OFFICE** – means a use where professional, management, administrative, consulting and similar business support services occur.

**PARCEL** – means the aggregate of the one or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a Land Titles Office. May also be referred to as a site.

**PARCEL AREA** – means the total area of a parcel.

**PARCEL COVERAGE** – means the combined area of all buildings or covered/roofed structures upon the parcel, measured at the approved grades, including all porches and verandas, enclosed terraces, steps, cornices, eaves, and similar projections; such area shall include air wells, and all other space within an enclosed building.

**PARCEL FRONTAGE** – means the length of a street boundary measured along the front line of a parcel.

**PARCEL, CORNER** – means a parcel that abuts two (2) intersecting streets.

**PARCEL, DOUBLE FRONTING** – means a parcel which abuts two (2) non-intersecting streets (excluding lanes).

**PARCEL, INTERIOR** – means a parcel which is bounded by only one (1) street.

**PARK** – means land developed for recreational activities that invite the public and includes picnic areas, playgrounds, pedestrian and bicycle paths, and associated public washrooms.

**PLAYGROUND** – means an outdoor play area, containing recreational equipment such as slides and swings.

**PRINCIPAL BUILDING** – means a building which:

- a) occupies the major or central portion of a parcel,
- b) is the chief or main building on a parcel, or
- c) constitutes, by reasons of its use, the primary purpose of which the parcel is used.

**PRINCIPLE USE** – means the main purpose for which a parcel is used.

**PROPERTY LINE** – means any boundary of a parcel, and includes the rear, front and side property lines.

**RECREATION (CULTURE & TOURISM)** – means a use where public or private cultural or tourism recreation occurs. Typical development includes tourist information centres, libraries, museums, or other cultural facilities, but does not include Recreation (Public) facilities nor Establishment (Entertainment).

**CULTURAL FACILITY** – means a building used for the programming, production, presentation, and/or exhibition of an arts or cultural discipline. This definition does not include arenas, religious assemblies, museums, or libraries

**LIBRARY** – means a building containing the storage of books, periodicals, films, games, or other media and/or research materials intended for the general public to view, reference, and/or borrow without sale. This definition does not include rental stores (equipment, videos, vehicles, etc.)

**MUSEUM** – means a building in which objects of historical, scientific, artistic, or other cultural significance are stored and exhibited as the primary focus

**TOURISM INFORMATION CENTRE** – means a centre providing visitors with information on the area amenities, attractions, or otherwise pertinent items

**RECREATION (OUTDOOR)** – means a use where outdoor recreation occurs. Typical development includes outdoor skating rinks, lawn bowling greens, tennis courts, swimming and wading pools, water spray parks, rodeo grounds, go-cart tracks, miniature golf, theme parks and golf courses.

**RECREATION (PRIVATE)** – means a use where sports or recreation, that is privately owned, occurs within an enclosed Building. Typical development includes private clubs or lodges, health or fitness clubs, or private recreation facilities such as bowling alleys, arcades or racquet courts.

**RECREATION (PUBLIC)** – means a use where sports or recreation, that is open to the public, occurs within an enclosed building. Typical development includes recreation centres, community halls, public swimming pools, curling rinks and arenas, but does not include Government Services.

**ARENA** – means an enclosed building developed for the performance of a sport, artistic performance, or other entertainment spectacle, where the performance area is flanked or surrounded by spectator space. This definition does not include religious assembly. Please refer to RECREATION (OUTDOOR) for unenclosed arenas.

**COMMUNITY HALL** – means a public building where facilities are provided for social events, community activities, organization meetings, or other gathering, typically on a rental basis. This definition does not include religious assembly.

**CURLING RINK** - means a building intended to house ice sheets and the related facilities in order to play the sport of curling

**PUBLIC SWIMMING POOL** - means an enclosed building or structure housing a water container intended for the general public to play, sport, or perform other associated activities in. Please refer to RECREATION (OUTDOOR) for unenclosed pool structures

**RECREATION CENTRE** – means a building open to the public where sports or other physical activities are programmed to occur on a regular basis. This definition does not include privately run operations that would meet the definition of RECREATION (PRIVATE).

