



# *Land Use By-law #450*

OFFICE CONSOLIDATION  
(UPDATED TO January 11-2023)

**VILLAGE OF CAROLINE  
LAND USE BY-LAW NO. 450**

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**VILLAGE OF CAROLINE  
BY-LAW NO. 450**

BEING A BY-LAW TO REGULATE AND CONTROL THE USE AND  
DEVELOPMENT OF LAND AND BUILDINGS IN THE VILLAGE OF CAROLINE

WHEREAS the Municipal Government Act, Chapter P-9, Revised Statutes of Alberta, 1980, and amendments thereto, authorized the Council of a Municipality to enact a Land Use By-law to prohibit or regulate and control the use and development of land and buildings within the Municipality.

NOW THEREFORE the Council of the Village of Caroline in the Province of Alberta, enacts as follows:

**PART ONE: GENERAL**

**1.1 Short Title**

This By-law may be cited as "The Village of Caroline Land Use By-law".

**1.2 Purpose**

The purpose of this By-law is to, amongst other things,

- (1) divide the municipality into Districts;
- (2) describe the purposes for which land and buildings may be used within each District;
- (3) establish the office of the Development Officer;
- (4) establish a method of making decisions on applications for development permits including the issuing of development permits;
- (5) provide the manner in which notice of the issuance of a development permit is to be given; and
- (6) implement the statutory plans of the Village of Caroline. *[By-law 508]*

**1.3 Definitions**

In this Land Use By-law,

"accessory building" means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same parcel of land;

"accessory residential building" means an accessory building to a residence, and includes garages, garden sheds and greenhouses;

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

"adjacent land" means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream; [By-law 508]

"apartment" means a residential building consisting of at least 3 dwelling units, but shall not include buildings containing units with separate exterior entrance way(s);

"area redevelopment plan" means a plan adopted by the Council as an area redevelopment plan pursuant to the *Municipal Government Act*;

"area structure plan" means a plan adopted by the Council as an area structure plan pursuant to the *Municipal Government Act*;

"auto wrecking yard" means land and buildings that are used for the storage and dismantling of old or wrecked cars or trucks for the purpose of recycling their components;

"basement" means a habitable portion of a building which is partly underground, but which has the top of the floor directly above it less than 1.85m (6 ft.) above grade. If the top of the floor directly above it is more than 1.85m (6 ft.) above grade, such "basement" shall be considered the main floor; {Bylaw 34/07}

"basement suite" means a basement developed as a dwelling unit or as a premise in which boarders or roomers may reside;

"billboard" means a sign to which advertising copy is affixed to permit its periodic replacement;

"boarding and rooming house" means a detached dwelling converted for gain or profit containing rooms for two or more persons where meals may or may not be served and in which the proprietor may supply accommodation for his family;

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

"building demolition" means the pulling down, tearing down or razing of a building;

"building height" means the vertical distance between the average grade and the highest point on a building, other than any chimney, poles, vents or other things that, in the opinion of the Development Officer/Municipal Planning Commission are similar and are not part of the building structure; [Bylaw 26/06]

"cannabis" means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) that is used in the consumption or production of cannabis. (By-law 2018-006)

"cannabis accessory" means a thing, including but not limited to, rolling paper or wraps, holders, pipes, water pipes, bongs and vaporizers, or any other thing described in the Cannabis Act (Canada) that is used in the consumption or production of cannabis, (By-law 2018-006)

"cannabis production and distribution" means an establishment used principally for one or more of the following activities as it relates to cannabis;

- (a) The production, cultivation, and growth of cannabis;
- (b) The processing of raw materials;
- (c) The making, testing, manufacturing, assembling or in any way altering the chemical or

- physical properties of semi-finished or finished goods and products;
- (d) The storage or transshipping of materials, goods, and products; or
  - (e) The distribution and sale of materials, goods, and products to Cannabis Retail Sales stores or to individual customers. *(By-law 2018-006)*

"cannabis lounges" means an establishment where the primary purpose of the facility is the sale of cannabis and cannabis accessories to the public, for the consumption of cannabis within the premises that is authorized by provincial or federal legislation. This use does not include Cannabis Production and Distribution. *(By-law 2016-006)*

"cannabis retail sales" means an establishment used for the retail sale of cannabis and cannabis accessories that is authorized by provincial or federal legislation. This does not include Cannabis Production and Distribution. *(By-law 2016-006)*

"cartage and freight terminal" means a facility accommodating the storage and distribution of freight shipped by air, rail or highway transportation. This does not include cannabis production and distribution or medical cannabis production facility. *(By-law 2016-006)*

"cellar" definition removed *{By-law 33-07}*

"cemetery" means a use of land or a building for interment of the deceased;

"commercial recreation and entertainment facility" means a facility or establishment which provides for recreation or entertainment for a gain or a profit;

"Council" means the Council of the Village of Caroline;

"detached dwelling" means a residential building containing one dwelling unit, which is physically separate from any other residential building, and does not include a manufactured home;

"development" means

- (a) an excavation or stockpile and the creation of either of them, or
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- (e) the erection of a sign;

"development authority" means the person or persons appointed pursuant to Development Authority By-law No. 501; *[By-law 508]*

"Development Officer" means a person appointed as a Development Officer pursuant to this Land Use By-law;

"development permit" means a document authorizing a development issued pursuant to this Land Use By-law;

"discretionary use" means a use of land or a building that may be compatible with other uses in the District and for which a development permit may be issued upon an application having

been made;

"District" means Land Use District;

"drive-in business" means an establishment with facilities for on site service to customers who remain in their motor vehicles, but does not include a drive-in theatre, **cannabis retail sales or cannabis production and distribution.** *(By-law 2018-006)*

"driveway" means a vehicle access route between the carriageway of a road and a use on a parcel;

"duplex" means a separate residential building consisting of two separate dwelling units only, each above grade and having exterior entrances;

"dwelling unit" means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

"dwelling unit for the occupancy of the owner, operator or caretaker" means a dwelling unit which is accessory to other development on the parcel;

"eaveline" means the horizontal line that marks the intersection of the roof and the wall of a building;

"existing residence and other related improvements" means a detached dwelling or mobile home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and access to the satisfaction of the Development Officer/Municipal Planning Commission;

"floor area" means

- (a) for residential buildings, the total area of the main floor in a building measured from the outside of exterior walls, but excluding floor areas of basements, attached garages, sheds, carports, or open porches in all residential buildings, or
- (b) for commercial buildings, the total floor area of the main floor in a building measured from the outside of exterior walls excluding mall areas; *{Bylaw34/07}*

"fourplex" means a building containing four dwelling units, each unit comprising two floor levels and sharing a common party wall with two other units;

"front parcel boundary" means, in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel, means the shorter of the two boundaries which abut a street [see sketch in Section 2(1) Schedule B];

"front yard" means a yard extending across the full width of a parcel measured perpendicularly from the front boundary of the parcel to the front wall(s) of the main building situated on the parcel [see sketch in Section 2(1) Schedule B];

"funeral home" means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services can be held;

"General Municipal Plan" means the plan adopted by By-law #439 and amendments thereto;

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

"group home" means a building or portion of a building used for the care or rehabilitation of no more than 6 children, adolescents or adults;

"heavy equipment assembly, sales and service" means the assembly, sales, rental and service of any heavy vehicle or equipment used in commercial, industrial or agricultural activities;

"heavy manufacturing" means the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisances that may cause adverse effects to the users of adjacent land. **This does not include cannabis production and distribution or medical cannabis production facility.** (By-law 2018-006)

"home occupation" means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building. **This does not include medical cannabis counselling, cannabis retail sales or cannabis production and distribution.** (By-law 2018-006)

"indoor merchandise sales" means the indoor sale or display of merchandise, including indoor storage of merchandise in quantities limited to the needs of the outlet. **This does not include cannabis retail sales or medical cannabis counselling.** (By-law 2018-006)

"Land Use By-law" means By-law No. 450, and amendments thereto;

"Land Use District" means an area as described in Schedule C and shown in Schedule A of this Land Use By-law;

"land use policies" means policies established by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*, [By-law 508]

"landscaped area" means an area of land made attractive by the use of grass, trees, shrubs, ornamental planting, fences, walls and associated earthworks but does not include areas occupied by garbage containers, storage, parking lots or driveways;

"lane" means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office;

"light manufacturing" means the manufacture of products, the process of which does not generate fumes, gases, smokes, vapours, vibrations, noise or glare or other factors which are regarded as nuisances which would cause adverse effects to the users of adjacent land. **This does not include cannabis production and distribution facility or medical cannabis production facility.** (By-law 2018-006)

"main building" means a building in which is conducted the main or principal use of the parcel on which it is erected;

"main use" means the principal purpose for which a building or parcel is used;



“manufactured home” means a residential building containing one dwelling unit built in an enclosed factory environment or on a manufacturing site in one or more sections and intended to be occupied in a place other than where it was manufactured; [Bylaw 21/05]

“medical cannabis” means a substance used for medical purpose authorized by a license issued under the federal government’s Access to Cannabis for Medical Purposes Regulations, or any subsequent legislation which may be enacted in substitution. (By-law 2018-006)

“medical cannabis counselling” means a use where counselling on medical cannabis is provided by persons who are not medical professionals and that may include the ancillary retail sale or rental of cannabis accessories. (By-law 2018-006)

“medical cannabis production facility” means any building in which an activity authorized by the Access to Cannabis for Medical Purposes Regulations, or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, processing, labelling and packaging, storing and transporting of cannabis. (By-law 2018-006)

"mobile home" deleted [Bylaw 21/05]

"mobile home park" means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of manufactured homes on a long-term lease or rental basis; [Bylaw 21/05]

