

VILLAGE OF CLYDE



LAND USE BYLAW

Bylaw 2023-12-03 | January 2024

GUIDE TO USING THE LAND USE BYLAW

The Village of Clyde Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used, and how buildings can be constructed or moved) in the Village. Regulations vary depending on the location, type, and density/intensity development proposed. Other bylaws, policies, and regulations of the Village must also be followed, as well as all applicable acts, laws, and regulations of the Provincial and Federal governments.

There are several parts of the Land Use Bylaw that need to be reviewed together to understand how the Land Use Bylaw affects the use and development of lands within the Village.

The following steps may assist in the review of the Land Use Bylaw by a prospective development or subdivision proponent:

LOCATE

1

Locate the subject property on the Land Use District maps. These maps divide the Village into various Land Use Districts. Each Land Use District has a designation such as **"R1"** for RESIDENTIAL DISTRICT or **"C"** for COMMERCIAL DISTRICT.

Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations of the Land Use Bylaw or impose additional regulations.

Please note that Land Use Districts are commonly referred to as **"Zones"** or **"Zoning."** To conform to the language of the Municipal Government Act, this Land Use Bylaw uses the terms **"District"** and **"Districting."**

CHECK

2

Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed in Section 11 – Land Use Districts. In each Land Use District, you will find a list of permitted and discretionary uses, subdivision regulations, and regulations for specific types of development. These districts identify what can be developed in any given Land Use District. The definitions provided in Section 3.2 – Definitions should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.

REVIEW

3

Review the table of contents to see if there are any general regulations that apply to the situation or use in question. For example, Section 8 describes the enforcement procedure, Section 9.1 contains general regulations about accessory buildings, and Section 10.9 contains specific regulations about home occupations.

DISCUSS

4

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

Please note that this page is intended to assist the reader of the Land Use Bylaw and does not form part of the approved bylaw.



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1. ADMINISTRATION

1.1 Title

1.1.1 The title of this Bylaw shall be the Village of Clyde Land Use Bylaw (Bylaw 2023-12-03).

1.2 Purpose

1.2.1 The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and:

- a. to divide the municipality into districts;
- b. to prescribe and regulate for each district the purposes for which land and buildings may be used;
- c. to establish the office of the Development Authority;
- d. to establish a method of making decisions on applications for development permits;
- e. to provide the manner in which notice of the issuance of a development permit is to be given;
- f. to establish the number of dwelling units allowed on a lot;
- g. to establish a system of subdivision and development appeals; and
- h. to comply with:
 - i. the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended;
 - ii. the Subdivision and Development Regulation, AR43/2002, as amended; and
 - iii. the Provincial Land Use Polices (or, where applicable, a regional plan adopted under the *Alberta Land Stewardship Act*, S.A. 2009, c. A-26.8, as amended).

1.3 Commencement

1.3.1 This Bylaw comes into effect upon the date of it finally being passed.

1.4 Repeal

1.4.1 Bylaw No. 2008-10, as amended, is hereby repealed.

1.5 Area of Application

1.5.1 The provisions of this Bylaw apply to all land and buildings within the Village of Clyde.

1.6 Conformity

1.6.1 No person shall commence any subdivision or development unless it is in accordance with this Bylaw.

1.7 Compliance

1.7.1 Compliance with the requirements of this Bylaw does not exempt a person from:

- a. The requirements of any federal or provincial legislation;
- b. The policies and regulations of municipality's statutory plans and bylaws; and
- c. Complying with any easement, covenant, agreement, or contract affecting the development.

1.8 Severability

1.8.1 Each separate provision of this Bylaw shall be deemed independent of all other provisions.

1.8.2 If any provision of this Bylaw is declared invalid, that provision shall be severed and all other provisions of the Bylaw shall remain in force and effect.

1.9 Figures

1.9.1 Figures are included within this Bylaw for information purposes; they do not form part of this Bylaw.

2. AUTHORITIES

2.1 Council

- 2.1.1 Council shall perform such duties as specified in this Bylaw.
- 2.1.2 In addition, Council shall decide upon all development permit applications within a Direct Control District, as stated in the Act.

2.2 Development Authority

- 2.2.1 The Development Authority is hereby established.
- 2.2.2 The Development Authority shall be filled by a person or persons appointed by resolution of the Council. If no person is appointed, the Chief Administrative Officer shall act as Development Authority.
- 2.2.3 For the purposes of section 542 of the Act, the person (or persons) holding the office of Development Authority is a designated officer of the Municipality.
- 2.2.4 The Development Authority shall perform such duties that are specified in this Bylaw.
- 2.2.5 The Development Authority shall be:
 - a. the Municipal Planning Commission of the Village; and
 - b. the Development Authority Officer of the Village.

2.3 Development Authority Officer

- 2.3.1 For the purposes of this Bylaw, Council shall appoint one or more Development Authority Officer(s) who shall be designated officers within the meaning of the Act.
- 2.3.2 The Development Authority Officer shall perform such duties and responsibilities specified in this Bylaw.
- 2.3.3 The Development Authority Officer shall:
 - a. keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; and
 - b. keep a register of all applications for development, including a record of decisions and reasons for decisions. This information shall be made available to the public upon request in accordance with the Freedom of Information and Protection of Privacy Act.
- 2.3.4 The Development Authority Officer may sign on behalf of the Development Authority any order, decision, approval, notice, or other thing made or given by it.

2.4 Municipal Planning Commission

- 2.4.1 The Municipal Planning Commission is hereby given the authority to decide on development applications referred to it by the Development Authority Officer.
- 2.4.2 The Municipal Planning Commission shall perform such duties and responsibilities as specified in this Bylaw.

2.5 Subdivision Authority

- 2.5.1 The Subdivision Authority of the Village of Clyde shall be established by the Village's Subdivision Authority Bylaw.
- 2.5.2 The Subdivision Authority shall be appointed by resolution of Council.
- 2.5.3 The Subdivision Authority shall perform such duties as are specified in this Bylaw and the Subdivision Authority Bylaw.

2.6 Subdivision and Development Appeal Board

- 2.6.1 The Subdivision and Development Appeal Board established by the Village's Subdivision and Development Appeal Board Bylaw shall perform such duties as specified in Section 7 of this Bylaw.

3. INTERPRETATION

3.1 Measurements

- 3.1.1 Within this Bylaw, both metric and imperial measures are normally provided. Imperial measurements may be provided within brackets. Imperial measures are approximate, and are provided only for information, in order to provide some comparison for persons who unfamiliar with metric measures.
- 3.1.2 Metric measurements shall take precedence over imperial measurements for the purposes of interpretation in this Bylaw.

3.2 Definitions

In this Bylaw:

A

- 3.2.1 **"abut"** means immediately contiguous to, or physically attaching to, and when used in respect of a lot, means that the lot physically touches upon another lot and shares a property line with it.
- 3.2.2 **"accessory building"** means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same lot.
- 3.2.3 **"accessory use"** means a use customarily incidental and subordinate to the principal use or building, which is located in the same lot with such principal use or building.
- 3.2.4 **"Act"** means the *Municipal Government Act*, R.S.A. 2000, M-26 as amended.
- 3.2.5 **"adjacent"** means land that is immediately contiguous to a site or would be immediately contiguous to a site if not for a road, lane, walkway, watercourse, utility lot, pipeline right-of-way, power line, railway, or similar feature (See Figure 1).
- 3.2.6 **"adult use"** means any of the following: Adult Bookstore, Adult Motion Picture Theater, Adult Paraphernalia Store, Adult Video Store, and Live Nudity Establishment or any other business or establishment characterized by an emphasis depicting, describing, or related to sexual conduct or excitement. For the purposes of this definition an adult use is any use or combination of uses which either have greater than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premise's gross floor area, or 18.6 m² (200.0 ft.²), whichever is greater devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement.
- 3.2.7 **"agri-tourism"** means an agriculturally based operation or activity that brings visitors to a farm or ranch. Agri-tourism includes, but is not limited to, buying produce direct from a farm stand, navigating a corn maze, picking fruit, feeding animals, and may include overnight accommodation as a secondary use with appropriate permits.
- 3.2.8 **"alcohol retail sales"** means an establishment or that part of an establishment possessing a Class D liquor license which is used for the retail sales of any and all types of alcoholic beverages to the public for consumption off premises. This use may include as well as the sale of alcohol the retail sales of related products such as soft drinks and snack foods. This use class does not include cannabis stores;

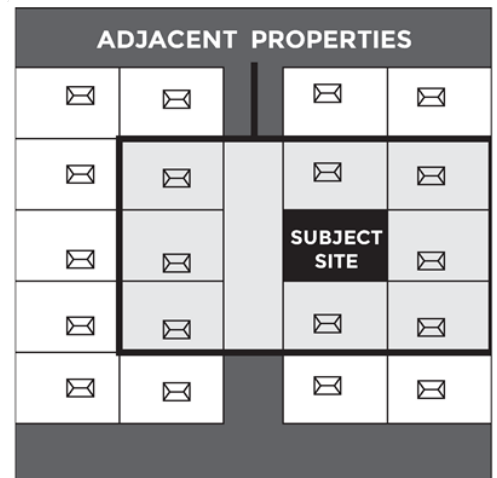


Figure 1: Adjacent Properties

- 3.2.9 **"alternate energy system"** means a use producing energy fueled from sources such as sunlight, water, wind, geo-thermal, or organic materials, but not fossil fuels (liquids, gases, or solids), either directly, via conversion, or through biochemical/bio-mechanical/chemical mechanical/bio-chemical mechanical processes. Examples of such uses are, but not limited to, anaerobic digester, biodiesel, bioenergy, composting, gasification, geo-thermal facility, microhydro, solar energy conversion, wind energy conversion, and waste to energy.
- 3.2.10 **"alternate energy system, commercial"** means a use producing energy fueled from sources such as sunlight, water, wind, geo-thermal, or organic materials, but not fossil fuels (liquids, gases, or solids), either directly, via conversion, or through biochemical/bio-mechanical/chemical mechanical/bio-chemical mechanical processes for distribution offsite and/or commercially. Examples of such uses are, but not limited to, anaerobic digester, biodiesel, bioenergy, composting, gasification, geo-thermal facility, microhydro, solar energy conversion, wind energy conversion, and waste to energy.
- 3.2.11 **"alternate energy system, individual"** means a use producing energy fueled from sources such as sunlight, water, wind, geo-thermal, or organic materials, but not fossil fuels (liquids, gases, or solids), either directly, via conversion, or through biochemical/bio-mechanical/chemical mechanical/bio-chemical mechanical processes for distribution on the site the facility is located. Examples of such uses are, but not limited to, bioenergy, composting, gasification, geo-thermal facility, microhydro, solar energy conversion, wind energy conversion, and waste to energy.
- 3.2.12 **"anaerobic digester"** means a facility or system designed to process animal manure, organic matter, or septic waste into a bio-gas fuel.
- 3.2.13 **"amusement establishment, indoor"** means a development providing recreational facilities with table games and/or electronic games, used by patrons for entertainment. Indoor amusement establishments include billiard parlours, electronic games arcades with tables and/or games, bowling alleys, and gambling machines such as video lottery terminals.
- 3.2.14 **"amusement establishment, outdoor"** means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals, or circuses.
- 3.2.15 **"apartment"** see **"dwelling, apartment"**
- 3.2.16 **"apiculture"** means the keeping and management of bees
- 3.2.17 **"arborist report"** means a report prepared by a certified arborist includes an inventory of the trees on the site and identifies a plan to manage the trees on the site to best preserve their health and function.
- 3.2.18 **"auctioneering establishment"** means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering establishments do not include flea markets.
- 3.2.19 **"automobile, light truck and recreational vehicle sales and service"** means a development where new or used automobiles, manufactured homes, trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar recreational vehicles or craft are sold or rented, together with incidental maintenance services and sale of parts. These include automobile and truck dealerships, recreational vehicle dealerships, car rental agencies and motorcycle dealerships.

B

- 3.2.20 **"basement"** means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8 m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above.
- 3.2.21 **"basic campground"** means an area which has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall not exceed 240 days in one year), for campers located in tents, tent trailers, holiday trailers, campers, motor homes and similar recreation vehicles within a defined area.

- 3.2.22 **"bed and breakfast operation"** means a dwelling where temporary sleeping accommodations (up to a maximum of three (3) bedrooms) with or without meals, are provided for remuneration to members of the public.
- 3.2.23 **"bingo hall"** means a building or a portion of a building where the game of bingo and other similar board games may be played. Bingo halls may include an eating and drinking establishment as an accessory use.
- 3.2.24 **"bioenergy"** means the development of energy stored in biological raw materials (wood, wood chips, bark, agricultural residue, animal manure, paper, cardboard, food and food waste, and organic yard waste, etc.), using mechanical, thermal, aerobic, anaerobic biological or chemical processes into solid, liquid or gas fuels.
- 3.2.25 **"biodiesel"** means a form of diesel fuel produced from animal fat or vegetable oil using chemical processes.
- 3.2.26 **"buffer"** means a row of trees, shrubs, berm(s), or fencing to provide visual screening and separation between sites and incompatible land uses.
- 3.2.27 **"building"** includes anything constructed or placed on, in, over, or under land but does not include a road or a bridge forming part of a road.
- 3.2.28 **"building grade"** see **"grade, building"**
- 3.2.29 **"building pocket"** means the land on which yard amenity areas, the main building on the site, and all accessory buildings will be situated.
- 3.2.30 **"bulk fuel storage and sales"** means lands, buildings and structures for the storage and distribution of fuels and oils including retail sales and key/card lock operations.
- 3.2.31 **"business support service"** means a development providing support services to businesses. Business support services are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; the provision of technological services such as computer hardware and/or software maintenance, desktop publishing, website design and/or hosting, and the like; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services include printing establishments, film processing establishments, computer service establishments, janitorial firms, and office equipment sales and repair establishments.

C

- 3.2.32 **"cannabis"** means cannabis, as defined in the federal Cannabis Act.
- 3.2.33 **"cannabis medical"** means cannabis that is intended for medical purposes in accordance with applicable federal law.
- 3.2.34 **"cannabis accessory"** means an object that is commonly used in the consumption or production of cannabis. A cannabis accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes, bongs, and vaporizers.
- 3.2.35 **"cannabis lounge"** means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution facilities.
- 3.2.36 **"cannabis production and distribution facility"** means a development used principally for one or more of the following activities relating to cannabis:
 - the production, cultivation, and growth of cannabis;
 - the processing of raw materials;
 - the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
 - the storage or shipping of materials, goods, or products, or;
 - the distribution and sales of materials, goods, and products to the Alberta Gaming, Liquor, and Cannabis Commission.
- 3.2.37 **"cannabis store"** means a development used for the retail sales of cannabis that is authorized by provincial or federal legislation. This use may include retail sales of cannabis accessories, as defined in the Cannabis

Act, S.C. 2018, c. 16, as amended or replaced. This use does not include cannabis production and distribution facilities.

- 3.2.38 **"canopy"** means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.
- 3.2.39 **"carport"** means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed.
- 3.2.40 **"chattel"** means a moveable item of personal property.
- 3.2.41 **"childcare facility"** means a development where the care, maintenance, education, and/or supervision of four or more children under the age of thirteen (13) years is carried out, by persons other than ones related by blood or marriage, for periods not exceeding twenty-four (24) consecutive hours. Childcare facilities include daycare centres, nurseries, kindergartens, and after-school or baby-sitting programs.
- 3.2.42 **"commercial school"** means a development where training and instruction in a specific trade, skill or service is provided for the financial gain of the individual or company owning the school. Commercial schools do not include public schools, but include secretarial, business, hairdressing, beauty culture, dancing, or music schools.
- 3.2.43 **"cooking facility"** means an area of a common living space of a dwelling or suite that contains counters, cabinets, plumbing, appliances and/or wiring (up to 120 v) which taken together, may be intended for the cooking, preparation, and storage of food. Cooking facilities must conform to all applicable building and safety code requirements.
- 3.2.44 **"corner lot"** see **"lot corner"**.
- 3.2.45 **"Council"** means the Council of the Village of Clyde.

D

- 3.2.46 **"day home"** means a provincially licensed childcare facility operated from a residence supplying supervision of a maximum of six (6) children under the age of thirteen (13) years including any resident children. A day home shall supply an outside play space that is both fenced and gated and shall meet all fire regulations and health regulations.
- 3.2.47 **"development"** means:
 - a. an excavation or stockpile and the creation of either of them;
 - b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land;
 - c. removal or demolition of a building or structure in whole or in part;
 - d. 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;
 - e. 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;
 - f. redevelopment of a previously developed lot;
 - g. stripping;
 - h. grading;
 - i. recontouring; or
 - j. a change of use of land or a building that alters natural drainage patterns.
- 3.2.48 **"Development Authority"** means the Development Authority established by this the municipality's Development Authority Bylaw and appointed by Council.
- 3.2.49 **"Development Authority Officer"** means the person(s) appointed as the Village's Development Authority Officer as established by this bylaw.
- 3.2.50 **"development permit"** means a document authorizing a development issued pursuant to this Bylaw.
- 3.2.51 **"discretionary use"** means the use of land or a building provided for in this Bylaw for which a development permit may be issued, by the Development Authority, upon an application having been made;
- 3.2.52 **"drainage"** means the process or system by which natural run off water flows away.

- 3.2.53 **"drive-in business"** means a development which serves customers traveling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include, but are not limited to, service stations, gas bars, drive-in restaurants, drive-through vehicle service establishments such as lubrication shops, recycling depots, and car washes.
- 3.2.54 **"dry cleaning depot"** means an establishment which receives articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing or cleaning, processing, or repairing elsewhere or onsite, and distributes any such articles or goods which have been subjected to any such processes.
- 3.2.55 **"duplex"** see **"dwelling, duplex"**.
- 3.2.56 **"dwelling"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include single-detached dwellings, duplexes, row housing, fourplexes, apartments, modular homes, and manufactured homes.
- 3.2.57 **"dwelling, apartment"** means a dwelling containing five (5) or more dwelling units but shall not mean row housing.
- 3.2.58 **"dwelling, duplex"** means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other and which may or may not share common access.
- 3.2.59 **"dwelling, fourplex"** means a dwelling containing four (4) dwelling units which may be accessed from outside or from an internal landing or staircase but shall not mean row housing.
- 3.2.60 **"dwelling, manufactured home"** means a dwelling that is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year-round use as accommodation for a single household. This definition shall include a dwelling that would otherwise be a single-detached dwelling if the ratio of depth vs. width (or width vs. depth) were less than 3:1, or if the depth of eaves were greater than 0.9 m (3.0 ft.). If the ratio is greater than 3:1 or if the depth of eaves is less than 0.9 m (3.0 ft.), the dwelling shall be considered to be a manufactured home.
- 3.2.61 **"dwelling, modular"** means a single-detached dwelling constructed in large sections, away from the home site, and under controlled conditions, and which appears indistinguishable in design and finish from a site-built dwelling. It does not refer to a type of dwelling but rather to a method of construction. A modular dwelling is not considered a park model or a manufactured home.
- 3.2.62 **"dwelling, row housing"** means a dwelling or dwellings, each of which consists of at least three (3) dwelling units with each unit having direct access to the outside but shall not mean a **"fourplex"**.
- 3.2.63 **"dwelling, single-detached"** means a dwelling consisting of one (1) dwelling unit, including modular homes but does not include a manufactured home or a park model unit.
- 3.2.64 **"dwelling, tiny home"** means a dwelling that is 37.2 m² (400.0 ft.²) or less in floor area, whether on wheels or a temporary or permanent foundation.
- 3.2.65 **"dwelling triplex"** means a dwelling containing three (3) dwelling units which may have access from an internal landing or staircase but shall not mean row housing.
- 3.2.66 **"dwelling unit"** means a complete dwelling or self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a household, and which is not separated from direct access to the outside by another separate dwelling unit.

E

- 3.2.67 **"easement"** means a right to use land, generally for access to other property or as a right-of-way for a public utility.
- 3.2.68 **"easement, environmental reserve"** means an environmental reserve easement as determined in accordance with the Act.
- 3.2.69 **"eating and drinking establishment"** means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating

area on the site, or off the site, which is not a drive-in restaurant. Eating and drinking establishments include, but are not limited to, neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunchrooms, refreshment stands and take-out restaurants, but shall not include drive-in restaurants. Eating and drinking establishments shall not contain within them an entertainment establishment or an indoor amusement establishment unless otherwise provided for in an approved development permit.

3.2.70 **"entertainment establishment"** means a development where people may be entertained by music, theatre, or the like. An entertainment establishment may include theatre, dancing, or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit.

3.2.71 **"environmentally sensitive area"** means:

- a. hazardous lands and areas that are unsuitable for development in their natural state (i.e., floodplains, steep and unstable slopes);
- b. areas that perform a vital environmental, ecological, or hydrological function (i.e., aquifer or recharge groundwater storage areas);
- c. areas that contain unique geological or physiological features;
- d. areas, buildings, or features that are important for cultural, historical, prehistoric, or archeological reasons;
- e. areas that contain significant rare or endangered animal or plant species;
- f. areas containing unique habitats with limited representation in the region or small remnants of previously abundant habitats which have virtually disappeared;
- g. areas that contain large, relatively undisturbed habitats and provide shelter for species that are intolerant of human disturbance;
- h. areas that provide an important link for the natural migration of wildlife; and/or
- i. riparian areas of water bodies, wetlands, and watercourses.

3.2.72 **"environmentally significant area"** (ESA) means areas that are important to the long-term maintenance of biological diversity, physical landscape features and/or other natural processes, both locally and within a larger spatial context. ESAs are determined by the Government of Alberta as per the criteria and evaluation matrix outlined in Environmentally Significant Areas in Alberta: 2014 Update.

3.2.73 **"erosion and sediment control plan"** means a plan that satisfies the requirements of the Development Authority which is to be provided to the contractor for implementation to address erosion and sedimentation issues both through temporary measures during construction and permanent measures to address post-construction conditions. It provides details about how the site will be managed during construction for the preservation of vegetation, topsoils, and municipal infrastructure and must detail how noise, erosion, mud, and sediment transport will be controlled and minimized, how the disturbance of vegetation and topography will be minimized. means a plan that satisfies the requirements of the Development Authority which is to be provided to the contractor for implementation to address erosion and sedimentation issues both through temporary measures during construction and permanent measures to address post-construction conditions. It provides details about how the site will be managed during construction for the preservation of vegetation, topsoils, and municipal infrastructure and must detail how noise, erosion, mud, and sediment transport will be controlled and minimized, how the disturbance of vegetation and topography will be minimized.

3.2.74 **"equipment rental establishment"** means a development where tools, appliances, recreation craft, office machines, furniture, light construction and light farming equipment, or similar items are rented and serviced. Equipment rental establishments do not include developments where motor vehicles or industrial equipment are rented or serviced.

3.2.75 **"excavation"** means any breaking of ground, except common household gardening and ground care which may alter lot grading or drainage patterns.

3.2.76 **"existing"** means existing on the date on which this bylaw comes into force, unless otherwise noted.

3.2.77 **"extensive agriculture"** means the use of land or buildings, related to an agricultural operation, but not including intensive agriculture, or a confined feeding operation or manure storage facility if the confined

feeding operation or the manure storage facility is the subject of an approval, registration or authorization under Part 2 of the Agricultural Operations and Practices Act.

3.2.78 **"exterior wall"** means the outermost point of a building projection, including, but not limited to bay windows, oval windows, chimneys, and verandas, but not including roof overhangs less than 0.6 m (2.0 ft.).

F

3.2.79 **"fence"** means a physical barrier constructed from typical building material for the purpose of providing aesthetic decoration, visual screening, sound abatement, or to prevent unauthorized access.

3.2.80 **"finished grade"** see **"grade, finished"**.

3.2.81 **"firewall"** means a type of fire separation of non-combustible construction which subdivides a Building or separates adjoining Buildings to resist the spread of fire and which has a fire-resistance rating as prescribed in the Alberta Building Code and has structural stability to remain intact under fire conditions for the required fire-rated time.

3.2.82 **"fleet services"** means a development which administers a number of vehicles which deliver people, goods, or services, and where such vehicles are not available for sale or long-term lease. Fleet services may include the storage and servicing of administered vehicles. Fleet services may include ambulance services, taxi services, bus lines, messenger and courier services and moving or cartage firms.

3.2.83 **"floor area"** means the total area of all floors of all buildings, not including accessory buildings, located on any lot, excluding the area of basement floors, except that all dwelling units in apartment buildings shall be included in the calculation of floor area.

3.2.84 **"food and beverage production"** means a commercial facility in which food or beverage products or both are manufactured, produced, or otherwise prepared for human consumption but not consumed on the premises. This may include a retail component; however, this retail component shall be accessory to the principal use. Typical uses may include a bakery, pre-packaged foods, water bottling and catering facilities. This does not include food service or mobile catering. The impact of this use shall not extend beyond the boundaries of the building.

3.2.85 **"fourplex"** see **"dwelling, fourplex"**.

3.2.86 **"foundation"** means the lower portion of a building and includes the footings which transfer the weight of and loads on a building to the ground. Though normally below grade, a foundation may be above or at grade.

3.2.87 **"fragmented parcel"** means a lot that is separated from the balance of a titled area by a natural barrier such as a water body or a coulee, or by a physical barrier such as a road or highway, either of which may prohibit reasonable or normal access.

3.2.88 **"front line"** means the boundary line of a lot lying adjacent to a road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the road shall be considered the front line.

3.2.89 **"front yard"** see **"yard, front"**.

3.2.90 **"funeral home"** means a development where the dead are prepared for burial or cremation and where funeral services are held. Funeral homes include undertaking establishments.

G

3.2.91 **"gambling machine establishment"** means a development where gambling may occur through the use of video lottery terminals or slot machines or other similar machines and devices, but not an establishment where gambling through card games or roulette or games similar to card games or roulette are played (a casino).

3.2.92 **"garage"** means an accessory building or part of a main principal building designed and used primarily for the storage of motor vehicles, recreational vehicles, and/or boats, and chattel and is not intended to be occupied.

3.2.93 **"gazebo"** means a freestanding, roofed structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling. A gazebo is not serviced by permanent electrical or heating. A gazebo is not considered a tented structure for the purposes of this bylaw.

- 3.2.94 **"geotechnical report"** means a report prepared by a qualified professional that may include the following.
- 3.2.95 Slope stability, including slope setback distances, cross-sections of the slope area both before and after development and final grading (The height and existing angle of the slope verified by accurate historical survey data or site-specific information completed by a qualified surveyor);
- a. Seasonally adjusted and recommended water tables;
 - b. Recommended building foundations and basement construction; and
 - c. Soil bearing capabilities.
- 3.2.96 **"general industrial use"** see **"industrial use, general"**.
- 3.2.97 **"general retail store"** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationery, second hand goods, and similar goods are bought, rented, and sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. General retail stores do not include developments where gasoline, new or used motor vehicles, manufactured homes, recreational vehicles, or heavy agricultural and/or industrial equipment are sold or rented.
- 3.2.98 **"government services"** means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include protective and emergency services, major and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices.
- 3.2.99 **"grade, building"** means for the purposes of determining building height, the average level at which the existing undisturbed ground intersects the building foundation.
- 3.2.100 **"grade, finished"** means the local elevation of the ground after landscaping.
- 3.2.101 **"greenhouse/plant nursery"** means development for the growing, acclimating, propagating, harvesting, displaying and retail sale of fruits, vegetables, bedding plants, household, and ornamental plants, including trees for landscaping or decorative purposes, and that are not accessory to an agricultural use. It may include accessory uses related to the storing, displaying, and selling of gardening, nursery, and related products. This use does not include cannabis production and distribution facilities, cannabis retail sales establishments, or industrial hemp production and distribution facilities.
- 3.2.102 **"gross leasable floor area"** means that portion of the floor area leased to a tenant for their exclusive use and does not include any common areas such as an internal mall, stairs, washrooms, etc. to be used by the complex as a whole.
- 3.2.103 **"ground floor area"** means the total area of a lot including accessory buildings which is covered by any building or structure.
- 3.2.104 **"group home"** means a building or portion of a building used for the care or rehabilitation of children, adolescents, or adults.

H

- 3.2.105 **"health service"** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Health services include medical, chiropractic, physiotherapy, and dental offices, health clinics and counseling services.
- 3.2.106 **"height"** means, when used in reference to a building, the vertical distance between a horizontal plane through the average elevation at the 4 corners of the subject lot and a horizontal plane through:
- a. the highest point in the roof in the case of a building with a flat roof or a roof having a slope of less than 20 degrees; or
 - b. the average level between the eaves and ridges in the case of a pitched, gambrel, mansard, hipped roof, or a roof having a slope of more than 20 degrees, provided that in such cases the ridge line of

the roof shall not extend more than 1.5 m (5.0 ft.) above the maximum allowed building height of the applicable Land Use District.

- 3.2.107 **"highway commercial use"** means a commercial use intended to serve the motoring public and includes, but is not limited to, service or gas stations, drive-in restaurants, and motels.
- 3.2.108 **"historic resource"** means a building, structure, or area designated by a municipal, provincial, or federal authority to be historically significance.
- 3.2.109 **"home occupation"** means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building which does not change the character thereof. For the purposes of this Bylaw, home occupations are divided into two types:
- minor home occupations; and
 - major home occupations.
- 3.2.110 **"home occupation, major"** means a business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling and/or within the accessory buildings associated with that dwelling by at least one permanent resident of said dwelling, and which may increase traffic circulation in the neighbourhood in which it is located. A home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in this Bylaw. Major home occupations may generate some external impacts on the neighborhood due to regular business activities. These impacts may include:
- traffic generation due to client visits to the site;
 - dust and/or noise due to use of equipment on the site; or
 - visual impacts due to outdoor storage.
- A major home occupation shall not include a hobby farm or a farming operation.
- 3.2.111 **"home occupation, minor"** means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling, but not within any accessory buildings associated with that dwelling, by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the neighbourhood in which it is located. A minor home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in this Bylaw.
- 3.2.112 **"hotel"** means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include eating and drinking establishments, meeting rooms, personal services shops, indoor amusement establishments, and general retail stores no larger than 100.0 m² (1076.4 ft.²) but shall not include any entertainment establishment unless specifically approved by the Development Authority.
- 3.2.113 **"household repair shop"** means a development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Household repair shops include radio, television, appliance and electronics repair shops, and furniture refinishing and upholstery shops, but not personal service shops. Household repair shops do not have any outdoor storage.

- 3.2.114 **"industrial use, light"** means manufacturing, fabricating, processing, repairing, storing, wholesaling, and/or distribution of goods and materials in such a manner that all activities take place inside buildings such that, in the sole opinion of the Development Authority, no noise, dust, glare, heat, or any other emission will be evident outside the building.
- 3.2.115 **"industrial use, medium"** means development which involves the manufacturing, processing, fabrication, storage, transportation, distribution or wholesaling of goods and services, where no adverse environmental impact (noise, smoke, odour, dust, or vibration) takes place beyond the boundaries of the lot on which the medium industry is located. For the purpose of this bylaw, dust refers to that which is produced as a result of the land use of the lot, rather than that which is produced as a result of travelling

to and from the lot. This use includes cannabis production and distribution and industrial hemp production and distribution facilities.