**RECYCLING FACILITY** – means a use where waste is sorted and/or packaged for shipment. Typical development includes recycling depots, bottle depots and compost facilities.

**REDESIGNATION** – means the conversion of land from one land use district to another.

**REGISTERED OWNER** – means;

- a) in the case of land by 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:
  - i. the purchaser of the fee simple estate in the land under an 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
  - ii. in the absence of a person described in clause (a), the person registered under the owner of the fee simple estate in the land.

**RESERVE, ENVIRONMENTAL (ER)** – means the land designated as Environmental Reserve per the MGA.

**RESERVE, SCHOOL (SR)** – means the land designated as School Reserve per the MGA.

**RESERVE, MUNICIPAL (MR)** – means the land designated as Municipal Reserve per the MGA.

**RELIGIOUS ASSEMBLY** – means a use where religious organizations worship and related social activities/programs occur that may include areas for food preparation as well as accessory dwellings. Typical development includes churches, mosques, temples, synagogues, parish halls, convents, monasteries and manses.

**RESIDENTIAL CONVERSION** – means a development in a Residential district that involves the conversion, but does not substantially change the general residential appearance, of a Dwelling (Single-Detached) for Office or Retail (Small) use.

**RETAIL (AGRICULTURE)** – means a use specially designed for the commercial growing of vegetables, flowers or other plants for transplanting or sale.

**RETAIL (CANNABIS)** – means a use, that is licensed by the Province of Alberta, where cannabis and cannabis accessories are sold for consumption off the premises.

**RETAIL (SMALL)** – means a use where goods and/or services are sold in a building with a gross floor area less than 1,000.0 m<sup>2</sup>. Typical development includes a convenience store or sandwich shop or personal services such as hairdressers/salons, massage clinics, laundromats, or tailors.

**RETAIL (GENERAL)** – means a use where goods and services are sold in a building with a gross floor area between 1,000.0 - 4,000.0 m<sup>2</sup>. Typical development includes a clothing store or pharmacy but does not include Retail (Groceries).

**RETAIL (LARGE)** – means a use where goods and services are sold in a building with a gross floor area larger than 4,000.0 m<sup>2</sup>. Typical development includes 'big box' or building supplies retailers but does not include Retail (Groceries).

**RETAIL (LIQUOR)** – means development used for the provincially licensed retail sale of any and all types of alcoholic beverages to the public for consumption off the premises.

**RETAIL (GROCERIES)** – means use where raw or prepared foods are sold. This use may be combined with another use such as Retail (Small).

**RETAIL (SHOPPING CENTRE)** – means a use where commercial establishments are grouped on a site planned, developed, and managed as a single unit with on-site parking provided. Typical development includes a strip mall, power centre or shopping mall.

**RETAINING WALL** – means a wall for holding in place, a mass of earth or the like, as at the edge of a terrace or excavation.

**SCHOOL** – means a use operated with public funds pursuant to the School Act, which may be located on reserve land pursuant to the MGA.

**SCHOOL (TRADE)** – means a school that offers instruction and practical introductory experience in the skills needed to provide a skilled service or trade as such as mechanics, carpentry, plumbing, welding, hairstyling or esthetics.

**SECONDARY SUITE (INTERNAL)** – means a secondary Dwelling Unit located within a Principal Building.

**SECONDARY SUITE (EXTERNAL)** – means a secondary Dwelling Unit located within an Accessory Building.

**SETBACK** – means the perpendicular or radial distance from a property line to the nearest portion of the foundation of the building including any columns supporting or appearing to support a roof load. In the case of a cantilevered floor, the setback shall be to the outer wall of the cantilevered section.

**SHOW HOME** – means the use of an unoccupied dwelling as a sales office and/or to demonstrate housing product.

**SIDEWALK** – means a pathway or right-of-way for pedestrian traffic.

**SIGN** – means an object or device intended to advertise or call attention to a person, matter, event or location.

**SIGN, SANDWICH BOARD** – means a non-illuminated sign having an “A” shape, limited to a maximum of 1.0 m<sup>2</sup> in size, which is set upon the ground.