"mobile home subdivision" means an area subdivided into parcels intended for the placement of an individual manufactured home on each parcel;

"modular home" deleted [Bylaw 21/05]

"multiple housing development" means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development;

“municipal development plan” means a plan adopted by the Council as a municipal development plan pursuant to the Act; [By-law 508]

“Municipal Government Act” means the *Municipal Government Act*, S.A. 1994, c.M-26.1, as amended; [By-law 508]

"Municipal Planning Commission" means a Municipal Planning Commission established by Council pursuant to Section 28 of the *Municipal Government Act*;

"municipal shop and storage yard" means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment;

"municipality" means the Village of Caroline;

"neighbourhood convenience store" means a commercial establishment with off street parking established on the same site which serves the convenience shopping needs of the immediate neighbourhood only, but does not include cannabis retail sales or medical cannabis counselling. (By-law 2018-006)

"non-conforming building" means a building  
(a) that is lawfully constructed or lawfully under construction at the date a land use by-law affecting the building or land on which the building is situated becomes

- effective, and [By-law 508]
- (b) that on the date a land use by-law thereof becomes effective does not, or when constructed will not, comply with the Land Use By-law; [By-law 508]

"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 by-law affecting the land or building becomes effective, and [By-law 508]
- (b) that on the date a land use by-law becomes effective does not, or in the case of a building under construction will not, comply with this Land Use By-law;

"non-renewable resource extraction" means the mining or removal from the ground of deposits of coal, sand, gravel, clay and other minerals;

"office" means a facility providing for the administration of business, or government, or the provision of professional services. **This not include medical cannabis counselling.**  
(By-law 2018-006)

"open storage yard" means land that is used for the storage of products, goods or equipment;

"owner" means the person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the land; [By-law 508]

"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 or registered in the land titles office;

"parcel coverage" means the area covered by buildings, parking facilities, driveways, storage areas and display areas;

"parcel of land" means [By-law 508]

(a) where there has been a subdivision, any lot or block shown on a plan of subdivision that has been registered in a land titles office;

(b) where a building affixed to the land that would without special mention be transferred by a transfer of land has been erected on 2 or more lots or blocks shown on a plan of subdivision that has been registered in a land titles office, all of those lots or blocks

(c) a quarter section of land according to the system of surveys under the *Surveys Act* or any other area of land described on a certificate of title.

"parcel width" means [By-law 11/04]

(a) the distance between the side parcel boundaries connecting points located at the minimum required front yard measured along each side parcel boundary;

"parking facility" means a structure or an area providing for the parking of motor vehicles;

"parks and playgrounds" means areas of public land and used for recreation purposes;

"permitted use" means a use of land or a building that is compatible with other uses in the District and for which a development permit shall be issued provided it otherwise conforms with this Land Use By-law;

"personal service" means the provision of a service to individuals on a commercial basis,

and includes such services as photographers, travel agencies, beauty salons, restaurants and dry cleaners. **This does not include cannabis retail sales, medical cannabis counselling or cannabis lounge.** *(By-law 2018-006)*

"portable sign" means a sign which is not in a permanently installed or affixed position;

"public and quasi-public use" means a use of land or a building for purposes of public administration and service and shall include public parks and playgrounds and also includes a building for the purpose of assembly, instruction, culture, recreation or other community activity;

"public utility" means a public utility as defined in Part 17 of the *Municipal Government Act*, *[By-law 508]*

"public utility building" means a building in which the proprietor of a public utility

- (a) maintains its offices, or
  - (b) maintains or houses equipment used in connection within the public utility;
- [By-law 508]*

"rear yard" means a yard extending across the full width of a parcel measured perpendicularly from the rear wall(s) of the main building situated on the parcel to the rear property boundary of the parcel [see sketch in Section 2(1) Schedule B];

"recreation facilities" means a public building and grounds for community entertainment, relaxation, social activity and other leisure needs;

"repair services" means the restoration and maintenance of objects in a manner which is compatible with other uses in the District;

"road" means land:

- (a) shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or
  - (b) used as a public road;
- and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway; *[By-law 508]*

"row housing" means a group of three or more dwelling units, each unit separated by a common or party wall and having a separate front and rear access to the outside grade;

"sales and service outlet for automobiles, trucks, recreation vehicles or mobile homes" means a facility providing for the sale, rental, service and repair of automobiles, trucks, recreation vehicles or manufactured homes;

"sales and service outlet for farm equipment" means a facility providing for the sale, rental, service or repair of farm equipment;

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

"seed cleaning plant" means a building for the storage and preparation of seed used in agriculture;

"senior citizen housing" means housing designed specifically for, and occupied solely by, senior citizens;

"service for the travelling public" means the provision of overnight accommodation, meals, or

vehicular service or repair normally required by travellers;

"setback" means a distance additional to minimum yard requirements which may be required on parcels adjacent to the roads;

"side yard" means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the wall of main building therein [see sketch in Section 2(1) Schedule B];

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

"solid waste transfer station" means a facility for the collection and temporary holding of solid waste in a storage container;

"statutory plan" means a General Municipal Plan, Municipal Development Plan, Intermunicipal Development Plan, an area structure plan or an area redevelopment plan adopted by a by-law of the municipality, or any one or more of them; [By-law 508]

"street" means any category of road except a lane;

"structural alterations" means altering the main building components which support a building;

"Subdivision and Development Appeal Board" means a board established pursuant to the *Municipal Government Act*; [By-law 508]

"Subdivision and Development Regulation" means the *Subdivision and Development Regulation (AR 212/95)*, as amended;

"use" means a building or an area of land and the function and activities therein or thereon;

"veterinary clinic" means a facility for the medical care and treatment of animals, and includes provision for their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures;

"veterinary hospital" means a facility for the medical care and treatment of animals and includes provision for their accommodation and confinement in outdoor pens, runs and enclosures;

"warehousing" means a facility for the indoor storage of goods and merchandise, **but does not include cannabis production and distribution or medical cannabis production facility.** (By-law 2018-006)

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

All other words and expressions have the meaning respectively assigned to them in Part 17 of the *Municipal Government Act* and the *Subdivision Development Regulation*.

#### **1.4 Establishment of Development Officer**

- (1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.

- (2) The Development Officer shall perform such duties that are specified in this Land Use By-law, including among other things
  - (a) keeping and maintaining for the inspection of the public during all reasonable hours, a copy of this Land Use By-law and all amendments thereto, and
  - (b) keeping a register of all applications for development, including the decisions thereon and the reasons therefore.

**1.5 Deleted** *[By-law 508]*

**1.6 Deleted** *[By-law 508]*

**1.7 Establishment of Districts**

- (1) For the purpose of this Land Use By-law the Village of Caroline is divided into the following Districts:
  - (a) Low Density Residential (R-1)
  - (b) General Residential District (R-2)
  - (c) Manufactured Home District (R-3) *[Bylaw 21/05]*
  - (d) Very Low Density Residential District (R4) *[Bylaw 522]*
  - (e) Commercial District (C)
  - (f) Highway Commercial District (HC)
  - (g) Industrial District (I)
  - (h) Public/Institutional District (PI)
  - (i) Reserved for Future Development (RD)
- (2) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto. All roads, water courses and lakes are excluded from the Land Use Districts.
- (3) A boundary location which cannot be satisfactorily resolved, shall be referred to Council for an official interpretation.

**1.8 Establishment of Forms**

- (1) For the purpose of administering this Land Use By-law, the Development Officer shall prepare such forms and notices as he or she may deem necessary.
- (2) Any such forms or notices are deemed to have the full force and effect of this Land Use By-law in the execution of the purpose for which they were designed, authorized and issued.

## **1.9 Establishment of Supplementary Regulations**

Supplementary Regulations as set forth in Schedule B hereto, are hereby adopted by reference to be part of this Land Use By-law, and to be amended in the same manner as any other part of this Land Use By-law.

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

Land Use District Regulations as set forth in Schedule C hereto, are hereby adopted by reference to be part of this Land Use By-law, and to be amended in the same manner as any other part of this Land Use By-law.

## **1.11 Amendment of the Land Use By-law**

- (1) The Council on its own initiative may give first reading to a By-law to amend this Land Use By-law.
- (2) A person may make application to the Development Officer for amendment to this Land Use By-law. The application shall include:
  - (a) a statement of the specific amendment requested;
  - (b) the purpose and reasons for the application;
  - (c) if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
  - (d) a statement of the applicant's interest in the lands; and
  - (e) an application fee of \$100.00 of which \$50.00 will be refunded if the proposed amendment is not given first reading and advertised.
- (3) Upon receipt of an application for amendment to this Land Use By-law, the Development Officer shall determine when the application will be placed before the Council and shall issue not less than 10 days' notice to the applicant advising that he may appear before the Council at that time, and speak to the application. An application for amendment shall be placed before the Council within 60 days of its receipt by the Development Officer.
- (4) The Council, in considering an application for an amendment to this Land Use By-law, may at its sole discretion:
  - (a) refuse the application, or
  - (b) refer the application for further information; or
  - (c) pass first reading to a by-law to amend this Land Use By-law, with or without conditions or amendments; or
  - (d) defeat first reading of a by-law to amend this Land Use By-law; or
  - (e) pass first reading of an alternative amendment to this Land Use By-law, with or without conditions.