- 3.2.116 **"industrial use, heavy"** means a development which would be considered to be a medium industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to:
- the potential for an adverse environmental impact beyond the immediate site of the heavy industrial use; or
 - the potential for significant toxic or noxious by-products such as air or water-born emissions; or
 - or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety, or well-being.

Heavy industrial uses also include: the storage of toxic, flammable, or explosive products in significant quantities; rendering plants; large scale cannabis production and distribution; large scale industrial hemp production and distribution facilities; and natural resource or agricultural product processing plants or large-scale outdoor storage that is unsightly or visually offensive. Heavy industrial uses do not include heavy petrochemical industrial uses.

- 3.2.117 **"industrial use, heavy petrochemical"** means a development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use. This use does not include industrial hemp production and distribution facilities or cannabis production and distribution.
- 3.2.118 **"institutional use"** Means use types including but is not limited to public offices, educational facilities (schools), cemeteries, funeral homes, libraries and cultural exhibits, places of worship and churches.

K

- 3.2.119 **"kennel"** means a development in which more than two (2) dogs are maintained, boarded, bred, trained, cared for, or kept for purposes of sale or in which more than two (2) dogs not owned by the resident(s) of the lot on which the kennel is located are kept or cared for.

L

- 3.2.120 **"libraries and cultural exhibit"** means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings, and films are stored, collected, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific, or artistic value are collected, preserved, and exhibited to the public. Libraries and cultural exhibits include libraries, museums, and art galleries.
- 3.2.121 **"light industrial use"** see **"industrial use, light"**.
- 3.2.122 **"landscaping"** means the incorporation, preservation, or enhancement of vegetation and other materials on a site which are intended to improve the aesthetic appeal of the site, contribute to the character of a neighbourhood, and/or harmonize the site with its surrounding natural environment and may include the placement or addition of any or a combination of soft landscaping elements and/or hard landscaping elements. This does not include stripping, grading, shoreline modification (with non-vegetative materials), and architectural elements (i.e., decorative fencing, sculpture).
- 3.2.123 **"landscaping plan"** means a site plan detailing the design of the non-building area of a site.
- 3.2.124 **"lot"** means:
- a quarter section, or
 - a part of a lot described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
 - a part of a lot described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.
- 3.2.125 **"lot, corner"** means a lot with boundary lines on two separate roads or a single road that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road shall not include a lane.

- 3.2.126 **"lot coverage"** means the calculation of the ground floor area divided by the area of the lot.
- 3.2.127 **"lot depth"** means the average distance between front and rear property lines of a lot.
- 3.2.128 **"lot, double fronting"** means a lot which abuts two (2) roads (except alleys or lanes as defined in the Traffic Safety Act, R.S.A. 2000, c. T-06, as amended) which are parallel or nearly parallel abutting the lot but does not include a corner lot.
- 3.2.129 **"lot grade"** means the midpoint on the lot. The midpoint refers to the exact middle point on the lot (See Figure 2).
- 3.2.130 **"lot grading"** means the recontouring or sloping of the land in such a way that surface drainage from rainstorms, snowmelt or groundwater is directed away from the buildings and is controlled in a manner that eliminates or minimizes the impact on adjacent properties.
- 3.2.131 **"lot grading and drainage plan"** means a plan that specifies design elevations, surface gradients, swale locations, and other drainage information required for lot grading.
- 3.2.132 **"lot interior"** means a lot which is bordered by only one road.
- 3.2.133 **"lot substandard"** means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the land use district in which the lot is located.
- 3.2.134 **"lot, undeveloped"** means a lot which does not contain a residence, main building, or facilities to enable the primary use of the lot to take place.
- 3.2.135 **"lot width"** means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard.

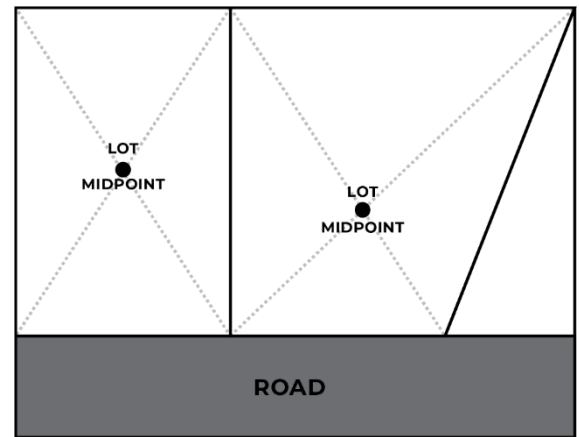


Figure 2: Midpoint of a Lot

M

- 3.2.136 **"main building"** see **"principal building"**.
- 3.2.137 **"maintenance"** means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building.
- 3.2.138 **"manufactured home"** see **"dwelling, manufactured home"**.
- 3.2.139 **"manufactured home park"** means any lot on which two or more occupied manufactured homes are harboured or are allowed to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such manufactured home park, which complies with relevant government regulations governing manufactured home parks.
- 3.2.140 **"manufactured home subdivision"** means an area subdivided into lots by registered plan for freehold or leasehold tenure and used for manufactured homes.
- 3.2.141 **"may"** is an operative word meaning a choice is available, with no particular direction or guidance intended.
- 3.2.142 **"micro-hydro"** means a type of individual alternative energy system that consists of a hydroelectric power facility, producing up to 100kW of electricity, using the natural flow of water (see Figure 3).

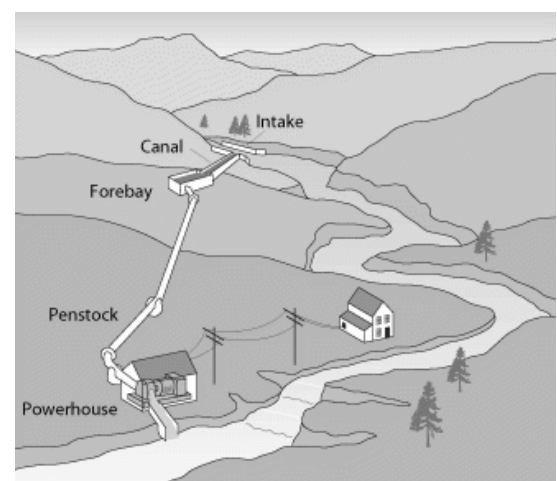


Figure 3: Micro-Hydro Alternate Energy System

- 3.2.143 **"mixed use development"** means a building including more than one land use, which are uses listed within the same Land Use District, on the same site, such as residential and retail stores, residential and office uses, or restaurant and office developments.
- 3.2.144 **"moved in building"** means is a building or structure that is transported from another location. A moved-in building does not include a manufactured home dwelling or a recreational vehicle.
- 3.2.145 **"municipality"** means the Village of Clyde.

N

- 3.2.146 **"natural state"** means a condition where the natural environment is left undisturbed, and where the only allowed development shall be limited to a walking trail with associated amenities such as benches, trash cans and fences to delineate the natural state area. Clearing of existing tree cover shall be limited to the development of a walking trail and associated amenities.
- 3.2.147 **"non-accessory parking lot"** means a parking area which is located on a lot where it is not accessory to a particular use or development.
- 3.2.148 **"non-conforming building"** means a building:
- a. that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective; and
 - b. that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.
- 3.2.149 **"non-conforming use"** means a lawful specific use:
- a. being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective; and
 - b. that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.
- 3.2.150 **"nuisance"** means any use of or activity upon any property which in the opinion of a Designated Officer of the Village, the Province of Alberta, or the Royal Canadian Mounted Police is dangerous to health, or has or may have a detrimental impact upon any person or other property in the neighbourhood, or which creates an unreasonable interference with the use or enjoyment of other property, and without limiting the generality of the foregoing, includes the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition whether or not their posting or exhibiting is permitted by this or any other Bylaw.

O

- 3.2.151 **"objectionable"** see **"offensive"**.
- 3.2.152 **"occupancy"** means the use or intended use of a building or a part thereof for the shelter or support of persons or property.
- 3.2.153 **"occupant"** means any person occupying or having control over the condition of any property and the activities conducted on the property, and includes the owner, lessee, tenant, or agent of the owner.
- 3.2.154 **"offensive"** means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of:
- a. noise, vibration, smoke, dust or other particulate matter, odour, toxic, or non-toxic matter;
 - b. radiation, fire or explosion hazard, heat, humidity, glare; or
 - c. the unsightly storage of goods, materials, salvage, junk, waste, or other materials.
- Such a use may adversely affect the amenities of the neighbourhood, or interfere with the normal enjoyment of any land, building or structure. An offensive or objectionable use may be further defined and/or regulated in a specific Community Standards bylaw of the Village.
- 3.2.155 **"office and financial use"** means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office and financial uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office and financial uses also include

insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions; the offices of governmental and public agencies.

- 3.2.156 **"outdoor storage"** means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis.
- 3.2.157 **"owner"** means:
- in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
 - in the case of any other land, the person shown as the owner of the lot on the current Certificate of Title.

P

- 3.2.158 **"parcel"** shall mean **"lot"**, unless otherwise noted.
- 3.2.159 **"park model"** means a recreational vehicle conforming to Canadian Standards Association (CSA) standards or an equivalent, which may be mounted on a single chassis or wheels; which can be relocated from time to time; which has a maximum length of 12.8 m (42.0 ft.) and a maximum width of 3.7 m (12.0 ft.), excluding all extensions, pull outs, tip outs, etc.
- 3.2.160 **"parking area"** means a portion of land or of a building set aside for the parking and maneuvering of motor vehicles.
- 3.2.161 **"permitted use"** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made, provided that all of the regulations of this Bylaw are satisfied.
- 3.2.162 **"personal service shop"** means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include, but are not limited to, barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning depots, and laundromats, but not health services.
- 3.2.163 **"place of worship"** means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms, and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.
- 3.2.164 **"principal building"** means a building in which, in the sole opinion of the Development Authority, the main or principal use of the lot on which it is erected is conducted.
- 3.2.165 **"principal use"** means the use which, in the sole opinion of the Development Authority, is the main or principal use of the lot on which the use is located.
- 3.2.166 **"property line"** means the legal perimeter demarcation as indicated by an Alberta Land Surveyor or on a real property report prepared by an Alberta Land Surveyor.
- 3.2.167 **"property line, front"** means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front property line.
- 3.2.168 **"property line, rear"** means the boundary line of a lot lying opposite to the front property line of the lot.
- 3.2.169 **"property line, side"** means the boundary line of a lot lying between a front property line and a rear property line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the road shall be considered a side property line.
- 3.2.170 **"private club"** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business, or fraternal organization, with neither on-site dwellings nor hotel or motel rentable units. Private clubs may include eating and drinking establishments and rooms for assembly.

- 3.2.171 **"public or quasi-public building or use"** means a building or use which is available to the public for the purpose of assembly, instruction, culture, or community activity and includes uses such as a church, library, museum, or senior citizen drop-in centre.
- 3.2.172 **"public school"** means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public schools include the administration offices, storage, and maintenance operations of the public school, but not of the School Division as a whole. Public schools include public and separate elementary, junior high and high schools, community colleges, universities, technical and vocational schools, private academies, or "charter schools", and their administrative offices and maintenance facilities.
- 3.2.173 **"public utility"** means a public utility, as defined in the Act.

R

- 3.2.174 **"rear line"** see **"property line, rear"**.
- 3.2.175 **"rear yard"** see **"yard, rear"**.
- 3.2.176 **"recreation, community"** means facilities for recreation, social or multi-purpose uses primarily intended for local community purposes. This includes but is not limited to community halls, non-profit social, service, and outdoor recreation clubs, and centres operated by a local community association.
- 3.2.177 **"recreational facility"** means a development for sports and active recreation within an enclosed building. Recreational facilities include bowling alleys, ice arenas, curling rinks, and swimming pools.
- 3.2.178 **"recreational vehicle"** means, but is not limited to, a tent trailer, travel trailer, park model trailer, fifth-wheel trailer, truck camper, or motor home. A recreational vehicle is not a dwelling.
- 3.2.179 **"recontouring"** means the addition or removal of soil (or other material) on a lot that alters its natural topography to promote a building site and/or to create an aesthetically appealing area.
- 3.2.180 **"renovation"** means an addition to, deletion from, or change to any building which does not require a permit other than a plumbing, gas, or an electrical permit pursuant to the Safety Codes Act, R.S.A. 2000, c. S-01, as amended or replaced.
- 3.2.181 **"reserve"** means a lot owned and subject to the management of the municipality and reserved for use as natural environment preservation areas, walkways or parks and playgrounds separating areas used for different purposes, and registered at an Alberta Land Titles Office as reserve, environmental reserve, or municipal reserve lots.
- 3.2.182 **"residential use"** means the occupation and use of land and buildings as dwellings, whether on a seasonal or year-round basis.
- 3.2.183 **"retaining wall"** means a structure designed and constructed to resist the lateral pressure of soil, loose rock, or similar material, which creates a change to site grades.
- 3.2.184 **"road"** shall mean a "road" as defined in the Act.
- 3.2.185 **"row housing"** see **"dwelling, row housing"**.

S

- 3.2.186 **"sea can"** means a shipping container which is used as a storage vault and includes sea/land/rail shipping containers.
- 3.2.187 **"senior citizen housing"** means accommodations intended for the use of senior citizens that are constructed, financed, and occupied in accordance with applicable provincial legislation.
- 3.2.188 **"setback"** means the minimum distance that must be maintained between a land use or development and property line, water body, or watercourse. The distance is typically measured from the property line or the legal bank of the water body or watercourse to the boundary line of the development.
- 3.2.189 **"shall"** is an operative word which means the action is obligatory.
- 3.2.190 **"shopping centre"** means a development consisting of a building or a group of buildings, comprising general retail stores, personal service shops, office uses, and similar uses, with shared off-road parking facilities, and which may be managed as a single unit.

- 3.2.191 **“should”** is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that action be taken. Exceptions shall be made only under extenuating circumstances.
- 3.2.192 **“show home”** means a dwelling unit which is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of the municipality. Show homes may contain offices for the sale of other lots or dwelling units in the municipality and must be located within a dwelling which is either permitted or discretionary in the District in which they are located.
- 3.2.193 **“side line”** see **“property line, side”**.
- 3.2.194 **“side yard”** see **“yard, side”**.
- 3.2.195 **“sidewalk café”** means a temporary outdoor area located and maintained by an adjoining eating and drinking establishment for the sale and consumption of food and beverage (see Figure 4).
- 3.2.196 **“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.
- 3.2.197 **“similar use”** means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment.
- 3.2.198 **“site”** means a lot on which a development exists or for which an application for a development permit is made.
- 3.2.199 **“site, corner”** means a part of a lot adjacent to two separate roads or lanes, or any combination of them, or adjacent to a single road or lane that curves at an angle of sixty (60) degrees or more at the subject lot. The corner site shall be the triangular area formed by the intersecting road or lane right-of-way boundary lines and a straight-line joining the road or lane right-of-way boundary line a distance of 6.0 m (19.7 m) from their intersection (see Figure 5).
- 3.2.200 **“site coverage”** means the combined area of all buildings of the lot, measured at ground level, including but not limited to, porches and verandas, open or covered, but excluding open and enclosed terraces at grade, steps, cornices, eaves, and similar projection.
- 3.2.201 **“site line triangle”** means the triangular area formed by a line drawn between two (2) points on the curbs of intersecting roads 6.0 m (19.7 ft.) from the point where the curbs would meet if extended or 5.0 m (16.4 ft.) from that point in the case of an intersecting lane and road or driveway and road (see Figure 6).



Figure 4: Sidewalk Cafe Example

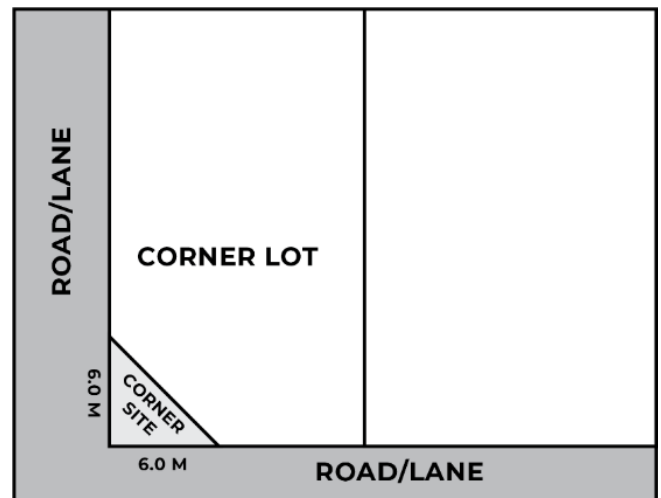


Figure 5: Corner Site Example

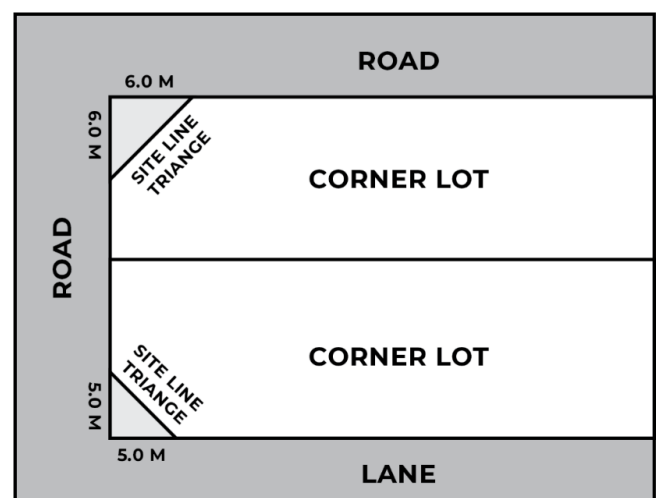
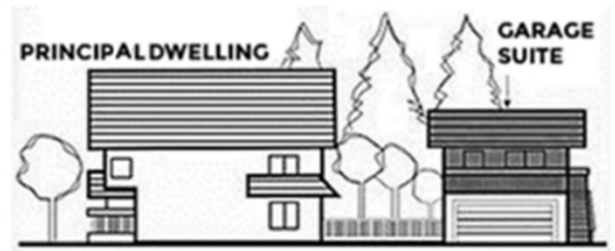


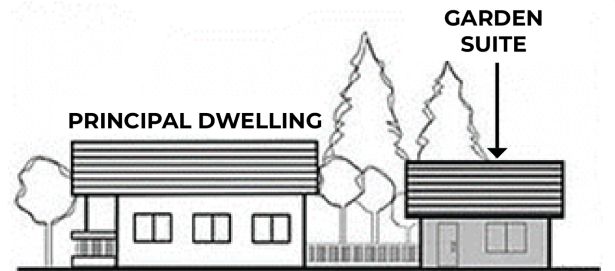
Figure 6: Site Line Triangle

- 3.2.202 **"site plan"** means a plan, drawn to scale, showing the boundaries of the lot, the location of all existing and proposed buildings upon that lot, and the use or the intended use of the portions of the lot on which no buildings are situated, and showing fencing, screening grassed areas, and the location and species of all existing and proposed shrubs and trees within the development.
- 3.2.203 **"small animal breeding and boarding facility"** means a development where domestic pets are bred, boarded, or trained. Small animal breeding and boarding establishments include kennels but do not include animal hospitals or veterinary clinics.
- 3.2.204 **"solar energy conversion system"** means the complete system required to convert solar rays into usable electricity for private use, including solar panels, mounting equipment, and additional required conversion electronics.
- 3.2.205 **"solar energy conversion system, individual"** means an individual alternate energy system (AES) consisting of a complete system required to convert solar rays into useable electricity for private use, including solar panels, mounting equipment, and additional required conversion electronics for use on the site that the AES is located.
- 3.2.206 **"solar farm"** means a type of commercial alternate energy system which consists of an installation of solar energy conversion system that is designed to provide for the commercial distribution of electricity to a utility or other intermediary through connection to the electrical grid or that occupies greater than 162.5 m² (1,750 ft.²) of surface area.
- 3.2.207 **Solar panel, free standing"** means a device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support.
- 3.2.208 **"stall"** means an area of land upon which a manufactured home is to be located, and which is reserved for the exclusive use of the residents of that particular manufactured home, located within a manufactured home park.
- 3.2.209 **"storey"** means that portion of a building which is situated between the top of any floor and the top of the floor above it. If there is no floor above it, the storey is that space between the top of the floor and the ceiling above it. If the top of the floor directly above a basement is more than 1.8 m (5.9 ft.) above grade, such a basement shall be considered a storey.
- 3.2.210 **"stormwater management plan (SWMP)"** means a plan prepared by a qualified professional that outlines the design and implementation of systems that mitigate and control the impacts of man-made changes to the runoff and other components of the hydrologic cycle. Stormwater management plans should include design considerations to minimize flooding, erosion, and impacts on groundwater, water bodies and water courses. SMWPs must include:
- a. Topography;
 - b. Proposed plan to control runoff;
 - c. Proposed minor drainage system (ditches/pipes/catch basin locations/flow rate);
 - d. Proposed major drainage systems (direction of surface drainage/flow rate);
 - e. Proposed on-site detention/retention facility (location/size/capacity);
 - f. Location of outflow/outfall structures;
 - g. Any related modeling and calculation information; and
 - h. Conform with approved master drainage plans.
- 3.2.211 **"stripping"** means the removal of some or all vegetation and topsoil on lot in preparation for construction activities.
- 3.2.212 **"Subdivision Authority"** means a subdivision authority established and appointed pursuant to a Village Bylaw and the Act.
- 3.2.213 **"Subdivision and Development Appeal Board"** means the Subdivision and Development Appeal Board established by the Council by the Subdivision and Development Appeal Board Bylaw adopted pursuant to the Act.

3.2.214 **“suite, garage”** means a self-contained dwelling unit located above a detached garage which is located in a rear yard and which is accessory to a single-detached dwelling. Garage suites have an entrance which is separated from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the building.



3.2.215 **“suite garden”** means a temporary, portable detached dwelling unit, located on a lot containing an existing single-detached dwelling. Garden suites shall not include manufactured homes (see Figure 8).



3.2.216 **“suite, in-law”** means a subordinate, additional dwelling unit located within a single-detached dwelling or semi-detached dwelling intended for the sole occupancy of one (1) or two (2) adult persons, which has unfettered access to the adjoining dwelling unit.

3.2.217 **“suite, secondary”** means a subordinate self-contained dwelling unit located in a structure in which the principal use is a single-detached dwelling or semi-detached dwelling. A secondary suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal dwelling within the structure. Secondary suites also must have a separate entrance from the dwelling. This use includes conversion of basement space to a dwelling, or the addition of new floor space for a secondary suite to an existing dwelling. This use does not include duplexes, triplexes, fourplexes, row housing, or apartments where the structure was initially designed for two or more dwellings and does not include boarding and lodging houses. Garden suites, garage suites and in-law suites are not considered secondary suites (see Figure 9).

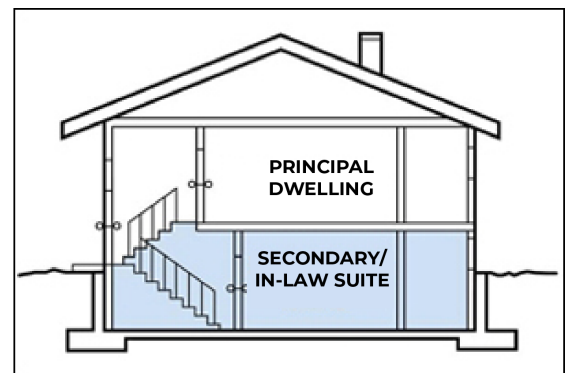


Figure 9: Secondary Suite Example

3.2.218 **“suite, surveillance”** means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and safety of the development. Surveillance suites do not include manufactured homes (see Figure 10).

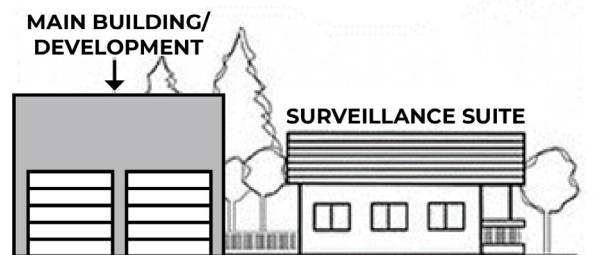


Figure 10: Surveillance Suite Example

3.2.219 **“supportive living facility”** means a licensed facility providing permanent accommodation to four (4) or more adults in which the operator provides or arranges for services related to safety and security of the residents and provides at least one meal a day or housekeeping services. Residents in a supportive living setting can range from seniors who require support services due to age, chronic conditions, and frailty to young adults with mental health or physical disabilities.

T

3.2.220 **“temporary development”** Means a development for which a development permit has been issued and which is to exist for a limited time only, as determined by the Development Authority and indicated in the conditions of the development permit.

- 3.2.221 **"tented structure"** means a building that uses masts or poles and tensile membrane (e.g., fabric or animal skin) to create an enclosure. Portable garages and reception tents are examples of tented structures.
- 3.2.222 **"tourist home"** means a dwelling or dwelling unit operated as a temporary place to stay, with compensation, and includes all vacation rentals of a dwelling unit. The characteristics distinguish a tourist home from a dwelling unit used as a residence may include any of the following:
- a. The intent of the occupant to stay for short-term (30 days or less) vacation purposes rather than use the property as a residence;
 - b. The commercial nature of a tourist home;
 - c. The management or advertising of the dwelling unit as a tourist home or "vacation rental," on any website such as Airbnb or VRBO; and/or
 - d. The use of a system of reservations, deposits, confirmations, credit cards, or other forms of electronic payments, etc.
- A recreational vehicle shall not be used as a tourist home.
- 3.2.223 **"theatre"** means a development designed or devoted to the showing of motion pictures or for the presentation of dramatic, musical, or live performances.
- 3.2.224 **"tie down"** means, when used in relation to a manufactured home, a means whereby the manufactured home is fastened to the ground, base, or foundation. A tie down may include a bolt, a heavy-duty wire rope, or some other similar fastening device or combination of devices.
- 3.2.225 **"Tower, wind energy conversion facility"** means the structure of a wind energy conversion facility, which supports the rotor above grade.
- 3.2.226 **"truck and recreational vehicle sales/rental establishment"** means a development where new or used trucks with a gross vehicle weight rating of 4,000 kg (8,818 lbs.) or greater, motor homes, and recreational vehicles with a gross vehicle weight rating of 6,000.0 kg (13,228 lbs.) or greater or a length greater than 6.7 m (22.0 ft.) are sold or rented, together with incidental maintenance services and sale of parts. Truck and recreational vehicle sales/rental establishments include truck dealerships, recreational vehicle dealerships, and truck and recreational vehicle rental agencies, and may include refueling and/or washing facilities as an integral part of the operation.
- 3.2.227 **"trucking and cartage establishment"** means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include dispatch offices or storage compounds for the temporary storage of goods and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3,000.0 kg (6,614 lbs.).

U

- 3.2.228 **"use"** means the purpose or activity for which a site/lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.

V

- 3.2.229 **"vertical access rotor"** means a wind energy conversion system where the rotor is mounted on an axis perpendicular to the earth's surface.
- 3.2.230 **"veterinary clinic"** means a development where domestic pets or livestock are cared for and treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalization for fewer than four (4) days.

W

- 3.2.231 **"waste to energy"** means a use that creates electricity and/or heat from the incineration of waste materials.
- 3.2.232 **"wind energy conversion system (WECS)"** Means a type of individual alternative energy system or commercial alternative energy system that consists of facilities designed to convert wind energy into mechanical or electrical energy. If the mechanical energy is used directly by machinery (pump or grinding

stones) the machine is known as a Windmill. If the mechanical energy is converted to electricity, the machine is called a WECS.

- 3.2.233 **"wind energy conversion system, individual"** means a type of individual alternative energy system consisting of a small scale WECS designed to generate mechanical or electrical energy for a property owner's use on the site the WECS is located or adjacent to the site of use.
- 3.2.234 **"wind energy conversion system, micro"** means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure.
- 3.2.235 **"wireless communications facility"** means a facility that provides communication service using radio frequency (RF) technology to transmit and receive voice, picture, text, and data, in either digital or analogue form, on a system of elevating support structures. These structures include monopoles, lattice towers (self-supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna de-icing equipment, antenna power dividers and matching equipment, combiners, utility power equipment, conditioners, and backup systems.
- 3.2.236 **"work camp"** means a temporary residential complex used to house camp workers for a contracting firm or project on a temporary basis of more than six (6) months and up to three (3) years. The camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.
- 3.2.237 **"workcamp, short term"** means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. For the purposes of this definition, temporary means for a period of up to six (6) months in total duration either consecutively or non-consecutively.

Y

- 3.2.238 **"yard"** means a part of a lot upon or over which no principal building is to be erected.
- 3.2.239 **"yard, front"** means a yard extending across the full width of a lot from the front line to the nearest wall of the main building situated on the lot. In the case of a curved front line, the front yard will also form a curve.
- 3.2.240 **"yard, rear"** means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot to the rear line of the lot.
- 3.2.241 **"yard, side"** means a yard extending from the nearest wall of the main building situated on a lot to the side line and lying between the front and rear yards on the lot.

3.3 All Other Terms

- 3.3.1 All other terms in this Bylaw have the meanings respectively assigned to them in the Act or in other Acts of the Legislature or in common law.

4. AMENDMENTS

4.1 Applications

- 4.1.1 A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application, and paying the fee required by the Village.
- 4.1.2 Council may at any time initiate an amendment to this Bylaw by directing the Development Authority.
- 4.1.3 All applications for amendment to this Bylaw shall be made to the Council on the form provided by the municipality and shall be accompanied by:
 - a. a statement of the specific amendment requested;
 - b. the purpose and reasons for the application; and
 - c. an application fee as identified in the Rates, Fees, and Charges Bylaw.
- 4.1.4 If the application is for a mapping amendment the following additional information will also be required:
 - a. the legal description of the affected lands;
 - b. a recent title search of the land affected or other documents satisfactory to the Development Authority showing the applicant's interest in the said land; and
 - c. drawings showing the subject site, the proposed Land Use District and the proposed use and development to be proposed on the site, if applicable.
- 4.1.5 If the amendment is for the redistricting of land, Village Administration may require:
 - a. A conceptual scheme (or area structure plan) for the area to be redistricted, to the level of detail specified by Village Administration that provides Council with information to determine:
 - i. If the site is suitable for the intended use;
 - ii. If the site can be reasonably and cost effectively serviced; and
 - iii. That the proposed amendment will not unduly impact the rights of adjacent landowners to use and enjoy their property; and
 - b. Payment of a fee equal to the costs incurred by the municipality to review the proposed redistricting and/or related conceptual scheme, or if necessary to prepare a conceptual scheme; and
 - c. Technical studies requested by Village Administration to assess site suitability and servicing requirements.
- 4.1.6 Upon receipt of an application to amend this Land Use Bylaw, Village Administration shall refer the application to the Village's planning and engineering service providers, who shall analyze the potential impacts on local land use, development, infrastructure, and servicing that would result from the proposed amendment. This analysis must consider the full development potential for the proposed amendment and shall, among other things, consider the following impact criteria:
 - a. Relationship to and compliance with approved statutory plans and Council policies;
 - b. Relationship to and compliance with approved statutory plans, outline plans, or plans in preparation;
 - c. Compatibility with surrounding development in terms of land use function and scale of development;
 - d. Traffic impacts;
 - e. Relationship to, or impacts on, water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
 - f. Relationship to municipal land, right-of-way, or easement requirements;
 - g. Effect on stability, retention and rehabilitation of desirable existing land uses, buildings, or both in the area;

- h. Necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
 - i. Relationship to the documented concerns and opinions of area residents regarding development implications.
- 4.1.7 Upon receipt of an application to amend the Land Use Bylaw, Village Administration shall:
- a. prepare a report with recommendations on the proposed amendment for Council and an amending Bylaw for consideration of first reading by Council;
 - b. mail notify or deliver in person a written notice to landowners who are adjacent to the lot affected by the proposed amendment or to a larger area as directed by Council;
 - c. provide notice of the Public Hearing to the applicant, the owner of the subject land if different than the applicant, to all directly adjacent property owners, and any other individuals or organizations identified by Council;
 - d. prepare a report and recommendation, including maps and other material, on the application, prior to a Public Hearing on the application for amendment; and
 - e. inform the applicant of the recommendation to Council.
- 4.1.8 All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act.
- 4.1.9 In considering an application for amendment to this Bylaw, Council may, at its sole discretion:
- a. Refuse the application; or
 - b. Refer the application for further information; or
 - c. Pass first reading to a bylaw to amend this Land Use Bylaw, with or without amendments; or
 - d. Defeat first reading of a bylaw to amend this Land Use Bylaw; or
 - e. Pass first reading of an alternative amendment to this Land Use Bylaw.
- 4.1.10 Prior to third reading of the proposed Bylaw, Council may require the applicant to apply for a development permit and negotiate a development agreement in respect of the proposal which initiated the application for amendment.
- 4.1.11 After third reading of the Bylaw, the Development Authority shall send a copy of it to:
- a. the applicant;
 - b. the registered owner of the land (if different from the applicant); and
 - c. The Village's subdivision and planning services provider.