#### **SIGN – COMMON TERMS**

- a) “COPY” means the letters, graphics or characters that make up the message on the sign face.
- b) “CHANGEABLE COPY” means that portion of the copy that can be readily changed either manually or electronically.
- c) “BUILDING FACE” means any exterior wall of a Building.
- d) “THIRD PARTY ADVERTISING” means advertising which directs attention to a business, commodity, service or event that is conducted, sold or offered elsewhere than on the premises on which the sign is located.

**SOLAR PANELS (ROOF TOP)** – means a roof-mounted device that converts light into electricity.

**SOLAR PANELS (WALL MOUNTED)** – means a wall-mounted device that converts light into electricity.

**SOLAR PANELS (FREE STANDING)** – means a freestanding device that converts light into electricity, which is set upon the ground.

**STATUTORY PLAN** – means an Inter-Municipal Development Plan, Municipal Development Plan, Area Structure Plan or Area Redevelopment Plan adopted by a municipality under the MGA, as amended.

**STOCKPILE** – means an accumulation materials or raw materials, including snow dumps, stored outdoors in a pile.

**STOREY** – means the habitable space between the upper face of one floor and the lower face of the next higher floor. A basement shall be considered a storey if the upper face of the floor above it is more than 1.8 metres above ground level.

**STREET** – means a public thoroughfare, often paved and referred to interchangeably as a road.

**SUBDIVISION** – the process of dividing land into smaller Parcels, overseen by the Subdivision Authority.

**SUBDIVISION & DEVELOPMENT APPEAL BOARD (SDAB)** – means a subdivision & development appeal board pursuant to the ‘SDAB Bylaw No. 2018/03/D and SDAB Amending Bylaw No. 2019/05/D’, as amended or replaced.

**SURVEILLANCE SUITE** – means a dwelling unit used solely to accommodate a person or persons related as a family member, or employee, whose official function is to provide surveillance, maintenance and/or security for a development,

**TEMPORARY** – means a use which is limited in its permanence.

**TOWN** – means the Town of Drayton Valley.

**USE** – means the utilization of a parcel of land for a particular development activity.

**USE, DISCRETIONARY** – means the use of land or a building provided for in this Bylaw for which a decision on a Development Permit may be issued upon a Development Permit application having been made and subject to the enabling conditions for each proposed development being satisfied.

**USE, PERMITTED** – means the use of land or a building provided for in this Bylaw for which a Development Permit shall be approved and issued by the Development Authority when the proposed development conforms to all applicable requirements and rules of this Bylaw, with or without conditions, upon application having been made to the Development Authority.

**USE, INTENSITY OF** – means the degree or scale of operation of use or activity in relation to the amount of land and buildings associated with the use, vehicular traffic generation resulting thereof, amount of parking facilities required for the particular land use activity, etc.

**USE, SIMILAR** – means a use of a site or building in a District which, in the opinion of the Development Authority, is so similar to a Permitted Use or Discretionary Use in that District that it meets the intent of Council for the development of that District as set out in the purpose and intent statement, but does not include a use that is specifically defined as a Permitted or Discretionary Use in any other District.

**UTILITIES** – means a system or works used to provide services such as potable water, sewage disposal, waste management or storm systems, as well as the buildings that house the utility and any offices or equipment.

**YARD** – means a part of a parcel upon or over which no building or structure other than a boundary fence is erected, unless otherwise permitted.

**YARD, FRONT** – means that portion of a parcel that lies between the front face of the principal building and the front property line. In the case of a corner lot, the front yard is on the same side as the other lots in the row on the block regardless of the orientation of the principal building.

**YARD, REAR** – means the portion of a parcel that lies between the rear face of the principal building and the rear property line.

**YARD, SIDE** – means that portion of a parcel that lies between the side face of the principal building and the side property line.

All other words have the meanings assigned to them by the MGA, as amended, or common dictionary definitions.



# Schedule Recommended Tree Plantings **A**



**Please Note:** Drayton Valley is located in the zone Alberta Tree Hardiness Zone 4a, which is the same zone that Edmonton is located in. Trees planted in Edmonton should also have optimal chances of survival (all other factors being equal) if they were planted in Drayton Valley. This list is not an exhaustive list and is provided only as a courtesy to assist in deciding which tree plantings are suitable for a given site, in a variety of scenarios.