*[By-law 508]*

- (5) Following first reading of an amending by-law, the Council shall
- (a) establish the date, time and place for a public hearing on the proposed by-law;
  - (b) if a by-law to establish procedures for public hearings has not been passed
    - (i) outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and
    - (ii) outline the procedure by which the public hearing will be conducted.
- [By-law 508]*
- (6) Following first reading of an amending by-law, the Development Officer must give notice of the public hearing by
- (a) publishing notice at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed by-law relates, or
  - (b) mailing or delivering notice to every residence in the area to which the proposed by-law relates.
- [By-law 508]*
- (7) A notice of public hearing must be advertised at least 5 days before the public hearing occurs.
- [By-law 508]*
- (8) A notice must contain
- (a) a statement of the general purpose of the proposed by-law and public hearing,
  - (b) the address where a copy of the proposed by-law and any document relating to it or the public hearing may be inspected,
  - (c) the date, place and time where the public hearing will be held.
- [By-law 508]*
- (9) In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of subsection (6),
- (a) include in the notice
    - (i) the municipal address, if any, and the legal address of the parcel of land, and
    - (ii) a map showing the location of the parcel of land,
  - (b) give written notice containing the information described in clause (a) and subsection (6) to the assessed owner of that parcel of land at the name and address shown on the assessment roll of the municipality, and
  - (c) give written notice containing the information described in clause (a) and subsection (6) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
- [By-law 508]*
- (10) If the land referred to in subsection (9)(c) is in the Municipal District of Clearwater, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of the Municipal District of

- Clearwater. [By-law 508]
- (11) Notwithstanding subsection (5), the Land Use By-law may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the Land Use By-law in principle or substance. [By-law 508]
- (12) In the public hearing, the Council
- (a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed by-law and who has complied with the procedures outlined by the Council, and
  - (b) may hear any other person who wishes to make representations and whom the Council agrees to hear.
- [By-law 508]
- (13) After considering the representations made to it about the proposed by-law at the public hearing and after considering any other matter it considers appropriate, the Council may:
- (a) pass the by-law,
  - (c) make any amendment to the by-law it considers necessary and proceed to pass it without advertisement or hearing, or
  - (d) defeat the by-law.
- [By-law 508]
- (14) Prior to third reading of the proposed by-law, the Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment. [By-law 508]
- (15) The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by the Council, for a period of 3 months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly. [By-law 508]
- (16) In this section,
- (a) “adjacent land” means land that is contiguous to the parcel of land that is being redesignated and includes:
    - (i) land that would contiguous if not for a highway, road, river or stream, and
    - (ii) any additional land identified by the Development Officer;
  - (b) “owner” means the person shown as the owner of land on the assessment roll prepared pursuant to the *Municipal Government Act*.
- [By-law 508]

## 1.12 Sections Found Invalid

If one or more provisions of this Land Use By-law are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.



## **PART TWO - DEVELOPMENT PERMITS, CONTRAVENTION AND APPEAL**

### **2.1 Control of Development**

No development other than that specified in Section 2.2 shall be undertaken within the Municipality unless a development permit has been issued in respect to it.

### **2.2 Development Not Requiring a Development Permit**

The following development shall not require a development permit:

- (a) the carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
- (b) the completion of any development which has lawfully commenced before the passage of this Land Use By-law or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within 12 months of the date of commencement;
- (c) the use of any such development as is referred to in subsection (b) for the purpose of which development was commenced;
- (d) the erection or construction of gates, fences, walls or other means of enclosure less than 1 m (3.28 ft.) in height in front yards and less than 2 m (6.56 ft.) in other yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- (e) a temporary building, the sole purpose of which is incidental to the carrying out of a development for which a permit has been issued under this Land Use By-law;
- (f) a temporary use of a parcel for the sole purpose of mobile commercial sales (e.g. fish trucks, fruit trucks, etc.), providing a business license is obtained from the municipality and the location and length of operation of the business is to the satisfaction of the Development Officer; or M.P.C.;
- (g) the installation, maintenance and repair of utilities;
- (h) any development carried out by or on behalf of the Crown but not including that carried out by or on behalf of a Crown Corporation;
- (i) any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use By-law;
- (j) one accessory building used as a garden or tool shed on a residential parcel provided that the building does not to exceed 9.5 m<sup>2</sup> (102.26 sq. ft.) in floor area and 2.5 m (8.2 ft.) in height;
- (k) the demolition of a building less than 56 m<sup>2</sup> (602.8 sq. ft.)

- (l) development specified in Section 3 of the *Municipal Government Act*, which includes:
  - (i) a highway or road,
  - (ii) a well or battery within the meaning of the *Oil and Gas Conservation Act*,
  - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline, or
  - (iv) any other thing specified by the Lieutenant Governor in Council by regulation, which includes but is not limited to construction of buildings, or the construction or installation of equipment, navigational aids, and communications systems for use in connection with the operation of airports owned by or on land vested in the Crown in right of Alberta, or a municipal corporation;
  
- (m) the placement of one unilluminated sign of the following type and size on a building or parcel, provided such sign does not resemble or conflict with traffic signs:
  - (i) a sign for the purpose of identification, direction and warning not exceeding 0.2 m<sup>2</sup> (2.15 sq.ft.),
  - (ii) a sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m<sup>2</sup> (3.23 sq. ft.),
  - (iii) a sign relating to a religious, educational, cultural, recreational or similar institution, or to an apartment not exceeding 1 m<sup>2</sup> (10.76 sq. ft.),
  - (iv) a portable sign or notice, relating to the sale or lease of land or buildings, sale of goods or livestock by auction, carrying out of construction, or the announcement of any local event of a religious, educational, cultural, political, or governmental nature not exceeding 3.0 m<sup>2</sup> (32.29 sq. ft.) and limited in display to the period of completion of the sale, lease, construction or event,
  - (v) a flag attached to a single upright flagpole.

### 2.3 Permission for Development

- (1) (a) An application for a development permit shall be made to the Development Officer in writing on the form prescribed by Council and shall be accompanied by the following information:
  - (i) a scaled site plan in duplicate showing the treatment of landscaped areas required, the legal description, the front, rear, and side yards, provisions for off street loading and vehicle parking and access and egress points to the parcel;
  - (ii) scaled floor plans, elevations and sections in duplicate;
  - (iii) a statement of existing and proposed uses;
  - (iv) a copy of the Certificate of Title to the land and, if the applicant is not the owner, a statement of the applicant's interest in the land together with the written consent of the owner to the application; *[By-law 508]*
  - (v) the estimated commencement and completion dates;
  - (vi) the estimated cost of the project or contract price; and
  - (vii) such other plans and information as the Development Officer/Municipal Planning Commission may consider necessary to properly evaluate the proposed development.
  
- (b) The Development Officer/Municipal Planning Commission may refuse to accept an application for a development permit where the information required by subsection 2.3(1)(a) has not been supplied or where, in the opinion of the Development Officer/Municipal Planning Commission, the quality of the material supplied is inadequate to properly evaluate the application.

- (c) The Development Officer/Municipal Planning Commission may deal with an application and make a decision without all of the information required by subsection 2.3(1)(a), if it is the opinion of the Development Officer/Municipal Planning Commission that a decision on the application can be properly made without such information.
- (2) Each application for a development permit shall be accompanied by a non-returnable processing fee, the amount of which shall be determined from time to time by Council.  
[By-law 508]
- (3) The Development Officer shall:
    - (a) receive all applications for a development permit; and
      - (a.1) refer all applications for development which would result in permanent overnight accommodation, including dwellings, or public facilities to the Alberta Energy and Utilities Board, if any of the land which is the subject of the application is within 1.5 km (0.93 miles) of a sour gas facility and the proposed development is not, in the opinion of the Development Officer, an infill development, and [By-law 508]
    - (b) consider and decide (subject to subsection 3(d) below) on applications for a development permit for those uses, listed in Schedule C, which constitute a permitted use in a District; and
    - (c) refer with his recommendations, to the Municipal Planning Commission for its consideration and decision applications for uses listed in Schedule C which constitute a discretionary use; and
    - (d) refer to the Municipal Planning Commission any application which in his/her opinion should be decided by the Municipal Planning Commission, and
    - (e) refer any application to the M.D. of Clearwater or any other agency or person which in his opinion may provide relevant comments or advice respecting the application.
- (4) For a permitted use in any District,
    - (a) the Development Officer/Municipal Planning Commission shall approve, with or without conditions, an application for a development permit where the proposed development conforms in every respect to this Land Use By-law,
    - or
    - (b) subject to the provisions of subsection (6), the Development Officer/Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use By-law.
- (5) For a discretionary use in any District,
    - (a) the Municipal Planning Commission may approve an application for a development permit
      - (i) with or without conditions,
      - (ii) based on the merits of the proposed development including its relationship to any approved statutory plan or approved policy affecting the site,
      - (iii) where the proposed development conforms in every respect to this Land Use By-law; or

- (b) the Municipal Planning Commission may refuse an application for a development permit based on the merits of the proposed development, even though it meets the requirements of this Land Use By-law; or
  - (c) subject to the provisions of subsection (6), the Municipal Planning Commission shall refuse an application for a development permit if the proposed development does not conform in every respect to this Land Use By-law.
- (6) The Development Officer and Municipal Planning Commission, as the case may be, may approve
- (a) an application for a development permit, or
  - (b) conformity of a real property report, or
  - (c) an application for subdivision approval,
- notwithstanding that the proposed development or subdivision does not comply with the By-law or is a non-conforming building, if in the opinion of the Development Officer/Municipal Planning Commission the proposed development or subdivision
- (i) provides not less than 75% of any stated minimum standard and not more than 125% of any maximum standard; and *[By-law 33/07]*
  - (ii) in the opinion of the Development Officer/Municipal Planning Commission, would not:
    - (A) unduly interfere with the amenities of the neighbourhood, or *[By-law 508]*
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
  - (iii) conforms with the use prescribed for that land or building in this Land Use By-law *[By-law 508]*
- (7) The Development Officer/Municipal Planning Commission may require that, as a condition of issuing a development permit, the applicant enter into an agreement with the municipality to do all or any of the following:
- (a) to construct or pay for the construction of a road required to give access to the development, or
  - (b) to construct or pay for the construction of pedestrian walkway systems, or
  - (c) to install or pay for the installation of utilities that are necessary to serve the development, or
  - (d) to construct or pay for the construction of
    - (i) off street or other parking facilities, and
    - (ii) loading and unloading facilities, or
  - (e) to pay an off-site levy or redevelopment levy imposed by by-law. or