4.2 Public Hearing and Decision

- 4.2.1 Following its first consideration, the Council shall establish the date, time, and place for a Public Hearing on the proposed amendment.
- 4.2.2 Following establishment of the date, time and place for a public hearing, Village Administration shall issue a notice of public hearing in accordance with the municipal Public Notification Bylaw.
- 4.2.3 Notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
- 4.2.4 A notice must contain:
- a. A statement of the general purpose of the proposed bylaw and public hearing;
 - b. The address where a copy of the proposed bylaw and any document relating to it or the public hearing may be inspected; and
 - c. The date, place, and time where the public hearing will be held.
- 4.2.5 In the case of an amendment to change the land use district designation of a lot, Village Administration must, in addition to the requirements of Section 4.2.4:
- a. Include in the public hearing notice:
 - i. The municipal address, if any, and the legal address of the lot; and
 - ii. A map showing the location of the lot;
 - b. Give written notice containing the information described in Section 4.2.5.a to the owner of that lot at the name and address shown on the certificate of title (or tax roll); and
 - c. Give written notice containing the information described in Section 4.2.5.a to each owner of adjacent land at the name and address shown for each owner on the tax roll of the municipality.

- 4.2.6 If the land referred to in Section 4.2.5.c is in an adjacent municipality, 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 that municipality.
- 4.2.7 In the public hearing, Council:
- a. Must hear any person, group of persons, or person representing them, who claim(s) to be affected by the proposed bylaw and who has complied with the procedures outlined by Council; and
 - b. May hear any other person who wishes to make representations and whom the Council agrees to hear.
- 4.2.8 After considering any representations made at the Public Hearing, and any other matter it considers appropriate, Council may:
- a. Pass the bylaw;
 - b. Defer it for further information or comment;
 - c. Make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing; or
 - d. Defeat the bylaw.

5. DEVELOPMENT PERMITS

5.1 Control of Development

- 5.1.1 Development Permits are required to ensure that all development is achieved in an orderly manner.
- 5.1.2 No development other than that designated in Section 5.2 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- 5.1.3 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other required provincial and federal approvals, permits and/or licenses.
- 5.1.4 Further, in addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure that their development is consistent with the conditions of any registered easements or covenants which affect the subject site.
- 5.1.5 Notwithstanding Section 5.2, where a variance to any regulation in this Bylaw is required for any development listed in Section 5.2, a development permit shall be required.

5.2 Development Not Requiring a Development Permit

- 5.2.1 The following development shall not require a development permit:
 - a. The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit.
 - b. The completion of a building which was lawfully under construction at the date of the approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the approval of this Bylaw.
 - c. The use of any such buildings as referred to in Section 5.2.1.b for the purpose for which construction was commenced.
 - d. The erection, construction, or maintenance, improvement or alteration of gates, fences, walls, or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1.0 m (3.3 ft.) in height in front yards and less than 1.9 m (6.2 ft.) within side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means or enclosure.
 - e. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw.
 - f. The maintenance and repair of public works, services, and utilities carried out by or on behalf of federal, provincial, and municipal public authorities on land which is publicly owned or controlled.
 - g. An accessory building or structure in a Residential District with a gross floor area of under 10.0 m² (107.6 ft.²), unless the accessory building or structure does not satisfy the regulations indicated in Section 9.1.
 - h. Landscaping, including the hard surfacing of part of a lot in a Residential District for the purposes of providing vehicular access from a road to an attached or detached garage or carport, where the proposed alterations to lot grades will not adversely drainage patterns on the subject or adjacent lots of land or the Village's Stormwater Management facilities.
 - i. The demolition or removal of any building or structure for which erection a development permit would not be required.
 - j. Any development that is exempt from requiring a development permit pursuant to the Act;

- k. The following signs:
 - i. Signs posted or exhibited within a building;
 - ii. Signs posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
 - iii. A statutory or official notice of a function of the municipality;
 - iv. Traffic signs authorized by the municipality and/or provincial authorities;
 - v. Signs posted or exhibited solely for the identification of the land or building on which the signs are displayed, or to give directions to visitors, including professional, corporate, or trade name plates identifying the occupants, and signs indicating the street address of a building or lot, if the total area of the signs on a lot does not exceed 0.5 m² (5.4 ft.²) in area, subject to all other orders, bylaws, and regulations affecting such signs;
 - vi. A maximum of two (2) on-site signs relating to the sale, lease, or rental of the buildings on the lot or the land on which the signs may be erected or attached, provided that:
 - (i) such signs on any lot in any residential land use district do not exceed 0.5 m² (5.4 ft.²) in area each; and
 - (ii) such signs are not illuminated;
 - vii. Campaign signs for federal, provincial, municipal, or school board elections on lots for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation, provided that:
 - (i) such signs are removed within fourteen (14) days after the election date;
 - (ii) the consent of the lot owner and/or occupant is obtained;
 - (iii) such signs do not obstruct or impair visibility or traffic;
 - (iv) such signs are not attached to trees or utility poles; and
 - (v) such signs indicate the name and address of the sponsor and the person responsible for the sign's removal.
 - viii. Signs on land or buildings used for public or quasi-public uses, provided that:
 - (i) such signs do not exceed 1.10 m² (12.0 ft.²) in area each; and
 - (ii) there are no more than one (1) sign for each side of the land or buildings on a different road.
 - ix. Signs of building contractors relating to construction work in progress on the lot on which the signs are erected, provided that:
 - (i) such signs do not exceed 3.0 m² (32.0 ft.²) in area each;
 - (ii) there are no more than one (1) sign for each side of the land or buildings on a different road; and
 - (iii) such signs are removed within fourteen (14) days of occupancy of the building which has been constructed.
- 5.2.2 Roof mounted solar energy collection systems; and
- 5.2.3 Micro wind energy conversion systems.

5.3 Non-Conforming Buildings and Uses

- 5.3.1 Buildings and uses which do not conform to this Bylaw are subject to the provisions of the Act respecting non-conforming uses and buildings, which define the conditions under which they may be continued or altered.
- 5.3.2 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this Bylaw.
- 5.3.3 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.

- 5.3.4 A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.
- 5.3.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except:
- a. to make it a conforming building;
 - b. for the routine maintenance of the building, if the Development Authority considers it necessary; or
 - c. in accordance with the powers possessed by the Development Authority pursuant to the Act and this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- 5.3.6 If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- 5.3.7 The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

5.4 Development Permit Applications

- 5.4.1 An application for a development permit shall be made to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:
- a. a site plan to scale, with dimensions indicated, in duplicate showing the legal description and the front, rear and side yards, if any, and any provision for off-road loading and vehicle parking and access and egress points to the site;
 - b. floor plans, elevations of sections;
 - c. an overall drainage plan for site and all easements shown and labelled;
 - d. a statement of uses;
 - e. a statement of ownership of land including the signature of the registered owner and the applicant if the applicant is other than the registered owner, and a statement of interest of the applicant therein;
 - f. the estimated commencement and completion date;
 - g. the estimated cost of the project or contract price;
 - h. a statutory declaration indicating that the information supplied is; and
 - i. any other information which, at the discretion of the Development Authority Officer, is required.
- 5.4.2 Each application for a development permit shall be accompanied by a non-refundable fee as identified in the Village's Rates, Fees, and Charges Bylaw.
- 5.4.3 A Real Property Report prepared by an Alberta Land Surveyor (or some other sketch or form of report prepared by an Alberta Land Surveyor which serves the same purpose as a Real Property Report) shall be required if:
- a. the development includes a new building;
 - b. the development includes an addition to an existing building; or
 - c. the Development Authority believes that the existing or proposed development identified on the site plan does not accurately correspond with the legal boundaries of the lot.
- 5.4.4 The Development Authority may also require that the development proponent provide additional information to determine if the site is suitable for the intended use and to determine if the proposed development conforms to this Bylaw before consideration of the development permit application shall commence. Such information may include:
- a. lot grading and landscaping plans prepared by a registered Alberta Land Surveyor or engineer;
 - b. a description of exterior finishing materials; and
 - c. in the case of the placement of an already constructed or partially constructed building on a lot:

- i. information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including, should the Development Authority require, any pictures of the building;
- ii. reports, plans, and studies prepared by qualified professionals, including:
 - (i) Arborist Report;
 - (ii) Erosion and Sediment Control Plan;
 - (iii) Geotechnical Report;
 - (iv) Landscaping Plan;
 - (v) Wetland Assessment;
 - (vi) Environmental Assessments;
 - (vii) Biophysical Assessment; and
- iii. any other reports, plans, and studies that provides information requested by the Development Authority;
- d. in a residential land use district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
- e. future development plans for a site which is to be partially developed through the applicable development permit; and
- f. in the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week;
- g. In addition to the requirements indicated above, before any application for development of a **fourplex, row housing or an apartment development** can be considered, the applicant must also submit to the Development Authority:
 - i. site plans showing the proposed location and position of any signs, parking spaces, exits, entries, and drives, and garbage storage areas, including access to them; and
 - ii. landscape plan of the entire site which shall also show intended fencing and surfacing for drives and parking areas; and
 - iii. plans showing the relationship of buildings to each other and to the landscape, in particular such matters as architectural appearance, the provision of light, air, privacy, and landscaping;

in such detail that if the development permit is approved, the plans can be identified through conditions of approval.

5.4.5 In addition to the information requirements indicated above, an application for a development permit for the **excavation or stripping of land** that is proposed without any other development on the same land, may include with the application, the following information:

- a. location and area of the site where the excavation is to take place;
- b. existing land use and vegetation;
- c. the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;
- d. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
- e. identification of potential for outdoor noise and the discharge of substances into the air;
- f. the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling, or lessening erosion or dust from the site;
- g. an indication of all municipal servicing costs associated with the development; and
- h. the proposed haul route, dust control plan and expected hours of operation.

5.4.6 In addition to the information requirements indicated above, each application for a sign may be accompanied by additional information at the discretion of the Development Authority.

- 5.4.7 The Development Authority may require an applicant for a subdivision or development permit for an **Alcohol Retail Sales Establishment or a Cannabis Store** to submit any or all of the following additional information, with the application a map identifying the distance from the proposed development to all property boundaries of:
- a. buildings containing another Cannabis Store or Alcohol Retail Sales Establishment;
 - b. buildings containing a registered day care;
 - c. buildings containing a school or a boundary of a lot on which a school is located;
 - d. lots of land that are designated as School Reserve or Municipal and School Reserve under the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;
 - e. provincial health care facilities or the boundary of a lot on which the facilities are located; and
 - f. any other development or land use required by the Alberta Gaming, Liquor, and Cannabis Commission.
- 5.4.8 The Development Authority may refuse to accept a development permit application where the information required by this Bylaw and by the Development Authority has not been supplied or where, in the sole opinion of the Development Authority, it is inaccurate or of inadequate quality to properly evaluate the application.
- 5.4.9 When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, deem the application incomplete and request the applicant provide further details or decide on the application with the information it has available.
- 5.4.10 The Development Authority may refer any application for a development permit to any municipal, provincial, or federal department, or any other person or agency considered affected by the Development Authority for comments and recommendations.
- 5.4.11 The Development Authority may decide on a development permit application without all of the information required by this Bylaw or by the Development Authority if the Authority is of the opinion that a decision can be properly made without such information.

5.5 Notice of Complete or Incomplete Application

- 5.5.1 The Development Authority Officer shall, within 20 days of the receipt of an application for a development permit, determine whether the application is complete.
- 5.5.2 The time period referred to in Section 5.5.1 may be extended by an agreement in writing between the applicant and the Development Authority Officer.
- 5.5.3 An application is complete if:
- a. in the opinion of the Development Authority Officer, the application contains the documents and other information necessary to review the application; or
 - b. the Development Authority Officer does not decide within 20 days of receipt of an application for a development permit.
- 5.5.4 If the Development Authority Officer determines that the application is complete, the Development Authority Officer shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
- 5.5.5 If the Development Authority Officer determines that the application is incomplete, the Development Authority Officer shall issue the applicant a notice, in writing or electronically, that the application is incomplete. This notice shall list any outstanding documents and information required to review the application and provide a date by which the documents or information must be submitted in order for the application to be considered complete.
- 5.5.6 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 5.5.5, the Development Authority Officer must deem the application to be refused.
- 5.5.7 Despite that the Development Authority Officer has issued an acknowledgment under Section 5.5.5 or Section 5.5.6, in the course of reviewing the application, the Development Authority Officer may request

additional information or documentation from the applicant that the Development Authority Officer considers necessary to review the application.

5.6 Duties of the Development Authority

- 5.6.1 The Development Authority Officer shall:
- a. receive all applications for development permits;
 - b. consider and decide on all applications for a development permit for those uses which constitute permitted uses in a district, or for a single-detached dwelling, a manufactured home, a home occupation, or a sign, which will fully comply with the minimum and/or maximum standards for that district, or where the regulation has been assigned by this Bylaw to the Development Authority Officer for consideration and decision;
 - c. refer to the Municipal Planning Commission for its consideration and decision applications for a development permit for all other uses or developments in a district that will not fully comply with the minimum and/or maximum standards for that district, or those where the regulation has been assigned by this Bylaw to the Municipal Planning Commission for consideration and decision; and
 - d. refer to the Municipal Planning Commission for its consideration and decision any application which, at their sole opinion and discretion, should be decided by the Commission, including any applications for a development permit for a single-detached dwelling, a manufactured home, a home occupation, or a sign which he wishes to refer to the Commission.
- 5.6.2 The Municipal Planning Commission shall receive, consider, and decide on all applications for a development permit referred to it by the Development Authority Officer for consideration and decision.
- 5.6.3 In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- 5.6.4 In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal pursuant to Part Four of this Bylaw, the Development Authority may or may not, at *their* sole discretion, accept the submission of another application for a permit on the same lot and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.
- 5.6.5 In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular Land Use District.
- 5.6.6 The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
- 5.6.7 An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority. The person claiming to be affected may appeal in writing as provided for in Part Four of this Bylaw as though he has received a refusal at the end of the forty (40) day period specified in this subsection.

5.7 Permission for Demolition

- 5.7.1 The demolition of a structure not identified in Section 5.2 shall require a development permit.
- 5.7.2 The demolition of any structure must be done in accordance with the Alberta Building Code and Canadian Standards Association Standard S350-M1980, "Code of Practice for Safety in Demolition of Structures" and/or any subsequent Alberta Building Code or Canadian Standards Association Standards.
- 5.7.3 In addition to the requirements of Section 5.4 of this Bylaw, an application for a development permit for the demolition of a building or structure shall include the following information:
- a. the value of the development;
 - b. the alternatives to demolition if the building is of historic or architectural value;

- c. the purpose of the building demolition and the type of structure to replace the demolished building, if applicable;
- d. a work schedule of the demolition and site clean-up (the sequence of demolition must be such that at no time will a wall or a portion of a wall be left standing unsupported in an unstable condition or in danger of accidental collapse);
- e. the destination of debris materials;
- f. where redevelopment of the site is proposed, the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development (if materials are to be stored on site, a site plan will be required indicating the location of such materials in relation to property lines and other buildings);
- g. a copy of the original development approval including building permits where applicable;
- h. the form of demolition to be used (heavy equipment or by hand);
- i. the method whereby public safety is to be protected (normally a fence that is at least 1.8 m (5.9 ft.) in height is required around the excavation or structure to be demolished);
- j. an indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority;
- k. an indication that buildings on adjoining properties have been considered to ensure that damage will not occur to them or their foundations from the demolition;
- l. where a fire safety plan is required, an indication that the local Fire Chief has been consulted for determining the fire safety plan required; and
- m. an indication that any tanks containing flammable or combustible liquids will be removed before demolition begins and be purged of inert materials to the satisfaction of the Development Authority and any other applicable provincial agencies.

5.7.4 Before consideration of a development permit application for demolition, where a proposed development may involve the removal of hazardous materials, the Development Authority may also require the applicant to complete:

- a. a Hazardous Materials Assessment Report; and/or
- b. any phase of an environmental site assessment in order to determine whether the site is contaminated and the mitigation measures necessary to eliminate such contamination.

5.8 Development Permit Notices

5.8.1 A permit granted pursuant to this Part does not come into effect until twenty-one (21) days after the date a decision or development permit is given as described Section 5.8.3. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

5.8.2 Where an appeal is made pursuant to Part Four of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified, or nullified thereby.

5.8.3 When a permit has been issued, the Development Authority shall immediately:

- a. post a notice of the decision conspicuously on the property for which the application has been made; and/or
- b. mail a notice in writing to all adjacent landowners who, in the sole opinion of the Development Authority, may be affected; and/or
- c. publish a notice of the decision in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved, and/or
- d. post a notice of the decision prominently in the Village office.

5.8.4 If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit and completed within twenty-four (24) months of commencement, the permit is deemed to be void, unless an extension to this period is granted by the Development Authority.

- 5.8.5 A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- 5.8.6 When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
- 5.8.7 The Development Authority may suspend or revoke a development permit:
- at any time, where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
 - within twenty-one (21) days of issue of the permit, where the permit was issued in error.

5.9 Development Permit Conditions and Development Agreements

- 5.9.1 The Development Authority may require that as a condition of issuing a development permit, the applicant enter into a development agreement to:
- construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development;
 - install or pay for the installation of public utilities other than telecommunications systems or works;
 - pay an off-site contribution; and/or
 - give security to ensure that the terms of the agreement noted herein are carried out.
- 5.9.2 The Development Authority may require the following conditions as part of development permit approval:
- Compliance with the Erosion and Sediment Control Plan;
 - Compliance with the Landscaping Plan;
 - Compliance with the Lot Grading and Drainage Plan;
 - Compliance with a Geotechnical Report;
 - The payment or fees as established by public works for utility service connections and/or inspections; and
 - Any other conditions requested by the Development Authority.
- 5.9.3 To ensure compliance with the development agreement, the Village may register a caveat against the certificate of title of the property that is being developed. This caveat shall be discharged when conditions of the development agreement have been met.
- 5.9.4 As a condition of issuing a development permit, the Development Authority may require the applicant to post a bond to cover the cost of repairing roads and other municipal improvements damaged as a result of the work authorized in the permit.
- 5.9.5 As a condition of development permit approval for developments listed in Section 5.9.2 and developments that impact lot grading and drainage on a site, the Development Authority shall require that the applicant provide a surveyed drawing which demonstrates that the development on the site, including all buildings and the post construction lot grading and drainage pattern conforms to the drawings approved with the application.
- 5.9.6 As a condition of approving a development permit for the demolition of a building, the Development Authority may, in addition to other requirements, require that the applicant undertake those actions the Development Authority deems necessary to ensure the complete and safe demolition of the building, disposal of materials and debris, and site clean-up.

5.10 Validity of Development Permits

- 5.10.1 Development Permit does not come into effect until at least twenty-one (21) days have elapsed from the date it is granted and does not come into effect until the plans for the building have been approved by an accredited Safety Codes Inspector and all necessary permits pertaining to the construction of the building have been obtained and copies sent to the Village and posted on site.
- 5.10.2 If an appeal (which includes an appeal to the Subdivision and Development Appeal Board and the Court of Appeal of Alberta) is filed against a Development Permit, the permit is suspended until the appeal is heard or abandoned.

- 5.10.3 A Development Permit is valid for one (1) year from the date it comes into effect and work authorized pursuant to a Development Permit must be commenced within six (6) months and completed within twelve (12) months from the date the Development Permit comes into effect. Extensions may be granted at the sole discretion of the Development Authority.
- 5.10.4 If it appears to the Development Authority that a Development Permit has been obtained by fraud or misrepresentation, or has been issued in error, the Development Authority may suspend, revoke, or modify the permit and shall have the right to suspend all construction activity on the site.

5.11 Variances

- 5.11.1 The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority the proposed development would not:
- a. unduly interfere with the amenities of the neighbourhood; or
 - b. materially interfere with or affect the use, enjoyment, or value of neighbouring lots; and
- the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- 5.11.2 In approving an application for development pursuant to Sections 5.11.1 the Development Authority shall adhere to the following:
- a. A variance shall be considered when warranted by the merits of the proposed development and in response to irregular lot lines, lot shapes or site characteristics which create difficulties in siting structures within the required setback or in meeting the usual bylaw requirements.
 - b. No variance will be granted to increase the maximum height of a building beyond what is permitted in this Land Use Bylaw.
 - c. Where a variance is granted, the nature of the approved variance shall be specifically described in the Development Permit approval.

6. SUBDIVISION APPLICATIONS

6.1 Subdivision of Land

- 6.1.1 All subdivision applications for lands within the municipality shall comply with the provisions under this Section.
- 6.1.2 A subdivision application may be submitted by:
- a. the registered owner of the land to be subdivided; or
 - b. a person with written authorization to act on behalf of the registered owner.

6.2 Subdivision Application Requirements

- 6.2.1 A tentative plan of subdivision shall:
- a. clearly outline the location, dimensions, and boundaries of the land which the applicant wishes to subdivide;
 - b. show the location, dimensions, and boundaries of:
 - i. each new lot to be created;
 - ii. reserve land(s), if required;
 - iii. the rights-of-way of each public utility, if required; and
 - iv. other rights-of-way, if required;
 - c. indicate the use, location, and dimensions of existing buildings on the land that is the subject of the application, if any, and specify whether the buildings are proposed to be demolished or moved;
 - d. show the location of any river, stream, watercourse, lake, or other body of water (natural or man-made) that is contained within the boundaries of the proposed lot;
 - e. identify the location of any existing or proposed water wells, the locations and type of any private sewage disposal system(s), and the distance from these to existing or proposed buildings and property lines;
 - f. include information provided by the Alberta Energy Regulator identifying the location of any active wells, batteries, processing plants or pipelines within the proposed subdivision; and
 - g. identify the existing and proposed access to the proposed lots and the remainder of the titled area.
- 6.2.2 The Village may also require an applicant to submit to the Subdivision Authority any or all of the following:
- a. a figure showing topographic contours at no greater than 1.5 m (4.9 ft.) intervals;
 - b. if the proposed subdivision is not to be served by a water distribution system, information supported by the report of a qualified professional, registered in the Province of Alberta, respecting the provision, availability, and suitability of potable water on or to the land to be subdivided;
 - c. an assessment of subsurface characteristics of the land that is to be subdivided including, but not limited to, susceptibility to slumping or subsidence, depth to water table, and suitability for any proposed on-site sewage disposal system(s), prepared and signed by a qualified professional registered in the Province of Alberta;
 - d. reports, plans, and studies prepared by qualified professionals, including:
 - i. Arborist Report;
 - ii. Geotechnical Report;
 - iii. Lot Grading and Drainage Plan or Stormwater Management Plan;
 - iv. Slope Stability Analysis;
 - v. Water Report;
 - vi. Wetland Assessment;

- vii. Any other reports, plans, and studies that provides information requested by the Subdivision Authority;
 - e. if the land that is the subject of an application is located in a potential Flood Plain, a figure showing the 1:100-year Flood Plain or highest and most frequent rain event series relevant to flooding of the land;
 - f. information respecting the land surface characteristics of land within 0.8 km (0.5 miles) of the land proposed to be subdivided;
 - g. if any portion of the lot affected by the proposed subdivision is situated within 1.5 km (0.9 miles) of a sour gas facility, a map showing the location of the sour gas facility; and
 - h. where the proposed subdivision is staged or includes only a portion of the developable area within the subject site, an approved Area Structure Plan or Outline Plan that relates the application to future subdivision and development of adjacent lands.
- 6.2.3 If the proposed subdivision requires an environmental assessment under the Canadian Environmental Assessment Act, the applicant shall file an environmental assessment in accordance with the Canadian Environmental Assessment Act. A copy of the environmental assessment shall be submitted with the subdivision application.
- 6.2.4 If the proposed subdivision is required to obtain assessments and/or approvals from relevant Federal or Provincial agencies and organizations, the applicant shall file and obtain the appropriate reports and/or approvals with relevant agencies and organizations. A copy of the required reports and/or approvals or licenses shall be submitted with the subdivision application.
- 6.2.5 Information on abandoned oil and gas wells as required by the Subdivision and Development Regulations and Alberta Energy Regulator Directive 079 shall accompany every subdivision application.

6.3 Duties of the Subdivision Authority

- 6.3.1 The Subdivision Authority shall:
- a. participate in a pre-application submission meeting with development proponents (as requested);
 - b. receive all applications for subdivision applications;
 - c. assess and provide notice of a complete or incomplete application; and
 - d. issue notices in writing as required in the Act.

6.4 Notice of Complete or Incomplete Subdivision Applications

- 6.4.1 The Subdivision Authority shall, within twenty (20) days of the receipt of an application for subdivision, determine whether the application is complete.
- 6.4.2 The time period referred to in Section 6.4.1 may be extended by an agreement in writing between the applicant and the Subdivision Authority or, if applicable, in accordance with the Land Use Bylaw made pursuant to section 640.1(a) of the Act.
- 6.4.3 An application is complete if, in the opinion of the Subdivision Authority, the application contains the documents and other information necessary to review the application.
- 6.4.4 If the Subdivision Authority determines that the application is complete, the Subdivision Authority shall issue to the applicant, in writing or electronically, an acknowledgment that the application is complete.
- 6.4.5 If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the Subdivision Authority in order for the application to be considered complete.
- 6.4.6 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Section 6.4.5, the Subdivision Authority must deem the application to be refused.
- 6.4.7 Despite that the Subdivision Authority has issued an acknowledgment under Section 6.4.4 or 6.4.5, in the course of reviewing the application, the Subdivision Authority may request additional information or

documentation from the applicant that the Subdivision Authority considers necessary to review the application.

6.5 Subdivision Authority Process

- 6.5.1 Upon receipt of a completed subdivision application, the Subdivision Authority:
- a. shall refer the subdivision application to any external agencies and adjacent landowners for comment prior to making a decision and may refer the subdivision application to any internal municipal department(s) as required;
 - b. shall approve, with or without conditions, a subdivision application for a permitted use where the proposed subdivision conforms to:
 - i. this Bylaw;
 - ii. applicable statutory plans; and
 - iii. the Act and the Regulations thereunder; or
 - c. shall refuse an application for a subdivision if the proposed subdivision does not conform with:
 - i. applicable statutory plans; and/or
 - ii. the Act and the Regulations thereunder; and/or
 - iii. the uses prescribed in the applicable land use district identified in this LUB; or
 - d. may refuse an application for a subdivision if the proposed subdivision does not conform with other regulations in this Bylaw;
- 6.5.2 The subdivision authority may approve, with or without conditions, an application for subdivision that does not comply with this Bylaw if, in the opinion of the Subdivision Authority, the proposed subdivision:
- i. would not unduly interfere with the amenities of the neighbourhood;
 - ii. would not materially interfere with or affect the use, enjoyment, or value of neighbouring lots; and
 - iii. conforms to the use prescribed for that land in this Bylaw.

6.6 Requirements and Conditions of Subdivision Approval

- 6.6.1 The Subdivision Authority shall abide by the requirements of and consider the matters indicated in Sections 652 to 670 of the Act.
- 6.6.2 Subdivision approvals must comply with Part 17 of the Act and the Regulations therein.
- 6.6.3 For the purposes of this Bylaw, an unsubdivided quarter section shall include those quarter sections where a separate title exists for a public utility or an institutional use.
- 6.6.4 As a condition of subdivision approval, Environmental Reserves will be taken according to Section 664 of the Act either in the form of a lot (ownership transferred to the Village) or as an Environmental Reserve Easement (private ownership is retained).
- 6.6.5 As a condition of subdivision approval, the Village may require that the proponent provide hazard land as Environmental Reserves or provide an Environmental Reserve Easement.
- 6.6.6 Where a subdivision is proposed on lands adjacent to a water body, a watercourse or wetland, reserves shall be required as a condition of subdivision approval as provided for in the Act. When determining the width and size of the Environmental Reserve or Environmental Reserve Easement area the following shall be taken into consideration:
- a. Recommendations by qualified biologist, geotechnical scientists, or engineering professionals; and/or
 - b. The Riparian Setback Matrix Model (RSMM); and/or
 - c. The Government of Alberta's Stepping Back from the Water: A Beneficial Management Practices Guide for New Development Near Water Bodies in Alberta's Settled Region; and/or
 - d. The Province of Alberta's Recommended Setbacks Chart.
- 6.6.7 Property taxes must be up to date prior to final endorsement of any subdivision within the Village.
- 6.6.8 All proposed lots being created shall be designed to not, in the opinion of the Subdivision Authority, prejudice the future efficient development of the remnant lands.

- 6.6.9 The Subdivision Authority may require the following conditions as part of subdivision approval:
- a. Compliance with an approved Erosion and Sediment Control Plan;
 - b. Compliance with an approved Landscaping Plan;
 - c. Compliance with an approved Lot Grading and Drainage Plan;
 - d. Compliance with an approved Stormwater Management Plan;
 - e. Any other conditions requested by the Subdivision Authority.