#### AMUR CHERRY

Species name: *Prunus maackii*

Other Common names: Amur Chokecherry, Manchurian Cherry

Likes: full sun (to maximize fruiting), well-drained soil

Dislikes: Compacted or saline soil, salt spray

Growth rate: Moderate

Lifespan: 30 years

- Susceptible to winter injury, requires a sheltered location
- Distinct reddish bark with white spring flowers
- Vulnerable to fungal disease (Fireblight)

#### BUR OAK

Species name: *Quercus macrocarpa*

Other Common names: Burr Oak, Mossycup Oak

Likes: Full sun, tolerates some shade, well-drained loam soil and moderate moisture, somewhat drought tolerant

Growth rate: Slow to moderate

Lifespan: 100-300 years

- Generally pest and disease free
- Tolerant to air pollution
- Adapts to most soil and growing conditions

#### EUROPEAN MOUNTAIN ASH

Species names: *Sorbus americana* Marsh. (American Mountain Ash) *Sorbus aucuparia* L. (European Mountain Ash) *Sorbus decora* Schneid. (Showy Mountain Ash)

Other Common names: Mountain Ash, Rowan, Dogberry

Likes: Full sun, Well-drained soil, Grows better as a multi-stemmed tree than with a single trunk

Dislikes: Poorly drained sites; susceptible to drowning, Full sun on its trunk may cause damage

Growth Rate: Moderate

Lifespan: 30-50 years

- Showy orange-red fruit that attracts birds
- It can be either single stemmed or multi-stemmed
- Not good by walkways or on boulevards, as falling fruit may stain concrete, clothing and vehicles
- Susceptible to fire blight
- Not susceptible to Emerald Ash Boer or Western Ash Bark Beetle

#### AMUR MAPLE

Species name: *Acer ginnala*

Other Common names: N/A

Likes: Full sun, well-drained soil and moderate moisture

Dislikes: Saline soil and salt spray

Growth rate: Moderate

Lifespan: 60 years

- Adapts to a wide range of soil and pH levels
- Low-headed ornamental tree
- Beautiful fall foliage colour
- Generally pest and disease free

#### COLORADO SPRUCE

Species name: *Picea pungens*

Other Common names: Blue Spruce, Colorado Blue Spruce, Green Spruce

Likes: Full sun, Well-drained, acidic soil; somewhat drought tolerant

Dislikes: Flooding, Compacted or alkaline soil

Growth rate: Moderate

Lifespan: 50-100 years

- Blue or green colour
- Dense, blue-green needles and stiffly pyramidal shape make this a popular landscape tree
- More salt tolerant than other spruces
- Rigid needles

#### IVORY SILK JAPANESE LILAC

Species name: *Syringa reticulata*

Other Common names: Japanese tree lilac

Likes: Full sun, Well-drained soil, Tolerates pollution well

Dislikes Heavily shaded sites, Drought,

Growth Rate: Moderate

Lifespan: 40-50 years

- Bears large sprays of showy, fragrant white flowers
- Small, neat size fits well in small yards
- Generally free of pests and disease issues
- Cream coloured flowers
- Dense canopy
- Bark is a deep brown that resembles a cherry

### LAUREL-LEAF WILLOW

Species name: *Salix pentandra*

Other Common names: N/A

Likes: Full sun or partial shade, Moisture; tolerates some flooding, Organic, slightly acidic soil

Dislikes: Wind - sheds branches easily and may be untidy in an urban yard situation, Droughty areas, Alkaline soil, Not suitable near sewer pipes or water lines

Growth Rate: Fast; annual growth rate from 50 to 150 cm (1.5 to 5 ft)

Lifespan: 40-50 years

- Has shiny, glossy leaves and rough, twisted bark
- Retains its leaves long into fall
- May experience some winter dieback when young
- Generally pest and disease free

### MORDEN HAWTHORN

Species name: *Crataegus x mordenensis*

Other Common names: Toba Hawthorn

Likes: Full sun or partial shade, highly adaptable to dry and moist soil conditions, successful growth in range of soil types and varying levels of pH

Dislikes: Although this tree is adaptable to moist soil conditions, it will not tolerate standing water