- (f) to give security to ensure that the terms of the agreement under this section are carried out, or *[By-law 508]*
- (g) to pay to the municipality the costs paid by the municipality to any Engineer or other person for materials testing, inspections, monitoring of construction and review of construction drawings, and planning and legal costs and expenses to which the municipality is put in connection with the Development Agreement and the Agreement relates. *[By-law 508]*
- (8) Prior to imposing any condition upon the issue of a development permit pursuant to subsection (7), the Development Officer/Municipal Planning Commission shall consult with the Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition in the development permit.
- (9) The municipality may register a caveat pursuant to the provisions of the Land Titles Act and the *Municipal Government Act* in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.
- (10) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least 6 months after the date of the final decision unless in the opinion of the Development Officer the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly. *[By-law 508]*

## 2.4 Development Permits and Notices

- (1) (a) A permit issued pursuant to this Part does not come into effect until 14 days after the date on which notice of issuance of the permit is given under subsection 3(b) or (c) or 21 days after the date on which notice of issuance of the permit is given, if such notice is given under subsection 3(a) by ordinary mail, whichever last occurs. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (b) The date of issue of any permit shall be the date of notification pursuant to subsection (3).
- (2) Where an appeal is made pursuant to Section 2.6 of this Part, a development permit which has been issued shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) On the same date a development permit is issued, the Development Officer shall publicize a notice of the issuance of the permit in any or all of the forms described as follows:
  - (a) mail a notice of the decision to all persons whose use, enjoyment or value of property may, in the opinion of the Development Officer/Municipal Planning Commission, be affected; and/or
  - (b) post a notice of the decision conspicuously on the property for which the application has been made; and/or
  - (c) publish in a newspaper circulating in the municipality a notice of the decision.

- (4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or the date of decision of the *Subdivision and Development Appeal Board* upon appeal, nor carried out with reasonable diligence as determined by the Development Officer/Municipal Planning Commission, the permit ceases to be effective, unless an extension to this period, being no longer than an additional 12 months, has previously been granted by the Development Officer/Municipal Planning Commission.  
*[By-law 508]*
- (5) A decision of the Development Officer/Municipal Planning Commission on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (6) The Development Officer/Municipal Planning Commission is authorized to issue orders under Section 645 of the *Municipal Government Act* and in such order establish a time for compliance with such order, acting reasonably.  
*[By-law 508]*
- (7) If a decision is not rendered within 40 days of the receipt of an application, the applicant may,
- (a) deem that a refusal has been issued, or
  - (b) enter into an agreement with the Development Officer/Municipal Planning Commission to extend the 40 day period within which a decision is to be made on an application.

## **2.5 Cancellation**

The Municipal Planning Commission may cancel a development permit if

- (a) the permit was issued in error, or
- (b) the permit was issued on the basis of incorrect information.

## **2.6 Deleted**

*[By-law 508]*

## **2.7 Deleted**

*[By-law 508]*

## **2.8 Compliance with other Legislation**

Compliance with the requirements of this Land Use By-law does not exempt any person from

- (a) the requirements of any federal, provincial or municipal legislation; and
- (b) complying with any easement, covenant, agreement or contract affecting the development.

## 2.9 Repeal

Land Use By-law No. 375 and amendments thereto are hereby repealed.

READ A FIRST TIME THE 28<sup>th</sup> day of August 1990

READ A SECOND TIME THE 25<sup>th</sup> day of September 1990

READ A THIRD TIME and finally passed this 9<sup>th</sup> day of October 1990.

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MAYOR

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MUNICIPAL ADMINISTRATOR

**SUPPLEMENTARY REGULATIONS**

**1. Buildings**

1(1) Accessory Buildings

(a) Residential Districts

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
- (ii) An accessory building on an interior parcel shall be situated so that the exterior wall is at least 1 m (3.28 ft.) from the side and rear boundaries of the parcel.
- (iii) An accessory building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 1 m (3.28 ft.) to the other side parcel boundary or the rear parcel boundary.
- (iv) An accessory building shall not be more than 4.5 m (14.76 ft.) in height, and shall not exceed the height of the main building.
- (v) Notwithstanding subsections (ii) and (iii) of this Section, an accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
- (vi) An accessory building erected or placed on a parcel shall not be used as a dwelling.

(b) Other Districts

- (i) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel, unless otherwise approved by the Development Officer/Municipal Planning Commission.

1(2) Building Orientation and Design

The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the Development Officer/Municipal Planning Commission having due regard to

- (i) amenities such as daylight, sunlight and privacy
- (ii) the character of existing development in the District, and
- (iii) its effect on adjacent parcels.

1(3) Number of Buildings on a Parcel

- (a) A development permit shall not be issued for more than one main building on a parcel, except where it is proposed to develop more than one main building to form a single, unified group of buildings.



## SCHEDULE B

- (b) The number of dwelling units permitted on a parcel shall be limited to one, except where
  - (i) in the opinion of the Development Officer/Municipal Planning Commission, either
    - (a) the building is clearly designed to be divided into more than one dwelling, or
    - (b) the development of the parcel is clearly designed to include more than one dwelling, and
  - (ii) the use conforms to the uses prescribed in Schedule C for the District in which the parcel is located, and
  - (iii) subject to section 2.3(6), the development complies with the provisions of this Land Use By-law, and
  - (iv) a development permit is issued for the use. *[By-law 508]*

### 1(4) Relocation of Buildings

- (a) No person shall
  - (i) place on a parcel a building which has previously been erected or placed on a different parcel, or
  - (ii) alter the location on a parcel of a building which has already been constructed on that parcel unless a development permit has been issued by the Municipal Planning Commission.
- (b) In addition to the requirements of Section 2.3(1), PART TWO of this By-law, the Municipal Planning Commission may require that an application for a development permit to be accompanied with
  - (i) recent color photographs showing all sides of the building;
  - (ii) a statement on the age, size and structural condition of the building; and
  - (iii) a statement of proposed improvements to the building.
- (c) An application for a development permit may be approved by the Municipal Planning Commission if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- (d) Where a development permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Municipal Planning Commission may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- (e) All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

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### 1(5) Building Demolition

An application to demolish a building shall not be approved without a statement or plan which indicates

- (a) how the operation will be carried out so as to create a minimum of dust or other nuisance, and
- (b) the final reclamation of the parcel

which is satisfactory to the Municipal Planning Commission.

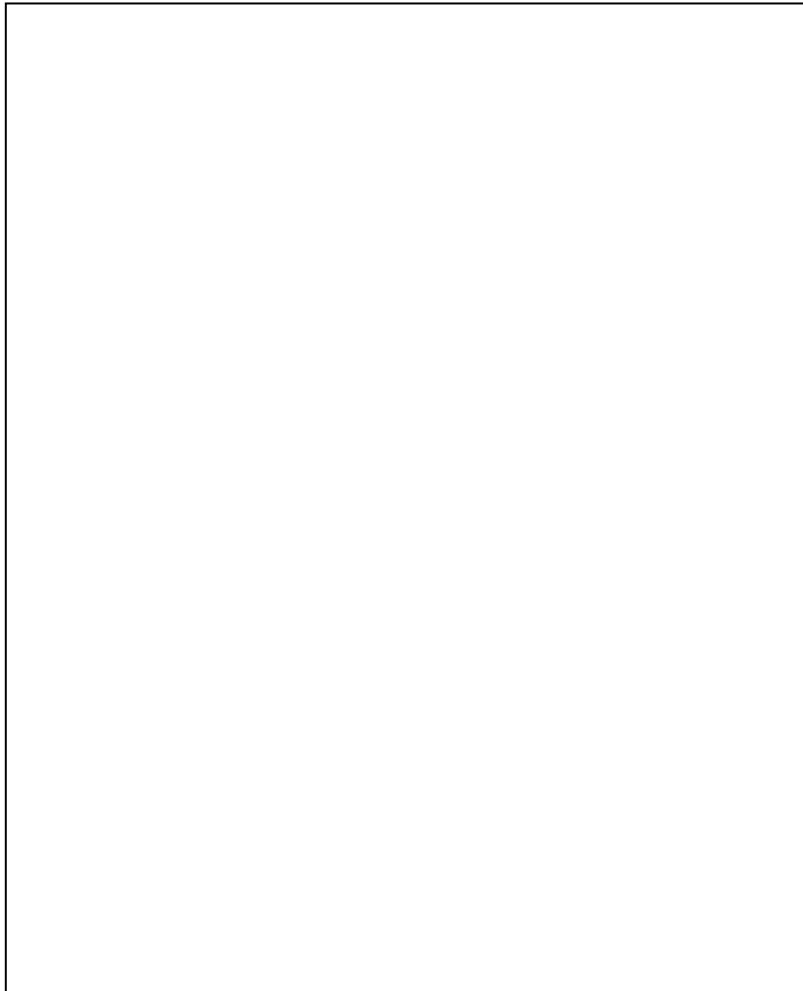
### 1(6) Manufactured Homes

*[Bylaw 21/05]*

As a discretionary use under the R1, R2, and R4 Districts, the external appearance of a manufactured home shall be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity and shall have:

- (a) a minimum roof pitch of 4:12 (rise:run);
- (b) a roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes, or metal;
- (c) a minimum roof overhang or eaves of 0.40 m (1.31 ft) from each external wall;
- (d) a maximum length to width ratio of 2.5:1;
- (e) a minimum width of 6.09 m (20.0 ft) measured from external wall surface to external wall surface;
- (f) a permanent foundation consisting of a basement, crawl space or slab on grade;
- (g) a minimum floor area that meets the minimum floor area requirement for detached dwellings of the applicable District;
- (h) a maximum height that meets the maximum floor area requirement for detached dwellings of the applicable District;
- (i) yards that meet the minimum yard requirements for detached dwellings of the applicable District except where a variance is granted pursuant to Section 2.6(6);
- (j) a maximum parcel coverage that meets the maximum parcel coverage requirement for detached dwellings of the applicable District except where a variance is granted pursuant to Section 2.3(6);

**2. Yard Definitions**



**2(1) Projections Over Yards**

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

(a) In residential Districts the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:

(i) Side yards

Any projection, including unenclosed steps or eaves, not exceeding one-half of the minimum sideyard required for the building, except in laneless subdivisions where Section 2(5)(a) of Schedule B shall apply;

(ii) Front yards

Any projection not exceeding 1.5 m (4.92 ft.) over or on the minimum front yard;

(iii) Front and rear yards

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Unenclosed steps, if they do not project more than 2.5 m (8.20 ft.) over or on a minimum front or rear yard;

(iv) Rear yards

Any projection not exceeding 3 m (9.84 ft.) over the minimum rear yard.