7. SUBDIVISION & DEVELOPMENT APPEALS

7.1 Development Appeals

- 7.1.1 An appeal may be made to the Subdivision and Development Appeal Board (Board) where a Development Authority:
- refuses or fails to issue a development permit to a person; or
 - issues a development permit subject to conditions; or
 - issues an order under Section 645 of the Act;
- by the person applying for the permit or affected by the order, under s. 645.
- 7.1.2 In addition to the applicant, any person affected by an order, decision or development permit made or issued by the Development Authority may appeal the decision in accordance with Section 685(2.1) of the Act.
- 7.1.3 Notwithstanding Section 7.1.2 above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied, or misinterpreted or the application for the development permit was deemed to be refused under Section 683.1(8) of the Act.
- 7.1.4 Despite Sections 7.1.1, 7.1.2 and 7.1.3, where the decision issued for a development permit application within a direct control district is made by:
- Council there is no appeal to the Subdivision and Development Appeal Board; or
 - the Development Authority, the appeal is limited to whether the Development Authority followed the directions of council, and if the board hearing the appeal finds that the Development Authority did not follow the directions of council it may, in accordance with the directions, substitute its decision for the Development Authority's decision.
- 7.1.5 An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(a) of the Act shall be made to the Land and Property Rights Tribunal and shall proceed in accordance with the processes identified in the Act and the Land and Property Rights Tribunal Act.
- 7.1.6 An appeal of a decision of the Development Authority for lands identified in Section 685(2.1)(b) of the Act shall be made to the Subdivision and Development Appeal Board of the Village.
- 7.1.7 An appeal with respect to an application for a development permit may be made by a person identified in Section 7.1.1 by serving a written notice of appeal to the board hearing the appeal:
- within 21 days after the date on which the written decision is given; or
 - if no decision is made with respect to the application within the 40-day period (or within any extension to that period under Section 684 of the Act), within 21 days after the date the period or extension expires; or
 - With respect to an order under Section 645 of the Act, within 21 days after the date on which the order is made.
- 7.1.8 An appeal with respect to an application for a development permit may be made by a person (identified in Section 7.1.2) by serving a written notice of appeal to the board hearing the appeal within 21 days after the date on which the written decision is given.
- 7.1.9 An appeal to the Land and Property Rights Tribunal may be made by filing a notice to the Land and Property Rights Tribunal. The notice submission requirements shall be as established by the Land and Property Rights Tribunal.
- 7.1.10 An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
- the appeal application fee as identified in the Village's Rates, Fees, and Charges Bylaw;

- b. the legal description and/or the municipal address of the property to which the decision, order or issuance of the development permit relates;
 - c. the name, contact information and address of the appellant; and
 - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.
- 7.1.11 Where a person files a notice of appeal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board, if:
- a. in the case of a person referred to in Section 7.1.1 the person files the notice with the wrong board within 21 days after receipt of the written decision or the deemed refusal; or
 - b. in the case of a person referred to in Section 7.1.2, the person files the notice with the wrong board within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.
- 7.1.12 An appeal shall be made by serving a written notice of appeal to the Secretary of the Board, together with reasons and the development appeal fee as established by resolution of Council, within twenty-one (21) days after:
- a. the date the order, decision or permit issued by the Development Authority was publicized in accordance with Section 5.8; or
 - b. the forty (40) day period has expired.

7.2 Subdivision Appeals

- 7.2.1 The decision of a Subdivision Authority on an application for subdivision approval may be appealed:
- a. by the applicant for the approval;
 - b. by a government department if the application is required by the Subdivision and Development Regulations to be referred to that department;
 - c. by the council of the municipality in which the land to be subdivided is located if the council, a Designated Officer of the municipality or the Municipal Planning Commission of the municipality is not the Subdivision Authority; or
 - d. by a school board with respect to:
 - i. the allocation of municipal reserve and school reserve or money in place of the reserve;
 - ii. the location of school reserve allocated to it; or
 - iii. the amount of school reserve or money in place of the reserve.
- 7.2.2 An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(a) of the Act shall be made to the Land and Property Rights Tribunal and shall proceed in accordance with the processes identified in the Act and the Land and Property Rights Tribunal Act.
- 7.2.3 An appeal of a decision of the Subdivision Authority for lands identified in Section 678(2)(b) and 678(2.1) of the Act shall be made to the Subdivision and Development Appeal Board of the Village.
- 7.2.4 An appeal to the Land and Property Rights Tribunal may be made by filing a notice to the Land and Property Rights Tribunal. The notice submission requirements shall be as established by the Land and Property Rights Tribunal.
- 7.2.5 An appeal to the Subdivision and Development Appeal Board may be launched by filing a notice by providing the following:
- a. the appeal application fee as identified in the Village's Rates, Fees, and Charges Bylaw;
 - b. the legal description and/or the municipal address of the property to which the decision, order, or issuance of the development permit relates;
 - c. the name, contact information, and address of the appellant; and
 - d. the reasons for the appeal and the issue or condition in the decision or order that are the subject of the appeal.

- 7.2.6 If the applicant files a notice of appeal within twenty-one (21) days after receipt of the written decision or the deemed refusal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board.

7.3 Hearing and Decision

- 7.3.1 Within thirty (30) days of receipt of a notice of appeal, the Board shall hold an appeal hearing respecting the appeal.
- 7.3.2 The Board shall give at least five (5) days' notice in writing of the appeal hearing to:
- the appellant;
 - the Development Authority from whose order, decision or development permit the appeal is made;
 - those adjacent landowners who were notified under Section 5.8 and any other person who, in the opinion of the Board, are affected by the order, decision or permit; and
 - such other persons as the Board specifies.
- 7.3.3 The Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
- the application for the development permit, its refusal, and the appeal therefrom; or
 - the order of the Development Authority under Section 5.8;
- as the case may be.
- 7.3.4 At the appeal hearing, the Board shall hear:
- the appellant or any other person acting on their behalf;
 - the Development Authority from whose order, decision, or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority;
 - any other person who was served with notice of the hearing and who wishes to be heard or a person acting on their behalf; and
 - any other person who claims to be affected by the order, decision or permit and that the Board agrees to hear or a person acting on their behalf.
- 7.3.5 The Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- 7.3.6 A decision made under this part of the Bylaw is final and binding on all parties and all persons, subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
- to a judge of the Court of Appeal; and
 - within thirty (30) days after the issuance of the order, decision, permit, or approval sought to be appealed.

8. ENFORCEMENT

8.1 General Provisions

- 8.1.1 Enforcement may be conducted by a Designated Officer through the issuance of a violation warning, warning notice, final warning notice, stop order, violation tags or any other authorized action to ensure compliance with the regulations of this Land Use Bylaw.
- 8.1.2 Where a person fails or refuses to comply with an order directed to them under Section 8 – Enforcement or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 8.1.3 A person found guilty of an offence is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, pursuant to Section 566 of the Act.
- 8.1.4 Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- 8.1.5 In addition to the process and penalties described above, the Development Authority or any other person identified as a Designated Officer shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.

8.2 Prohibition

- 8.2.1 No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or action that is not permitted by this Bylaw.
- 8.2.2 No person shall contravene the conditions of a development permit or subdivision approval issued under this Bylaw.
- 8.2.3 No person shall authorize or undertake any development that is not compliant with the description, specifications, or plans that were the basis for the issuance of a development permit.
- 8.2.4 No person shall modify any description, specifications, or plans that were the basis for the issuance of a permit by the Development Authority.

8.3 Right of Entry

- 8.3.1 After reasonable notice (generally to mean 48 hours) to the owner or occupant in accordance with the Act, a Designated Officer may enter a property at reasonable times (generally to mean between the hours of 7:30 a.m. and 10:00 p.m.) to ascertain if bylaw requirements are being met.
- 8.3.2 A Designated Officer may enter the property outside of the identified time period if, in their opinion, a possible violation constitutes an immediate health, safety, or environmental concern.

8.4 Violation Warnings

- 8.4.1 A Designated Officer may issue a violation warning or a final warning in writing by outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

8.5 Offenses and Fines

- 8.5.1 A person who violates the provisions of this Bylaw or permits a contravention of this Bylaw, is guilty of an offence and is liable to a fine for a first offence and for each subsequent offence as specified below.

- 8.5.2 The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
- 8.5.3 The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket was issued and require payment, within 21 days of the date of issue of the violation ticket, of a fine to the Village.
- 8.5.4 Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- 8.5.5 The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- 8.5.6 If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- 8.5.7 If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

8.6 Stop Orders

- 8.6.1 On finding that a development, land use, or use of a building does not conform to the Act or its regulations, a development permit or subdivision approval or the conditions of either, or this Bylaw, the Development Authority may, by written notice, direct the owner of the property, the person in possession of the land, building, or sign, or the person responsible for a contravention or any or all of them, to:
- stop the development or use of the land or building in whole or part as directed by the notice;
 - demolish, remove, or replace the development or landscaping; or
 - carry out any other actions required by the notice for compliance.
- 8.6.2 The notice shall specify a deadline for compliance.
- 8.6.3 A person named in a stop order may appeal to the Subdivision and Development Appeal Board.
- 8.6.4 Subject to Section 542 of the Municipal Government Act, if a person fails to comply with the order of the Development Authority, a Designated Officer, or the Subdivision and Development Appeal Board, a Designated Officer may enter on the land or building and take any action necessary to carry out the order.

8.7 Violation Tags and Tickets

- 8.7.1 In accordance with the Provincial Offences Procedures Act, a Designated Officer may issue a violation tag to a person for specific offences in contravention of a violation issuing a warning notice, a final warning notice, or stop order where there are reasonable and probable grounds to believe there is a contravention of this Bylaw.
- 8.7.2 A violation tag may be issued to a person either personally or by registered mail.
- 8.7.3 The violation tag shall be in a form approved by the Village and shall include the name of the person thought to have created the contravention, the offence, the penalty for the offence, a requirement that the penalty be paid within 30 days of issuance of the violation tag, the method by which the tag may be paid, and other information as may be required by the Village.
- 8.7.4 Offences and related fines are as specified in the Village's Fees and Charges Bylaw.
- 8.7.5 Where a contravention is of a continuing nature, further violation tags may be issued.
- 8.7.6 The person to whom the violation tag is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation tag and pay the specified fine to the location indicated on the violation tag.
- 8.7.7 If payment is not made within the time specified on the tag, a Designated Officer may issue a violation ticket requiring the person to whom the violation ticket is issued to appear in court on the date specified in the summons portion of the ticket.

8.7.8 Nothing in this Bylaw shall prevent a Designated Officer from immediately issuing a violation ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.

9. GENERAL LAND USE REGULATIONS

9.1 Accessory Buildings

- 9.1.1 An accessory structure or use is not permitted on a residential lot without a principal building or use. On lots in other districts, the construction of accessory buildings shall be at the discretion of the development authority.
- 9.1.2 Where a structure is attached to the principal building by a roof, an enclosed structure, or a foundation, it is to be considered a part of the principal building and is not an accessory building.
- 9.1.3 An accessory building shall not be used as a dwelling unless a development permit has been issued allowing the use of the accessory building as a garage suite, in-law suit, secondary suite or garden suite and the suite conforms to Sections 10.21, 10.22, 10.23, and 10.24 of this Bylaw.
- 9.1.4 Accessory buildings other than fences shall be located such that the minimum distances (shown on Figure 11) between the accessory buildings and principal buildings, lot lines, and other buildings, structures, and uses are provided.

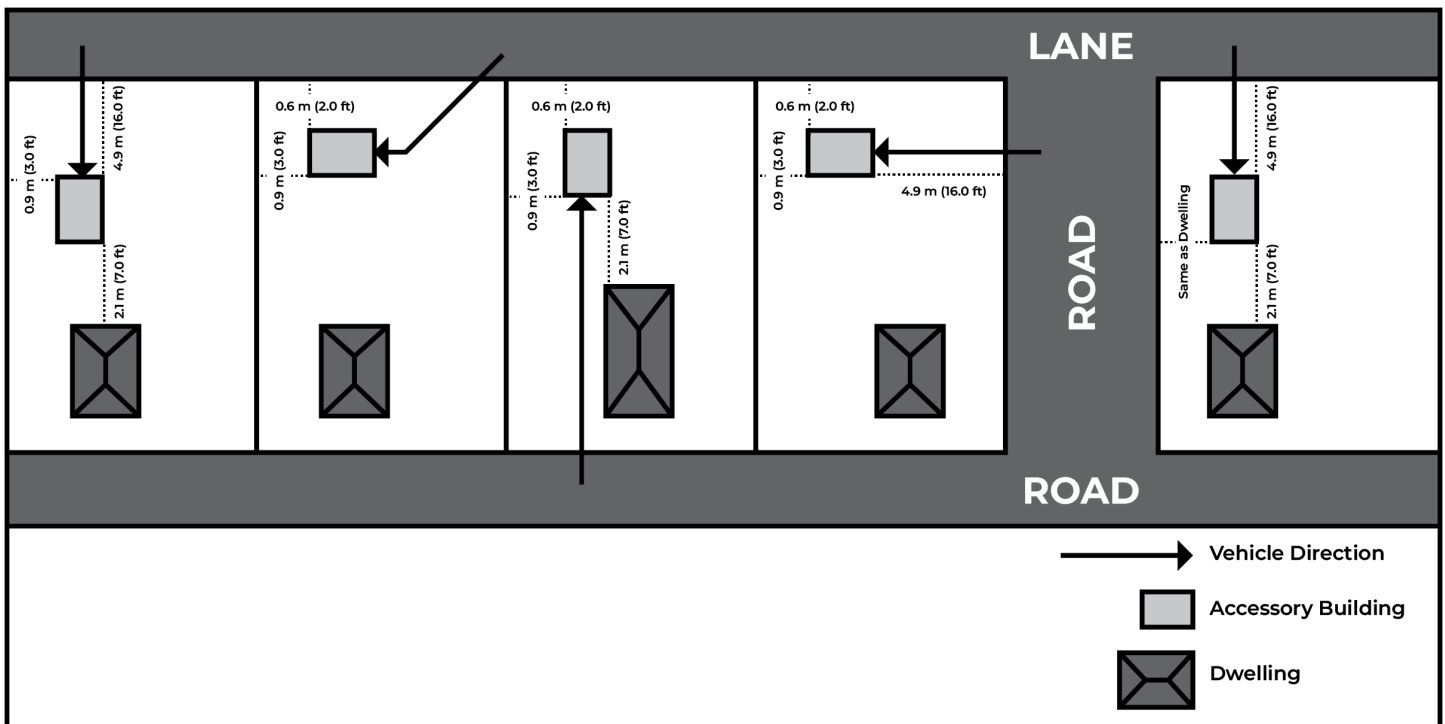


Figure 11: Location of Accessory Building

- 9.1.5 The siting of an accessory building on an irregularly shaped lot shall be as approved by the Development Authority.
- 9.1.6 No accessory buildings, other than fences that otherwise comply with this Bylaw, shall be located in the front yard.
- 9.1.7 No accessory building, other than a fence, deck, or patio, shall be located closer than 2.1 m (6.9 ft.) to the principal building.

- 9.1.8 The height of an accessory building in the Residential Districts shall not exceed 4.6 m (15.1 ft.) or one storey. However, the maximum height for an accessory building may be exceeded, at the sole discretion of the Development Authority, for the height of a garage in order to facilitate the development of a garage suite on a lot where it can reasonably be determined by the Development Authority that the additional height will not impact the quality of life or enjoyment of adjacent properties (see Figure 12).

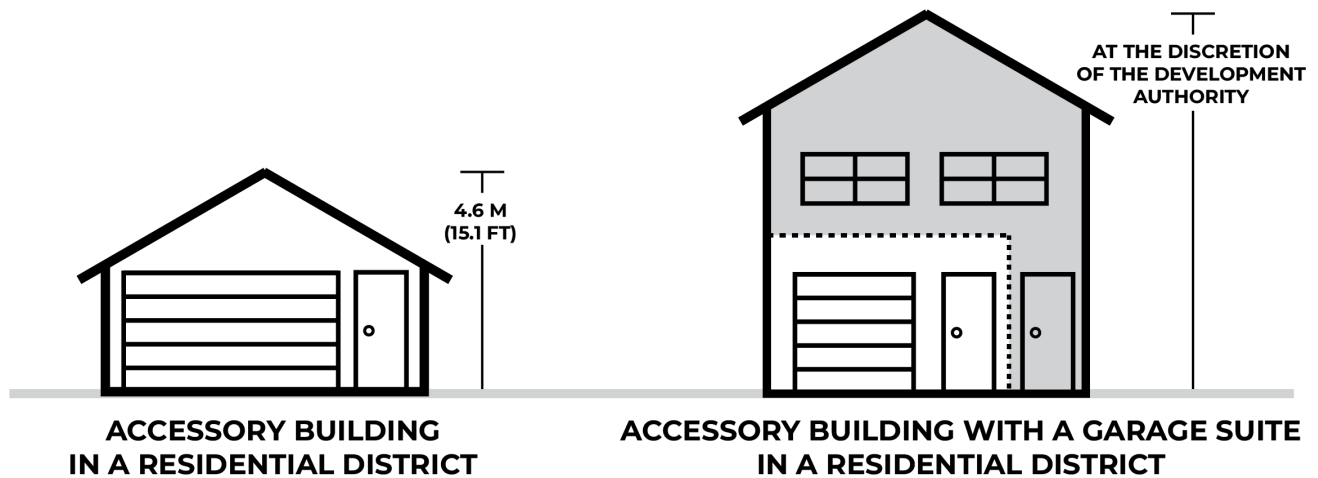


Figure 12: Maximum Height of an Accessory Building

- 9.1.9 The maximum height of accessory buildings in all districts not listed in Section 9.1.8, shall be at the discretion of the Development Authority.
- 9.1.10 No part of an accessory building, including eaves, cantilevers, and other projections, shall be located on or over an easement or utility right-of-way registered by the Village unless authorized by the Development Authority and an Encroachment Agreement between the Village and the landowner has been registered on the Title of the subject lot.
- 9.1.11 An accessory building shall not:
- a. have an eave overhang within 0.3 m (1.0 ft.) of a lot line; and
 - b. exceed more than 15% of the total site area; and
 - c. be larger than the total floor area of the principal building.

9.2 Appearance & Design of Buildings

- 9.2.1 Unless forming part of a single project which has been proposed and designed to be built under one development permit, no single-detached dwellings of identical or, in the opinion of the Development Authority, similar roof or front elevations and fronting on either side of a road shall be located within three (3) sites of each other.
- 9.2.2 The design, character, and appearance of all buildings shall:
- a. be compatible with other buildings in the vicinity unless the building is setting a new standard for the District in which it is located;
 - b. be suited to the purpose of the District in which it is located; and
 - c. comply with the provision of any statutory plan applicable to the design, character, or appearance of the building.
- 9.2.3 The exterior finish on all buildings shall be of a permanent material and be of a character and quality satisfactory to the Development Authority.

9.3 Corner & Double Fronting Lots

- 9.3.1 In the case of double fronting lots, the front yard shall be that portion of the site abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard.
- 9.3.2 Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner site or on a double fronting site provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.
- 9.3.3 Notwithstanding any other provision of this Bylaw to the contrary, in residential districts, where a second minimum front yard is not required on a corner site, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.6 ft.).
- 9.3.4 Notwithstanding Section 9.3.3, in residential areas, features under 0.5 m (1.65 ft.) above grade may project to the sideline where a second minimum front yard is not required on a corner site.

9.4 Corner Sites & Site Line Protection

- 9.4.1 In Residential Districts, no fence, wall, tree, bush, structure, or thing more than 1.0 m (3.3 ft.) in height shall be erected, placed, or maintained within the triangular area formed by intersecting driveways, roads, lanes, and right-of-way lines, extending 3.0 m (9.8 ft.) from each direction of the intersection.

9.5 Decks

- 9.5.1 Balconies and decks may project up to:
- a. 2.0 m (6.5 ft.) into required yards with a minimum depth of 4.0 m (13.1 ft.); or
 - b. 0.5 m (1.6 ft.) for required yards less than 4.0 m (13.1 ft.)
- provided they do not encroach over an easement or right-of-way.
- 9.5.2 No person shall construct or allow the construction of an enclosed deck that:
- a. encroaches into a required front yard;
 - b. is less than 1.0 m (3.2 ft.) from a side property line in a front yard;
 - c. is less than 0.5 m (1.6 ft.) from a property line in a side yard;
 - d. in a rear yard, is less than 1.0 m (3.2 ft.) from the side and rear property lines;
 - e. notwithstanding Sections 9.5.2.c and 9.5.2.d, less than 3.0 (9.8 ft.) from the property line if the structure is abutting a public road in a side yard on a corner lot; and
 - f. is not placed upon a permanent foundation.

9.6 Development and Access Permit Requirements Adjacent to Municipal Roads and Highways

- 9.6.1 No development permit shall be issued for development within 0.8 km (0.5 miles) of the boundary of the right-of-way of a highway until any necessary permits for the development have been issued by Alberta Transportation and Economic Corridors, where such a permit is required.
- 9.6.2 All new approaches must be constructed to current Village standards and/or Alberta Transportation and Economic Corridors.

9.7 Dwelling Units on a Lot

- 9.7.1 No permit shall be granted for the erection of more than one (1) dwelling unit on a single lot unless the dwelling units are located within a duplex, triplex, fourplex, row housing or an apartment. The number of dwelling units allowed on a lot shall not exceed one (1).
- 9.7.2 Notwithstanding Section 9.7.1, the Development Authority may issue a permit for the construction or location of more than one (1) dwelling unit on a lot if the use conforms to the uses prescribed for the District in which the lot is located and:
- a. such unit(s) are contained in a building that, or in buildings each of which, are designed for or divided into two (2) or more dwelling units;

- b. it is a manufactured home forming part of a manufactured home park for which a development permit has been issued;
- c. is a building as defined in the Condominium Property Act that is subject to an approved condominium plan registered in the Land Titles Office;
- d. is a garage suite, garden suite, in-law suite or secondary suite as defined in this Bylaw and meets the requirements for such development as established in Sections 10.21 to 10.24, respectively; and
- e. the development complies with the provisions of this Land Use Bylaw and a development permit is issued for the use.

9.8 Emergency Access to Buildings

- 9.8.1 Sites shall be so designed that, in the opinion of the Development Officer, appropriate access for fire-fighting equipment is afforded to all buildings.
- 9.8.2 On at least two sides (one of which shall be the longest side) of any building used as an apartment building and which exceeds two storeys in height, there shall be firm level areas accessible from the road for firefighting equipment for at least 75 per cent of the length of each of the two sides of the building. Such areas shall not be less than 4.5 m (15 ft.) in width and not more than 3 m (10 ft.) from the building, and no permanent building or vehicular parking, or substantial landscaping that would interfere with the use of the area for emergency access, shall be permitted thereon.

9.9 Environmental Screening

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

9.10 Existing Substandard Lots

- 9.10.1 With the approval of the Development Authority the minimum lot area and minimum lot width may be less in the case of existing substandard lots.

9.11 Fences, Walls, and Screening

- 9.11.1 Notwithstanding any regulation respecting required yard to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a lot.
- 9.11.2 No person shall construct or permit to be constructed retaining walls or fences that adversely or materially affect the grading or the drainage of the lot or of adjoining properties.

- 9.11.3 No fence, wall or hedge in any Residential District shall be:
- higher than 1.9 m (6.2 ft.) within side and rear yards, such height to be measured as the average elevation from the ground at the fence or wall unless otherwise provided in this Bylaw; or
 - higher than 1.0 m (3.3 ft.) in front yards, except in the case of a corner lot, the side yard adjacent to the road shall be deemed to be a front yard for the purpose of this subsection; or
 - higher than 1.0 m (3.3 ft.) within 6.1 m (20.0 ft.) of the intersection of lanes, roads, or any combination of them (see Figure 13).

9.11.4 All triplex, fourplex, row housing, and apartment developments shall provide, to the satisfaction of the Development Authority, a wall, hedge, or wooden fence of not less than 1.2 m (3.9 ft.) nor more than 1.9 m (6.2 ft.) in height, along any side lines adjacent to any Residential District.

9.11.5 All drive-in businesses, car washing establishments, service stations and gas bars shall provide, to the satisfaction of the Development Authority, solid fences of not less than 1.5 m (4.9 ft.) in height nor more than 1.9 m (6.2 ft.) in height adjacent to any Residential District.

9.11.6 All other commercial developments shall provide, to the satisfaction of the Development Authority, a wooden fence of not less than 1.9 m (6.2 ft.) in height along any side or rear lines adjacent to any Residential District.

9.11.7 The Development Authority may require screening in the form of fences, hedges, landscaped berms, or other means along the property lines of all commercial and industrial lots which are adjacent to any residential property line or are adjacent to lanes or roads which abut a neighbouring residential lot. Such screening shall be at least 2.0 m (6.5 ft.) in height and developed in a manner which adequately blocks the view of the industrial lot to the satisfaction of the Development Authority.

9.11.8 The Development Authority may require that a fence or other screen be provided to a height of at least 1.5 m (5.0 ft.) surrounding the following where they would be visible from a road or from an adjacent dwelling:

- garbage collection areas; and
- loading or vehicle service areas.

9.11.9 For outdoor storage yards located adjacent to a non-industrial District, including but not limited to auto wrecking, lumber yards, pipe storage and similar uses, and where because of the height of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof, with sufficient height to substantially block the view of the stored materials to the satisfaction of the Development Authority shall be required.

9.11.10 Electrification of fences may be allowed at the discretion of the Development Authority where the developer has demonstrated, to the satisfaction of the Development Authority that the fence is necessary for an agricultural operation and that dwellings will not be in close proximity to the fence proposed.

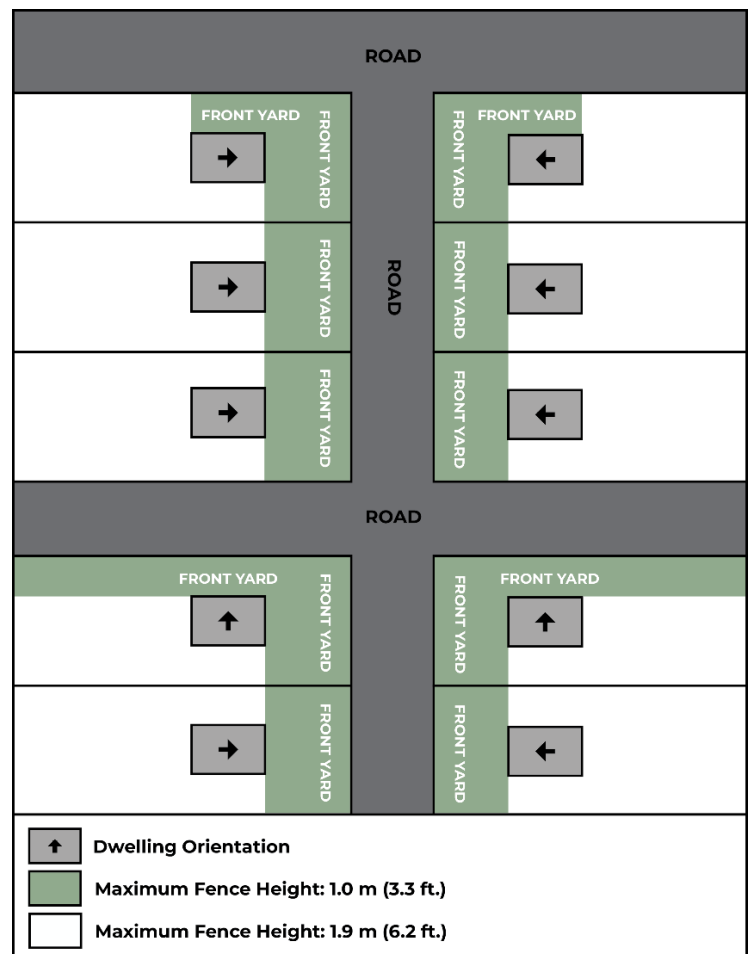


Figure 13: Fence Height

- 9.11.11 No fences comprised of barbed wire shall be allowed, except, at the discretion of the Development Authority, in the Industrial District and in the Urban Reserve District. If barbed wire is allowed, it shall not be allowed below a height of 1.8 m (6.0 ft.) unless the Development Authority, at their discretion, allows barbed wire at a lower height where, in their opinion, dwellings would not be in proximity to the fence proposed.

9.12 Fire Separation & Emergency Preparedness

- 9.12.1 Every building served by electricity or a heating system shall be located at least 3.0 m (10.0 ft.) from every other building unless a variance has been obtained under the Alberta Building Code.
- 9.12.2 New developments shall be designed and constructed to allow access to the development site for emergency vehicles.
- 9.12.3 New development shall be encouraged to incorporate FireSmart Design Guidelines including:
- Reducing surface fuels; and
 - incorporating recommended building materials into site and building design to reduce wildfire risk.

9.13 Garbage Storage

- 9.13.1 A commercial garbage bin shall be provided on every lot containing commercial, industrial, or institutional uses and any residential building containing three (3) or more dwellings on a lot. The bin shall be placed in a screened enclosure, to the satisfaction of the Development Authority, in the side or rear yard at a location accessible by garbage collectors.
- 9.13.2 In the Commercial District garbage screening requirements will be at the discretion of the Development Authority and will have regard for maximizing parking availability on existing legal non-conforming lots.

9.14 Grading, Stripping, & Drainage

- 9.14.1 An applicant for a development permit for the excavation, stripping, or grading of land, which is proposed without any other development on the same land, shall send with this application the requirements as per Section 5.4 of this Bylaw.
- 9.14.2 In all cases, site grades and gather down spouts shall be established to prevent drainage from one site to the next except where drainage conforms to an approved lot or subdivision drainage plan.
- 9.14.3 Every building in the municipality containing a basement shall employ a drainage system to the satisfaction of the Development Officer for the purpose of transferring storm water run-off to the Village Stormwater Management System.
- 9.14.4 Weeping tiles, and similar appurtenances shall not discharge into sanitary sewers. Weeping tiles may be connected to sumps with pumped discharge directly to ground surface (splash pads will be required). Other alternatives may be submitted to the Development Officer for approval.
- 9.14.5 Culverts are to be galvanized steel with a diameter of 45.0 cm (18.0 inches), unless specified otherwise by the Development Officer and approved by the Development Authority Officer. Culverts design and installation shall conform to Village standards and be approved by the Development Authority Officer.
- 9.14.6 Culvert invert elevations are to match the bottom of the existing ditch unless otherwise directed by the Development Officer.
- 9.14.7 Culvert invert elevations shall be approved by the Village and must conform to Village design standards.
- 9.14.8 Where the final lot grades have been established through a Development Agreement, on engineering drawings or by a surveyor's plan, the Development Authority Officer may require the development permit applicant to provide the Development Authority Officer with a grading and location certificate indicating the final elevations of the corners of the property, and the front and rear elevations and locations for all the buildings as a condition of development permit approval.

9.15 Landscaping

- 9.15.1 Landscaping, to the satisfaction of the Development Authority, shall be required in all Land Use Districts, on all lands within a lot not covered by buildings, parking areas including driveways, walking paths, and storage areas.
- 9.15.2 Development permit applications for landscaping shall be accompanied by a general lot grading plan, drainage plan and indicate any existing or proposed retaining wall construction.
- 9.15.3 Any landscaping and/or re-contouring shall occur so that the finished grade does not direct surface drainage or cause the impounding of drainage into an adjoining site unless otherwise approved by the Development Authority.
- 9.15.4 Landscaping may include the planting of trees, shrubs, flowers, and similar vegetation and may include other landscaping materials such as grass/sod, crushed rock, wood chips, rock gardens, vegetable gardens and ornamental plants, or a combination thereof to the satisfaction of the Development Authority.
- 9.15.5 Commercial developments adjacent to Residential Districts and apartment developments shall have at least 10% of the lot area landscaped.
- 9.15.6 Garbage containers and outdoor storage shall be screened and accessible for convenient pickup.
- 9.15.7 Landscaping shall be provided and maintained for all drive-in businesses, car washing establishments, service stations and gas bars, to the satisfaction of the Development Authority.
- 9.15.8 As a condition of the approval of a development permit, all required landscaping and planting must be carried out, to the satisfaction of the Development Authority, within six (6) months (weather permitting) of the occupancy or the commencement of operation of the proposed development.
- 9.15.9 Off-street parking lots in Commercial Districts shall be landscaped by the planting of trees in a manner and number satisfactory to the Development Authority.