Growth Rate: Moderate

Lifespan: 40 years

- Glossy dark green foliage
- Light pink flower clusters
- Has some thorns
- Suitable for planting under power lines

### RUSSIAN OLIVE

Species name: *Elaeagnus angustifolia*

Other Common names:

Likes: Dry, well-drained sites, drought and salt tolerant, strong preference to clay and alkaline soils. Very tolerant of urban pollution/

Dislikes: Excessive moisture

Growth Rate: Moderate

Lifespan: 50+ years

- May be difficult to find
- Has grey foliage
- Very fragrant yellow flowers

### LINDEN

Species names: *Tilia cordata* Mill. (Littleleaf Linden)

*Tilia x flavescens* (Dropmore Linden) *Tilia mongolica* (Mongolian Linden)

Other Common names: American Basswood

Likes: Full sun, Well-drained soil, Neutral soil

Dislikes: Saline or compacted soil, Wind exposure - susceptible to sunscald

Growth Rate: Moderate

Lifespan: 50 years

- Dense, pyramidal canopy on a straight, tapered trunk
- Bears fragrant blossoms that are a valuable nectar source for honeybees
- Yellow fall colour
- Mongolian lindens have beautiful exfoliating bark for winter interest
- Generally pest and disease free

### OHIO BUCKEYE

Species name: *Aesculus glabra*

Other Common names: American buckeye, fetid buckeye

Likes: Full sun, Well-drained acidic soil and moderate moisture, Tolerant to saline soil

Dislikes: Compacted soil

Growth Rate: Slow

Lifespan: 75 years

- Mature height 12m
- Highly ornamental, with creamy yellow blossoms, ornamental nut-like fruit
- Suitable for smaller yards
- Form is low-headed and has a dense canopy
- Palmate leaf with the leaflets about 10-15cm long
- It is fully hardy and slow growing
- Light orange fall colour

### SCOTS PINE

Species name: *Pinus sylvestris*

Other Common names:

Likes: Full sun, Well-drained, acidic soil, Moderate moisture; will tolerate drought conditions

Dislikes: Alkaline or saline soil, Compaction

Growth Rate: Moderate-fast

Lifespan: 50-90 years

- Unique, twisted form at maturity
- Orange-brown bark
- Great for the urban landscape
- Mountain Pine Beetle mostly affects Lodgepole Pine, however the Scots Pine is still vulnerable. Inspect and maintain these trees regularly, particularly from July through September

### SIBERIAN LARCH

Species name: Larix sibirica

Other Common names: Russian larch

Likes: Full sun, Moist soils with a high-water table; some drought tolerance, Acidic soil, Some tolerance to compaction

Dislikes Saline or alkaline soil, Salt spray

Growth Rate: Moderately fast (15-30 cm annually)

Lifespan: 100 years

- Symmetrical shape
- Distinctive conifer sheds its needles every fall and grows new ones in spring
- Striking yellow fall colour
- Does well in parks or large yards
- Generally pest and disease free
- Maximum height 10m
- Maximum branch spread 3m

### WHITE SPRUCE

Species name: Picea glauca

Other Common names: White Spruce, Canada Spruce, Porsild Spruce, Skunk Spruce, Cat Spruce, Black Hills Spruce

Likes: Full sun, Well-drained, acidic soil. Prefers sites with more available moisture than the Colorado spruce

Dislikes Compacted or alkaline soil

Growth Rate: Moderate

Lifespan: 50-100 years

- Available in dwarf cultivars 'Densata' and 'Albertiana Conica'.
- Short, soft needles and small cones make this an attractive specimen tree
- Hardy native tree
- Needles are softer than the Colorado spruce

### SWISS STONE PINE

Species name: Pinus cembra

Other Common names: Swiss pine, Arolla pine, Stone pine

Likes: Full sun, Well-drained, acidic soil, Moderate moisture

Dislikes: Alkaline or saline soil, Compaction

Growth Rate: Moderately slow

Lifespan: 100+ years

- Attractive dense, pyramidal shape
- Produces edible pine nuts at maturity
- Mountain Pine Beetle mostly affects Lodgepole Pine, however the Scots Pine is still vulnerable. Inspect and maintain these trees regularly, particularly from July through September

# Schedule Land Use Map

# B