(b) In all other Districts, the portion of and attachments to a main or accessory building which may project over or on a minimum yard are:

- (i) any projection not exceeding 1.5 m (4.92 ft.) into a front or rear yard;
- (ii) any projection not exceeding 0.6 m (1.97 ft.) into a side yard;
- (iii) any projection that is an exterior fire escape not exceeding 1.2 m (3.94 ft.) in width.

(c) No portion of a building other than eaves, signs or canopies shall project into a public or private right-of-way.

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

(a) No person shall allow a motor vehicle which is in a dilapidated or unsightly condition, or a derelict vehicle to remain or be parked on a parcel in a Residential District, unless it is suitably housed or screened to the satisfaction of the Development Officer/Municipal Planning Commission.

(b) No person shall allow a holiday trailer, motor home, camper, or large boat to be stored in any yard abutting a street in a residential District, except in a rear yard on a corner parcel where it shall be stored no closer to the street than the main building.

(c) A holiday trailer, motor home or camper parked in a Residential District may be used for living and sleeping accommodation only by bona fide tourists for a maximum period of 30 days per annum.

(d) No person shall allow a vehicle of more than 2,730 kg. (6,018.6 lbs.) (GVW) and/or a length of 6.5 m (21.3 ft.) to be parked or stored in a residential District, except those vehicles described in subsection 2(2)(b) of this Schedule.

### 2(3) Satellite Dish Antennae

(a) A satellite dish antenna shall only be located in a rear yard, or a side yard which does not abut a street.

(b) On an interior parcel, a satellite dish antenna shall be situated so that no part of it is closer than 1 m (3.28 ft.) from the side or rear boundaries of the parcel.

(c) On a corner parcel, a satellite dish antenna shall be situated so that no part of it is closer to the street than the main building, or closer than 1 m (3.28 ft.) from the other side parcel boundary or the rear parcel boundary.

(d) Where any part of a satellite dish antenna is more than 4 m (13.12 ft.) above grade level, or when it is located other than described in subsection 2(3)(a) above, it shall be both screened and located to the satisfaction of the Development Officer/Municipal Planning Commission.

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- (e) Notwithstanding subsections (a) to (c) above, a satellite dish antenna may be located on the roof of a commercial building.
- (f) No advertising other than the manufacturer's name/logo shall be allowed on a satellite dish antenna.
- (g) The illumination of a satellite dish antenna is prohibited.
- (h) A satellite dish antenna is an accessory use which requires an approved development permit.

### 2(4) Zero Side Yard Developments

- (a) In the Central Commercial District, the minimum side yard is 0 metres in accordance with Schedule C.
- (b) In other Districts, the Municipal Planning Commission may allow one side yard of the main or accessory building to be 0 metres where
  - (i) the registered owner(s) of the adjoining parcel or parcels grant(s) a maintenance and eave and footing encroachment easement equivalent to two minimum yard requirements. The easements shall be to the satisfaction of the Municipal Planning Commission and shall be registered against the title of the said parcel; and
  - (ii) all roof drainage from any building shall be directed onto the parcel upon which such building is situated by means of eavestroughs and downspouts, or other suitable means.

### 2(5) Laneless Subdivisions

- (a) In a laneless subdivision in a residential District, one side yard shall not be less than:
  - (i) 1.5 m (4.92 ft.), in the case of a detached dwelling with attached garage, or
  - (ii) 3 m (9.84 ft.), in the case of a detached dwelling without attached garage.and both side yards shall not be less than:
  - (i) 1.5 m (4.92 ft.), in the case of a duplex with attached garages, or
  - (ii) 3 m (9.84 ft.), in the case of a duplex without attached garages.
- (b) In a laneless subdivision in a commercial or industrial District one side yard shall not be less than 6 m (19.69 ft.). This does not apply to an accessory building where such building is located to the rear of the main building and separated there from by a minimum distance of 12 m (39.37 ft.).

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### 2(6) Setbacks on Major Roadways

Where a parcel abuts a street for which a setback is established, the minimum yard requirement shall be increased by the amount of the applicable setback shown below.

- (a) On the south side of 50 Avenue (Highway 54) from west boundary of Block 4, Plan 509HW to the intersection of 52nd Street an additional 42 feet of setback is required.
- (b) On the south side of 50 Avenue (Highway 54) from the west boundary of Lot 4, Block 6, Plan 325HW to the east boundary of Lot 1, Block 6, Plan 325HW as additional 42 feet of setback is required.

### 3. Vehicles

#### 3(1) Parking

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

Uses	Parking Spaces
<b>Commercial</b>	
Indoor merchandise sales	
District shopping centres	5.0/100m <sup>2</sup> (1,076.4 sq.ft.)
Neighbourhood shopping centres	4.0/100m <sup>2</sup> (1,076.4 sq.ft.)
Other	3.5/100m <sup>2</sup> (1,076.4 sq.ft.)
Offices	2.5/100m <sup>2</sup> (1,076.4 sq.ft.)
Motels	1.0/guest room
Personal services	2.5/100m <sup>2</sup> (1,076.4 sq.ft.)
Repair services	2.0/100m <sup>2</sup> (1,076.4 sq.ft.)
Restaurants, lounges and taverns	1.0/6 seats
Vehicle and equipment sales	2.0/100m <sup>2</sup> (1,076.4 sq.ft.)
<b>Industry</b>	
Manufacturing industry	
Minimum provision	6.0
Office area	2.0/100m <sup>2</sup> (1,076.4 sq.ft.)
Other area	1.0/100m <sup>2</sup> (1,076.4 sq.ft.)
Warehousing and Storage	
Minimum provision	4.0
Office area	2.0/100m <sup>2</sup> (1,076.4 sq.ft.)
Storage area	0.7/100m <sup>2</sup> (1,076.4 sq.ft.)
<b>Public</b>	
Hospitals and nursing homes	1.0/4 beds and 1.0/2 workers
Places of worship	1.0/6 seats
Public assembly buildings	1.0/6 seats
Schools	
Elementary and junior high	1.0/1 worker
Senior high	1.0/1 worker and 1.0/20 students

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### Residential

Apartments, fourplexes and multiple housing developments	1/dwelling
Senior citizens housing	1/unit of accommodation
All other	2.0/dwelling

### Uses not listed above

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

- (b) When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use.
- (c) The parking space requirement on a parcel which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.
- (d) Any loading space provided pursuant to subsection 3(2) of this Schedule may be used as parking space.
- (e) Each parking space shall have dimensions of not less than 2.75 m (9.02 ft.) by 5.5 m (18.04 ft.).
- (f) A minimum standard of 24.75 m<sup>2</sup> (266.4 sq.ft.) per parking space shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility.
- (g) In Commercial Districts, in lieu of providing parking spaces and subject to the approval of the Council, a payment may be made to the Council at a rate per space which the Council shall determine.
- (h) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Municipal Planning Commission, the spaces may be located on another parcel within 50 m (164.0 ft.) walking distance, provided that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (i) Hard surfacing of the parking area may be required, where a parking area enters a paved road, otherwise, the surfacing shall be all-weather.

### 3(2) Loading Spaces

- (a) Loading spaces shall be required for all nonresidential development and apartments.
- (b) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a road.

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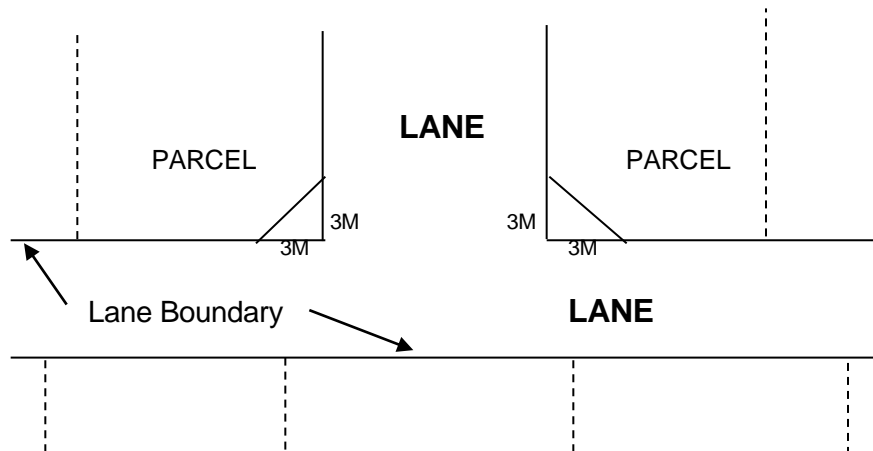
- (c) Loading spaces shall be located in rear and side yards only.
- (d) A loading space shall be at least 3.5 m x 8 m (11.48 ft. x 26.25 ft.), with an overhead clearance of at least 4.6 m (15.09 ft.).
- (e) Hard surfacing of the loading space shall be required, where a loading space enters a paved road, otherwise, the surfacing shall be all-weather.