9.16 Objects Prohibited or Redistricted in Yards

- 9.16.1 No person shall keep or allow in any part of any yard in any Residential District:
 - a. any dismantled or wrecked vehicle for more than fourteen (14) successive days;
 - b. any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district in which it is located;
 - c. any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; and
 - d. any commercial vehicle, laden or unladen, with a maximum allowable licensed gross vehicle weight in excess of 9,600 kg (21,164 lbs.).
- 9.16.2 No accessory building, use or parking space shall be located in any part of any front yard in any Residential District without the specific approval of the Development Authority.

9.17 Off-Street Loading

- 9.17.1 When required by the Development Authority, a development shall provide loading spaces, each having dimensions of not less than 3.1 m (10.0 ft.) in width, 7.6 m (24.9 ft.) in length, and 4.3 m (14.1 ft.) in height.
- 9.17.2 Such loading spaces shall provide vehicular ingress to and egress from a road or lane such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting roads or lanes.
- 9.17.3 Such loading spaces shall be developed, including any hard surfacing and drainage, in accordance with any requirements of the Development Authority.
- 9.17.4 The number of off-street loading spaces required to be provided in a development shall be as follows:
 - a. For a retail, industrial, warehouse, office building, place of public assembly, public convalescent home, institution, club or lodge, public utility, school, or similar development, one (1) space for each 2,325 m² (25,026 ft.²) of gross floor area or part thereof.
 - b. For other uses, there shall be no minimum required off-street- loading spaces.

9.18 Off-Street Automobile Parking

- 9.18.1 In all Districts, vehicular entrances and exits onto roads shall only be allowed at locations approved by the Development Authority. Where the development is adjacent to a highway, an approach permit must be obtained from Alberta Transportation and Economic Corridors.
- 9.18.2 Surfacing and Drainage
- 9.18.3 At the sole discretion of the Development Authority, parking spaces and the access to them may be required to be hard-surfaced if the access is from a road, or lane which is hard-surfaced.
- 9.18.4 Parking areas must be paved or of a gravel mixture as approved by the Development Authority.
- 9.18.5 Each parking area shall be so graded and drained as to dispose of all storm water runoff. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority.
- 9.18.6 All off-street parking areas and accessory off-street parking areas:

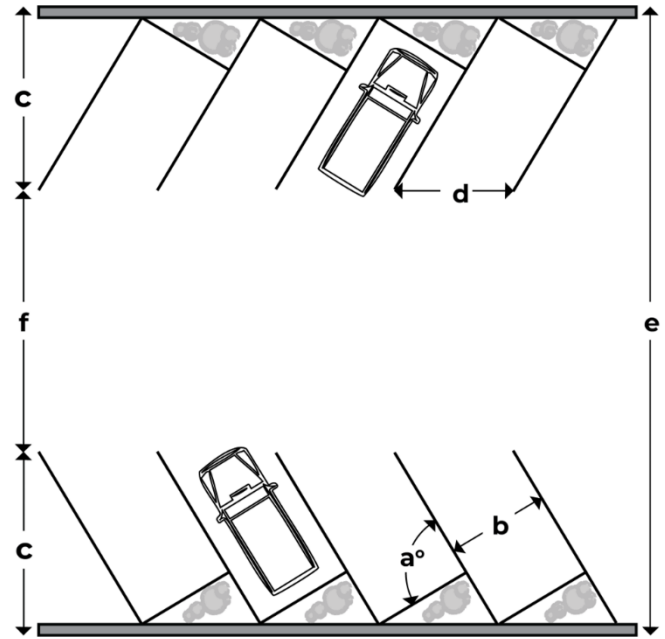


Figure 14: Parking Stall Terms

- shall not be located within 0.9 m (3.0 ft.) of a lot boundary line common to the lot and to a road;
- shall have parking spaces and maneuvering aisles designed and sized to the satisfaction of the Development Authority;
- shall be constructed so that adequate access to, and exit from each parking space is provided at all times by means of maneuvering aisles designed to the satisfaction of the Development Authority;
- shall have necessary curb cuts located to the satisfaction of the Development Authority; and
- shall conform to the following requirements:

Parking Angle in Degrees	Width of Stall	Depth of Stall Perpendicular to Manoeuvring Aisle	Width of Stall Parallel to Manoeuvring Aisle	Overall Depth	Width of Manoeuvring Aisle (one-way)	Width of Manoeuvring Aisle (two-way)
a	b	c	d	e	f	
0	2.7 m (8.86 ft.)	2.7 m (8.86 ft.)	7.0 m (22.97 ft.)	9.1 m (29.86 ft.)	3.6 m (11.81 ft.)	6.7 m (21.98 ft.)
30	2.7 m (8.86 ft.)	5.2 m (17.06 ft.)	5.5 m (45.87 ft.)	14.0 m (45.93 ft.)	3.6 m (11.81 ft.)	7.3 m (23.95 ft.)
45	2.7 m (8.86 ft.)	5.8 m (19.03 ft.)	4.0 m (13.12 ft.)	15.2 m (49.87 ft.)	3.6 m (11.81 ft.)	6.7 m (21.98 ft.)
60	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	3.1 m (10.17 ft.)	18.2 m (59.71 ft.)	6.0 m (19.69 ft.)	7.3 m (23.95 ft.)
90	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	2.7 m (8.86 ft.)	19.5 m (63.98 ft.)	7.3 m (23.95 ft.)	7.3 m (23.95 ft.)

Figure 15: Parking Stall Requirements

- 9.18.7 The minimum number of off-street parking spaces required for each development shall be calculated in accordance with the regulations within the Land Use Districts. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same for a similar use as determined by the Development Authority. Where a development falls within more than one use as listed, the required number of spaces shall be the sum of the requirements for each of the uses listed.
- 9.18.8 The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project, or that there is sufficient parking available in the area of the development to meet needs, or if the development is to occupy an existing building in the C1 District where no or little parking is available.

9.19 Plan of Subdivision

- 9.19.1 Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has been registered at the Land Titles Office.

9.20 Protection from Exposure Hazards

- 9.20.1 The location of any liquefied petroleum gas (LPG) storage tank with a water capacity exceeding 9,100 L (2004 gal.) shall be in accordance with the requirements of the Development Authority, but in no case be less than a minimum distance of 122.0 m (400.0 ft.) from assembly, institutional, commercial, or residential buildings.
- 9.20.2 LPG containers with a water capacity of less than 9,100 L (2004 gal) shall be located in accordance with regulations under the Safety Codes Act.
- 9.20.3 Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
- 9.20.4 Setbacks from pipelines and other utility corridors shall be as required by the Development Authority and appropriate Provincial Regulations and legislation.
- 9.20.5 No tanks for the storage of anhydrous ammonia shall be allowed within the municipality.

9.21 Projections Into Yards

- 9.21.1 Except for fences as noted in Section 9.11 and for the features of buildings as described in Section 9.21.3, no building or structure shall be located or projected into a required front yard in any Residential District.
- 9.21.2 If fireplaces or balconies are developed as part of a dwelling, yard requirements shall be measured from the outside brick face or edge of the fireplace or balcony.
- 9.21.3 The following features may project into a required yard:
- steps, eaves, gutters, sills, and patios, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
 - canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.); and
 - any other features which, in the opinion of the Development Authority, are similar to the foregoing.

9.22 Removal of Topsoil

- 9.22.1 No person shall commence or continue the removal of topsoil without first obtaining a development permit. There shall be provided upon occupancy of a development a minimum topsoil coverage of 16.0 cm (6.0 in.) and the subject lot shall be landscaped to the satisfaction of the Development Authority.

9.23 Signs

- 9.23.1 No signs or advertising structures of a commercial, directional, or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless a development permit has been issued for the sign or structure.

- 9.23.2 No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
- 9.23.3 No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- 9.23.4 Notwithstanding the generality of Section 9.23.1, nor the provisions of Sections 9.23.2 and 9.23.3, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that no such signs shall be illuminated:
- a. signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business, or trade, or relating to an institution of a religious, educational, cultural, recreational, or similar character, or to a hotel, motel, club, or similar institution, provided that such signs shall not exceed 1.2 m² (12.9 ft.²) and be limited to one sign per lot;
 - b. temporary advertisement relating to the sale or leasing of land, the sale of goods or livestock, the carrying out of construction or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character provided that such advertisement shall not exceed 1.86 m² (20.0 ft.²), and provided further that all such temporary advertisements shall be removed by the advertiser within 15 days of the completion of the event or works to which such advertisements relate; and
 - c. advertisements or signs in relation to the function of local public authorities, utility boards or other public or quasi-public bodies.
- 9.23.5 No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
- 9.23.6 All advertisements shall be kept in a safe, clean, and tidy condition, and may by decision of the Development Authority be required to be renovated or removed.
- 9.23.7 No signs or advertising structures other than those specified under Section 9.23.4 shall be allowed in Residential, Community, Institutional, or Urban Reserve Districts.
- 9.23.8 Notwithstanding any other provision of this Bylaw to the contrary, the construction or placement of any sign for any adult use, that is, any business into which premises only adults may be allowed in accordance with Provincial or Federal legislation or regulation, shall require approval of a development permit by the Development Authority, and such approval shall be given only at the sole discretion of the Development Authority.
- 9.23.9 Applications for such a permit shall include details as to the copy (that is, words or pictures) that may be on the sign and the lighting of the sign. In considering approval of the sign, the Development Authority shall give due consideration to all matters that he deems reasonable from the perspective of the municipality's amenities. If approved by the Development Authority, the copy area and lighting of the sign may not vary beyond that which is approved by the Development Authority.

9.24 Site Conditions

- 9.24.1 In all Districts, the outdoor storage of goods, machinery, vehicles, buildings materials, waste materials and other items is to be screened by fences, hedges, or buildings, as required by the Development Authority.

9.25 Site Development

- 9.25.1 The design, siting, external finish, architectural appearance, and landscaping generally of all buildings, including any accessory buildings or structures and signs, and any reconstruction, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with adjacent buildings.
- 9.25.2 The drainage and grading of all development, including the development of any accessory building, shall be to the satisfaction of the Development Authority in order that there shall be no re-direction of surface drainage to adjacent lots as a result of development.

9.26 Sour Gas Facilities

- 9.26.1 No development shall be allowed within 100.0 m (330.0 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by Alberta Energy Regulator (AER).
- 9.26.2 No development shall be permitted within 500.0 m (1,640.0 ft.) of a Level 2 sour gas facility as determined by the AER.
- 9.26.3 No dwelling or unrestricted country development shall be permitted within 100.0 m (330.0 ft.) of a Level 3 or Level 4 sour gas facility (consisting of a well) as determined by the AER.

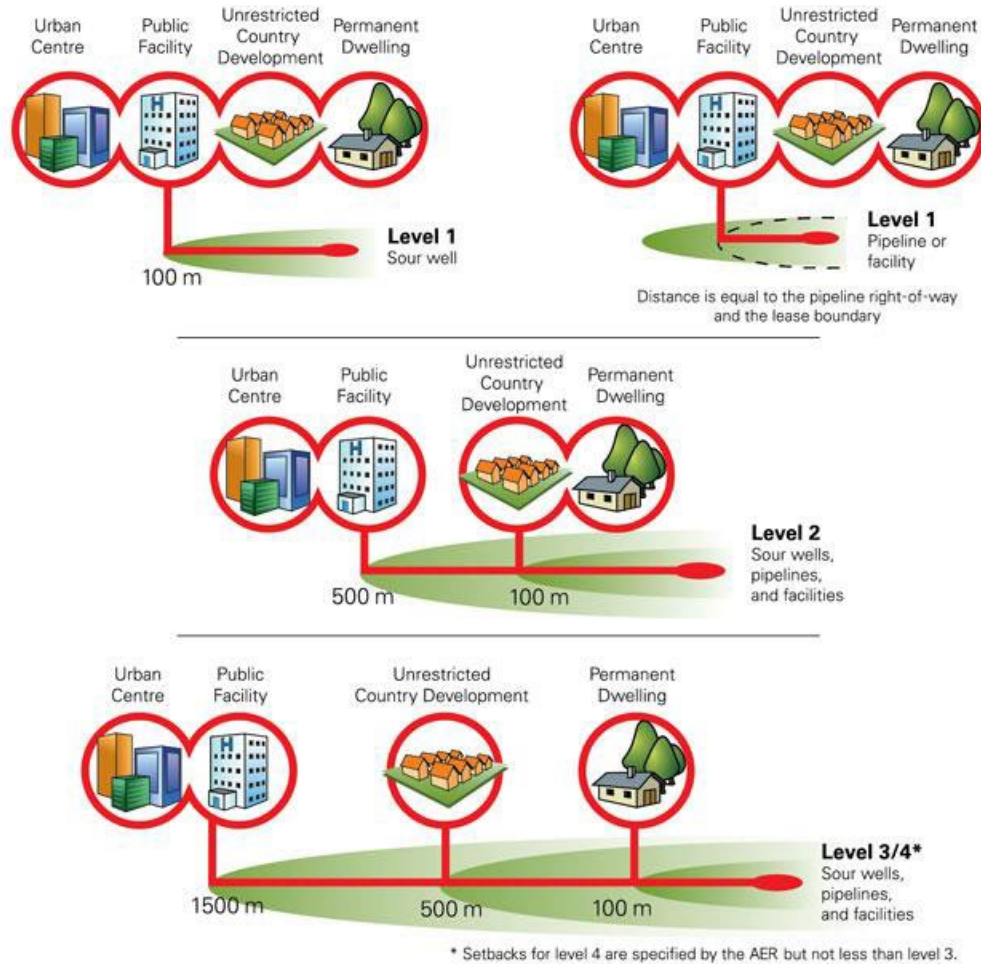


Figure 16: Setbacks from Sour Gas Facilities

9.27 Water Supply and Sanitary Facilities

- 9.27.1 All development within the Village shall be serviced, at no cost to the Village, by sanitary facilities that comply with municipal and provincial design standards and any other Provincial legislation or regulations.
- 9.27.2 A development permit shall not be issued for residential, commercial, industrial, or recreational uses unless the Development Authority is satisfied that potable water supplies of sufficient quality and quantity are or will be made available to support the proposed development.
- 9.27.3 Where municipal water and sanitary services are available, new developments shall be required to connect to municipal services as a condition of subdivision or development approval.

10. SPECIFIC LAND USE REGULATIONS

10.1 Alcohol Retail Sales

- 10.1.1 In addition to any other regulations of this Bylaw, Alcohol Retail Sales meet the following requirements:
- a. an Alcohol Retail Sales Establishment shall only be located within a Land Use District where it is use is listed as a permitted or discretionary use;
 - b. an Alcohol Retail Sales Establishment shall not be located within 100.0 m (328.1 ft.) of any other Alcohol Retail Sales Establishment, Cannabis Store, private or public school, provincial health care facility, a registered day care, public park or lot that is designated as school reserve or municipal and school reserve under the Act. The term public or private schools is limited to elementary through to high school and does not include commercial schools;
 - c. the separation distance between an Alcohol Retail Sales Establishment and other uses shall be measured from the exterior wall of the Alcohol Retail Sales Establishment to the lot line of the lot;
 - d. an Alcohol Retail Sales Establishment shall only operate between the hours of 10:00 a.m. and 10:00 p.m.;
 - e. an Alcohol Retail Sales Establishment use shall not operate in conjunction with or accessory to any other use;
 - f. customer access to an Alcohol Retail Sales Establishment shall be visible from the street other than a lane, or a shopping centre parking lot, or a shopping mall access that allows visibility from the interior of the mall into the store;
 - g. all parking areas and shipping/receiving areas located on-site shall be well lit for pedestrians and vehicles during operating hours;
 - h. parking and loading requirements for an Alcohol Retail Sales Establishment shall be provided based on Sections 9.17 and 9.18, the Municipal Servicing Standards, and any applicable requirements to the satisfaction of the Development Authority;
 - i. the owner shall obtain any other approval, permit, authorization, consent, or license that may be required to ensure compliance with applicable federal, provincial, or municipal legislation; and
 - j. the Development Authority shall impose a condition on any Development Permit issued for Alcohol Retail Sales Establishment requiring that the development shall not commence selling alcoholic products until authorized by and compliant with superior legislation.
- 10.1.2 Notwithstanding 10.1.2.b, above, Alcohol Retail Sales Establishments approved prior to the commencement of this bylaw may be located closer than 100.0 m (328.1 ft.) to any use listed in 10.1.2.b until such time as the Alcohol Retail Sales Establishment use ceases for six months or longer.

10.2 Alternate Energy System, Commercial (CAE)

- 10.2.1 Where Provincial or Federal Government or other Agency approval has been received for a CAE, a copy of the said approval and supporting documents shall be submitted to the Village. The supporting information provided to the Province, Federal Government or other Agency may be used to satisfy some or all the requirements of the Village.

Protection of Agricultural Lands

- 10.2.2 The siting of an CAE should take place on lands considered to be low production, or on poor agricultural land to minimize the conversion of high-capability agricultural soils to other uses.

General Requirements

- 10.2.3 A development permit application shall be made for every title upon which the CAE is proposed.
- 10.2.4 A site plan(s) shall be required for each title but a single, master set of supporting documents may be submitted for the overall project.
- 10.2.5 No signage for the purpose of advertising, other than the name of the system provider, shall be allowed on a CAE.

Public Consultation

- 10.2.6 Prior to the submission of a development permit application the Applicant shall:
 - a. Arrange and host at least one (1) open house or public meeting, in the general area of the site proposed for the development;
 - b. Advertise the time, date, and place of the open house or public meeting;
 - c. in a newspaper circulating within the area of the proposed development, with the advertisement appearing a minimum of two (2) weeks in advance of the public meeting;
 - d. mail a written notice of the time, date, and place of the open house to all landowners within the area proposed for the development, and all landowners within 2.0 km (1.2 miles) of the boundary of the area proposed for the development;
 - e. The information provided at the public meeting shall be all the information that would be required as part of a Development Permit application for the proposal;
 - f. Opportunities for questions and input from the public shall be allowed; and
 - g. A summary of the presentation and the public input shall be recorded.
- 10.2.7 If public consultation was held as part of the Provincial approval process, the Applicant may submit the details of that consultation to the Village to satisfy the requirements of Section 10.2.6.

Safety

- 10.2.8 All applications shall include:
 - a. An emergency response plan; and
 - b. A detailed safety plan identifying any special rescue needs for workers that is beyond the local emergency responders' equipment and training capability.
- 10.2.9 All applicable Safety Codes permits are required to be obtained.

Transmission Lines

- 10.2.10 All collector lines, (less than 69kV) on the site of a CAE generating electrical power, shall be underground, except where the Development Authority approves otherwise.

Color and Finishes

- 10.2.11 The buildings, blades, supporting structures, and accessory buildings shall be painted or coated in non-reflective and non-glossy tones and/or colors which minimize the obtrusive impact of a CAE.
- 10.2.12 No brand names, lettering or advertising shall appear on buildings, towers, blades, support structures or accessory buildings and structures.
- 10.2.13 The lettering or imagery that may appear on the lowest 3.0 m (10.0 ft.) of a tower or building of a CAE are the manufacturer's identification and contact information, the operator's identification and contact information, emergency contact information, and municipal symbol.

Village Standards

- 10.2.14 All roads, approaches, culverts, fences, or other Village infrastructure to be replaced, constructed, upgraded, or reconstructed, shall be built to the Village's standards current at the time of construction.

Referral

- 10.2.15 Prior to deciding upon an application for a CAE, the Development Authority may refer for the review, comment, and any input provided from any of the following entities:
 - a. Alberta Utilities Commission;
 - b. Alberta Transportation and Economic Corridors;

- c. Transport Canada;
- d. NavCanada;
- e. Alberta Electrical Systems Operator;
- f. Adjoining municipal boundary if the application area is within 2.0 km (1.2 miles) of the municipal boundary; and
- g. any other person, departments, agency, commission, or government the Development Authority deems necessary.

Decommissioning

10.2.16 Decommissioning and reclamation shall take place in compliance with the applicable provincial standards of the day the site is decommissioned. If no standards are in place at the time of a development permit application, the Applicant shall provide a plan outlining how the site will be decommissioned and reclaimed to the site's predevelopment state as part of the Development Permit application. The decommissioning plan shall include information on the following:

- a. Treatment of buildings, footings, foundations, structures, and wires;
- b. Reclamation of access roads, driveways, pathways, storm ponds, drainage systems, and other similar disturbances;
- c. The type and suitability vegetation and/or ground cover to be planted and/or seeded;
- d. Notice to be given to landowners and the Village;
- e. Containment of hazardous materials;
- f. Site security;
- g. Haul routes for disposal materials;
- h. Control of noise, dust, particulates, and weeds;
- i. Discussion of the timetable for decommissioning plan.

Financial Security

10.2.17 As a condition of development approval, the Village may require financial security, in the form satisfactory to the Development Authority, to ensure the Reclamation/Decommissioning Plan is implemented and to cover assignment and bankruptcy. The condition may include a periodic review of the security to ensure the amount is sufficient to implement the Reclamation/Decommissioning Plan.

Discontinuance

10.2.18 Should an Alternate Energy Development discontinue producing power for a minimum of two consecutive years, or two cumulative years over a five-year period, the operator shall provide a report on the status of the System to the Village. A review of the status report by the Village may result in the request for the System to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the Village in accordance with the provision of the Municipal Government Act.

Solar Energy Conversion Systems

10.2.19 Development Permit applications for a solar energy collection system shall be accompanied by the following information:

- a. A plan showing the location of overhead and/or underground utilities on or adjacent to the subject lands.
- b. A detailed site plan showing:
 - c. the titled lot(s);
 - d. the location of the system on the lot(s);
 - e. the required setbacks;
 - f. existing structures if any;
 - g. the existing or proposed approach(es); and
 - h. the orientation of the solar collectors.

10.2.20 The application shall also include details regarding:

- a. the system type;

- b. number of structures;
- c. height of structures;
- d. energy process;
- e. grid connection;
- f. rated output in megawatts;
- g. signage;
- h. public safety;
- i. security measures;
- j. topography;
- k. stormwater management plan;
- l. the results of the public consultation process; and
- m. weed control plan.

Glare

10.2.21 Solar panels must be located such that they do not create glare on neighboring properties or public roadways.

Height and Setbacks

10.2.22 The maximum heights and setbacks of building mounted or ground mounted solar collection system shall be subject to the height and setback requirements of the applicable Land Use District.

Fire Protection

10.2.23 The spacing and height of solar collectors shall be designed to provide access for firefighting.

Density

10.2.24 The location of and maximum number of solar collectors per Title may be regulated by the Development Authority.

Wind Energy Conversion Systems (WECS)

10.2.25 An individual development permit application shall be submitted for each titled lot.

10.2.26 Development Permit applications for a wind energy conversion system shall be accompanied by the following information:

- a. An accurate site plan showing and labeling the information outlined in this section and the location of overhead and/or underground utilities on or adjacent to the subject lands;
- b. A digital version of the site plan showing the exact location and base elevation of each WECS in UTM coordinates with NAD 12 83N;
- c. A visual representation of the WECS project including scale elevations, photographs and/or digital projections of the project showing height, rotor diameter, color, and landscape;
- d. A digital version of the site plan showing the exact location and base elevation of each WECS in UTM coordinates and NAD 12 83N;
- e. Reclamation plan;
- f. The manufacturer's specifications indicating:
- g. the proposed systems rated output in megawatts;
- h. the safety features;
- i. the type of material used in the tower, blade, and rotor construction;
- j. foundation design and/or anchor design, including the location and anchoring of any guy wires;
- k. an analysis of the potential for noise and shadow/flicker effect, both at the site of the installation, at the boundary of the property containing the development, and at any habitable residence within 2.0 km (1.2 miles) of any WECS in accordance with Alberta Utilities Commission Rule 12;
- l. the results of the public consultation process;
- m. the potential for electromagnetic interference;
- n. the nature and function of over speed controls which are provided;

- o. the status of the Applicant's circulation to NavCanada, Transport Canada, Alberta Utilities Commission, and any other government department or agency required for provincial approval;
- p. information on public safety;
- q. identification of any roads to be used or constructed for use during construction of the project and any impacts to the existing road system including required approaches from public roads; and
- r. a copy of the Wire Service Provider (WSP) approval if the WECS is proposed to be connected to the provincial power grid;

Setbacks

- 10.2.27 The setback distance between a WECS and a dwelling, within and without the project boundary, shall be as established by the Alberta Utilities Commission through the calculations of AUC Rule 12.
- 10.2.28 The WECS's tower shall be setback from the boundary of all road rights-of-way (developed or undeveloped), a minimum distance equal to the total height of the tower plus 10 percent.
- 10.2.29 A WECS shall be setback not less than 7.5 m (24.6 ft.) from all other property lines, as measured from the rotor's arc (rotor diameter).
- 10.2.30 If the tower utilizes guy wire anchors, the anchors, but not the tower, may be located no closer than 3.0 m (10.0 ft.) to the property lines.

Minimum Blade Clearance

- 10.2.31 The minimum vertical blade clearance from grade shall be 7.6 m (25.0 ft.) for a WECS employing a horizontal rotor.

Tower Access and Safety

- 10.2.32 To ensure public safety, the Development Authority may require that:
 - a. If the tower is climbable, a security fence with a lockable gate, not less than 1.9 (6.0 ft.) in height, shall be installed around a WECS tower;
 - b. No ladder or permanent tower access device shall be located less than 3.7 m (12.0 ft.) from grade;
 - c. A locked device shall be installed on the tower to preclude access to the top of the tower;
 - d. Additional access control features or such additional safety mechanisms or procedures may be required by the Development Authority; and
 - e. The use of tubular towers, with locked door access, will preclude the above requirements.

Other Energy Systems

- 10.2.33 Development Permit applications for all other types of Alternate Energy production systems shall be accompanied by the following information:
 - a. An accurate site plan showing and labelling;
 - b. Any information regarding public safety;
 - i. Information or verification of:
 - ii. the volume of water, if required;
 - iii. the source of the water, if required;
 - iv. the reclamation process of any water utilized by the system;
 - v. the stormwater management system, if required;
 - vi. the method of disposal of any waste material generated by the system; and
 - vii. the generation and mitigation of any noise, vibration, odor, light, particulate that results from the production process;
 - c. An analysis of the potential fire, explosive, or other hazards of the proposed system; and
 - d. A Traffic Impact Assessment or other information/analysis of traffic volumes and any impacts to the local road system.
- 10.2.34 The buildings and structures of non-solar and non-wind based Alternate Energy Development(s) shall comply with all the setbacks established in the district in which it is located with the following modifications:

- a. A minimum of 250.0m (820.0 ft.) from any residential dwelling, food establishment, institutional use, or public use, facility, or building; and
- b. A minimum of 100.0 m (328.0 ft.) from the boundary of any creek, stream, river, lake shore or water body.

Geothermal Systems

- 10.2.35 All geothermal systems shall be Closed Loop systems. Open Loop systems (pump & dump) are not allowed.
- 10.2.36 All geothermal systems shall comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided documented proof is provided showing that the exception meets or exceeds CSA-C448 standard.
- 10.2.37 Installations must be stamped by a qualified Professional Engineer registered under the "Engineering, Geological, or Geophysical Professions Act" of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.
- 10.2.38 In no case may an ethylene glycol-based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used as a heat transfer fluid.

Conditions of Approval for Any CAE

- 10.2.39 Depending on the type of CAE proposed, the Development Authority shall consider, as limited by Sections 619 and 620 of the Municipal Government Act, or not as the case may be, in addition to any other conditions authorized under other sections of this Bylaw or a statutory plan, attaching conditions related to any of the following:
 - a. Entering into a development agreement with the Village in accordance with the Municipal Government Act;
 - b. Preparing by qualified professionals and at the Applicant's expense, all the necessary studies, maps, diagrams, reports, and analysis, whether printed and/or digital, required in support to their application;
 - c. Confining all surface drainage on site and protecting any adjacent water bodies from run-off;
 - d. Treating any wastewater on site and/or disposing of any wastewater as required by the Village;
 - e. Disposing of any non-wastewater liquids in accordance with the requirements of the Village;
 - f. Storing/containing all feedstock and materials within buildings or containment facilities;
 - g. Disposing of any other waste materials;
 - h. Restricting vehicle/truck traffic, whether owned or contracted by the Applicant, that transport construction material, raw material or feedstock or finished/processed goods associated with the development to designated haul routes and times through an agreement and the provision of securities;
 - i. Dust control measures;
 - j. Sound control measures;
 - k. Installing underground all energy transmission (whether electrical, liquid or gas) lines from the site to the applicable collection point;
 - l. Securing all necessary approvals from any other agency with jurisdiction on the type of CAE proposed and providing the Village with a copy of the approval required;
 - m. Identifying and providing for a staged or phased development;
 - n. Constructing or paying for the construction of any new or the upgrading of any existing municipal infrastructure related to the project, such as but not limited to roads, approaches, signage, water lines, and sewage lines;
 - o. Requiring ground cover, weed control, grading, soil erosion control emergency/fire suppression, and drainage measures;
 - p. Specifying time periods to:
 - i. start, suspend, and complete construction activities; and

- ii. trigger decommissioning activities;
- q. Providing for the amenity of the site or development through improvements such as landscaping, berming, and buffering; and
- r. Any other condition or conditions necessary to give form and effect to the project.

10.3 Alternate Energy System, Individual (IAE)

General Requirements for All Individual Systems

- 10.3.1 No re-districting is required for a lot or site for an Individual Alternate Energy System (IAE).
- 10.3.2 A development permit is required for any IAE.
- 10.3.3 All applicable Safety Codes permits are required.
- 10.3.4 If the subject site is located within lands subject to Alberta Transportation and Economic Corridors' jurisdiction, an approved Roadside Development Permit from Alberta Transportation and Economic Corridors shall be required and included with the Development Permit application (For the purposes of Section 683.1(1) of the Municipal Government Act, an application shall not be considered as received unless the Roadside Development Permit is included with the application).

SOLAR ENERGY CONVERSION SYSTEM APPLICATIONS

- 10.3.5 In addition to the requirements of Part 3 of this Bylaw, the application may be required to include:
 - a. Information of any impacts to the Village road system such as, but not limited to:
 - i. identification of the roads to be used to construct and operate the development;
 - ii. number, type of vehicle movements, and load weights; and
 - iii. expected time-period of movements: short-term, periodic, or ongoing;
 - b. For systems that are to be tied into the grid, evidence that the Utility Operator has been informed of the Applicant's intent to install an interconnected customer-Owner generator;
 - c. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business;
 - d. The manufacturer's specifications for the proposed system and rated output in kilowatts;
 - e. A site plan showing the location, setbacks, and orientation of the solar collectors;
 - f. For panels to be affixed to the wall of a building or accessory structure:
 - i. a description of how the panels are to be mounted or affixed;
 - ii. the maximum projection from the wall; and
 - iii. the structural capacity of the building and/or wall to support the proposed development;
 - g. For free-standing solar panels:
 - i. a description of the proposed ground mount design;
 - ii. the clearance to the bottom of the collectors;
 - iii. the maximum height from existing grade; and
 - iv. the method of vegetation/weed control.