### 3(3) Vehicle Access to buildings

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

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

- (a) At the intersection of lanes, a 3 m (9.84 ft.) sight triangle shall be provided (see diagram below).



- (b) At the intersection of other roadways, the Development Officer/Municipal Planning Commission may require the calculation of sight triangles where:
  - (i) one or more rights-of-way is less than 15 m (49.21 ft.), or
  - (ii) regulated vehicle speed exceeds 50 km/h, or
  - (iii) one of the carriageways is not centred in its right-of-way, or
  - (iv) an intersection leg is curved or skewed, or
  - (v) an intersection leg is sloped at 2% or greater.
- (c) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways.

### 3(5) Driveways

- (a) At street intersections, driveways shall be setback from the parcel boundaries which form the intersection not less than
  - (i) 6 m (19.69 ft.) where the driveway serves not more than four dwelling units, or



## SCHEDULE B

- (ii) 15 m (49.21 ft.) for all other uses, except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (b) The maximum width of a driveway shall be 10 m (32.28 ft.).
- (c) The minimum distance between driveways shall be:
  - (i) nil, where the driveways serve single dwelling units,
  - (ii) 6 m (19.69 ft.), where the driveways serve any other use, except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
- (d) The minimum angle for a driveway to a use which generates high traffic volumes shall be 70 degrees.

### 4. Non-conforming Buildings and Uses

- (a) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the Land Use By-law then in effect.
- (b) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- (c) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (d) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except.
  - (i) to make it a conforming building.
  - (ii) for routine maintenance of the building, if the Development Officer/Municipal Planning Commission considers it necessary, or
  - (iii) in accordance with the provisions of section 2.3(6)
- (e) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Land Use By-law.
- (f) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

*[By-law 508]*

### 5. Signs

## SCHEDULE B

### 5(1) General Provisions

- (a) A sign shall not conflict with the general character of the surrounding streetscape or the architecture of nearby buildings or serve to create a cluttered street appearance.
- (b) No sign shall project higher than the roof-line of the building to which it is attached.
- (c) A sign shall not project closer than 0.75 m (2.46 ft.) to the existing or future curb line.
- (d) Where a sign projects over a street or other public property, a minimum clearance of 2.5 m (8.20 ft.) above grade level shall be maintained.
- (e) Notwithstanding subsection (d), where a sign is located in or projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.6 m (15.09 ft.) above grade level shall be maintained.
- (f) A sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- (g) A sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.
- (h) Signs shall not project more than 1 m (3.28 ft.) over a street or public property.
- (i) Only one sign may project from each street frontage of a building.

### 5(2) Freestanding Signs and Billboards

- (a) Freestanding signs and billboards may be permitted in all land use districts, excepting residential land use districts where freestanding signs are provided for under the following special provisions:
  - (j) one freestanding sign not exceeding 5.57m<sup>2</sup> (60.0 sq. ft) may be allowed identify the name of an apartment, multi-family complex, manufactured home park or a sub-division;
  - (ii) the sign may not exceed 2.44 meters (8 ft) in height; and
  - (iii) the sign does not contain any advertising other than the name or logo of the company which developed or manages the site;
- (b) Unless otherwise stated in this Bylaw, a freestanding sign or billboard shall be no higher, as measured from ground level to the highest point, than 9.14 meters (30 ft);
- (c) Unless otherwise stated in this Bylaw, a freestanding sign or billboard shall be no larger than 7.43 m<sup>2</sup> (80 sq. ft);
- (d) Any electrical power running to a freestanding sign shall be underground;
- (e) Only one freestanding sign or billboard may be erected on each of a parcel's boundaries

## SCHEDULE B

with a street;

- (f) Quality, aesthetic character and finishing of sign construction shall be at the discretions of the Development Officer/Municipal Planning Commission;
- (g) A freestanding sign or billboard may only advertise the business or businesses operating on the parcel upon which the sign is placed, excepting instances whereby advertising by a community group has been approved at the discretion of the Municipal Planning Commission;

### 5(3) Other Signs

The Municipal Planning Commission may approve other signs subject to the general provisions of subsection 5(1).

### 5(4) Sign Removal

Where a sign no longer fulfils its function under the terms of the approved development permit, the Municipal Planning Commission may recommend that the Council resolve or order the removal of such a sign, and the lawful owner of the sign or where applicable, the registered property owner, shall, upon such a resolution,

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

## 6. Miscellaneous

### 6(1) Cannabis Retail Sales

#### 6(1).1 Distance from schools

- (a) A cannabis retail sales use shall not be located within 100m of any building or any lot being used for a private or public education or any lot designated as School Reserve or Municipal and School Reserve at the time of application for approval of the cannabis retail sales use. For the purpose of this subsection only:
  - (i) The 100m distance shall be measured from the closest point of the cannabis retail sales use to the closest point of the boundary of the lot being used for private or public education use;
  - (ii) The 100m distance shall be measured from the closest point of the cannabis retail sales use to the closest point of the boundary of the lot designated as School Reserve or Municipal and School Reserve;
  - (iii) The term “public or private education” is limited to elementary through to high schools, and does not include dance schools, driving schools or other forms of commercial schools;
  - (iv) The terms “School Reserve” and “Municipal and School Reserve” means those parcels with the suffix “SR” or “MSR” in accordance with the Municipal Government

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Act; and

- (v) The Development Authority shall not grant a variance to reduce the separation distance.

*(By-law 2018-006)*

### 6(1).2 Co-location with Other Uses

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

*(By-law 2018-006)*

### 6(1).3 Cannabis retail sales shall include design elements and considerations that readily allow for natural surveillance and the promotion of a safe urban environment, which, to the satisfaction of the Development Authority, includes the following requirements:

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

*(By-law 2018-006)*

### 6(1).4 No outdoor storage relating to cannabis retail sales shall be allowed

*(By-law 2018-006)*

### 6(1).5 All solid waste containers shall be fully contained in the building

*(By-law 2018-006)*

### 6(1).6 No nuisances, including but not limited to odour, noise, or light shall be omitted.

*(By-law 2018-006)*

### 6(1).7 Drive through facilities are not permitted

*(By-law 2018-006)*

### 6(1).8 Hours of sales for cannabis retail sales shall be limited to the hours between 10:00am and 2:00am.

*(By-law 2018-006)*

### 6(1).9 onsite parking shall be provided at a rate of 3.5 parking stalls per 100 square metres (1,076 sq. ft.)

### 6(1).10 The Development Authority shall not grant a variance to any standard that applies to a cannabis retail sales use.

### 6(1).11 In addition to the requirements for a development permit application, the applicant proposing a cannabis retail sales development shall provide;

- (a) A drawing indicating the proposed location of the cannabis retail sales and its distance from any other use or facility that requires a distance separation under this

- (b) **land Use bylaw or the provincial legislation; and**

**6(2) Home Occupations**

Home occupations shall comply with the following:

- (a) A home occupation shall not include any use or operation which detracts from the amenities of a residential neighbourhood, by way of creating dangerous or objectionable conditions;
- (b) a home occupation shall be incidental and subordinate to both the residential use and the accessory residential building;
- (c) there shall be no exterior display or advertising;
- (d) there shall be no outside storage of materials, commodities or finished products;
- (e) no commodity other than the product or service of the home occupation shall be sold on the premises;
- (f) no person other than a resident of the dwelling shall be employed.

**6(3) Dangerous Goods**

Prior to making any decision on a development application which involves dangerous goods or development on adjacent land or in close proximity to any dangerous goods, the Development Officer/Municipal Planning Commission shall refer the development proposal to the appropriate regulatory authority for comments. *[By-law 508]*

**6(4) Mechanized Excavation Stripping and Grading of Land**

- (a) A temporary fence shall be erected around all excavations which in the opinion of the Development Officer/Municipal Planning Commission may be hazardous to the public.
- (b) Where finished ground elevations are established, all grading shall comply therewith.
- (c) All parcels shall be graded to ensure that storm water is directed to a road without crossing adjacent land, except as permitted by the Municipal Planning Commission.
- (d) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

**6(5) Landscaping, Environmental Conservation and Development**

Unless otherwise specified in Schedule C, the following standard of landscaping shall be required for all areas of a parcel not covered by buildings, driveways, storage and display areas:

- (a) the conservation of existing trees and shrubs to the maximum extent possible;
- (b) the retention, in their natural state, of

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- (i) swamps, gullies and natural drainage courses,
  - (ii) unstable land,
  - (iii) land subject to flooding by a 1:100 year flood,
  - (iv) land with a natural gradient of 15% or greater, and
  - (v) a strip of land not less than 6 m (19.68 ft.) wide along any lake, creek, or stream with such distance to be measured from the top of the bank.
- (c) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and roads;
- (d) the planting of additional trees and shrubs as required by the Development Officer.
- (e) a sufficient depth of topsoil to facilitate growth in the soft-landscaped areas, with areas not planted to trees and shrubs being seeded to grass, sodded or left with its natural grass cover; and
- (f) completion of the landscaping by the end of the first full growing season following completion of construction or the commencement of the use.

### 6(6) Development in Proximity to Oil and Gas Wells

In accordance with the *Subdivision and Development Regulation*, no building shall be constructed within 100 m (328.1 ft) of the well head of a gas or oil well, unless, in the opinion of the Development Officer/Municipal Planning Commission, it may be considered an infill development or is otherwise approved in writing by the Alberta Energy and Utilities Board.

[By-law 508]

### 6(7) Development Setbacks from Landfills and Waste Sites

[By-law 508]

In accordance with the *Subdivision and Development Regulation*,

- (a) a school, hospital, food establishment or residence must not be approved and a residence must be constructed if the building site is within the distances from a sanitary landfill, modified sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the *Subdivision and Development Regulation*, and
- (b) a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, food establishment or residence specified in the *Subdivision and Development Regulation*,

unless the development is approved in writing by the Deputy Minister of the Department of Environmental Protection.

### 6(8) Land Use Policies

Every action undertaken by the municipality and the Development Officer/Municipal Planning Commission must be consistent with any land use policies established pursuant to the *Municipal Government Act*.

**7. Guidelines for Other Land Uses**

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

- (i) separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses,
- (ii) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan,
- (iii) setback from any parcel boundary abutting a road a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses,
- (iv) of a height which will be consistent with that prevailing in the area,
- (v) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent roads, and
- (vi) developed in conformance with the Red Deer Regional Plan and any applicable statutory plan policies.

## SCHEDULE C: LAND USE DISTRICT REGULATIONS

### LOW DENSITY RESIDENTIAL DISTRICT (R1)

General Purpose:	To provide an area for low density residential development in the form of detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.	
Permitted Uses:	Accessory residential buildings Detached dwellings	
Discretionary Uses:	Accessory uses Duplexes existing at the date of passage of this Land Use By-law Home occupations Manufactured homes meeting the requirements of Section 1(6) in Schedule B Parking facilities for uses in this District Parks and playgrounds Public and quasi-public uses Public utility buildings Signs Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.	
Minimum Front Yard:	6m (19.69 ft.) on Lots 30 to 44, Block 15, Plan 792 0329, and 7m (22.96 ft.) on all other parcels.	[By-law 529]
Minimum Side Yard:	1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.), or as required in the <i>Alberta Building Code</i> , whichever is greater (Laneless subdivisions - Refer Section 2(5) Schedule B).	
Minimum Rear Yard:	10 m (32.81 ft.)	
Minimum Parcel Area:	Interior parcels 550 m <sup>2</sup> (5,920.00 sq.ft.) Corner parcels 550 m <sup>2</sup> (5,920.13 sq.ft.)	
Maximum Parcel Coverage:	40% excluding patios and sun decks	
Landscaped Area:	For uses other than detached dwellings, refer to Schedule B.	
Maximum Building Height:	7.5 m (24.61 ft.)	
Minimum Floor Area:	Detached dwellings 84 m <sup>2</sup> (904 sq. ft.) Other buildings as determined by the M.P.C.	
Supplementary Regulations:	The regulations for all uses shall be as established in Schedule B and by the Municipal Planning Commission.	



## GENERAL RESIDENTIAL DISTRICT (R2)

General Purpose:	To provide an area for a variety of dwelling types and other compatible uses, herein listed, which are connected to the municipal sewer and water systems.
Permitted Uses:	Accessory residential buildings Detached dwellings Duplexes
Discretionary Uses:	All discretionary uses in the R1 District Apartments Basement suites, in detached dwellings only Boarding and rooming houses Fourplexes Funeral homes Group Home Multiple housing developments Row houses Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	Detached dwellings, duplexes, group homes, apartments, row houses and fourplexes: 7 m (22.96 ft.)
Minimum Side Yard:	Detached dwellings, duplexes, fourplexes, Group homes and row houses: 1.5 m (4.92 ft.) except where it abuts a road - 3 m (9.84 ft.) or as required in the <i>Alberta Building Code</i> , whichever is greater. Apartments: 3 m (9.84 ft.), except where it abuts a road - 6.0 m (19.69 ft.) or as required in the <i>Alberta Building Code</i> , whichever is greater. Multiple housing development: Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the <i>Alberta Building Code</i> , whichever is greater.
Minimum Rear Yard:	Detached dwellings, group homes, duplexes, row houses, fourplexes and apartments: 10 m (32.81 ft.) Multiple housing developments (incorporating buildings with ground level private access), each dwelling unit shall have a private, screened yard area of not less than 45 m <sup>2</sup> (484.39 sq.ft.)

## GENERAL RESIDENTIAL DISTRICT (R2) (cont'd)

Minimum Parcel Area:	Detached dwellings, group homes: Interior parcels 400 m <sup>2</sup> (4,305.70 sq.ft.) Corner parcels 420 m <sup>2</sup> (4,521.00 sq.ft.) Duplexes: Interior parcels 235 m <sup>2</sup> (2,529.60 sq.ft.) Corner parcels 280 m <sup>2</sup> (3,014.00 sq.ft.) Row houses: Interior parcels 185 m <sup>2</sup> (1,991.39 sq.ft.) Corner parcels 275 m <sup>2</sup> (2,960.17 sq.ft.) Fourplexes: Interior parcels 180 m <sup>2</sup> (1,937.57 sq.ft.) Corner parcels 185 m <sup>2</sup> (1,991.39 sq.ft.) Apartments: 1.3 times the building's total floor area
Maximum Parcel Coverage:	Detached dwellings, duplexes, fourplexes, group homes and rowhouses: 50% Apartments and Multiple housing developments: 70%
Landscaped Area:	Detached dwellings: No specified requirements. Duplexes, row houses, fourplexes, apartments, and all housing types developed as multiple housing developments in accordance with Schedule B and the Municipal Planning Commission. For all other development refer to Schedule B.
Maximum Building Height:	Detached dwellings, group homes, duplexes, row houses and fourplexes: 7.5 m (24.61 ft.) Apartments: 12 m (39.37 ft.) Multiple housing developments: As required for the various housing types described above.
Minimum Floor Area:	Detached dwellings 84 m <sup>2</sup> (904 sq. ft.) Other dwellings 72 m <sup>2</sup> (775 sq. ft.)
Supplementary Regulations:	The regulations for all other uses shall be as established in Schedule B and the Municipal Planning Commission.

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

**General Purpose:** To provide an area for the development and use of land for manufactured homes, and other compatible uses, herein listed, which are compatible with a residential area, either on separately registered parcels or in comprehensively designed parks wherein sites are rented or owned as part of a condominium. The area is to be connected to municipal sewer and water systems.

**Permitted Uses:** Manufactured homes  
Manufactured home park  
Accessory residential buildings/structures

**Discretionary Uses:** All discretionary uses found in the R1 and R2 Districts except manufactured homes meeting the requirements of Section 1(6) in Schedule B  
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above;

In this District,

"lot" means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupant(s);

"structure" means a subordinate building which is an addition to or supplements the facilities provided by a manufactured home, such as awnings, storage structures, carports, porches and skirting.

### **(1) Manufactured Home Park Standards**

**Minimum Lot Area:** Interior lot 400 m<sup>2</sup> (4,305 sq. ft.)  
Corner lot 420 m<sup>2</sup> (4,520 sq. ft.)

**Minimum Yard Requirements:** Manufactured homes and their attached structures shall be at least:

- i) 5 m (16.40 ft.) from one another
- ii) 6 m (19.69 ft.) from any front boundary
- iii) 1.5 m (4.92 ft.) from any side lot line
- iv) 4.5 m (14.76 ft.) from any rear lot line

**Maximum Lot Coverage:** 40% excluding patios and sun decks

**Building Design:** Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. All wheels must be removed and the manufactured home must be placed on a permanent foundation.

**Minimum Manufactured Home Width:** 3.5 m (11.48 ft.)

## **MANUFACTURED HOME DISTRICT (R3) (cont'd)**

Minimum Manufactured Home Floor Area:	56 m <sup>2</sup> (602 sq.ft.)
Landscaping:	Suitable screening as required by the Development Officer/Municipal Planning Commission.
Recreation Area:	A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Officer/Municipal Planning Commission.
Roadways:	All manufactured home park roadways shall have at least a 12 m (39.37 ft.) right-of-way and a carriageway no less than 8 m (26.25 ft.) in width.
Walkways:	Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m (4.92 ft.) in width.
Storage Areas:	Common storage areas, separate from the manufactured home lot at the discretion of the MPC/DO shall be provided for storage of seasonal recreational equipment not capable of storage on the manufactured home lot. Such storage areas shall be fenced and screened.
Utilities:	All utility services and all utility wires and conduits shall be installed underground.
Fences and Lot Lines:	Fences and hedges shall be allowed only if they are erected and maintained by the manufactured home park operator to a uniform standard throughout the manufactured home park. All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system.

### **(2) Manufactured Home Subdivision Standards**

The following regulations apply to manufactured homes:

Minimum Yard Requirements:	Manufactured homes and their attached structures shall be at least: <ul style="list-style-type: none"><li>i) 6 m (19.69 ft.) from one another</li><li>ii) 6 m (19.69 ft.) from the front parcel boundary</li><li>iii) 4.5 m (14.76 ft.) from the rear parcel boundary</li><li>iv) 1.5 m (4.92 ft.) from the side parcel boundary except on a corner parcel where the side yard abutting a road shall be at least 3 m (9.84 ft.)</li></ul>
Minimum Parcel Area:	Interior parcels 480 m <sup>2</sup> (5,167.00 sq. ft.) Corner parcels 500 m <sup>2</sup> (5,382.00 sq.ft.)
Maximum Parcel Coverage:	50% except for patios and sun decks

### **MANUFACTURED HOME DISTRICT (R3) (cont'd)**

**Building Design:** All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home.

All wheels must be removed and the mobile home placed on permanent foundation, or concrete piers.