GLARE

- 10.3.6 Solar panels must be located such that they do not create glare onto neighboring properties or public roadways.

Mounting and Projection

- 10.3.7 Solar collectors mounted to the roof of a building or structure shall not extend beyond the outermost edge of the roof.
- 10.3.8 The maximum projection of any solar collectors affixed to a wall of a building or structure in a residential District shall be:
 - a. 1.5 m (5.0 ft.) from the surface of a wall that faces a rear lot line; and
 - b. In all other cases 0.6m (2.0 ft.) from the surface of any other wall.

Setbacks

10.3.9 Freestanding solar collectors shall be subject to the setback requirements of the applicable Land Use District or as required by Alberta Transportation and Economic Corridors, whichever is greater.

Height

10.3.10 The maximum height of a freestanding solar collector shall not exceed 2.4 m (8.0 ft.).

10.3.11 For freestanding solar collectors, sufficient clearance shall be retained under the structure to allow for weed control, grass cutting and for fire suppression.

Density

10.3.12 The location of and maximum number of solar collectors per Title may be regulated by the Development Authority.

Wind Energy Conversion System (WECS)

10.3.13 Development Permit applications for a wind energy conversion system shall be accompanied by the following information:

- a. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business;
- b. The manufacturer's specifications indicating:
 - i. the proposed systems rated output in kilowatts;
 - ii. the safety features;
 - iii. the sound characteristics;
 - iv. site plan showing the location and setbacks of the WECS on the property;
- c. Drawings, drawn to scale, of the wind turbine structure, including the tower, base, footings, and anchoring method. An engineering analysis of the Wind Turbine Tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted;
- d. The specifications on the foundations and/or anchor design, including the location and anchoring of any guy wires;
- e. The location of any existing buildings or improvements on the property in relation to the WECS;
- f. Evidence of compliance with applicable air traffic safety regulations. (Transport Canada must be notified of the location – latitude and longitude – and height of all wind turbine installations through the aeronautical clearance application process.)

10.3.14 Prior to deciding upon an application for a WECS, the Development Authority may refer for the review and comment, and consider any input received from the following entities:

- a. Alberta Utilities Commission;
- b. Alberta Transportation and Economic Corridors;
- c. Alberta Utilities Commission and the Alberta Energy Systems Operator for applications proposing to connect to the grid;
- d. Transport Canada;
- e. Navigation Canada; and
- f. Any other person, departments, agency, or commission the Development Authority deems necessary.

Density

10.3.15 There shall be a limit of one WECS per Titled area.

Setbacks

10.3.16 The WECS's tower shall be setback from all property lines a minimum distance equal to the height of the tower, or the minimum setbacks set out in the applicable Land Use District, or as required by Alberta Transportation and Economic Corridors, whichever is greater.

10.3.17 If the tower utilizes guy wire anchors, the anchors, but not the tower, may be located no closer than 3.0 m (10.0 ft.) to the property lines.

Height

- 10.3.18 A WECS tower shall not exceed a maximum height of:
- a. 12.1 m (40 ft.) on a lot of less than 0.4 ha (less than 1.0 acre),
 - b. 19.8 m (65 ft.) on a lot 0.4 – 2.0 ha (1.0 – 5.0 acres),
 - c. 24.4 m (80 ft.) on a lot greater than 2.0 ha (5.0 acres).

Finish and Markings

- 10.3.19 The tower and supporting structures shall be painted or coated in tones and/or colors matching the existing tones and/or colors of the principal building that are non-reflective and non-glossy.
- 10.3.20 Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.

Illumination

10.3.21 Small Wind Turbine Towers shall not be artificially lit except as required by NavCanada.

Tower Access and Public Safety

- 10.3.22 If the tower is climbable, a security fence with a lockable gate, not less than 1.9 (6.0 ft.) in height, shall be installed around a WECS tower;
- 10.3.23 No ladder or permanent tower access device shall be located less than 3.7 m (12.0 ft.) from grade;
- 10.3.24 A locked device shall be installed on the tower to preclude access to the top of the tower;
- 10.3.25 Additional access control features or such additional safety mechanisms or procedures may be required by the Development Authority;
- 10.3.26 The use of tubular towers, with locked door access, will preclude the above requirements.

Electro-magnetism

10.3.27 The system shall be operated such that any electro-magnetic interference is dealt with as per the permit issued by the AUC. If electromagnetic interference is determined during operation, the developer will work with the affected stakeholder(s) to mitigate any issues.

Output

10.3.28 The system's maximum power output shall not exceed 5 kilowatts.

Noise Level

10.3.29 The noise generated by the system shall not exceed 60dB(A) or exceed more than 5dB(A) above background sound, as measured at the exterior of the closest inhabited Dwelling (at the time of installation or during operation), for wind speeds below 10 m per second (22 mph) and except short-term event such as utility outages and/or severe windstorms.

Discontinuance

10.3.30 Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-WECS condition.

Other Individual Alternate Energy Systems

- 10.3.31 Development Permit applications for all other types of Alternate Energy production systems shall be accompanied by the following information:
- a. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business;
 - b. An accurate site plan showing and labelling:
 - i. the location of the proposed system on the property;

- ii. the location of the proposed system in relation to any other buildings or structures on the property;
 - iii. the location of the existing or proposed access;
 - iv. detailed information on the type of facility, structure, or system;
 - v. the energy process involved;
 - vi. the manufacturer's specifications, indicating (if applicable);
 - vii. the rated output in megawatts or gigajoules;
 - viii. the safety features; and
 - ix. the sound characteristics;
- c. Information on public safety regarding such aspects as fire hazards, chemicals used, storage of hazardous materials, exposure to corrosive or and hazardous fumes;
- d. Information or verification of:
- i. the volume of water, if required;
 - ii. the source of the water, if required;
 - iii. the reclamation process of any water utilized by the system;
 - iv. the stormwater management system, if required; and
 - v. the method of disposal of any waste material generated by the system.

Geothermal Systems

- 10.3.32 All geothermal systems shall be Closed Loop systems. Open Loop systems (pump & dump) are not allowed.
- 10.3.33 Must comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided documented proof is provided showing that the exception meets or exceeds CSA-C448 standard.
- 10.3.34 Installations must be stamped by a qualified Professional Engineer registered under the "Engineering, Geological, or Geophysical Professions Act" of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.
- 10.3.35 In no case may an ethylene glycol-based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used as a heat transfer fluid.

Conditions of Approval

- 10.3.36 Depending on the type of IAE proposed, the Development Authority may consider, as limited by Sections 619 and 620 of the Municipal Government Act, or not as the case may be, in addition to any other conditions authorized under other sections of this Bylaw or a statutory plan attaching conditions related to the following:
- a. Entering into a development agreement with the Village in accordance with the Municipal Government Act;
 - b. Preparing by qualified professionals and at the Applicant's expense, all the necessary studies, maps, diagrams, reports, and analysis, whether printed and/or digital, required in support to their application;
 - c. Confining all surface drainage on site and protecting any adjacent water bodies from run-off;
 - d. Treating any wastewater on site and/or disposing of any wastewater as required by the Village;
 - e. Disposing of any non-wastewater liquids in accordance with the requirements of the Village;
 - f. The methods of disposing of any other waste material;
 - g. Storing/containing all feedstock and materials within buildings or containment facilities;
 - h. Restricting vehicle/truck traffic, whether owned or contracted by the Applicant, that transport construction material, raw material or feedstock or finished/processed goods associated with the development to designated haul routes and times;
 - i. Require the entering of a road use agreement and the provision of security;

- j. Constructing or paying for the construction on any new road or approach required for the development and/or upgrading or paying for the upgrading of an existing road or existing approach required for the development;
- k. Dust control;
- l. Sound control;
- m. Installing underground all energy transmission (whether electrical, liquid or gas) lines from the site to the applicable collection point;
- n. Compliance with necessary approvals from any other agencies with jurisdiction on the type IAE proposed and providing the Village with a copy of the approval required;
- o. Identifying and providing for a staged or phased development;
- p. Placing restrictions on parts or elements of the proposed development, such as but not limited to locations, heights, colors, densities, setbacks, etc.;
- q. Constructing or paying for the construction of non-municipal infrastructure related to the project;
- r. Requiring ground cover, weed control, grading, soil erosion control emergency/fire suppression, and drainage measures;
- s. Specifying time periods to:
 - i. start, suspend, and complete construction activities; and
 - ii. trigger decommissioning activities;
- t. Providing for the amenity of the site or development through improvements such as landscaping, berming, and buffering; and
- u. Any other condition or conditions necessary to give form and effect to the project.

10.4 Basic Campgrounds

- 10.4.1 Campgrounds containing campsites, cabins, hotels and/or motels are considered temporary occupancies, and consequently, the maximum occupancy is two hundred and forty (240) days per calendar year.
- 10.4.2 The minimum size for a campsite shall be:
 - a. 10.0 m (32.8 ft.) in width;
 - b. 25.0 m (82 ft.) in depth; and
 - c. 325.0 m² (3500 ft.²) in area.
- 10.4.3 A recreational vehicle/travel trailer on a campsite shall be separated a minimum of 3.0 m (9.8 ft.) from:
 - a. another recreational vehicle/travel trailer on an adjacent site;
 - b. other structures; and
 - c. an interior roadway.
- 10.4.4 Each campsite shall provide two parking spaces on the campsite.
- 10.4.5 All campsites shall be required to provide an acceptable form of ground cover to prevent erosion.
- 10.4.6 A minimum of 10% of the gross lot area of the campground shall be set aside for a common recreation area and shall be developed and maintained as a park, playground, or other useable open space. No portion of any other use and/or facility shall be included in this area.
- 10.4.7 Visitor parking shall be provided in common areas within a campground area, to the satisfaction of the Development Authority.
- 10.4.8 All campgrounds shall be provided with safe and convenient vehicular access and all roadways within a campground shall be of a surface and standard acceptable to a Development Officer for the purposes of accommodating emergency and maintenance vehicles.
- 10.4.9 Within a campground development, the roadway system will be sensitive to the topography and site characteristics of the site and shall be "signed" to avoid confusion.
- 10.4.10 All campsites shall be accessible by means of an access at least 3.0 m (9.8 ft.) in width where the access is for one-way traffic, or at least 6.0 m (19.7 ft.) in width where the access is for two-way traffic.
- 10.4.11 Trees and natural vegetative cover shall not be removed without an approved development permit or development concept plan. The Development Authority may prevent the removal of trees or shrubs adjacent to environmentally sensitive areas.

- 10.4.12 Any adjoining residential area(s) shall be screened by a solid fence or year-round vegetation with a minimum height of 2.0 m (6.6 ft.), to the satisfaction of the Development Authority.
- 10.4.13 Fires shall only be permitted in facilities which have been provided for such purposes or where open fires are allowed by the Village's fire department.
- 10.4.14 Fireplaces, fire pits, charcoal and other barbecue equipment, wood burning stoves, or any other cooking facilities shall be located, constructed, maintained, and used to minimize fire hazard and smoke nuisance in the campground and the neighbouring properties.
- 10.4.15 Fire extinguishers capable of dealing with electrical and wood fires shall be kept in all service buildings.
- 10.4.16 Suitable access and egress shall be provided so that every campground may be readily serviced in emergency situations. Twenty-four (24) hour emergency communication service (e.g., telephones) shall be provided.
- 10.4.17 Pedestrian walkways having a width of not less than 1.2 m (3.9 ft.) shall be provided from campground stalls to all service buildings, facilities, refuse collection areas and recreation areas. The walkways shall be well drained, well lighted, and the surface shall be constructed to a standard to the satisfaction of the Development Authority.
- 10.4.18 Where a campground proposal will ultimately exceed sixty (60) campsites and/or cabins and is located on a lot greater than 8.0 ha (19.8 ac), a development concept plan for the development of the entire tract of land shall be submitted and approved by the Development Authority prior to submitting a development permit application for any specific development. The development concept plan shall include detailed plans and specifications (i.e., servicing, traffic, environmental considerations, etc.) for the initial stage, as well as any subsequent stages of development.
- 10.4.19 The storage, collection, and disposal of solid waste in campgrounds shall be conducted to create no health hazards, rodent harborage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of the Development Authority.
- 10.4.20 Campgrounds with less than sixty (60) campsites and no permanent cabins shall be required to provide sewage disposal and water service facilities to the satisfaction of the Development Authority.
- 10.4.21 Campgrounds with more than sixty (60) campsites and with permanent cabins shall provide on-site services as follows:
- 10.4.22 A water supply system shall be provided for each campsite designed to accommodate the campground user occupying a self-contained recreational vehicle or a cabin and shall be connected to a community water supply system. The water system for a campground shall be constructed to the satisfaction of the Village's Public Works Department and the Development Authority in accordance with all applicable Provincial and Village regulations.
- 10.4.23 Alternatively, a campground may provide one or more easily accessible supply outlets for filling potable water storage tanks. The water supply outlets shall be located within 100.0 m (328.1 ft.) of the campsites. The water supply outlets shall be constructed to the satisfaction of the Village's Public Works Department and the Development Authority in accordance with all applicable Provincial and Village regulations.
- 10.4.24 An adequate and safe sewage disposal system shall be provided in a campground for each campsite designed to accommodate the campground user occupying a self-contained vehicle or cabin and shall be connected to a community sewage system and/or sanitary dumping station, to the satisfaction of the Development Authority. The sewage disposal system in a campground shall be constructed to the satisfaction of the Village's Public Works Department and the Development Authority and shall comply with all applicable Provincial and Village regulations and shall be maintained to the standards of the regulatory approvals.
- 10.4.25 A campground shall be provided with sanitary dumping stations in the ratio of one for every one hundred recreational vehicle spaces or fractional part thereof. The sanitary dumping stations shall be designed and maintained to Village regulations and standards to the satisfaction of the Village's Public Works Department and the Development Authority. Each station shall provide a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic washdown of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that this water is for flushing and

cleaning purposes only. Sanitary stations shall be separated from any campsite or cabin by a distance of not less than 20.0 m (65.6 ft.).

10.4.26 A minimum of one (1) toilet and lavatory be provided for each gender for every ten (10) campsites.

10.5 Bed and Breakfast Operations

- 10.5.1 A bed and breakfast establishment, which shall be considered to be major home occupation, shall, in addition to the regulations for major home occupations, comply with the following regulations:
- 10.5.2 A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved.
- 10.5.3 A bed and breakfast establishment shall have a maximum of four (4) sleeping units.
- 10.5.4 Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.
- 10.5.5 Off-street parking spaces shall be provided in addition to the parking spaces required for a detached dwelling as listed in Section 9.18 – Off-Street Automobile Parking. Spaces shall not be tandem unless otherwise stated in this Bylaw.
- 10.5.6 A bed and breakfast establishment or guest ranch shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.
- 10.5.7 One (1) sign with a maximum size of 0.56 m² (6.0 ft.²) and a maximum height of 1.2 m (3.9 ft.) shall be permitted on the site of a bed and breakfast; and
- 10.5.8 A bed and breakfast shall not be permitted on a lot where another home occupation, a care centre or a social care home exists.

10.6 Cannabis Production and Distribution

- 10.6.1 Regulations within this section apply to the production and development of licensed cannabis for medical and non-medical purposes.
- 10.6.2 No cannabis production and distribution facility shall be permitted unless all applicable licensing and approvals have been provided for by the provincial and federal governments.
- 10.6.3 A cannabis production and distribution facility shall comply with all applicable federal and provincial regulations.
- 10.6.4 A cannabis production and distribution facility must comply with the following requirements, in addition to any other municipal, provincial, or Federal regulations and requirements:
 - a. must meet all applicable requirements of the identified district, which allows for the use; and
 - b. a copy of the current license(s) for the cannabis production and distribution development as issued by the provincial and/or federal government shall be provided to the Development Authority with the application or as a condition of development permit approval.
- 10.6.5 A cannabis production and distribution facility shall meet security and premises requirements as required under provincial and federal legislation and any additional security requirements imposed as a condition of the development permit issued by the Development Authority.
- 10.6.6 The design of the building(s) and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
- 10.6.7 The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- 10.6.8 No outdoor storage of goods, material, or supplies shall be permitted.
- 10.6.9 Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- 10.6.10 All activities related to the cannabis production and distribution facility shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.
- 10.6.11 Hours of operation shall be restricted as a condition of the development permit issued by the Development Authority.
- 10.6.12 Exterior lighting and noise levels shall satisfy the following requirements:

- a. the illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under provincial and federal regulations; and
 - b. noise from facilities shall not exceed the levels allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and the requirements under provincial and federal regulations.
- 10.6.13 The minimum lot size shall be at the discretion of the Development Authority.
- 10.6.14 The minimum setback from any watercourse or waterbody shall be 30.0 m (98.4 ft.).
- 10.6.15 Maximum lot coverage shall be at the discretion of the Development Authority.
- 10.6.16 The maximum height of the principal building shall be 10.0 m (32.8 ft.).
- 10.6.17 A building or structure used for security purposes for a cannabis production and distribution facility may be located within the front yard and must comply with the required minimum setbacks.
- 10.6.18 On site buffering measures shall be required for all cannabis production and distribution facilities. Buffers may include a combination of setbacks, landscaping and fencing to mitigate the impacts on adjacent lots.
- 10.6.19 Parking and loading requirements for a cannabis production and distribution facility shall be provided at the discretion of the Development Authority and any applicable requirements in provincial and federal regulations, as amended or replaced.

10.7 Cannabis Store

- 10.7.1 Where provisions in this section are in conflict with the regulations of any District or any section of this Bylaw, the provisions of this section shall take precedence and be applied in addition to the regulations of the applicable Land Use District and other applicable sections of this Bylaw.
- 10.7.2 An application for a Cannabis Store shall include:
- a. a copy of the applicant's current application for a license from the Alberta Gaming, Liquor and Cannabis Commission;
 - b. a landowner consent letter if the applicant is leasing the building/site;
 - c. an interior floor plan identifying access/egress and loading areas;
 - d. a site plan that includes a land use map identifying adjacent industrial, commercial, and residential uses to demonstrate minimum separation distances have been met; and
 - e. an engagement report.
- 10.7.3 The applicant shall contact landowners and schools adjacent to the site, outline the details of the application and solicit their comments on the application, document any opinions or concerns and what modifications were made to address their concerns. The applicant shall then submit the documentation.
- 10.7.4 A Cannabis Store use shall meet the following requirements:
- a. a Cannabis Store shall not be located within 100.0 m (328.1 ft.) of any other Cannabis Store, Alcohol Retail Sales Establishment, private or public school, provincial health care facility, a registered day care, or lot that is designated as school reserve or municipal and school reserve under the Municipal Government Act;
 - b. the term public or private schools is limited to elementary through to high school and does not include commercial schools.
 - c. the separation distance between a Cannabis Store and other uses shall be measured from the exterior wall of the Cannabis Store to the lot line of the lot;
 - d. a Cannabis Store shall only operate between the hours of 10:00 a.m. and 10:00 p.m.;
 - e. a Cannabis Store use shall not operate in conjunction with or accessory to any other use;
 - f. customer access to a Cannabis Store shall be visible from the street other than a lane, or a shopping centre parking lot, or a shopping mall access that allows visibility from the interior of the mall into the store;
 - g. all parking areas and shipping/receiving areas located on-site shall be well lit for pedestrians and vehicles during operating hours;

- h. parking and loading requirements for a Cannabis Store shall be provided based on Sections 9.17 and 9.18, the General Municipal Servicing Standards, and any applicable requirements to the satisfaction of the Development Authority;
 - i. the owner shall obtain any other approval, permit, authorization, consent, or license that may be required to ensure compliance with applicable federal, provincial, or municipal legislation; and
 - j. the Development Authority shall impose a condition on any Development Permit issued for Cannabis Store requiring that the development shall not commence selling Cannabis until authorized by and compliant with superior legislation.
- 10.7.5 Notwithstanding 10.7.4.a Cannabis Stores approved prior to the commencement of this bylaw may be located closer than 100.0 m (328.1 ft.) from the sites and uses listed in 10.4.7.a until such time as the Cannabis Store use ceases for six months or longer.

10.8 Drive-In/Through Businesses

- 10.8.1 Queuing space shall be provided on the same site as the development as follows:
- a. For drive-in food services and other developments having a service window, a minimum of six (6) inbound queuing spaces shall be provided for vehicles approaching the service window. One (1) outbound queuing space shall be provided on the exit side of the service window;
 - b. For drive-through vehicle services, a minimum of five (5) inbound queuing spaces shall be provided and a minimum of two (2) outbound queuing spaces shall be provided prior to exiting unto a public roadway; and
 - c. Each queuing space shall be a minimum of 5.5 m (18.0 ft.) long and 3.0 m (9.84 ft.) wide. Queuing lanes shall provide sufficient space for turning and maneuvering.
- 10.8.2 Service Stations and Gas Bars:
- a. A canopy over a pump island may extend to within 3.0 m (9.84 ft.) of the boundary of the site. The canopy area shall not constitute part of the site coverage for the purpose of this section.

10.9 Home Occupations

- 10.9.1 All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- 10.9.2 **A major home occupation** shall comply with the following regulations:
- a. The major home occupation shall not, in the opinion of the Development Authority, generate pedestrian or vehicular traffic or parking, in excess of that which is characteristic of the Land Use District in which it is located.
 - b. The number of non-resident employees or business partners working on-site shall not exceed one (1) at any time.
 - c. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage related to business activities shall be allowed in either the dwelling or accessory buildings.
 - d. Articles offered for sale shall be limited to those produced within the dwelling or the accessory building(s).
 - e. The major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial or an Industrial District having regard for the overall compatibility of the use with the residential character of the area.
- 10.9.3 **A minor home occupation** shall comply with the following regulations:
- a. The minor home occupation shall not employ any person on-site other than a resident of the dwelling. Nor shall the business be such that any clients come to the dwelling.
 - b. There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the business allowed on the site. Storage and the business activity itself shall only be allowed

inside the dwelling and not in an accessory building. The minor home occupation does not involve the display of goods in the interior of the residence.

10.9.4 **All home occupations** shall comply with the following requirements:

- a. The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.
- b. The peace, quiet, dignity and other amenities of the neighbourhood shall not be disturbed in any manner.
- c. A home occupation shall not change the principal character or external appearance of the dwelling involved, nor use more than 20% or 31.0 m² (334 ft.²), whichever is less, of the dwelling unit for business usage. Except as noted in 10.9.4.f, there shall be no exterior signage, display, or advertisement, but there may be a limited volume of on-premises sales.
- d. No more than one commercial vehicle used in or for the home occupation shall be parked on the subject site or on the adjoining road.
- e. There shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings.
- f. Notwithstanding any other provisions of this Bylaw to the contrary, a dwelling in which a home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 0.2 m² (2.2 ft.²) in area.
- g. In addition to a Development Permit Application, each application for a major home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
- h. Notwithstanding any other provision of this Bylaw to the contrary, when a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.

10.9.5 Home occupations shall not involve:

- a. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
- b. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

10.10 Industrial Development

10.10.1 An application for the establishment of an industrial use shall be considered by the Development Authority after requesting advisory comment by those Provincial agencies or authorities whose interest or jurisdiction may be affected. The Development Authority shall request that such comments be made in writing.

10.10.2 Each application for an industrial use shall be accompanied by the following information related to the application, in addition to the information required pursuant to Section 5.4 of this Bylaw:

- a. Type of industry;
- b. Size of buildings;
- c. Number of employees;
- d. Estimated water demand and anticipated source;
- e. Type of effluent and method of treatment;
- f. Transportation routes to be used (rail and road);
- g. Reason for specific location;
- h. Any accessory works required (pipeline, railway spurs, etc.); and/or
- i. Any such other information as required by the Development Authority.

10.10.3 All lot regulations and requirements shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority, in accordance with the District in which the site is located.

10.11 Manufactured Home Parks

- 10.11.1 Manufactured Homes located in Manufactured Home Parks will comply with the provision in Section 10.12.
- 10.11.2 Manufactured home stalls shall be located minimum of 3.0 m (10.0 ft.) from the manufactured home park boundary. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
- 10.11.3 The minimum size for a manufactured home stall shall be 464.5 m² (5,000.0 ft.²).
- 10.11.4 All roads shall be constructed and maintained to the satisfaction of the Development Authority. The minimum road right-of-way width shall be 9.14 m (30.0 ft.).
- 10.11.5 There shall be safe, convenient, all-season pedestrian access of not less than 1.0 m (3.3 ft.) in width for the intended use between individual manufactured homes, the park streets and all community facilities provided for park residents.
- 10.11.6 Visitor parking spaces shall be provided as required by the Development Authority, and shall not be used for the storage of boats, recreational vehicles, trailers, etc.
- 10.11.7 Two (2) off-street parking spaces shall be provided on or adjacent to each recreational space as required by the Development Authority.
- 10.11.8 A minimum of 10% of the gross site area shall be devoted to recreational use or recreational space as required by the Development Authority.
- 10.11.9 All areas not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings, and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.
- 10.11.10 No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well-being of the park resident and for the management and maintenance of the park.
- 10.11.11 Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs, or hedges.
- 10.11.12 Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- 10.11.13 Manufactured homes shall be separated from each other by at least 6.1 m (20.0 ft.) side-to-side and at least 3.0 m (10.0 ft.) from either front or rear stall line, provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirement shall be 3.0 m (10.0 ft.).
- 10.11.14 The minimum site area shall be 2.0 ha (5.0 ac).
- 10.11.15 The maximum permissible density shall be fifteen (15) manufactured home spaces per gross developable hectare (six (6) per acre) of the area actually being developed at each stage of the development.

10.12 Manufactured Homes

- 10.12.1 A development permit is required prior to sitting and/or occupying a manufactured home on a residential lot in the Village.
- 10.12.2 All manufactured homes must be of new construction or not more than five (5) years of age from the date of the development application. Manufactured homes shall be in good condition to the satisfaction of the Development Authority.
- 10.12.3 Before a development permit is issued for a manufactured home, the Development Authority shall normally receive verification that the home fully complies with both the CSA Z240 MH National Manufactured Home Standard and the Alberta Building Code (ABC) as amended or replaced. If the CSA Z240 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer or structural engineer certified to conduct such inspection.
- 10.12.4 Should an inspection by an Alberta Safety Codes officer be required, and should the inspection indicate that upgrades to the manufactured home are necessary to bring the home into compliance with the CSA

Z240 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.

- 10.12.5 All manufactured homes shall be anchored to a permanent foundation, with at least four (4) tie downs for a single wide and eight (8) tie downs for a double wide. The foundation or basement shall not exceed 0.6 m (2.0 ft.) above finished grade.
- 10.12.6 In addition to the requirements of Sections 10.12.2 and 10.12.3, a manufactured home located within a residential district must meet the following aesthetic regulations:
- a. The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate and general area.
 - b. The roof pitch shall be consistent with the roof pitch of dwellings in the immediate and general area.
 - c. Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area and in good condition.
 - d. Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate or general area.
 - e. The design of each manufactured home shall ensure the side or end facing the street on which the home fronts contain a prominently placed front door, and windows in quantity and size that are consistent with dwellings in the immediate area.
 - f. Every manufactured home shall be placed on a full perimeter foundation that complies with the Alberta Building Code unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1, as amended or replaced, may be employed.
 - g. The undercarriage of each manufactured home shall be completely screened from view by the foundation or skirting within thirty (30) days of the placement of the manufactured home.
 - h. The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of single-detached dwellings in the immediate and general area.
- 10.12.7 All accessory structures, such as patios, porches, additions, and skirting, shall be:
- a. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes; and
 - b. considered as part of the main building; and
 - c. erected only after obtaining a development permit; and
 - d. be less than 25% of the gross floor area of the manufactured home in size (excluding attached garages).
- 10.12.8 The floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the Development Authority.
- 10.12.9 Additions to a manufactured home shall have a foundation or skirting equivalent to or better than that of the manufactured home and shall be provided with steps and landings to all entrances within thirty (30) days of their development.
- 10.12.10 For the purposes of storage, any furniture, domestic equipment, or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally and shall conform to the Alberta Building Codes (ABC) standards.
- 10.12.11 Any required aesthetic upgrades to the manufactured home must be completed before the issuance of the development permit. The completion of foundation or skirting material must be completed with thirty (30) days of the placement of the manufactured home on a site.
- 10.12.12 With the exception of driveways, no accessory building or use shall be located in the front yard of a manufactured home park or any Residential District.
- a. All utility lines shall be placed underground.
 - b. Notwithstanding any other provision of this Bylaw, all detached garages shall be located not less than 2.4 m (7.9 ft.) from a manufactured home.

- c. Notwithstanding any other provision of this Bylaw to the contrary, the vehicle entry doors of all garages, whether attached to or detached from a manufactured home or any other building, shall be located not less than 5.5 m (18.0 ft.) from a rear or flanking lot line.
- d. All areas of a manufactured home lot not occupied by driveways, walkways, manufactured homes, buildings, and other facilities shall be landscaped to the satisfaction of the Development Authority within two (2) months (weather permitting) of the date of the placement of the manufactured home.
- e. Adequate screening in the form of vegetation or fencing shall be provided between the manufactured home lot and other manufactured home lots, or between the manufactured home lot and adjacent uses where the uses are incompatible with the residential use of the manufactured home lot. This section may be waived by the Development Authority if adjacent landowners agree in writing not to erect any form of screening between their respective properties.
- f. Each manufactured home shall be clearly marked and defined with the property address of the lot. Such marking shall be displayed on the side of the manufactured home facing the road.
- g. The owners of a manufactured home shall provide proper garbage containers on each lot.
- h. Notwithstanding any other provision of this Bylaw to the contrary, a development on a corner lot shall comply with all the restrictions, limitations, and conditions relating to visibility at the intersecting roads as may be required by the Development Authority.
- i. The manufactured home must be covered with an exterior material customarily used in conventional dwellings. The exterior covering material must extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
- j. In addition to the requirements indicated in Section 5.4 of this Bylaw, each application for a development permit for a manufactured home shall be accompanied by:
 - i. a landscaping and site development plan, and
 - ii. photographs of each side of the proposed manufactured home.

10.12.13 The following regulations also apply to manufactured home uses located in **manufactured home parks**:

- a. The hitch and wheels are to be removed from the manufactured home.
- b. All manufactured homes shall be placed on a full perimeter foundation that complies with the Alberta Building Code unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1, as amended or replaced, may be employed; and
- c. The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of single-detached dwellings in the immediate and general area.
- d. The property is to be grassed and landscaped within one (1) year from the date of issue of the development permit.
- e. Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.

10.13 Multi-Dwelling Developments

- 10.13.1 Before any development permit application for an apartment, duplex, triplex, fourplex, or row housing development can be considered by the Development Authority, the applicant must provide:
- a. design plans and working drawings including elevations which have been prepared or endorsed by a registered architect;
 - b. site plans showing the proposed:
 - i. location and position of structures on the site, including any "For Rent" or identification signs;
 - ii. location and number of parking spaces, exits, accesses, and drives from public roads;
 - iii. location of an access to refuse storage areas and incinerators and the fencing and landscaping of such facilities; and

- iv. landscaping plan of the entire site which shall show intended surfacing for drives and parking areas.
- c. The plans identified above will append the application and once approved, shall be deemed conditions of approval. The Development Authority may require a performance bond from the developer if deemed necessary.