**Minimum Floor Area:** 56 m<sup>2</sup> (602 sq. ft.)

**Minimum Manufactured Home Width:** 3.5 m (11.48 ft.)

**Landscaped Area:** For uses other than manufactured homes, refer to Schedule B.

**Supplementary Regulations:** The regulations for all uses shall be as established in Schedule B and the Municipal Planning Commission.

## VERY LOW DENSITY RESIDENTIAL DISTRICT (R4)

General Purpose: To provide an area for very large lot residential development in the form of detached dwellings and compatible uses, herein listed, which will be required to be connected to municipal water and sewer systems when these services become available.

Permitted Uses: Detached dwellings

Discretionary Uses: Accessory uses  
Accessory residential buildings  
Home occupations  
Manufactured homes meeting the requirement of Section 1(6) in Schedule B  
Parking facilities for uses in this District  
Parks and playgrounds  
Public and quasi-public uses  
Public utility buildings  
Signs  
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

Minimum Front Yard: 10 m (32.81 ft.)

Maximum Front Yard: To the satisfaction of the Development Officer

Minimum Side Yard: 3.0 m (9.84 ft.)

Minimum Rear Year: 10 m (32.81 ft.)

Minimum Parcel Area: Parcels intended to be served by aseptic tank/field and private well shall have an area not less than 3,036.4 m<sup>2</sup> (0.75 acre)

Parcel intended to be served by:

1. a sewage collection system and a private well; or
2. a water distribution system and a closed holding tank;  
or
3. a sewage collection system and a water distribution system; or
4. a closed holding tank and private well;

shall have an area not less than 2,023.5 m<sup>2</sup> (0.5 acre)

Maximum Parcel Area: 0.6 ha (1.5 acres)

## **VERY LOW DENSITY RESIDENTIAL DISTRICT (R4) (cont'd)**

Minimum Parcel Width: 30 m (98.4 ft) for parcels greater than 4,047 m<sup>2</sup> (1 acre) in size

15 m (49.2 ft) for parcels less than 4,047 m<sup>2</sup> (1 acre) in size

Maximum Parcel Coverage: 20% excluding patios and sun decks

Minimum Floor Area: Detached dwellings homes – 104 m<sup>2</sup> (1120 ft<sup>2</sup>)  
Other buildings – as determined by M.P.C.

Maximum Building Height: 10 m (32.8 ft)

Landscaped Area: For uses other than detached dwellings, refer to Schedule B.

Other:

1. No animals or livestock, other than dogs, cats and such other domestic animals as are typically kept indoors, and horses, shall be permitted in this district and all such animals shall be limited to three of each species.
2. Deferred servicing agreements registered by caveat requiring residents to tie into municipal water and sewer services when they are made available, will be required as a condition of subdivision and/or development approval.
3. Until a municipal water distribution system is available private water wells will be permitted.
4. The Development Officer/M.P.C. may require buildings to be sited so as to facilitate future subdivision to a higher density.
5. The maximum total floor area of all the accessory residential buildings on a parcel shall be 150 m<sup>2</sup> (1614.64 ft<sup>2</sup>).

Supplementary Regulations:

The regulations for all other uses shall be as established in Schedule B and by the M.P.C.

*[Bylaw 522]  
[Bylaw 11/04]*

## CENTRAL COMMERCIAL DISTRICT (C1)

(Delete By-law 2018-006)

General Purpose:	To provide an area for intensive commercial use, offering a wide variety of goods and services, and other compatible uses, herein listed, an attractive environment for pedestrians, but which will be accessible to motor vehicles.
Permitted Uses:	Indoor merchandise sales Offices Personal services Mobile homes on Lots 5, 6 and 7 Block 4, Plan 325 HW Detached dwellings on Lot 8 and Lot 10, Block 4, Plan 325 HW <i>[By-law 14/05]</i> <i>(By-law 2022-001)</i>
Discretionary Uses:	Accessory uses Bus depots <b>Cannabis retail sales</b> <i>( By-law 2018-006)</i> Commercial recreation and entertainment facilities Dwelling units for the occupancy of the owner, operator or caretaker District shopping centres Hotels and motels Parking facilities Public and quasi-public uses Public utility buildings Repair services Service stations Signs Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	Nil
Minimum Side Yard:	Nil, unless otherwise required by the Alberta Building Code.
Minimum Rear Yard:	Shall be provided for parking and loading spaces in accordance with Sections 3(1) and 3(2) of Schedule B.
Maximum Parcel Coverage:	100%
Building Design:	As determined by the Municipal Planning Commission.
Outdoor Storage and Display:	Only as permitted by the Municipal Planning Commission.
Maximum Building Height:	10 m (32.8 ft.)
The following regulation applies to dwelling units:	
Dwelling Unit Entrance:	Dwelling units shall have an entrance separate from the entrance to any commercial component of the building.



Supplementary Regulations: The regulations for all uses shall be as established in Schedule B and by the Municipal Planning Commission.

## HIGHWAY COMMERCIAL DISTRICT (HC)

General Purpose:	To provide an area for commercial uses and other compatible uses, herein listed, adjacent to a major thoroughfare, which requires large open areas for parking by clientele, for display of merchandise, or both, which will create an attractive environment, primarily accessible to motor vehicles
Permitted Uses:	Drive-in businesses Sales and service outlets for automobiles, trucks, recreation vehicles and mobile homes Services for the travelling public
Discretionary Uses:	Accessory uses <b>Cannabis retail sales</b> (By-law 2018-006) Commercial recreation and entertainment facilities District shopping centres Dwelling unit for the occupancy of the owner, operator or caretaker Hotels and motels Parking facilities Public and quasi-public uses Public utility building Repair services Sales and service outlets for farm equipment Signs Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	9 m (29.53 ft.) adjacent to a service or local road
Minimum Side Yard:	3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard:	6 m (19.69 ft.)
Minimum Parcel Frontage:	15 m (49.21 ft.) adjacent to a service or local road 46 m (150.92 ft.) without a service road
Maximum Parcel Coverage:	80%
Outdoor Storage and Display:	1. All outdoor storage shall be screened from view 2. All outdoor display shall be screened from residential districts.
Maximum Building Height:	10 m (32.81 ft.)
Supplementary Regulations:	The regulations for all uses shall be as established in Schedule B and the Municipal Planning Commission.

## INDUSTRIAL DISTRICT (I)

General Purpose:	To provide an area for industrial uses, and other compatible uses, herein listed, which are intended to accommodate uses which do not cause objectionable nuisance or dangerous conditions beyond the parcel boundary.
Permitted Uses:	Light manufacturing Repair services Sales and service outlets for farm machinery Veterinary clinic Warehousing
Discretionary Uses:	Abattoir Accessory uses Cannabis production and distribution Medical cannabis production facility (By-law 2018-006) Cartage and freight terminals Dwelling unit for the occupancy of the owner, operator or caretaker Heavy equipment assembly, sales and service Heavy manufacturing Livestock auction markets Municipal shops and storage yards Open storage yards Parking facilities for uses in this District Public utility buildings Resource extraction uses Signs Solid waste transfer station Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.
Minimum Front Yard:	9 m (29.53 ft.)
Minimum Side Yard:	3 m (9.84 ft.), or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard:	6 m (19.69 ft.)
Minimum Parcel Frontage:	15 m (49.21 ft.), except where abutting a highway without a service road, in which case 30 m (98.43 ft.) shall be required.
Maximum Parcel Coverage:	80%
Supplementary Regulations:	The regulations for all uses shall be as established in Schedule B and the Municipal Planning Commission.

## **PUBLIC/INSTITUTIONAL DISTRICT (PI)**

General Purpose:	To provide an area for the development of public and institutional lands for multi-use facilities, and other compatible uses, herein listed.
Permitted Uses:	Parks and playgrounds
Discretionary Uses:	Accessory uses Cemeteries Institutional uses Parking facilities Public and quasi-public uses Public utility buildings Recreation facilities Signs Any use that is similar, in the opinion of the Municipal Planning Commission, to their permitted or discretionary uses described above.
Minimum Front Yard:	9 m (29.53 ft.)
Minimum Side Yard;	3 m (9.84 ft.), or as required in the <i>Alberta Building Code</i> , whichever is greater.
Minimum Rear Yard:	6 m (19.69 ft.)
Maximum Parcel Coverage:	80%
Outdoor Storage and Display:	1. Outdoor storage shall be screened 2. Outdoor display is not allowed
Maximum Building Height:	12 m (39.37 ft.)
Supplementary Regulations:	The regulations for all uses shall be as established in Schedule B and the Municipal Planning Commission.

## **RESERVED FOR FUTURE DEVELOPMENT DISTRICT (RD)**

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

Permitted Uses: Farms and farming operations, excluding feedlots  
Existing uses

Discretionary Uses: Accessory uses  
Existing residence and other related improvements  
Mechanized excavation stripping and grading  
Parking facilities for uses in this District  
Public and quasi uses  
Public utility buildings  
Signs  
Uses that will not, in the opinion of the Municipal Planning Commission,  
(1) materially alter the use of the land from that existing on the date the land was designated to this Land Use District, or  
(2) conflict with future urban expansion

Any use that is similar, in the opinion of the Municipal Planning Commission, to the discretionary uses described above.

The following regulations apply to all uses:

Minimum Parcel Area: All the land contained in the existing Certificate of Title, unless otherwise approved by the Municipal Planning Commission, having regard to future use of the parcel and the form of future subdivision and development.

Outdoor Storage and Display: 1. Outdoor storage shall be screened  
2. Outdoor display shall be screened from residential Districts

Supplementary Regulations: All uses must comply with the regulations in Schedule B and the Municipal Planning Commission.