10.14 Places of Worship

- 10.14.1 The lot on which a place of worship is situated shall have a frontage of not less than 30.0 m (98.4 ft.) and an area of not less than 929.0 m² (10,000.0 ft.²) except in the case where a building for a clergyman's residence is to be erected on the same lot. The area of the lot in this case shall not be less than 1,393 m² (14,994 ft.²).
- 10.14.2 Minimum front, side and rear yards shall be those required within the Land Use District in which the place of worship is located.

10.15 Recreational Vehicles

- 10.15.1 No person shall use any vehicle for occupancy within the Village, other than within an approved campground.
- 10.15.2 One (1) recreational vehicle may be stored in the required front yard in any residential district or in the case of a corner lot, in a required front yard or flanking side yard in any residential district. The following provisions apply:
 - a. The recreational vehicle must be entirely located within the boundaries of the subject site;
 - b. The recreational vehicle must comply with accessory building setback requirements from the side and rear yards; and
 - c. The recreational vehicle must be located on a hard surfaced driveway or pad.
- 10.15.3 No person shall keep more than one (1) recreational vehicle on a residential lot at any time.
- 10.15.4 No recreational vehicle shall be permanently connected to any utility or municipal service, such as power, gas, water supply or sanitary sewage disposal facilities unless the recreational vehicle is located in an approved recreational vehicle park.

10.16 Relocated Buildings

- 10.16.1 No person shall alter the location of a building on a lot already constructed on that lot unless a development permit has been issued.
- 10.16.2 No person shall place on a lot a building formerly erected or placed on a different lot, including portable prefabricated buildings and/or modular homes without an approved development permit.
- 10.16.3 In addition to the requirements of Section 5.4, the Development Authority may require an application for a development permit for a relocated building, or a modular home to be accompanied by:
 - a. Recent colour photographs showing all sides of the building;
 - b. A statement on the age and general condition of the building;
 - c. A statement prepared and signed by a qualified person on the structural condition of the building;
 - d. A statement of proposed improvements to the building; and
 - e. A certificate confirming compliance with the Alberta Building Code; and
 - f. Any other requirements or conditions as required by the Development Authority.
- 10.16.4 An application for a development permit may be approved by the Development Authority if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located and, in the opinion of the Development Authority, is consistent with the form and character of the structures and developments in the neighbourhood in which it is to be placed.
- 10.16.5 Where a development permit has been granted for modular housing or the relocation of a building either on the same lot or from another lot, the Development Authority may require the applicant to provide a

security in the form of an irrevocable letter of credit of such amount to ensure completion of any renovations or other construction set out as a condition of approval of a permit.

- 10.16.6 Where a relocated building, modular housing or other structures are placed on a permanent foundation that elevates the modular home/structure above grade, such relocated building, modular home/structure shall be enclosed as to completely screen the underside and foundation from view. The enclosure shall be constructed using the same or similar material from which the modular home/structure is constructed and shall compliment the appearance and character of the modular housing/structure, site, and surrounding structures in the neighbourhood to the satisfaction of the Development Authority.
- 10.16.7 All structural and exterior renovations shall be completed within one year of the issuance of a development permit.

10.17 Sea Cans/ Shipping Containers

- 10.17.1 The permanent placement of a maximum of one (1) sea can or shipping container may be allowed in the rear yard of a lot within a Residential District with an approved development permit.
- 10.17.2 The placement of a sea can or shipping container on a lot must conform to the setback requirements for accessory buildings.
- 10.17.3 Notwithstanding 10.17.1 and 10.17.2, a development permit may be issued for the temporary placement of one (1) sea can or shipping container in the front yard on a lot within a Residential District on a temporary basis during the construction of the principal dwelling.
- 10.17.4 If a temporary development permit for a sea can or shipping container has been approved by the Development Authority then the sea can or shipping container may be placed on site for a period of six (6) months. After that period has expired the developer will be required to apply to the Village for an extension for the permit. Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.
- 10.17.5 The maximum number of sea cans or shipping containers that may be placed on a lot in an urban reserve, commercial, or industrial land use district shall be at the discretion of the Development Authority.
- 10.17.6 The placement of a sea can or shipping container on any urban reserve, commercial or industrial lot requires a development permit.
- 10.17.7 Sea cans or shipping containers may not be stacked. The maximum height for a sea can or shipping container allowed on a lot is 3.0 m (10.0 ft.).
- 10.17.8 Sea cans or shipping containers located in a residential district may be a maximum of 6.0 m (20.0 ft.) in length.
- 10.17.9 The appearance of a sea can or shipping container located in a rear yard of a residential lot, shall be acceptable to the Development Authority and shall be in good repair and clad to conform to the character of existing developments in the district.
- 10.17.10 Sea cans or shipping containers cannot be used as a dwelling, bunk house or garden suite.
- 10.17.11 No human or animal habitation will be permitted within a sea can or shipping container.

10.18 Service Stations (Including Gas Bars)

- 10.18.1 No part of any building or accessory building, structure, or use shall be located within 6.1 m (20.0 ft.) of a side or rear line and 12.2 m (40.0 ft.) of a front line; however, gasoline pumps may be located as little as 6.1 m (20.0 ft.) from the front line.
- 10.18.2 The minimum lot area shall be 743 m² (7998 ft.²). When a car wash is included, the minimum lot area shall be 1114 m² (11,991 ft.²).
- 10.18.3 If a service station or gas bar is part of a shopping centre, the number of parking spaces shall be as determined by the Development Authority.
- 10.18.4 Any lighting shall be located and arranged so that all direct rays of light are directed upon the lot only and not on any adjoining lots.
- 10.18.5 The owner, tenant, operator, or person in charge of a service station or gas bar shall:

- a. not carry on any business or activity which is obnoxious or offensive, or which constitutes a nuisance or annoyance to dwellings or businesses near the service station or gas bar by reason of dust, noise, gases, odour, smoke, or vibration; and
- b. be responsible for seeing that:
 - i. no motor vehicles obstruct the sidewalks or boulevards abutting or adjacent to the service station or gas bar; and
 - ii. motor vehicles enter and leave the service station or gas bar only at the entrances and exits provided.

10.19 Show Homes

- 10.19.1 In addition to the information required for a development permit application, the following additional information shall be submitted to the Development Authority for a development permit application for a show home:
- a. Proposed hours of operation;
 - b. Anticipated number of clients expected at the show home on a daily basis and the location and number of parking stalls on site;
 - c. Location of all proposed exterior lighting; and
 - d. Location of any signs proposed for the site.
- 10.19.2 The building shall not be operated as a show home or sales office for a period in excess of twelve months without the renewal of the Development Permit.
- 10.19.3 The appearance of the building shall, in the opinion of the Development Authority, be compatible with the character of other buildings in the vicinity.

10.20 Solar Energy Collection Systems

- 10.20.1 Ground mounted solar collectors shall be located in a side or rear yard only.
- 10.20.2 When a solar energy collection system is installed on a lot, accessory structure or vegetation on an abutting lot shall not be located in such a manner that they block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:
- a. is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 3.7 m (12.0 ft.) obstruction located on the lot line; and
 - b. has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.
- 10.20.3 Section 10.20.2 does not apply to structure or vegetation existing in an abutting lot at the time of installation of the solar energy collection system, or the effective date of this Bylaw, whichever is later. Said subsection controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.

10.21 Suites, Garage

- 10.21.1 A garage suite shall be restricted to a lot occupied by a single-detached dwelling.
- 10.21.2 A garage suite shall not be constructed on a lot with a duplex, triplex, fourplex, row housing or apartment building.
- 10.21.3 A maximum of one (1) garage suite, garden suite, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- 10.21.4 A garage suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m² (860.0 ft.²).
- 10.21.5 A garage suite shall remain accessory to and subordinate to the use of the garage and the floor areas of the garage.
- 10.21.6 The minimum floor area for an at-grade garage suite is 30.0 m² (322.9 ft.²).
- 10.21.7 The minimum floor area for an above-grade garage suite is 30.0 m² (322.9 ft.²).

- 10.21.8 Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.
- 10.21.9 A garage suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove, or provision of 220-volt wiring and toilet and bathing facilities.
- 10.21.10 A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.
- 10.21.11 Garage suites shall be a maximum height of 10.7 m (35.0 ft.) provided that the maximum height is not higher than the height of the main dwelling.
- 10.21.12 A minimum of three (3) on-site parking spaces shall be required for lots with approved garage suite development. Tandem parking may be permitted at the discretion of the Development Authority.
- 10.21.13 No additional approach will be permitted to provide access or egress to the suite.

10.22 Suites, Garden

- 10.22.1 A maximum of one (1) garage suite, garden suite, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- 10.22.2 A garden suite shall only be allowed on a lot occupied by a single-detached dwelling.
- 10.22.3 A garden suite shall not be constructed on a lot with a duplex, triplex, fourplex, row housing or apartment building.
- 10.22.4 If a permit for a garden suite is approved by the Development Authority, no additional garage suite, garden suite, or secondary suite shall be allowed on the same lot.
- 10.22.5 Notwithstanding any other provisions in this Bylaw, a garden suite shall only be permitted to be constructed on a lot concurrently with the main use or after the main use on the lot has been built.
- 10.22.6 The exterior finish of a garden suite must be well maintained and consistent with the finish of the primary building.
- 10.22.7 Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garden suite.
- 10.22.8 A garden suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220-volt wiring) and toilet with bathing facilities.
- 10.22.9 The minimum floor area for a garden suite shall be 30.0 m² (322.9 ft.²).
- 10.22.10 A garden suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m² (860.0 ft.²) in floor area.
- 10.22.11 Garden suites shall have a maximum height of 4.3 m (14.1 ft.).
- 10.22.12 Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
- 10.22.13 One onsite parking stall shall be provided for the secondary suite, in addition to the parking requirements for the main dwelling. Tandem parking may be permitted at the discretion of the Development Authority.
- 10.22.14 Windows contained within a garden suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
- off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a garden suite window on an abutting site;
 - strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
 - placing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.
- 10.22.15 A garden suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- 10.22.16 No additional approach will be permitted to provide access or egress to the suite.

10.23 Suites In-law

- 10.23.1 An in-law suite shall be restricted to a site occupied by a single-detached dwelling or a duplex.

- 10.23.2 An in-law suite is prohibited from being constructed within triplexes, fourplexes, row housing or apartment buildings.
- 10.23.3 A maximum of one (1) garage suite, garden suite, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- 10.23.4 An in-law suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m² (860.0 ft.²).
- 10.23.5 Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.
- 10.23.6 An in-law suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove, or provision of 220-volt wiring and toilet with bathing facilities.
- 10.23.7 An in-law suite does not have an entrance separate from the entrance to the main dwelling.
- 10.23.8 The minimum floor area for an in-law suite is 30.0 m² (322.9 ft.²).
- 10.23.9 No additional approach will be permitted to provide access or egress to the suite.
- 10.23.10 The minimum lot width requirement for in-law suites is 12.2 m (40.0 ft.).
- 10.23.11 The minimum floor area for in-law suites is 30.0 m² (322.9 ft.²)
- 10.23.12 Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
- 10.23.13 One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the main dwelling. Tandem parking may be permitted at the discretion of the Development Authority.

10.24 Suites Secondary

- 10.24.1 A secondary suite shall be restricted to a site occupied by a single-detached dwelling or a duplex.
- 10.24.2 A secondary suite shall not be constructed within triplexes, fourplexes, row housing or apartment buildings.
- 10.24.3 A maximum of one (1) garage suite, garden suite, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- 10.24.4 A secondary suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m² (860.1 ft.²)
- 10.24.5 Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
- 10.24.6 A secondary suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove, or provision of 220-volt wiring and toilet with bathing facilities.
- 10.24.7 A secondary suite has an entrance separate from the entrance to the main dwelling, either from a common indoor landing or directly from the exterior of the structure.
- 10.24.8 A secondary suite may include the conversion of a portion of existing space in the main dwelling, or the addition of new floor space to an existing dwelling.
- 10.24.9 The minimum lot size for a secondary suite is 360.0 m² (3875.0 ft.²).
- 10.24.10 The minimum lot width requirement for secondary suites is 12.2 m (40.0 ft.).
- 10.24.11 The minimum floor area for a secondary suite is 30.0 m² (322.9 ft.²)
- 10.24.12 Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
- 10.24.13 One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the main dwelling. Tandem parking may be permitted at the discretion of the Development Authority.
- 10.24.14 No additional approach will be permitted to provide access or egress to the suite.

10.25 Suite, Surveillance

- 10.25.1 The issuance of a development permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:
- 10.25.2 A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the main use of the subject lot. Moreover, in the opinion of the

Development Authority, the placement of a surveillance suite shall be compatible with all existing, main development/land uses on adjacent properties and shall not interfere with future main development/land uses of adjacent properties.

- 10.25.3 Where a surveillance suite is allowed in accordance with this Bylaw, the Development Authority may issue a development permit for one surveillance suite per associated development or lot.
- 10.25.4 Detached surveillance suites shall be sited in accordance with siting regulations specified in the land use district within which the subject lot is located or in accordance with the following requirements, whichever are greater:
 - a. a minimum of 1.8 m (6.0 ft.) from any buildings; and
 - b. a minimum of 1.8 m (6.0 ft.) from the rear and side property lines; and
 - c. no closer than the front line of the main building to the front property line.
- 10.25.5 The maximum floor area of any non-basement surveillance suite, as defined in this Bylaw, shall be 46.6 m² (500.0 ft.²).
- 10.25.6 The quality of exterior treatment and design of any surveillance suite shall be to the satisfaction of the Development Authority, who shall ensure that the design, character, and appearance of any surveillance suite is compatible with the development(s)/use(s) with which the suite is associated as well as all development(s)/use(s) on adjacent properties.

10.26 Tourist Homes

- 10.26.1 The development of a Tourist home in the Village shall require a Development Permit.
- 10.26.2 No development permit for a tourist home may be issued for a lot that does not conform to all other provisions of this land use bylaw.
- 10.26.3 The development of a Tourist home in the Village shall require a Development Permit annually. A development permit for a Tourist home shall only be issued for a temporary period up to but not exceeding twelve (12) months.
- 10.26.4 An application for a development permit for a tourist home shall include (in addition to the requirements of Section 5.4):
 - a. the applicable fee as established in the Village's current Fees and Charges Bylaw;
 - b. signatures of all property owners listed on the title;
 - c. identification of what portion of the dwelling or suites are to be utilized as a tourist home, and total number of bedrooms;
 - d. a home safety and evacuation floor plan of the premises;
 - e. a parking plan that identifies the total area of the lot to be used for parking;
 - f. information on where (or on what website) the tourist home will be listed for rental.
- 10.26.5 A maximum of one tourist home may be developed on a lot. A tourist home may be developed within:
 - a. an entire principal dwelling for which a development permit has previously been issued;
 - b. a portion of a principal dwelling for which a development permit has previously been issued;
 - c. a garden suite for which a development permit has been previously issued.
- 10.26.6 A maximum of one rental booking may be scheduled at a time within an approved tourist home.
- 10.26.7 A tourist home with an approved development permit shall visibly display in the main entrance of the tourist home:
 - a. a copy of the development permit outlining the maximum occupancy of the tourist home and the primary contact telephone number and email of the owners; and
 - b. a home safety and evacuation floor plan of the premises.
- 10.26.8 A tourist home shall not be developed within:
 - a. a recreational vehicle;
 - b. a tent or tented structure; or
 - c. an accessory building without cooking or bathroom facilities.
- 10.26.9 The maximum occupancy of a tourist home shall be the total number of bedrooms times two (2), to a maximum of eight (8).

- 10.26.10 Children under the age of twelve (12) do not calculate into the maximum occupancy of a tourist home.
- 10.26.11 A minimum of one (1) parking space per bedroom in the tourist home, plus one (1) extra shall be provided for on a lot. The parking space shall be included in the calculation of lot coverage. No offsite parking (i.e., parking within the adjacent road right of way, on municipal land, or on adjacent private land) shall be allowed.
- 10.26.12 The owner(s) may be required to facilitate periodic inspections within a 72-hour notice of the tourist home as requested by the Development Authority to ensure compliance with the regulations of this land use bylaw.
- 10.26.13 The owner(s) shall be required to cooperate with the Development Authority, emergency services providers, and Alberta Health Services during an investigation of any complaint associated with the tourist home.
- 10.26.14 No signs advertising the rental of the tourist home shall be permitted onsite.
- 10.26.15 The owner(s) must ensure that the tourist home complies with the Village's Fire Bylaw.
- 10.26.16 The owner(s) must provide each guest with a copy of a Good Guest Guidebook as produced by the Village.

10.27 Veterinary Clinics and Kennels

- 10.27.1 Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.
- 10.27.2 All development permit applications may be referred to the local Health Authority or animal control agency for comment.
- 10.27.3 No facility or exterior exercise runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line adjacent to a dwelling or residential property.
- 10.27.4 All exterior exercise areas (runs) may be required to be enclosed with a fence acceptable to the Development Authority.
- 10.27.5 All dog facilities, including buildings and exterior exercise areas, may be required to be sited to the satisfaction of the Development Authority.
- 10.27.6 The Development Authority may regulate the hours that dogs are allowed outdoors.
- 10.27.7 Facilities that provide overnight housing for animals shall be equipped with an adequate number of indoor exercise-runs relative to the maximum number of animals that can be housed.
- 10.27.8 A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments.

10.28 Work Camps

- 10.28.1 All work camps shall be considered temporary developments.
- 10.28.2 At no time shall the total number of all workcamps within the municipality accommodate more than 500 persons.
- 10.28.3 All work camps require a development permit and the Development Authority shall give due regard to the need, location, and type of camp, prior to rendering its decision.
- 10.28.4 A development permit for a workcamp may be issued for up to three (3) years. If all conditions have not been satisfied to the satisfaction of the Development Authority, then the permit will no longer be considered valid. The permit must be renewed after the three (3) year period. An application may be made for a continuance of the use for one (1) additional year after the three (3) year period, after which a new development permit approval is required.
- 10.28.5 The Development Authority may establish whatever conditions for the approval of a work camp that it, at its discretion, deems reasonable to ensure that the workcamp will be a temporary development.
- 10.28.6 If all of the conditions of the development permit have not been fulfilled to the satisfaction of the Development Authority then the permit will not be considered valid.
- 10.28.7 In addition to the requirements of Section 5.4 of this Bylaw, an application for a development permit for workcamp must provide the following information:
- a. the location, type, and purpose of the camp;

- b. adjacent land uses;
 - c. the method for connecting the proposed development to municipal water;
 - d. sewage, waste disposal and storm water systems;
 - e. the number of persons proposed to live in the camp;
 - f. the start date for the development, date of occupancy by residents, and removal date for the camp; and
 - g. reclamation measures to be completed once the camp is no longer needed to the satisfaction of the Development Authority.
- 10.28.8 As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act, as amended that may be applicable.
- 10.28.9 As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service the development.
- 10.28.10 All internal roads shall be the responsibility of the Developer for both construction and future maintenance.
- 10.28.11 The developer shall provide on-site potable water supply in accordance with the municipality's public works department requirements as well as all applicable Provincial regulations.
- 10.28.12 The developer shall provide sewage disposal facilities in accordance with the municipality's public works department requirements as well as all applicable Provincial regulations.
- 10.28.13 The developer shall provide natural gas facilities in accordance with the municipality's requirements as well as all applicable Provincial regulations.
- 10.28.14 The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.
- 10.28.15 All work camps must:
- a. ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - b. be designed so that all points of access and egress are located to the satisfaction of the Development Authority and, when required, Alberta Transportation, and/or adjacent municipality;
 - c. be able to accommodate a minimum of fifty (50) persons;
 - d. be secured by the installation of appropriate security and buffering measures such as berms, fences, and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
 - e. provide on-site security staff to the satisfaction of the Development Authority;
 - f. all parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority. Normally, on-site parking for private vehicles will adhere to the same standard as parking for a hotel or motel;
 - g. post security with the municipality sufficient to remove and/or reclaim the site if the workcamp remains on site after the project is either completed or if the work has stopped to the extent that the municipality no longer feels that the workcamp is necessary to the project, or to reclaim the site if needed after the workcamp has been removed from the site; and
 - h. be buffered from adjacent land uses.
- 10.28.16 The maximum site coverage shall be such that space is available for all the parking on the lot, together with the applicable setbacks and required landscaping as determined by the Development Authority.
- 10.28.17 Adjacent buildings in workcamps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Safety Codes Act, as amended and by the Development Authority.
- 10.28.18 Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

- 10.28.19 The development must comply with current Building and Fire Code requirements as amended from time to time.
- 10.28.20 The applicant shall also provide a report which details the following:
- a. discussions with and impact on the local RCMP;
 - b. discussions with and impact on the local Emergency Medical Services;
 - c. discussions with and impact on the local Fire Department; and
 - d. a Traffic Impact Assessment to identify impacts and improvements which may be required to the transportation network.
- 10.28.21 The development must comply with any other conditions required to the satisfaction of the Development Authority.

11. LAND USE DISTRICTS

11.1 Establishment of Districts

11.1.1 For the purpose of this Bylaw, the Village of Clyde is divided into the following Districts:

LAND USE DISTRICT NAME	SYMBOL
RESIDENTIAL DISTRICT	R1
RESIDENTIAL DISTRICT	R2
RESIDENTIAL MANUFACTURED HOME DISTRICT	RMH
RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT	RMH-A
COMMERCIAL DISTRICT	C
INDUSTRIAL DISTRICT	M
COMMUNITY DISTRICT	P
INSTITUTIONAL DISTRICT	I
URBAN RESERVE DISTRICT	UR
DIRECT CONTROL	DC

11.1.2 For the purposes of this Bylaw, when the term “Residential District” or “Residential Districts” is used, it shall be taken to mean one or all of the R1, R2, RMH, and RMH-A Districts.

11.1.3 The boundaries of the districts listed Section 11.1.1 are as delineated on the Land Use District Map.

11.1.4 Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following shall apply:

- a. Where a boundary is shown as following a road, lane, or water course, it shall be deemed to follow the centre line thereof.
- b. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
- c. In circumstances not covered by 11.1.4.a or 11.1.4.b, the location of the boundary shall be determined:
 - i. Where dimensions are set out on the Land Use District Map, by the dimensions or set; or
 - ii. Where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of scale shown on the Land Use District Map.

11.1.5 After the Council has fixed a District boundary pursuant to the provisions of 11.1.4, the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.

11.1.6 The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.

12. RESIDENTIAL DISTRICT - R1

12.1 Purpose

12.1.1 To permit development of low density detached single-detached dwellings, and associated uses at the discretion of the Development Authority.

12.2 Permitted Uses

12.2.1 Alternate energy systems, individual
 12.2.2 Dwellings, single-detached
 12.2.3 Home occupations, minor
 12.2.4 Buildings and uses accessory to permitted uses

12.3 Discretionary Uses

12.3.1 Bed and breakfast establishments
 12.3.2 Day homes
 12.3.3 Dwellings, Duplex
 12.3.4 Group homes
 12.3.5 Home occupations, major
 12.3.6 Parks
 12.3.7 Places of worship
 12.3.8 Public or quasi-public buildings and uses
 12.3.9 Public utilities
 12.3.10 Suites, garage
 12.3.11 Suites, garden
 12.3.12 Suites, in-law
 12.3.13 Tourist homes
 12.3.14 Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
 12.3.15 Buildings and uses accessory to discretionary uses

12.4 Regulations relating to Single-detached Dwellings

12.4.1	Minimum Lot Area	464.5 m ² (5,000 ft. ²)
12.4.2	Maximum Lot Coverage	40% of the lot area, of which: a. 40% may be a principal building with an attached garage b. 28% may be a principal building without an attached garage c. A maximum of 15% may be accessory buildings
12.4.3	Minimum Front Yard	6.1 m (20.0 ft.)
12.4.4	Minimum Rear Yard	7.6 m (24.9 ft.)
12.4.5	Minimum Side Yard	10% of lot width, or, at the discretion of the Development Authority, a minimum of 1.5 m (4.9 ft.) on all lots over 15.2 m (50.0 ft.) in lot width and not less than 10% of the lot width on all lots 15.2 m (50.0 ft.) or less in lot width; except that in laneless subdivisions, one side yard shall be a minimum of 3.0 m (9.8 ft.).
12.4.6	Minimum Side Yard, Corner Lots	4.5 m (14.8 ft.) adjacent to road.
12.4.7	Maximum Building Height	10.1 m (33.1 ft.) or two (2) storeys, whichever is the lesser
12.4.8	Minimum Floor Area, 1 Storey	111.5 m ² (1,200 ft. ²)
12.4.9	Minimum Floor Area, 1.5 Storey	130.0 m ² (1,400 ft. ²) for 1½ storey
12.4.10	Minimum Floor Area, 2 Storey	148.6 m ² (1,600 ft. ²)

12.4.11	Minimum Floor Area on Lots with an Area Under 464.5 m ² (5,000 ft. ²)	At the discretion of the Development Authority
12.4.12	Parking Requirements	2 spaces per dwelling unit
12.4.13	Dwellings located within the setback of the Sewage lagoon	Notwithstanding any other provision of this Bylaw to the contrary, existing dwellings located within 300 m (984 ft.) of the Clyde sewage lagoon will not be allowed to expand or to rebuild unless a variance to the required setback distances prescribed in the <i>Matters Related to Subdivision and Development Regulation</i> has been approved.

12.5 Relating to All Other Uses

12.5.1 As required by the Development Authority

13. RESIDENTIAL DISTRICT - R2

13.1 Purpose

13.1.1 To permit development of primarily single-detached dwellings, with the possibility for medium and higher density residential developments at the discretion of the Development Authority.

13.2 Permitted Uses

13.2.1	Alternate energy system, individual	13.2.3	Home occupations, minor
13.2.2	Dwellings, single-detached	13.2.4	Buildings and uses accessory to permitted uses

13.3 Discretionary Uses

13.3.1	Day homes	13.3.11	Public or quasi-public buildings and uses
13.3.2	Dwellings, apartment	13.3.12	Public utilities
13.3.3	Dwellings, duplex	13.3.13	Suites, garage
13.3.4	Dwellings, fourplexes	13.3.14	Suites, garden
13.3.5	Dwellings, row housing	13.3.15	Suites, in-law
13.3.6	Dwellings, triplexes	13.3.16	Tourist homes
13.3.7	Group homes	13.3.17	Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
13.3.8	Home occupations, major	13.3.18	Buildings and uses accessory to discretionary uses
13.3.9	Parks		
13.3.10	Places of worship		

13.4 Regulations to Single-detached Dwelling

13.4.1	Minimum Lot Area	464.5 m ² (5000 ft. ²)
13.4.2	Maximum Lot Coverage	40%, of which: i. 40% may be a principal building with an attached garage ii. 28% may be a principal building without an attached garage iii. A maximum of 15% may be accessory buildings
13.4.3	Minimum Front Yard	6.1 m (20.0 ft.)
13.4.4	Minimum Rear Yard	7.6 m (24.9 ft.)
13.4.5	Minimum Side Yard	10% of lot width, or, at the discretion of the Development Authority, a minimum of 1.5 m (4.9 ft.) on all lots over 15.24 m (50 ft.) in lot width and not less than 10% of the lot width on all lots 15.24 m (50 ft.) or less in lot width; except that in laneless subdivisions, one side yard shall be a minimum of 3.0 m (9.8 ft.).
13.4.6	Minim Side Yard, Corner Lots	4.5 m (14.8 ft.) adjacent to road
13.4.7	Maximum Building Height	10.1 m (33.1 ft.) or two (2) storeys, whichever is the lesser
13.4.8	Minimum Floor Area, 1 Storey	92.9 m ² (1000 ft. ²)
13.4.9	Minimum Floor Area, 1.5 Storey	111.5 m ² (1200 ft. ²)
13.4.10	Minimum Floor Area, 2 Storey	130.0 m ² (1400 ft. ²)

13.4.11	Minimum Floor Area on Lots with an Area Under 464.5 m ² (5,000 ft. ²)	At the discretion of the Development Authority
13.4.12	Parking requirements	2 spaces per dwelling unit

13.5 Regulations relating to Duplexes

13.5.1	Minimum Lot Area, Up and Down Units	576 m ² (6,200 ft. ²), provided the combined floor area does not exceed 186 m ² (2,002 ft. ²)
13.5.2	Minimum Lot Area, Side by Side or Semi-Detached Units	668 m ² (7,190 ft. ²) or 743 m ² (7998 ft. ²) if a corner lot
13.5.3	Minimum Floor Area	55.5 m ² (597 ft. ²) per dwelling unit
13.5.4	Minimum Yards	Same as for Single-detached Dwellings

13.6 Regulations relating to Triplexes, Fourplexes, Row Housing, and Apartments

13.6.1	Maximum Density, Triplex	350 persons per ha (142 persons per ac.)	
13.6.2	Maximum Density, Fourplex	350 persons per ha (142 persons per ac.)	
13.6.3	Maximum Density, Apartment	350 persons per ha (142 persons per ac.)	
13.6.4	Maximum Density, Row Housing	175 persons per ha (71 persons per ac.)	
13.6.5	Persons per acre is to be calculated according to the following table:	0 bedrooms	1 person per dwelling unit
		1 bedroom	1.75 persons per dwelling unit
		2 bedrooms	2 persons per dwelling unit
		3 or more bedrooms	4 persons per dwelling unit
13.6.6	Minimum Lot Size, Fourplex	743 m ² (7998 ft. ²) per building	
13.6.7	Minimum Lot Size, Apartment	929 m ² (10,000 ft. ²) per building	
13.6.8	Minimum Lot Size, Row Housing	232 m ² (2,497 ft. ²) per interior dwelling unit, plus 325 m ² (3498 ft. ²) per corner or end dwelling unit. All other uses at the discretion of the Development Authority.	
13.6.9	Minimum Yards, Fourplex	Same as for Single-detached Dwellings	
13.6.10	Minimum Yards, Apartment	Front Yard, for a building 9.1 m (29.9 ft.) or less in height	6.1 m (20.0 ft.)
		Front Yard, for a building between 9.1 m (29.9 ft.) and 12.2 m (40 ft.) in height	9.1 m (29.9 ft.)
		Front Yard, for a building more than 12.2 m (40 ft.) in height.	10.7 m (35.1 ft.)
		Side Yard	A minimum side yard shall be provided on each side of the building of not less than 15% of the width of the lot or 4.5 m (14.8 ft.), whichever is the lesser, except in the following case: for a building more than 9.1 m (29.9 ft.)

			in height, the minimum required side yard shall be 20% of the width of the lot or 6.1 m (20.0 ft.), whichever is the lesser.
		Rear Yard	7.6 m (24.9 ft.)
13.6.11	Minimum Yards, Row Housing	All Yards	6.1 m (20.0 ft.)
13.6.12	Maximum Lot Coverage	35%, unless otherwise approved by the Development Authority.	
13.6.13	Maximum Building Height, Fourplex and Row Housing	Same as for Single-detached Dwellings.	
13.6.14	Maximum Building Height, Apartment	3 storeys, or 12.5 m (41 ft.), whichever is the lesser.	
13.6.15	Additional Regulations for Apartments	Apartment developments shall be subject to such additional regulations and requirements relating to site design, access, landscaping, and other considerations that the Development Authority, in its sole discretion, deems reasonable. In setting these regulations and requirements, the Development Authority shall have due consideration to the adjacent land uses and the amenities of the area in which the development is proposed.	

13.7 Special Requirements

- 13.7.1 Where two or more buildings are on one lot, there shall be a minimum separation distance of 6.1 m (20.0 ft.) between the walls of the two buildings.
- 13.7.2 Each dwelling unit within a row housing development shall have one yard which serves as an outdoor living area for the occupants. This yard shall have a minimum depth of 7.6 m (24.9 ft.) and a minimum width of 9.1 m (29.9 ft.). Within this outdoor living area there shall be a privacy zone of a minimum of 4.5 m (14.8 ft.) which is contained by a fence at least 1.5 m (4.9 ft.) in height.
- 13.7.3 No walkway in a development shall be located within 4.5 m (14.8 ft.) of a window to a habitable room.
- 13.7.4 In the case of two or more grouped buildings, the relationship of the buildings to each other and the total relationship to the site, in particular, in respect to such matters as appearance, provision of adequate light, privacy, and landscaping shall be fully shown in the site plans for the whole development and shall be to the satisfaction of the Development Authority.
- 13.7.5 All residential developments in this District shall provide amenity areas for recreational and landscaping purposes. The minimum required amenity area is to be calculated according to the following table:

Number of Bedrooms	Area
0	14.0 m ² (151.0 ft. ²)
1	19.0 m ² (205.0 ft. ²)
2	54.0 m ² (581.0 ft. ²)
3	93.0 m ² (1001.0 ft. ²)
4 or more	120.0 m ² (1292.0 ft. ²)

- 13.7.6 Outdoor living areas may be calculated as part of the required amenity area for any development.
- 13.7.7 For apartments or row housing developments containing more than 40 dwelling units with 2 or more bedrooms, a playground area shall be provided on the basis of 6.1 m (20.0 ft.) per bedroom, master bedroom excluded.
- 13.7.8 This play area shall be provided with landscaping, fencing, surface treatment, and play equipment to the satisfaction of the Development Authority.
- 13.7.9 This play area will be included as part of the required amenity area for the development.

- 13.7.10 A storage compound satisfactory to the Development Authority shall be provided for large trucks, recreational vehicles, and similar equipment. There shall be no outdoor storage of furniture or similar equipment.

13.8 Relating to All Other Uses

- 13.8.1 Maximum lot coverage:
- a. Principal building - 28% or, if a garage is attached, a maximum of 40%
 - b. Accessory buildings - 12%
 - c. Total - 40%
- 13.8.2 Parking space requirements:
- a. 1 space for each one-bedroom or studio apartment dwelling unit
 - b. 2 spaces per all other dwelling units
- 13.8.3 Notwithstanding any other provision of this Bylaw, existing dwellings located within 300.0 m (984 ft.) of the Village of Clyde sewage lagoon will not be allowed to expand or to rebuild if destroyed by fire.
- 13.8.4 All other site regulations shall be as required by the Development Authority.

14. RESIDENTIAL MANUFACTURED HOME DISTRICT - RMH

14.1 Purpose

14.1.1 To permit and regulate development of manufactured home subdivisions and, at the discretion of the Development Authority, manufactured home parks.

14.2 Permitted Uses

- | | | | |
|--------|-------------------------------------|--------|--|
| 14.2.1 | Alternate energy system, individual | 14.2.4 | Parks |
| 14.2.2 | Dwellings, manufactured home | 14.2.5 | Buildings and uses accessory to permitted uses |
| 14.2.3 | Home occupations, minor | | |

14.3 Discretionary Uses

- | | | | |
|--------|---|--------|--|
| 14.3.1 | Day homes | 14.3.6 | Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses |
| 14.3.2 | Home occupations, major | | |
| 14.3.3 | Manufactured home parks | | |
| 14.3.4 | Public or quasi-public buildings and uses | 14.3.7 | Buildings and uses accessory to discretionary uses |
| 14.3.5 | Public utilities | | |

14.4 Regulations for Manufactured Home Subdivisions

14.4.1	Minimum Lot Area	Manufactured homes	464.5 m ² (5000 ft. ²)
		Other Uses	As required by the Development Authority
14.4.2	Minimum Lot Width	Manufactured homes	15.25 m (50.0 ft.)
		Other Uses	As required by the Development Authority
14.4.3	Minimum Floor Area	Manufactures homes	88.0 m ² (947.0 ft. ²)
		Other Uses	As required by the Development Authority
14.4.4	Minimum Yards	Front	4.5 m (14.8 ft.)
		Side	1.2 m (3.9 ft.) on one side; however, a 4.5 m (14.8 ft.) separation from any adjacent manufactured home or road shall be provided
		Rear	4.5 m (14.8 ft.)
14.4.5	Maximum Lot Coverage	Principal building	28% or, if a garage is attached, a maximum of 40%
		Accessory Building	12%
		Total	40%
14.4.6	Maximum Building Height	Manufactured homes	7.6 m (24.9 ft.)
		Accessory Building	4.5 m (14.8 ft.)
		Other Uses	As determined by the Development Authority
14.4.7	Parking Space Requirements	Per Dwelling Unit	2 spaces

14.5 Other Regulations

14.5.1 All manufactured homes shall conform with the provisions in Section 10.12 Manufactured Homes.

- 14.5.2 All manufactured homes shall be anchored with at least four (4) tie downs for a single wide and eight (8) tie downs for a double wide.
- 14.5.3 The undercarriage of each manufactured home shall be completely screened from view by the foundation or skirting within thirty (30) days of the placement of the manufactured home.
- 14.5.4 All accessory structures such as steps, patios, porches, additions, skirting, and storage facilities shall be:
 - a. factory prefabricated or the equivalent thereof, the exterior and design of which shall match the manufactured home;
 - b. considered as part of the principal building;
 - c. erected only after obtaining a development permit.
- 14.5.5 Additions to a manufactured home shall have a foundation or skirting equivalent to that of the manufactured home.
- 14.5.6 No accessory building or use shall be located in the front yard unless it is a parking space on a driveway located on either side of the manufactured home.
- 14.5.7 All areas of a manufactured home lot not occupied by driveways, walkways, manufactured homes, buildings, and other facilities shall be landscaped to the satisfaction of the Development Authority within six (6) months (weather permitting) of the date of the placement of the manufactured home.
- 14.5.8 All utility lines shall be placed underground.

14.6 Regulations for Manufactured Home Parks

14.6.1	Minimum Lot Area	2 ha (4.9 ac.), though, at the discretion of the Development Authority, a smaller lot area may be approved where a development is proposed to be staged and where the properties are adjacent.	
14.6.2	Maximum Density	20 manufactured homes per ha (8.1 per ac.).	
14.6.3	Minimum Stall Area	371.0 m ² (3993 ft. ²)	
14.6.4	Minimum Yards within Stalls	Front Yard	4.5 m (14.8 ft.)
		Side Yard	1.2 m (3.9 ft.) on one side; however, a 4.5 m (14.8 ft.) separation from any adjacent manufactured home or road shall be provided
		Rear Yard	4.5 m (14.8 ft.)
14.6.5	Maximum Stall Coverage	Principal Building	28% or, if a garage is attached, a maximum of 40%
		Accessory Buildings	12%
		Total	40%
14.6.6	Roadways	All roadways shall be graveled or paved, well-drained and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.1 m (29.9 ft.). The manufactured homes and all community facilities shall be connected by a safe, convenient, concrete pedestrian walkway of at least 1.2 m (3.9 ft.) in width.	
14.6.7	Recreational Use	Five percent (5%) of the gross lot area shall be provided for the recreational use of the park occupants. This recreational space shall be located convenient to all park residents, be free from traffic hazards, be clearly marked, and shall not be included in areas designated as buffer strips.	
14.6.8	Parking Space Requirements	2 spaces per manufactured home stall	

- 14.6.9 Each stall shall have a durable base on which the manufactured home shall be placed.
- 14.6.10 The undercarriage of each manufactured home shall be completely screened from view by the foundation or by skirting within thirty (30) days of the placement of the manufactured home.

- 14.6.11 All accessory structures such as steps, patios, porches, additions, skirting, and storage facilities shall be:
 - a. factory prefabricated or the equivalent thereof, the exterior and design of which shall match the manufactured home, and
 - b. considered as part of the principal building, and
 - c. erected only after obtaining a development permit.
- 14.6.12 No accessory building or use shall be located in the front yard of a stall. However, driveways to side yard parking are allowed.
- 14.6.13 All utility lines shall be placed underground. Street lighting and signage shall be of the same standard used in the other Residential Districts.
- 14.6.14 The floor area of porches and additions (excluding attached garages) shall not exceed 25% of the gross floor area of the manufactured home.
- 14.6.15 All areas of a manufactured home lot park not occupied by roadways, lanes, driveways, walkways, manufactured homes, buildings, and other facilities shall be landscaped to the satisfaction of the Development Authority within six (6) months (weather permitting) of the date of the placement of the manufactured home.
- 14.6.16 All manufactured home parks shall have at least two legal road accesses.

15. RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT- RMH-A

15.1 Purpose

15.1.1 To provide for manufactured home development on subdivided lots.

15.2 Permitted Uses

15.2.1 Dwellings, manufactured home	15.2.3 Parks and playgrounds
15.2.2 Home occupations, minor	15.2.4 Buildings and uses accessory to permitted uses

15.3 Discretionary Uses

15.3.1 Day homes	15.3.6 Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
15.3.2 Dwellings, single-detached	
15.3.3 Home occupations, major	
15.3.4 Public or quasi-public buildings and uses	15.3.7 Buildings and uses accessory to discretionary uses
15.3.5 Public utilities	

15.4 Regulations

15.4.1	Minimum Lot Area	Manufactured Homes	464.5 m ² (5000 ft. ²)
		Other Uses	As required by the Development Authority
15.4.2	Minimum Lot Width	Manufactured Homes	15.25 m (50 ft.)
		Other Uses	As required by the Development Authority
15.4.3	Minimum Floor Area	Manufactured Homes	88 m ² (947 ft. ²)
		Single-detached Dwellings	92.9 m ² (1000 ft. ²)
		Other uses	As required by the Development Authority
15.4.4	Minimum Yards	Front	4.5 m (14.8 ft.)
		Side	1.2 m (3.9 ft.) on one side; however, a 4.5 m (14.8 ft.) separation from any adjacent manufactured home or road shall be provided
		Side, Laneless Subdivision	a side yard at least 2.75 m (9.0 ft.) wide shall be provided on one side, OR a 1.2 m (3.9 ft.) wide maintenance easement shall be registered against the title of the lot on which the dwelling is located and the lot adjacent to which the reduced side yard is provided to provide maintenance access to the rear yard.
		Rear	4.5 m (14.8 ft.) in laneless subdivisions and 5.5 m (18.0 ft.) in laned subdivisions
15.4.5	Maximum Lot Coverage	Principal Building	28% or, if a garage is attached, a maximum of 40%
		Accessory Building	12%
		Total	40%

15.4.6	Maximum Building Height	Manufactures Homes	7.6 m (24.9 ft.)
		Single-detached Dwellings	7.6 m (24.9 ft.)
		Accessory Buildings	4.5 m (14.8 ft.)
		Other Uses	As determined by the Development Authority
15.4.7	Parking Space Requirements	Per Dwelling Unit	2 spaces

15.5 Other Regulations

- 15.5.1 All manufactured homes shall have Canadian Standards Association certification or the equivalent for manufactured homes. Proof of certification shall be submitted with an application for a development permit.
- 15.5.2 A development permit is required prior to sitting a manufactured home within this District.
- 15.5.3 Only one (1) manufactured home may be located on a lot in this District.
- 15.5.4 All lots within this District shall provide for both single wide and double wide manufactured homes.
- 15.5.5 All manufactured homes shall satisfy Canadian Standards Association Z240 Standards.
- 15.5.6 All manufactured homes must be of new construction or not more than five (5) years of age from the date of the development application. Manufactured homes shall be in good condition to the satisfaction of the Development Authority.
- 15.5.7 All manufactured homes shall have pitched roofs.
- 15.5.8 All development shall be of a quality and design which will enhance the residential environment.
- 15.5.9 All manufactured homes shall be anchored to a permanent foundation, with at least four (4) tie downs for a single wide and eight (8) tie downs for a double wide. The foundation or basement shall not exceed 0.6 m (2.0 ft.) above finished grade.
- 15.5.10 The undercarriage of each manufactured home shall be completely screened from view by the foundation or skirting within thirty (30) days of the placement of the manufactured home.
- 15.5.11 All accessory structures such as steps, patios, porches, additions, skirting, and storage facilities shall be:
- factory prefabricated or the equivalent thereof, the exterior and design of which shall match the manufactured home;
 - considered as part of the principal building;
 - erected only after obtaining a development permit; and
 - be less than 25% of the gross floor area of the manufactured home in size (excluding attached garages).
 - Additions to a manufactured home shall have a foundation or skirting equivalent to or better than that of the manufactured home and shall be provided with steps and landings to all entrances within thirty (30) days of their development.
- 15.5.12 No accessory building or use shall be located in the front yard.
- 15.5.13 All utility lines shall be placed underground.
- 15.5.14 Notwithstanding any other provision of this Bylaw, all detached garages shall be located not less than 2.4 m (7.9 ft.) from a manufactured home.
- 15.5.15 Notwithstanding any other provision of this Bylaw to the contrary, the vehicle entry doors of all garages, whether attached to or detached from a manufactured home or any other building, shall be located not less than 5.5 m (18.0 ft.) from a rear or flanking lot line.
- 15.5.16 All areas of a manufactured home lot not occupied by driveways, walkways, manufactured homes, buildings, and other facilities shall be landscaped to the satisfaction of the Development Authority within two (2) months (weather permitting) of the date of the placement of the manufactured home.
- 15.5.17 Adequate screening in the form of vegetation or fencing shall be provided between the manufactured home lot and other manufactured home lots, or between the manufactured home lot and adjacent uses where the uses are incompatible with the residential use of the manufactured home lot. This requirement

may be waived by the Development Authority if adjacent landowners agree in writing not to erect any form of screening between their respective properties.

- 15.5.18 Each manufactured home shall be clearly marked and defined with the property address of the lot. Such marking shall be displayed on the side of the manufactured home facing the road.
- 15.5.19 The owners of a manufactured home shall provide proper garbage containers on each lot.
- 15.5.20 Notwithstanding any other provision of this Bylaw to the contrary, a development on a corner lot shall comply with all the restrictions, limitations, and conditions relating to visibility at the intersecting roads as may be required by the Development Authority.
- 15.5.21 The manufactured home must be covered with an exterior material customarily used in the construction of conventional dwellings. The exterior covering material must extend to the ground, except that when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
- 15.5.22 In addition to the requirements indicated in Sections 5.4, and 10.12 of this Bylaw, each application for a development permit within this District shall be accompanied by:
 - a. a landscaping and site development plan, and
 - b. photographs of each side of the proposed manufactured home.
- 15.5.23 In making a decision on a development permit within this District, the Development Authority may approve, refuse, or conditionally approve a development permit application if, in addition to any other consideration provided for by this Bylaw, after considering the size, external design, and finish of the proposed development, the Development Authority is of the opinion that the proposed development will detract from the appearance or character of existing or proposed development in the surrounding area.

16. COMMERCIAL DISTRICT- C

16.1 Purpose

16.1.1 To permit commercial development appropriate for the Central Business District of the municipality and involving fairly high-density development.

16.2 Permitted Uses

16.2.1	Alternate energy systems, individual	16.2.8	Household repair shops
16.2.2	Eating and drinking establishments	16.2.9	Indoor amusement establishments
16.2.3	Exhibition facilities	16.2.10	Libraries and cultural exhibits
16.2.4	Food and beverage production	16.2.11	Office and financial uses
16.2.5	General retail stores	16.2.12	Outdoor amusement establishments
16.2.6	Government services	16.2.13	Personal service shops
16.2.7	Health services	16.2.14	Buildings and uses accessory to permitted uses

16.3 Discretionary Uses

16.3.1	Agri-tourism	16.3.19	Highway commercial uses
16.3.2	Alcohol retail sales	16.3.20	Hotels
16.3.3	Automobile, light truck and recreational vehicle sales and service	16.3.21	Parking areas
16.3.4	Auctioneering establishment	16.3.22	Mixed Use developments
16.3.5	Bingo halls	16.3.23	Places of worship
16.3.6	Business support services	16.3.24	Private clubs
16.3.7	Cannabis store	16.3.25	Public or quasi-public buildings or uses
16.3.8	Childcare facilities	16.3.26	Public utilities
16.3.9	Commercial schools	16.3.27	Recreational facilities
16.3.10	Communications and security services	16.3.28	Suites, surveillance
16.3.11	Drive In (through) businesses	16.3.29	Theatres
16.3.12	Dwellings, single-detached	16.3.30	Veterinary clinic
16.3.13	Dwellings, manufactured home (existing as of January 1, 2006)	16.3.31	Dwelling units in a building in which commercial uses are located or are designed to be located
16.3.14	Entertainment establishments	16.3.32	Shopping centres containing a number of the above listed Permitted and Discretionary uses
16.3.15	Equipment rental establishments	16.3.33	Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
16.3.16	Fleet services	16.3.34	Buildings and uses accessory to discretionary uses
16.3.17	Funeral homes		
16.3.18	Gambling machine establishments		

16.4 Regulations

16.4.1	Minimum Lot Area	139 m ² (1496 ft. ²)	
16.4.2	Minimum Lot Width	4.5 m (14.8 ft.).	
16.4.3	Minimum Yards	Front	None, except where the Development Authority may deem it necessary to conform with existing development.

		Side	None, if the subject lot is bordered on both sides by land classified C. If the subject lot is bordered by a Residential District on a side, the minimum side yard on that side shall be 1.5 m (4.9 ft.).
		Rear	7.6 m (24.9 ft.), or as required by the Development Authority
16.4.4	Maximum Lot Coverage	80%, if provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.	
16.4.5	Minimum Floor Area	As required by the Development Authority.	
16.4.6	Parking Space Requirements	Retail and Personal Service Shops, Banks, and Offices	1 parking space per 46.5 m ² (500 ft. ²) of gross leasable floor space
		Restaurants, cocktail bars, and taverns	1 parking space per 5 seating spaces
		Hotels and motels	1 parking space per sleeping unit
16.4.7	Loading Space Requirements	1 loading space per establishment	
16.4.8	Multiple Commercial Uses	Where groups of commercial uses are to be built on a single lot or grouping of lots, regulations shall be determined by the Development Authority, who shall deal with the overall scheme for the site, considering buildings, access, parking and specific commercial uses.	

16.5 Regulations for Dwellings

- 16.5.1 The regulations for dwelling units within commercial buildings shall be as indicated for apartments in the Residential (R2) District.
- 16.5.2 The regulations for Single-detached Dwellings shall be as indicated for Single-detached Dwellings in the Residential (R1) District.
- 16.5.3 The regulations for manufactured homes shall be as indicated for manufactured homes in the Residential Manufactured Home Subdivision (RMH-A) District.

17. INDUSTRIAL DISTRICT - M

17.1 Purpose

17.1.1 To provide opportunities for light industrial and manufacturing uses, with heavier industry allowed in approved locations at the discretion of the Development Authority.

17.2 Permitted Uses

17.2.1	Alternate energy systems, individual	17.2.4	Industrial Uses, light
17.2.2	Business support services	17.2.5	Servicing establishments
17.2.3	Government services	17.2.6	Buildings and uses accessory to permitted uses

17.3 Discretionary Uses

17.3.1	Alternate energy systems, commercial	17.3.11	Outdoor storage
17.3.2	Apiculture	17.3.12	Parks
17.3.3	Bulk fuel storage and sales	17.3.13	Public or quasi-public buildings or use s
17.3.4	Cannabis production and distribution facilities	17.3.14	Public utilities
17.3.5	Existing single-detached dwelling on Lot C, Block 4, Plan 1209AI	17.3.15	Recreational facilities
17.3.6	General industrial uses	17.3.16	Small animal breeding and boarding facilities
17.3.7	Greenhouses and plant nurseries	17.3.17	Suites, surveillance
17.3.8	Kennels	17.3.18	Workcamps
17.3.9	Industrial uses, medium	17.3.19	Buildings and uses accessory to discretionary uses
17.3.10	Industrial uses, heavy	17.3.20	Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

17.4 Regulations

17.4.1	Minimum Lot Area	As required by the Development Authority	
17.4.2	Minimum Yards	Front	9.1 m (29.9 ft.)
		Side	As required by the Development Authority
		Rear	9.1 m (29.9 ft.)
17.4.3	Maximum Lot Coverage	60%	
17.4.4	Maximum Building Height	11.0 m (36.1 ft.)	
17.4.5	Parking Space Requirements	1 stall per 2 employees on maximum shift	
17.4.6	Loading Space Requirements	1 loading space per establishment	

17.5 Safety Regulations

17.5.1 Uses and operations with this District shall not cause or permit any external objectionable or dangerous conditions apparent beyond any building housing processes wherein such effects may be produced, including but not limiting the generalities thereof, the following objectionable features, namely: noise, vibration, smoke, dust and other kinds of particulate matter, odour, toxic and noxious matter, radiation hazards, fire and explosive hazards, humidity, and glare.

18. COMMUNITY DISTRICT - P

18.1 Purpose

18.1.1 To permit the use of land for community and public services.

18.2 Permitted Uses

- | | | | |
|--------|--------------------------------------|--------|--|
| 18.2.1 | Alternate energy systems, individual | 18.2.3 | Recreational facilities |
| 18.2.2 | Parks | 18.2.4 | Buildings and uses accessory to permitted uses |

18.3 Discretionary Uses

- | | | | | |
|--------|--|--------|--|--|
| 18.3.1 | Basic campgrounds | 18.3.6 | Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses | |
| 18.3.2 | Childcare facilities | 18.3.7 | | Buildings and uses accessory to discretionary uses |
| 18.3.3 | Institutional uses | | | |
| 18.3.4 | Public or quasi-public buildings or uses | | | |
| 18.3.5 | Public utilities | | | |

18.4 Regulations

18.4.1 All regulations shall be as required by the Development Authority

19. INSTITUTIONAL DISTRICT - I

19.1 Purpose

19.1.1 To permit development of uses of either a public or private nature which provide services to the community.

19.2 Permitted Uses

19.2.1	Alternate energy system, individual	19.2.5	Places of worship
19.2.2	Childcare facilities	19.2.6	Public schools
19.2.3	Health services	19.2.7	Recreation, community
19.2.4	Institutional uses	19.2.8	Buildings and uses accessory to permitted uses

19.3 Discretionary Uses

19.3.1	Basic campgrounds	19.3.7	Recreational facilities
19.3.2	Buildings and uses accessory to discretionary uses	19.3.8	Supportive living facilities
19.3.3	Extensive agriculture	19.3.9	Senior citizens housing
19.3.4	Clubs and lodges	19.3.10	Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
19.3.5	Public or quasi-public buildings and uses		
19.3.6	Public utilities		

19.4 Regulations

a.	Parking Space Requirements	Community recreation, recreational facilities, institutional uses, theatres, and similar uses	To the satisfaction of the Development Authority, but not less than 1 space per 5 seating spaces.
		Schools	1 space per employee
		Hospitals and nursing homes	1 space per 92.9 m ² (1000 ft. ²)
		Supportive living facilities and similar buildings	1 space per unit
b.	All Other Regulations	As required by the Development Authority	

20. URBAN RESERVE DISTRICT - UR

20.1 Purpose

- 20.1.1 To reserve those lands on the periphery of the municipality which, by their relationship to existing land uses, the main road system, and the established utility systems, will in time become suitable for general urban uses.

20.2 Permitted Uses

- | | | | |
|--------|--|--------|--|
| 20.2.1 | Alternate energy system, individual | 20.2.3 | Extensive agriculture |
| 20.2.2 | Dwellings, single-detached dwellings on existing lots only | 20.2.4 | Home occupations, minor |
| | | 20.2.5 | Buildings and uses accessory to permitted uses |

20.3 Discretionary Uses

- | | | | |
|--------|---|--------|--|
| 20.3.1 | Any strictly temporary use or building which in the opinion of the Development Authority will not prejudice the possibility of conveniently and economically subdividing or developing the area in the future | 20.3.3 | Public or quasi-public buildings and uses |
| | | 20.3.4 | Public utilities |
| | | 20.3.5 | Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses |
| 20.3.2 | Home occupations, major | 20.3.6 | Buildings and uses accessory to discretionary uses |

20.4 Regulations

- 20.4.1 No subdivision or development other than for the above uses shall take place until an overall plan for the area has been resolved. This plan should establish a plan showing the subdivision design, the proposed land use classification, public reserve dedications and utilities policies.
- 20.4.2 All other regulations shall be as required by the Development Authority

21. DIRECT CONTROL DISTRICT - DC1

21.1 Purpose

- 21.1.1 To provide for the development of land uses under individually unique or special circumstances requiring site-specific controls where the application of conventional land use districts would be inappropriate or inadequate.

21.2 Permitted and Discretionary Uses

- 21.2.1 In approving a bylaw amendment for a Direct Control District for a particular site, Council shall specify those uses that may be allowed.

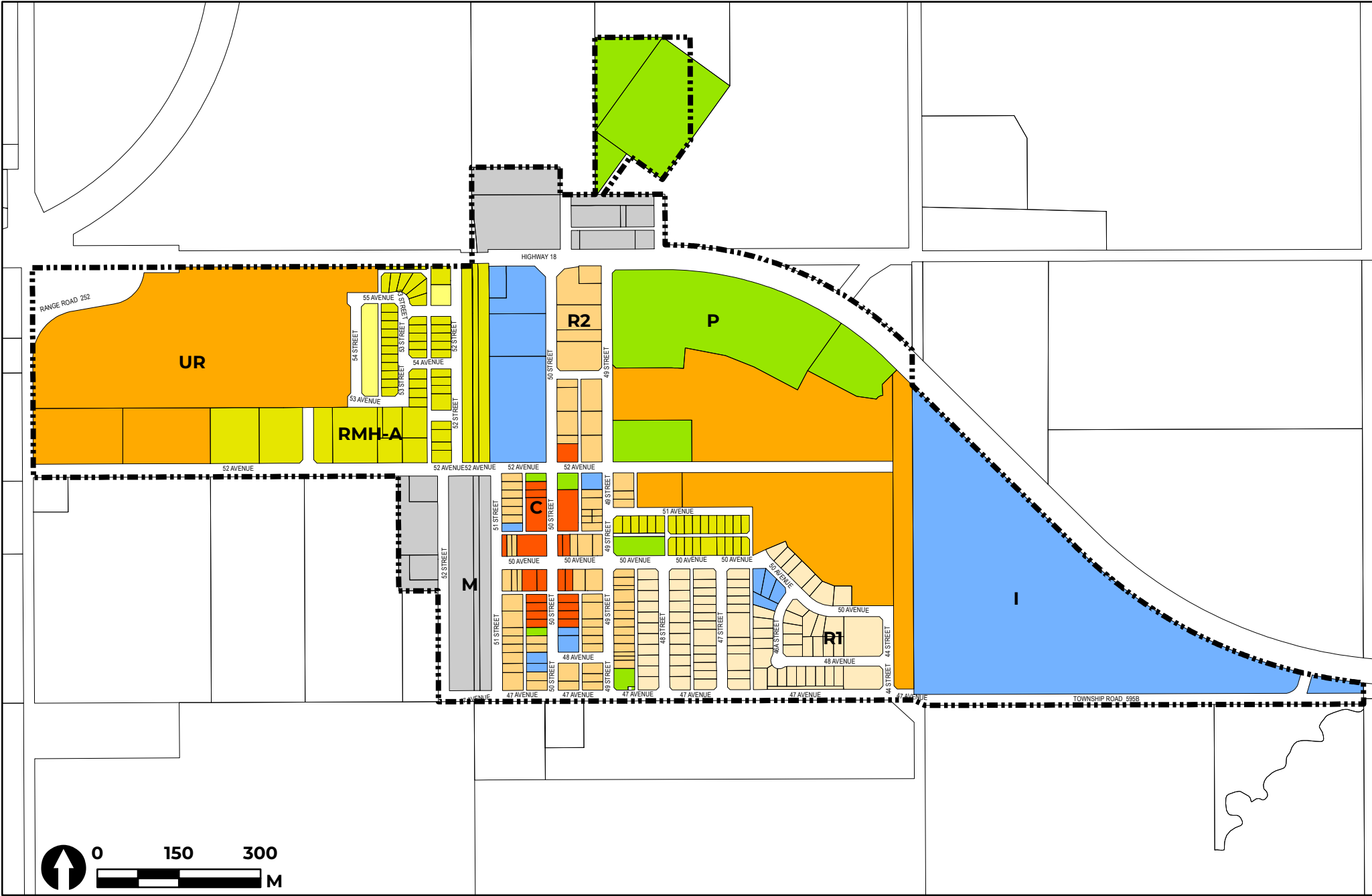
21.3 Regulations

- 21.3.1 In approving a bylaw for a Direct Control District for a particular site, Council shall establish the development standards that apply.
- 21.3.2 This District shall only be applied where the following conditions are met:
- a. The development is, in the opinion of Council, considered appropriate for the site having regard for the policies and objectives of any statutory plans applicable to the site and surrounding area and its compatibility with the scale and character of surrounding development;
 - b. The use of any other District on the site would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of uses in the District be realized; and
 - c. The development is of a unique form or nature not contemplated or reasonably regulated by another District.
- 21.3.3 In addition to the information required by this Bylaw for an amendment application, the applicant shall also provide the following:
- a. Support rationale explaining why the proposed District is desirable for the site having regard for the conditions listed in Section 21.3.2;
 - b. A list of uses proposed for the site;
 - c. An explanation of the methods used to obtain public input and written documentation of the opinions and concerns of surrounding property owners and residents and how the proposed development responds to those concerns;
 - d. Plans and elevations that would help substantiate the need for the District and establish the development standards that would apply to the site; and
 - e. Any other information as required by the Development Authority to evaluate the proposed development and its potential impacts.
- 21.3.4 In approving a bylaw for a Direct Control District for a particular site, Council may specify:
- a. The Development Authority for those uses to be decided upon; and
 - b. Those development standards for which a variance may be granted.

21.4 Sites Subject to Direct Control

- 21.4.1 The allowable uses and specific regulations for a particular site subject to Direct Control are described in the applicable bylaw (listed below, if any).

22. LAND USE DISTRICT MAP



VILLAGE OF CLYDE

Land Use Bylaw | Land Use District Map

Bylaw 2023-12-03 | January 2024

Legend	
	Village Boundary
	C - Commercial District
	I - Institutional District
	M - Industrial District
	P - Community District
	R1 - Residential District (Single Unit Detached)
	R2 - Residential District (Single Unit Detached & Multi Unit/Duplex)
	RMH - Residential Manufactured Home District
	RMH-A - Residential Manufactured Home Subdivision District
	UR - Urban Reserve District

Digital Information:
Geogris, Geodiscover,
and Altalis
Projection:
UTM NAD 83 12N

